

## New Jersey Court Rules Jury Must Decide If Abortion Terminates a Life

If a jury is to decide whether a first trimester abortion terminates the life of a complete human being, then this is a slam dunk, as it is a scientific fact that when the ovum is fertilized by the sperm, you have a unique human being.

The DNA is now in place that will determine all the characters of that human being -- sex, eye color, ultimate growth etc. These things will never change. They have been etched in stone at conception. DNA does not lie.

So, of course, the jury can come to only one decision: At conception, a human being has been created. Could anyone possibly think it's an animal being? Naw, that would be ridiculous.

When the jury comes in with their verdict, it will be a great day for all unborn children, because, no longer will they be killed, legally. After all, a jury weighed all the evidence and proclaimed that unborn children are, indeed, human beings.

There is NO human embryologist in the entire world who would dare to refute that human life begins at conception, as their very reputation would be at stake and their livelihood. Unless Planned Parenthood, the leading killers of human life the world has ever known, will somehow manage to slip a good sum of money to the human embryologist before he/she testifies, this is a win for little children who will be allowed to live.

The transfer of money to the human embryologist would have to be a very large amount so that he/she would not have to work another day in his/her life, because by testifying that human life does NOT begin at conception, that human embryologist's days of respect, honesty, reputation and character are numbered and therefore a good job.

Who would hire such a person? Anyhow, letting a jury decide If an abortion terminates a life is the best news I have heard in a very long time.

We should all follow this case, closely. Start praying, because the devil does not like to lose.

Frank Joseph MD

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TRENTON, N.J., April 7, 2006 (LifeSiteNews.com) - In a stunning reversal for abortion providers, a New Jersey Appellate Court has issued a unanimous opinion that the factual contention that a first trimester abortion terminates the life of a human being is a question to be decided by a jury. In the sixteen page opinion in *Rosa Acuna v. Dr. Sheldon Turkish* (Appellate Docket #A-4022-03T5), the the Court remanded the case for trial, ruling that whether a first trimester abortion terminates the life of a complete, unique human being presents a fact question for a jury to decide.

Mrs. Acuna contends that she submitted to an abortion after her regular gynecologist -- who she saw for abdominal pain -- recommended that she have an abortion. When Mrs. Acuna asked Dr. Turkish whether her baby was already there, he told her "Don't be stupid, it is just some blood," according to Mrs. Acuna. Mrs. Acuna wanted to know if there was a human being already in existence. Even Dr. Turkish has acknowledged that he would have told her that there was just some "tissue" that was being removed.

Mrs. Acuna has stated that she relied upon representations of Dr. Turkish, and submitted to the abortion procedure. Three weeks later she was rushed to a local hospital because of heavy hemorrhaging and was told by a nurse that the doctor had "left part of your baby in you."

Mrs. Acuna's attorney, New Jersey attorney Harold J. Cassidy, is also the chief counsel for four parties in litigation involving the same factual contentions, currently pending in the Federal District Court in South Dakota and the United States Court of Appeals for the Eighth Circuit in St. Louis. In that case, Planned Parenthood sued South Dakota Governor Michael Rounds and Attorney General Larry Long claiming that a South Dakota law enacted in 2005 -- which requires abortion doctors to disclose to a pregnant mother the fact that the abortion will terminate the life of a whole, separate, unique, living human being -- violates the free speech rights of the abortion doctors.

The Acuna case, which is a jury trial, and the South Dakota Planned Parenthood v. Rounds case

**(Fed. District Ct. Case No. 05-4077; U.S. Court of Appeals Case No. 05-3093) are the only two cases of their nature in the United States. For the first time in abortion jurisprudence, both cases will decide whether a first trimester abortion terminates the life of a living human being, and implicates questions surrounding the beginning of biological life.**

**"Mrs. Acuna is grateful that the Appellate Court has again ruled in her favor so that she will be permitted to try her case in a court of law," Mr. Cassidy stated. "Planned Parenthood in the South Dakota case had pointed to the second lower court decision in the Acuna case before the U.S. Court of Appeals. Its reliance upon the lower court decision that conflicted with the prior Appellate decision was misplaced, and today's opinion will be brought to the attention of that court before the oral argument on April 20th."**

[Home](#)