



Nearly all abortions in Texas must stop, again, federal appeals court rules

BY KATE SMITH

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In a ruling that seems destined for the U.S. Supreme Court, nearly all abortions in Texas must again be halted, the Fifth Circuit ruled Monday afternoon. The federal appeals court allowed the state to reinstate its ban on nearly all abortion services, including the procedure in Governor Greg Abbott's Executive Order suspending all "non-essential" medical procedures.

Monday's decision reverses both the court's own previous ruling as well as a lower court's decision that allowed medication abortion, a pregnancy termination method conducted by pill, to resume despite the state's ban. The court offered one exception:

patients who would be past the state's legal limit by April 22, when the order is set to expire.

"Once more, people in Texas face a nightmare within a nightmare," said Alexis McGill Johnson, acting president of Planned Parenthood, in a statement shared with CBS News. "People are being forced to risk their health by traveling hundreds of miles out of state to get care. Many cannot afford to travel and are forgoing the care they need altogether. A global pandemic is no time to restrict time-sensitive health care."

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Planned Parenthood, along with the Center for Reproductive Rights and the Lawyering Project, are challenging Texas' effective abortion ban on behalf of the state's providers.

A spokesperson for the Texas Attorney General's office did not immediately respond to a request seeking comment.

Monday's filing is the latest in what's become a legal ping-pong match between Texas and abortion rights advocates over whether the state can suspend abortion services amid the coronavirus outbreak. On March 23, Texas Attorney General Ken Paxton issued guidance that abortion services would be included in the Governor's suspension of "non-essential" medical procedures amid the coronavirus pandemic. The order included all pregnancy termination "not medically necessary to preserve the life or health" of the patient. Doctors who violate the order face "penalties of up to \$1,000 or 180 days of jail time.

Since that order, the vast majority of abortion services have been mostly blocked. Though medication abortion was allowed to resume last week, it will again be shut down after Monday's decision.

Texas is among eight states facing legal battles over restricting abortion access during the pandemic, and the one furthest along in the judicial process. In a sweep of legal filings, a coalition of abortion rights groups have challenged similar bans in Alabama, Arkansas, Iowa, Louisiana, Ohio, Oklahoma and Tennessee. So far, judges have ordered bans to be at least partially lifted nearly everywhere but Texas.

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