

Texas state court throws out lawsuit against doctor who violated abortion law

The Texas Tribune | By Eleanor Klibanoff

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Kylie Cooper / The Texas Tribune

Dr. Alan Braid, abortion provider and owner of Alamo Women's Reproductive Services in San Antonio, sits in his office for a portrait on June 14, 2022.

A Texas state court has thrown out a lawsuit filed against an abortion provider who intentionally violated a state law prohibiting abortions after about six weeks of pregnancy.

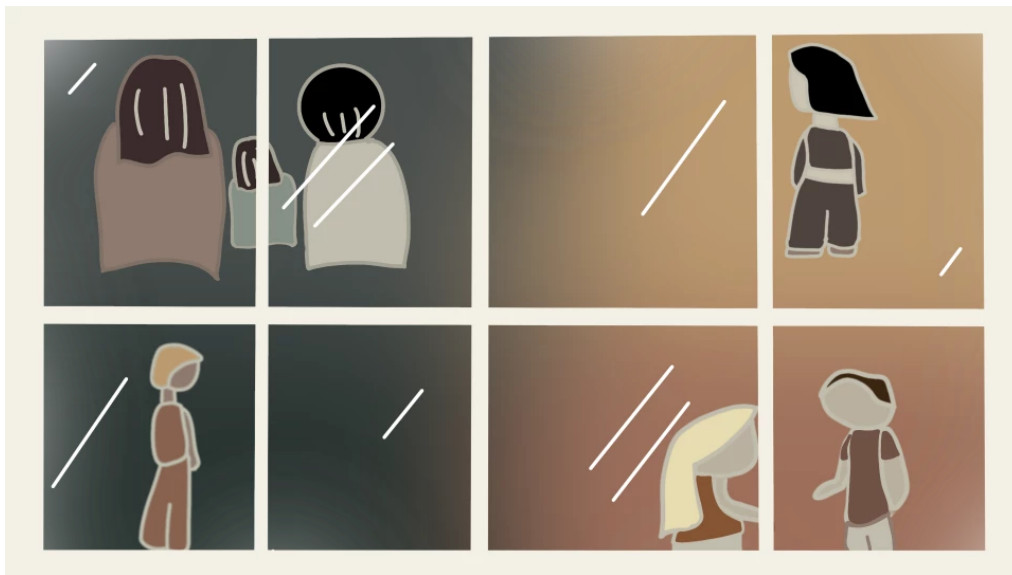
Dr. Alan Braid was sued under a law known as Senate Bill 8, which allows private citizens to bring lawsuits against anyone who "aids or abets" in a prohibited abortion. A state court ruled from the bench Thursday that plaintiffs do not have standing to sue if they have not been directly impacted by the abortion services provided, according to the Center for Reproductive Rights, which is representing Braid.



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Thursday's ruling sets an important precedent but does not overturn the law, said Nancy Northup, the group's president and chief executive, in a statement.

"This is a significant win against S.B. 8's bounty-hunting scheme because the court rejected the notion that Texas can allow a person with no connection to an abortion to sue," Northup said.

When SB 8 went into effect in September 2021, it was the most restrictive abortion law in the nation. The law banned abortions after the detection of fetal cardiac activity, usually around six weeks of pregnancy, a point at which many people don't even yet know they are pregnant.

Almost all of the clinics in the state immediately stopped providing abortions after about six weeks of pregnancy. The law's unique civil enforcement mechanism made it difficult to challenge in court without a test case. Braid, a doctor who had provided abortions in Texas since *Roe v. Wade* was handed down in 1973, decided to intentionally violate the law to attract one of these private lawsuits.

"I wanted to make sure that Texas didn't get away with its bid to prevent this blatantly unconstitutional law from being tested," Braid wrote in an op-ed in *The Washington*

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Braid was sued by at least two different parties. Thursday's ruling is the first of these cases to be resolved in court.

In addition to the six-week ban, which is civilly enforced, Texas is also operating under several criminal abortion bans that went into effect after the overturn of *Roe v. Wade* in June. Doctors who provide abortions in Texas can face up to life in prison.

In the wake of those laws going into effect, Braid closed his clinic in San Antonio, as well as the sister facility in Tulsa.

"It is heartbreaking that Texans still can't get essential health care in their home state and that providers are left afraid to do their jobs," Braid said in a statement. "Though we were forced to close our Texas clinic, I will continue serving patients across the region with the care they deserve at new clinics in Illinois and New Mexico."

This story will be updated.

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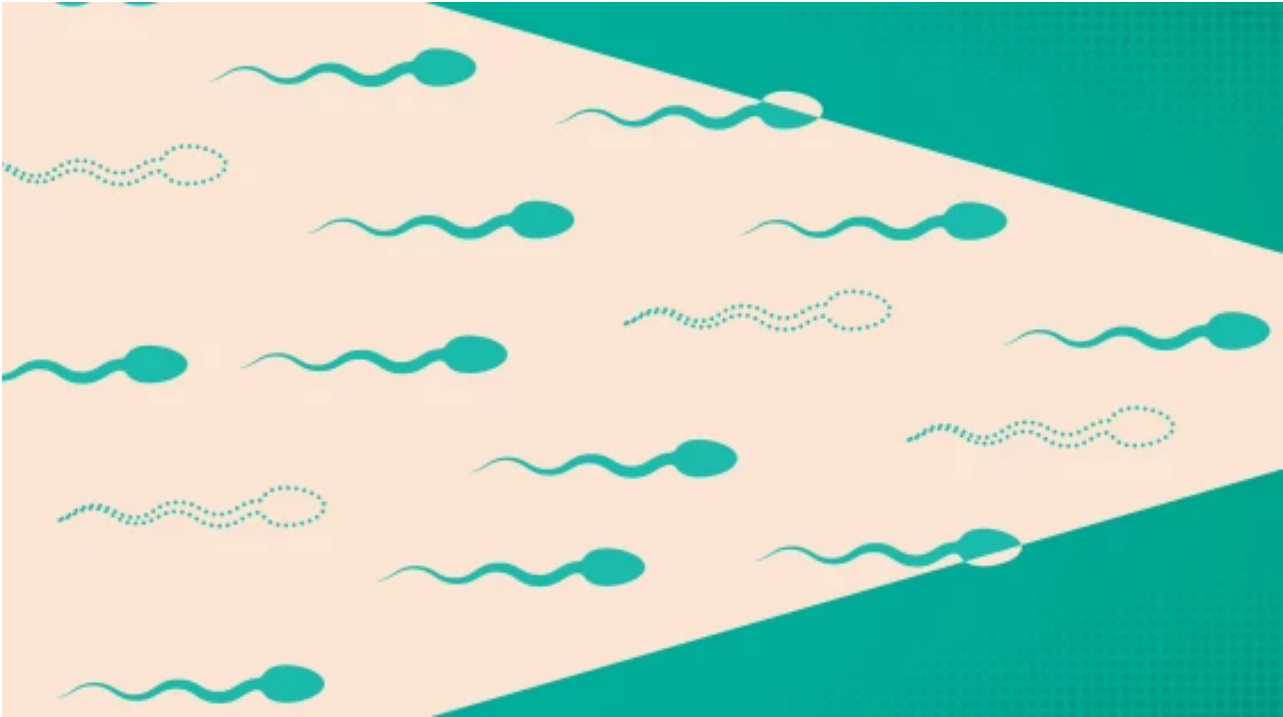
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A new study from UT Austin shows the number of abortions performed in Texas dropped dramatically in the months following Senate Bill 8.

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Abortion is not an option in Texas – even if a developing baby has a low chance of survival

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Aborting a pregnancy, in which a pregnant person's doctor believes the developing baby has little chance of surviving in or outside the womb is illegal in Texas.

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The new policy and others come from a new memo from Secretary of Defense Lloyd Austin aimed at addressing concerns of service members about abortion access after the overturning of *Roe v. Wade*.

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The post-Roe legal landscape regulating abortion in Texas: 'Myriad laws on top of laws'

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Some of Texas' abortion laws right now are criminal. Some are civil. Some are recently passed laws. Some have been on the books for decades. One thing is clear: Abortion is banned with limited exceptions.

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What it's like being an abortion doula in a state with restrictive laws

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"I'm an abortion doula, I fund people's abortions, I make sure they can get to their appointments, period," said Ash Williams of North Carolina. "I can do that. I just need to keep doing that."



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Texas' abortion ban adds pressure to already strained Medicaid system

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Low-income Texans no longer able to access abortion are likely to carry out a pregnancy. Many of them don't have health insurance, which means they're eligible for Medicaid. But the system operates at the minimum here.

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Why childbirth is so dangerous for many young teens

Sarah Varney, October 7, 2022

Laws banning abortion in many conservative U.S. states are expected to boost birth rates among adolescents, whose bodies often aren't built for safe childbirth, or for carrying a pregnancy to term.

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66 clinics stopped providing abortions in the 100 days since Roe fell

Selena Simmons-Duffin, October 6, 2022

A new report assessed the impact of laws in the 15 states that have banned or heavily restricted abortion since June 24.



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Planned Parenthood mobile clinic will take abortion to red-state borders

Sarah McCammon, October 3, 2022

Planned Parenthood says it will provide abortions out of an RV-based clinic in southern Illinois by the end of the year. It will reduce travel time for some patients coming from surrounding states.

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Telemedicine abortions just got more complicated for health providers

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Prescribing medical abortions across state lines is now risky for doctors. "We're talking about something that's a protected right in one state and a felony in a sister state," says one legal scholar.

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The VA says it will provide abortions in some cases even in states where it's banned

Joe Hernandez, September 5, 2022

The new policy came in response to the recent U.S. Supreme Court decision overturning *Roe v. Wade*, which saw a number of states move to limit or ban abortion.



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Poll: One year after SB 8, Texans express strong support for abortion rights

Sarah McCammon, September 1, 2022

One year after a restrictive abortion law took effect, a poll shows a majority of Texans surveyed say they support abortion access in most or all cases. Many say the issue will motivate them to vote.



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