

IN THE SUPREME COURT OF OHIO

STATE EX REL. PRETERM-
CLEVELAND, et al.,

Relators,

v.

DAVID YOST, et al.,

Respondents.

Case No. 2022-0803

Original Action in Mandamus

RELATORS' APPLICATION FOR DISMISSAL

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Pursuant to S.Ct.Prac.R 4.05, Relators respectfully apply to the Court for dismissal of this original action. On June 29, 2022, Relators filed a petition for writ of mandamus in this Court, seeking an Order, Judgment, and/or Writ from this Court declaring S.B. 23 unconstitutional, and an Order, Judgment, and/or Writ commanding Respondents to abide by Ohio's pre-existing gestational age restriction. Relators request this immediate dismissal because, since the date of filing this action, they have been suffering irreparable harm which has increased to become intolerable. Thus, they are filing separate litigation in the Ohio Court of Common Pleas challenging the constitutionality of S.B. 23 and requesting immediate relief from the ongoing irreparable harm to Relators and their patients.

Date: September 2, 2022

Respectfully submitted,

/s/ B. Jessie Hill

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CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2022, the foregoing was electronically filed via the Court's e-filing system. I further certify that a copy of the foregoing was served via electronic mail upon counsel for the following parties:

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Additionally, I certify that on September 2, 2022, a copy of the foregoing was served via electronic mail to the following Respondent that has not yet entered an appearance in this matter:

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Email: Joe.Deters@Hcpros.org

/s/ B. Jessie Hill

B. JESSIE HILL (0074770)