

**PRETERM-CLEVELAND ET AL., APPELLEES, v. YOST, ATTY. GEN., ET AL.,
APPELLANTS.**

[Cite as *Preterm-Cleveland v. Yost*, 2023-Ohio-4570.]

Appeal dismissed due to change in law.

(No. 2023-0004—Submitted December 12, 2023—Decided December 15, 2023.)

APPEAL from the Court of Appeals for Hamilton County,
No. C-220504, 2022-Ohio-4540.

{¶ 1} Sua sponte, appeal dismissed due to a change in the law.

KENNEDY, C.J., and FISCHER, DEWINE, DONNELLY, and STEWART, JJ.,
concur.

BRUNNER, J., dissents and would dismiss the appeal as having been
improvidently accepted.

BYRNE, J., dissents and would proceed with addressing the propositions of
law previously accepted for review.

MATTHEW BYRNE, J., of the Twelfth District Court of Appeals, sitting for
DETERS, J.

ACLU of Ohio Foundation, B. Jessie Hill, Freda J. Levenson, and Rebecca
Kendis; Wilmer Cutler Pickering Hale & Dorr, L.L.P., Alan E. Schoenfeld,
Michelle Nicole Diamond, Peter Neiman, Davina Pujari, Christopher A.
Rheinheimer, and Allyson Slater; and Planned Parenthood Federation of America
and Melissa Cohen, for appellees Planned Parenthood Southwest Ohio Region,
Sharon Liner, M.D., and Planned Parenthood of Greater Ohio.

ACLU of Ohio Foundation, B. Jessie Hill, Freda J. Levenson, and Rebecca
Kendis; and American Civil Liberties Union Foundation and Meagan Burrows, for

SUPREME COURT OF OHIO

appellees Preterm Cleveland, Women's Med Group Professional Corporation, and Northeast Ohio Women's Center, L.L.C., d/b/a Toledo Women's Center.

John A. Borell, Kevin A. Pituch, and Evy M. Jarrett, Lucas County Assistant Prosecuting Attorneys, for appellee Lucas County Prosecuting Attorney Julia R. Bates.

Dave Yost, Ohio Attorney General, Michael J. Hendershot, Chief Deputy Solicitor General, Stephen P. Carney and Mathura J. Sridharan, Deputy Solicitors General, and Amanda L. Narog and Andrew D. McCartney, Assistant Attorneys General, for appellants.

Tucker Ellis, L.L.P., Susan M. Audey, Elisabeth C. Arko, and Edward E. Taber, urging affirmance for amicus curiae Academy of Medicine of Cleveland & Northern Ohio.

The Chandra Law Firm, L.L.C., Subodh Chandra, and Donald Screen; and Democracy Forward Foundation, Skye L. Perryman, and Madeline H. Gitomer, urging affirmance for amici curiae American College of Obstetricians and Gynecologists, American Medical Association, and Society for Maternal-Fetal Medicine.

American College of Obstetricians and Gynecologists and Molly A. Meegan, urging affirmance for amicus curiae American College of Obstetricians and Gynecologists.

Covington & Burling, L.L.P., Jacob Zuberi, Suzan Charlton, Samar Amidi, and Kathryn Irwin Bronstein, in support of appellees, for amicus curiae National Association of Social Workers Including its Ohio Chapter.

Scott G. Stewart, Mississippi Solicitor General, and Justin L. Matheny, Deputy Solicitor General, urging reversal for amici curiae Mississippi, Alabama, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Missouri, Montana, Nebraska, South Carolina, South Dakota, Texas, Utah, and West Virginia.

Alliance Defending Freedom, Julia C. Payne, and James A. Campbell, urging reversal for amici curiae Cincinnati Right to Life, The Justice Foundation, Center for Christian Virtue, Ohio Right to Life, Right to Life Action Coalition, Cleveland Right to Life, Greater Columbus Right to Life, and Students for Life of America.

Dworken & Bernstein Co., L.P.A., and Patrick J. Perotti, urging reversal for amicus curiae American Center for Law & Justice.

Corey Shankleton, pro se, in support of appellant, for amicus curiae Faith2Action Michigan.

Janet Folger Porter, pro se, in support of appellant, for amicus curiae Faith2Action Ministries.

Andrew L. Schlafly; and Robert T. Lynch, in support of appellant, for amici curiae Phyllis Schlafly Eagles, Janet Folger Porter, Faith2Action Ministries, Ohio Representative Beth Lear, Ohio Value Voters, Mission America, Margie Christie, Dayton Right to Life Society, Ohio Christian Alliance, Warren County Right to Life, Lori Viars, Eagle Forum of Ohio, Community Pregnancy Center, former Ohio Representative Candice Keller, former Ohio Representative Ron Hood, and Eagle Forum Education & Legal Defense Fund.
