

IN THE SUPREME COURT OF IOWA

No. 17–1579

Polk County No. EQCE081503

ORDER

**PLANNED PARENTHOOD OF
THE HEARTLAND and JILL
MEADOWS, M.D.,
Petitioners-Appellants,**

vs.

**KIMBERLY K. REYNOLDS ex. rel.
STATE OF IOWA and IOWA
BOARD OF MEDICINE,
Respondents-Appellees.**

This matter comes before the court upon appellants’ motion for temporary injunctive relief/stay pending appeal, and request for expedited relief. Appellants request that this court temporarily enjoin enforcement of provisions of section 1 of Senate File 471 which amend Iowa Code section 146A.1 and impose new prerequisites for abortions. Appellants also request expedited briefing. Appellees have filed a response indicating they do not resist appellants’ request for a stay/temporary injunction during the appeal provided that expedited briefing is ordered.

In a prior interlocutory appeal, this court entered an order on May 9, 2017, granting a temporary injunction to stay enforcement of the disputed portions of the new law while the district court resolved appellant’s claims for declaratory and injunctive relief. Specifically, this court temporarily enjoined enforcement of new statutory provisions which require that a physician must certify various prerequisites have been met at least 72 hours prior to performing an abortion. The district court has subsequently entered its order denying declaratory and injunctive relief on September 29, 2017. The

district court stayed the effective date of its order for 30 days to provide appellants time to appeal and to request a stay from this court.

Upon consideration, the court grants appellants' motion and reinstates the temporary injunction imposed by this court's May 9th order entered in *Planned Parenthood of the Heartland v. Branstad*, supreme court no. 17-0708. The temporary injunction shall remain in effect until the court resolves appellants' appeal of the district court's September 29th order regarding the constitutionality of the new legislation.

The court also grants the joint request for expedited briefing. Appellants shall file their proof brief and designation of parts within 15 days of the filing of this order. Appellees shall file their proof brief and designation within 15 days of the filing of appellants' proof brief and designation. The appendix and any reply brief shall be filed within 10 days of the filing of appellees' proof brief and designation. Final briefs shall be filed within 7 days of the filing of the appendix.

Copies to:

Rita Bettis
ACLU Of Iowa
505 Fifth Avenue Suite 901
Des Moines, IA 50306

Thomas James Ogden
Assistant Attorney General
Hoover Building Second Floor
Des Moines, IA 50319

Jeffrey Scott Thompson
Attorney General's Office
Hoover Building, Local

Polk County Clerk of Court



IOWA APPELLATE COURTS

State of Iowa Courts

Case Number
17-1579

Case Title
Planned Parenthood v. Reynolds

So Ordered

A handwritten signature in black ink that reads "Brent R. Appel". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Brent R. Appel, Justice

Electronically signed on 2017-10-23 09:04:19