

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

STATE OF TEXAS, et al.,

Plaintiffs,

v.

XAVIER BECERRA, in his official capacity
as Secretary of Health and Human Services,
et al.,

Defendants.


No. 5:22-CV-185-H

JUDGMENT

In accordance with the parties' Joint Status Report (Dkt. No. 105) and for the reasons stated in the Court's Memorandum Opinion and Order granting Plaintiffs' Motion for Preliminary Injunction (Dkt. No. 73), the Court enters this final judgment pursuant to Federal Rule of Civil Procedure 54(b). Specifically, the Court enters a Rule 54(b) final judgment with respect to (i) Plaintiffs' Count 2—alleging that the HHS Guidance (Abortion Mandate) exceeds statutory authority, and (ii) Plaintiffs' Count 3—alleging that Defendants failed to conduct notice and comment in accordance with the requirements of the Medicare Act. *See* Dkt. No. 18 (Plaintiffs' Amended Complaint) at 22–25; Dkt. No. 73 (Memorandum Opinion and Order granting Preliminary Injunction) at 39, 55.

Pursuant to Rule 54(b), the Court expressly determines that there is no just reason for delay and directs the Clerk of Court to enter this as a final judgment. The Court stays the Plaintiffs' remaining claims pending resolution of any appeal from this judgment. The Court instructs the clerk to administratively close this case. The parties must notify the Court when the appeal is resolved and this case is ready for further litigation or resolution.

So ordered on December 20, 2022.



JAMES WESLEY HENDRIX
UNITED STATES DISTRICT JUDGE