



Action Alert

September 2, 2021

For the majority of the Supreme Court Justices to refuse to hear the Texas abortion case is outrageous. By allowing the Texas law that bans abortions after six weeks to stand, they have defied 50 years of precedence that recognized and honored a woman's constitutional right to make her own decisions regarding her medical treatments, including abortion.

This is a clarion call to step up our efforts to elect Democratic candidates up and down the ballot, but especially in our governor offices, state legislatures, and assemblies. Without a challenge to the Texas law, Republicans will be emboldened and they will bring even more bills to take away our reproductive freedom.

We must work hard and work smart. Targeting redistricting is also paramount. NFDW will share information about redistricting and running for office on **September 30**. Watch your mailboxes for updates.

Read Justice Sotomayor's dissent below and then let's take it to the streets. The 2022 elections are here. Let's go to work.

Best regards,

Gail Buckner

President, NFDW

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Cite as: 594 U. S. ____ (2021)

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SOTOMAYOR, J., dissenting

SUPREME COURT OF THE UNITED STATES

No. 21A24

**WHOLE WOMAN'S HEALTH ET AL. v. AUSTIN REEVE
JACKSON, JUDGE, ET AL.**

ON APPLICATION FOR INJUNCTIVE RELIEF

[September 1, 2021]

JUSTICE SOTOMAYOR, with whom JUSTICE BREYER and JUSTICE KAGAN join, dissenting.

The Court's order is stunning. Presented with an application to enjoin a flagrantly unconstitutional law engineered to prohibit women from exercising their constitutional rights and evade judicial scrutiny, a majority of Justices have opted to bury their heads in the sand. Last night, the Court silently acquiesced in a State's enactment of a law that flouts nearly 50 years of federal precedents. Today, the Court belatedly explains that it declined to grant relief because of procedural complexities of the State's own invention. *Ante*, at 1. Because the Court's failure to act rewards tactics designed to avoid judicial review and inflicts significant harm on the applicants and on women seeking abortions in Texas, I dissent.
