

Abortion clinic fight moves to Miss. Supreme Court

By William Perkins
Editor

Attorneys for Mississippi's last abortion clinic filed paperwork July 7 with the Mississippi Supreme Court in an effort to reopen the clinic after the a pair of trigger laws banning abortions, tied to the June 24 overturning by the U.S. Supreme Court of their 1973 ruling that legalized abortion nationwide, went into effect the same day

The 16-page "Petition for Interlocutory Appeal, or in the Alternative, for a Writ of Mandamus, and Request for Emergency Relief," was submitted after Fourth District Chancery Judge Debra L. Halford of Liberty ruled July 5 that arguments concerning Mississippi Constitution matters should properly be decided by the state Supreme Court.

Attorneys for the Jackson Women's Health Organization on North State Street in Jackson had argued before Halford that the Mississippi Supreme Court found a right to abortion in the state's constitution in a 1998 case, *Pro-Choice Mississippi vs. Fordice*.

Halford ruled, "Since *Roe* and *Casey* are no longer the law of the land, reliance upon *Fordice* will almost certainly not be well-founded when pursuing this case in the Supreme Court. It is more than doubtful that the Mississippi Supreme Court will continue to uphold *Fordice*."

Roe v. Wade is the 1973 U.S. Supreme Court case legalizing abortion nationwide that was overturned on June 24. *Planned Parenthood v. Casey* is a 1992 companion case to *Roe*. Kirk Fordice was governor of Mississippi at the time of the 1998 state Supreme Court case.

The Mississippi case that led to the overturning of *Roe v. Wade* on June 24 is *Dobbs v. Jackson Women's Health Organization*.

The abortion clinic's July 7 petition to the state Supreme Court states, "By depriving Mississippians of any say over whether and when to have children, the Bans take away Mississippians' ability to direct the course of their lives, and have already caused significant and irreparable harm that far outweighs any harm to the State."

No date for a hearing before the Mississippi Supreme Court had been scheduled as of the deadline for this report.