

September 28, 2017

VIA EMAIL

Clerk of Court
Supreme Court of the United States
1 First Street, NE
Washington, DC 20543

RE: Order filed today in the U.S. Court of Appeals for the Eighth Circuit

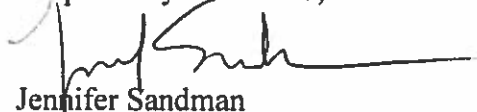
To the Clerk of the Supreme Court of the United States:

In their Application to Vacate Stay of Preliminary Injunction Pending Appeal, Applicants noted the lack of clarity as to whether the Eighth Circuit's one-line stay order was that court's en banc order granting the stay of the preliminary injunction pending appeal or whether it was an administrative stay pending its consideration of the stay motion en banc. *See* Application at 12 n.8 (Sept. 22, 2017).

Yesterday afternoon, the Eighth Circuit issued an order clarifying that it was the latter, stating: "The request filed July 24, 2017, for a temporary stay of the district court's preliminary injunction pending en banc consideration of the motion for stay pending appeal has been considered by the court en banc and is granted." Order (8th Cir. Sept. 27, 2017) (attached hereto).

Yesterday's order does nothing to ameliorate the need for the Court to vacate the Eighth Circuit's stay of the preliminary injunction. The Circuit has provided no indication of the schedule for further proceedings on the en banc consideration of the stay motion. In the meantime, Applicants will continue to be unable to provide safe and legal abortion at their health centers throughout Missouri and their patients will continue to be burdened, at risk to their health, from the Eighth Circuit's temporary stay.

Respectfully Submitted,



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CC: All counsel of record via e-mail

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 17-1996

Comprehensive Health of Planned Parenthood Great Plains, on behalf of itself, its patients,
physicians and staff, et al.

Appellees

v.

Josh Hawley, in his official capacity as Attorney General of the State of Missouri and Dr.
Randall Williams, in his official capacity as Director of Department of Health and Senior
Services

Appellants

Daniel Knight, in his official capacity as Boone County Prosecutor, et al.

Foundation for Moral Law and Eagle Forum Education and Legal Defense Fund

Amici on Behalf of Appellant(s)

Appeal from U.S. District Court for the Western District of Missouri - Jefferson City
(2:16-cv-04313-FJG)

ORDER

This order amends and corrects the previous order in this case, dated September 15, 2017.

The request filed July 24, 2017, for a temporary stay of the district court's preliminary injunction pending en banc consideration of the motion for stay pending appeal has been considered by the court en banc and is granted.

September 27, 2017

Order Entered at the Direction of the Court:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans