

STATE OF MICHIGAN
IN THE SUPREME COURT

In re EXECUTIVE MESSAGE OF THE
GOVERNOR REQUESTING THE
AUTHORIZATION OF A CERTIFIED
QUESTION.

GRETCHEN WHITMER, on behalf of the
State of Michigan,

Plaintiff,

v

JAMES R. LINDERMAN, Prosecuting
Attorney of Emmet County, DAVID S.
LEYTON, Prosecuting Attorney of Genesee
County, NOELLE R. MOEGGENBERG,
Prosecuting Attorney of Grand Traverse
County, CAROL A. SIEMON, Prosecuting
Attorney of Ingham County, JERARD M.
JARZYNKA, Prosecuting Attorney of Jackson
County, JEFFREY S. GETTING, Prosecuting
Attorney of Kalamazoo County,
CHRISTOPHER R. BECKER, Prosecuting
Attorney of Kent County, PETER J. LUCIDO,
Prosecuting Attorney of Macomb County,
MATTHEW J. WIESE, Prosecuting Attorney
of Marquette County, KAREN D.
McDONALD, Prosecuting Attorney of
Oakland County, JOHN A. McCOLGAN,
Prosecuting Attorney of Saginaw County, ELI
NOAM SAVIT, Prosecuting Attorney of
Washtenaw County, and KYM L. WORTHY,
Prosecuting Attorney of Wayne County, in
their official capacities,

Defendants.

Supreme Court No. 164256

Oakland Circuit Court
No. 22-193498-CZ

**This case involves a claim that
state governmental action is
invalid.**

Hon. Jacob James Cunningham

**ORAL ARGUMENT
REQUESTED**

GOVERNOR WHITMER'S MOTION TO SET BRIEFING SCHEDULE

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GOVERNOR WHITMER'S MOTION TO SET BRIEFING SCHEDULE

The United States Supreme Court has issued its opinion in *Dobbs v Jackson Women's Health Organization*, No. 19-1392. The opinion overrules *Roe v Wade*, 410 US 113 (1973) and *Planned Parenthood of Southeastern Pa v Casey*, 505 US 833 (1992). Slip Op at 5, 79, *Dobbs*, No. 19-1392. This Court's review of the constitutional questions presented in the Governor's Executive Message is urgently needed. By holding that the federal Constitution does not protect the right to abortion, *Dobbs* has deepened the uncertainty about the enforceable scope of Michigan's criminal abortion ban, MCL 750.14. So long as this uncertainty persists, it will work to deny Michiganders their rights under the Michigan Constitution and have profound and irreversible consequences on Michiganders' lives. This Court is the only forum with the power to fully resolve that uncertainty and conclusively settle whether Michigan's criminal abortion ban, MCL 750.14, violates the Michigan Constitution.

The Governor respectfully requests that the Court authorize certification of the questions presented in her Executive Message and set an expedited briefing schedule on the merits as follows: Governor's opening brief due July 8, 2022, Defendants' answering briefs due July 22, 2022, and Governor's reply due July 29, 2022. The Governor further requests that the Court set the matter for oral argument as soon as is practicable for the Court.

Respectfully submitted,

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Deputy Attorney General

/s/ Linus Banghart-Linn
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Dated: June 24, 2022

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