



North Carolina General Assembly

PRESIDENT PRO TEMPORE
PHIL BERGER

SPEAKER OF THE HOUSE
TIM MOORE

RALEIGH, NC 27601

June 24, 2022

VIA ELECTRONIC TRANSMISSION

The Honorable Joshua Stein
Attorney General
State of North Carolina
114 West Edenton Street
Raleigh, NC 27603
jstein@ncdoj.gov

Dear Attorney General Stein:

Earlier today, the Supreme Court overturned *Roe v. Wade*, returning the issue of abortion – and the profound moral questions surrounding it – to the people’s representatives. As the leaders of the General Assembly, we take seriously this charge from our nation’s highest court and will in the months ahead consider this consequential issue with the gravity it demands.

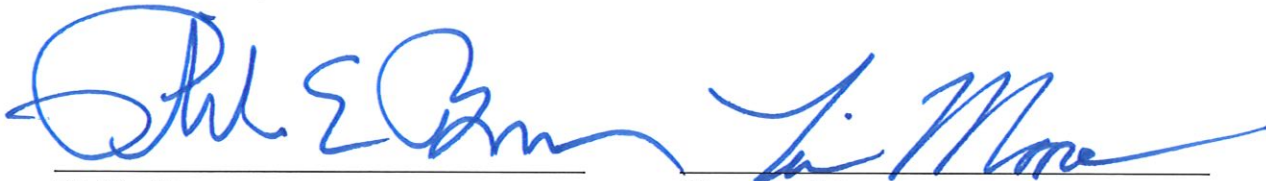
What we must do now, however, is respect the Supreme Court’s decision and consider its immediate impact on North Carolina’s abortion regulations. Last July, after the Fourth Circuit’s decision in *Bryant v. Woodall*, No. 19-1685, which affirmed a lower court’s injunction barring the enforcement of the State’s laws prohibiting certain pre-viability abortions, our offices wrote the Department of Justice requesting that it continue to defend the State’s abortion laws in light of the U.S. Supreme Court’s decision to grant review in *Dobbs v. Jackson Women’s Health Organization*. Though you chose not to take any further action at the time, your office told us that it would continue to follow the case to consider “any appropriate actions when the [Supreme] Court issues a ruling.”

Now is the time. With the legal underpinning of the *Bryant* court’s injunction now erased, we respectfully call on you and the Department of Justice to take all necessary legal action to lift the injunction currently barring the full enforcement of

our State's abortion restrictions found in N.C. Gen. Stat. §§ 14-45.1(a), 14-44, and 14-45. We request a response to this letter by July 1, 2022, making clear your intention to do so. If we do not receive a response, we stand ready to take the necessary steps to restore North Carolina's abortion laws to where they were before *Bryant* struck them down.

We look forward to your response.

Sincerely,



Philip Berger
President Pro Tempore
North Carolina Senate

Timothy Moore
Speaker
North Carolina House of
Representatives

cc: W. Swain Wood, General Counsel, Department of Justice
Reuben F. Young, Civil Bureau Chief, Department of Justice
Joshua Yost, General Counsel, Office of the President Pro Tempore
Sam Hayes, General Counsel, Office of the Speaker of the House