

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

WHOLE WOMAN'S HEALTH, et al.,	§	
	§	
<i>Plaintiffs,</i>	§	
v.	§	Cause No. 1:21-cv-00616-RP
	§	
AUSTIN REEVE JACKSON, et al.,	§	
	§	
<i>Defendants.</i>	§	

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**NOTICE OF APPEAL**

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PLEASE TAKE NOTICE that Defendants Penny Clarkston, in her official capacity as Clerk of the District Court of Smith County, Texas; Hon. Austin Reeve Jackson, in his official capacity as Judge of the 114th District Court in Smith County, Texas; Stephen Brint Carlton, in his official capacity as Executive Director of the Texas Medical Board; Katherine A. Thomas, in her official capacity as Executive Director of the Texas Board of Nursing; Cecile Erwin Young, Executive Commissioner of the Texas Health and Human Services Commission; Allison Vordenbaumen Benz, in her official capacity as Executive Director of the Texas Board of Pharmacy; Ken Paxton, in his official capacity as Attorney General of Texas; and Mark Lee Dickson, hereby appeal to the United States Court of Appeals for the Fifth Circuit from the Order issued August 25, 2021 (ECF No. 82), which denies Defendants' motions to dismiss for lack of jurisdiction under Fed. R. Civ. P. 12(b)(1).

Dated this 25th Day of August, 2021.

Respectfully submitted.

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**CERTIFICATE OF SERVICE**

I certify that on August 25, 2021, this document was served through the Court's CM/ECF Document Filing System upon all counsel of record.

/s/ Heather Gebelin Hacker

HEATHER GEBELIN HACKER

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