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Dec 31, 2012

FROM:

Judge Gary Harger
 District Court
 Travis County Courthouse
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 FAX: (512) 854-9332

SUBJECT:

Cause No. D-1-GN-12-003887
Balquinta v. Tx Dept of State Health Svc

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CAUSE NO. D-1-GN-12-003887

MARCELA BALQUINTA, PLANNED §
PARENTHOOD OF GREATER TEXAS §
FAMILY PLANNING AND PREVENTATIVE §
HEALTH SERVICES, INC.; PLANNED §
PARENTHOOD ASSOCIATION OF §
HIDALGO COUNTY TEXAS, INC.; §
PLANNED PARENTHOOD ASSOCIATION §
OF LUBBOCK, INC.; PLANNED §
PARENTHOOD ASSOCIATION OF §
CAMERON AND WILLACY COUNTIES; §
FAMILY PLANNING ASSOCIATES OF §
SAN ANTONIO; PLANNED PARENTHOOD §
GULF COAST, INC.; and PLANNED §
PARENTHOOD OF WEST TEXAS, INC. §

v. §

TEXAS DEPARTMENT OF STATE HEALTH §
SERVICES; and KYLE JANEK, in his §
official capacity as EXECUTIVE §
COMMISSIONER OF THE TEXAS HEALTH §
& HUMAN SERVICES COMMISSION §

IN THE DISTRICT COURT

419TH JUDICIAL DISTRICT

TRAVIS COUNTY, TEXAS

Filed in The District Court
of Travis County, Texas

DEC 31 2012 BP

At
Amalia Rodriguez-Mendoza, Clerk

ORDER DENYING TEMPORARY RESTRAINING ORDER

The application of Plaintiff Marcela Balquinta, et al for temporary restraining order upon their Original Verified Petition for Declaratory and Injunctive Relief, was presented to me on the 28th day of December, 2012, with notice to counsel for Defendants Texas Department of State Health Services ("DSHS") and Kyle Janek, in his official capacity as Executive Commissioner of the Texas Health and Human Services Commission;. Defendants have accepted service of the Petition. Counsel for all parties appeared before me on this date to present argument.


The Court does not find that an immediate, concrete and irreparable injury, loss or damage will likely result to the Planned Parenthood Plaintiffs before a temporary injunction hearing can be held.

The Court makes no further findings.

IT IS, THEREFORE, ORDERED that the temporary restraining order is hereby **DENIED**.

IT IS FURTHER ORDERED that Plaintiff's Application for Temporary Injunction, as contained in the Petition, be heard before the Hon. Stephen Yelenosky on the 11th day of January, 2013, at 9:00 a.m., in the 345th Judicial District Court courtroom of Travis County, Texas.

Signed this the 31st day of December, 2012.



JUDGE PRESIDING