



U.S. Department of Justice  
Office of the Solicitor General

The Solicitor General

Washington, D.C. 20530

December 19, 2017

Honorable Scott S. Harris  
Clerk  
Supreme Court of the United States  
One First Street, N.E.  
Washington, D.C. 20543

Re: Hargan v. Garza, No. 17A655

Dear Mr. Harris:

The government withdraws its pending application for a stay pending appeal in the above-referenced matter. Although the plaintiff, Jane Roe, told officials that she is a minor, the government determined this morning, based on information received from her home country, that Ms. Roe is 19 years old. The Department of Health and Human Services therefore transferred Ms. Roe to the Department of Homeland Security, which released Ms. Roe this evening on her own recognizance. See 8 U.S.C. 1232(c)(2)(B). Ms. Roe's release renders moot the portion of the temporary restraining order requiring the government to "allow J.R. \* \* \* to be transported \* \* \* to an abortion provider," Stay Appl. Add. 145, and in any event the government has complied with that order by releasing Ms. Roe from custody. Accordingly, the government has moved to dismiss its appeal to the D.C. Circuit, and it likewise respectfully withdraws its application to this Court for a stay pending that appeal.

Sincerely,

A handwritten signature in black ink that reads "Noel J. Francisco" followed by a stylized flourish and the initials "/jfc".

Noel J. Francisco  
Solicitor General

cc: Attached Service List

17A655

ERIC HARGAN, ET AL.

ROCHELLE GARZA, AS GUARDIAN AD LITEM TO UNACCOMPANIED MINOR J.D.

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