

## FOR IMMEDIATE RELEASE

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### **“Baby Mary Doe and Baby Roe ask the United States Supreme Court to Complete the Unfinished Work of *Dobbs*”**

As a result of the U.S. Supreme Court’s overruling of *Roe* and *Casey* in *Dobbs v. Jackson*, the Court overruled its *Roe* holding that stated that, “the word ‘person,’ as used in the Fourteenth Amendment, does not include the unborn.” Baby Mary Doe, Baby Roe, and Catholics For Life, Inc., d/b/a/ Servants of Christ for Life, are asking the U.S. Supreme Court to now, once and for all, answer the question of what the phrase “any person” means in the Fourteenth Amendment.

This case began as a challenge to the constitutionality of Rhode Island’s 2019 so-called “Reproductive Privacy Act.” The Rhode Island courts dismissed the original case based on their reliance of *Roe* and *Casey*. *Dobbs* said that law is no longer good. Throughout their case, Baby Mary Doe and Baby Roe both claimed the protection of the due process and equal protection clauses of the Fourteenth Amendment of the United States Constitution.

This case is unique because it was brought by a so-called pre-viable and post-viable child. And, it has already worked its way through the state court system, arriving at the United States Supreme Court door at just the right time.

“This is a question of law,” said Diane Messere Magee, attorney for the petitioners. “No state court or legislature can answer this question. It is solely for the United States Supreme Court to tell us what the phrase “any person” means in the due process and equal protection clauses of the Fourteenth Amendment to the United States Constitution.”

The Petition filed by Baby Mary Doe and Baby Roe today poses the very pointed questions, “Do unborn human beings, at any gestational age, have any

rights under the United States Constitution? Or, has *Dobbs* relegated all unborn human beings to the status of *persona non grata* in the eyes of the United States Constitution - - below corporations and other fictitious entities?"

The petition presents English law, common law, federal law, equitable law, floor debates going back to the 35<sup>th</sup> and 40<sup>th</sup> Congress, and other esteemed authorities, supporting the petitioners' arguments that, deeply rooted in our Nation's history and tradition, the word "human being" has been used synonymously with "person."

The petition also asks the U.S. Supreme Court to take the case in order to decide whether the classification Rhode Island's RPA makes, between viable and non-viable human beings, deserves a heightened level of judicial scrutiny - - and is unconstitutional under the United States Constitution.

Alternatively, the Petition filed today, asks the U.S. Supreme Court to vacate the decision of the Rhode Island Supreme Court - - which was based exclusively on *Roe* and *Casey* regarding petitioners' claims - - and, send the case back to the Rhode Island courts for re-argument, with instructions from the U.S. Supreme Court, in light of *Dobbs*.

As Baby Mary Doe and Baby Roe argue in their Petition, "The Preamble of the United States Constitution, created two classes of sovereignty: 'ourselves' and our 'Posterity' - - apparently on equal footing. The understanding that 'Posterity includes those lives in being - - i.e., human beings - - is consistent with the meaning of posterity is 1776."

Additional questions may be sent to:

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