



Written by [D. Michael DeRidder](#) on December 8, 2023

## Update: Texas AG Paxton Will Prosecute Doctor if She Performs Abortion

Travis County District Court Judge Maya Guerra Gamble [granted Kate Cox a temporary restraining order](#) (TRO) preventing Texas from enforcing its state abortion laws, allowing Cox to obtain an abortion provided by Dr. Damla Karsan. The ruling applies only to Cox, and does not allow anyone else to obtain an abortion. [Update: Friday night, the Texas Supreme Court issued a one-page ruling placing a [temporary hold](#) on the lower court's restraining order, "without regard to the merits" of the case. Consequently, there is no court order standing in the way of Texas enforcing its abortion laws, at least for now.]



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Cox is 20 weeks pregnant, and the unborn child was diagnosed on November 27 with trisomy 18. About 95 percent of unborn children diagnosed with trisomy 18 die before birth, although [studies have shown medical advancements are increasing long-term survival](#) with surgical interventions.

Texas Attorney General Ken Paxton [released a statement yesterday](#) indicating that the TRO would not protect an abortion provider from first-degree felony prosecution, saying, "The TRO will expire long before the statute of limitations for violating Texas' abortion laws expires." [Paxton posted a letter on X](#) to the Methodist Hospital, the Women's Hospital of Texas, and Texas Children's Hospital in Houston, and stated they would not be protected from civil and criminal liability if they allow Karsan to perform the dilation-and-evacuation abortion.



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