



UFISINAN I MAGA'HÅGAN GUÅHAN
OFFICE OF THE GOVERNOR OF GUAM

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**Another AG Loss and Gain for the Protection of Reproductive Health;
9th Circuit Dismisses AG's Appeal**

Hagåtña, Guam - The 9th Circuit Court of Appeals issued an Order on April 28, 2025 dismissing Attorney General Doug Moylan's appeal from a Guam District Court decision issued in March 2023, denying his motion to lift a 1990 injunction blocking enforcement of an abortion ban on the island. The Attorney General sought to reinstate the ban, which contained no exceptions for incest or rape, but his motion was denied by the District Court.

Governor Leon Guerrero filed a separate action in the Guam Supreme Court, seeking a determination of whether the ban was repealed by subsequent laws passed in Guam regulating abortion. In October 2023, the Guam Supreme Court issued judgment in the Governor's favor, finding that the abortion ban had been repealed in its entirety. Attorney General Moylan filed a petition to the U.S. Supreme Court, seeking review of the Guam Supreme Court's decision. The U.S. Supreme Court denied the AG's petition in October 2024.

Despite losing in the Guam Supreme Court and again in the U.S. Supreme Court, the Attorney General refused to voluntarily withdraw his appeal in the 9th Circuit, expending additional taxpayer funds on a contract worth over \$1 million dollars on costly off-island attorneys to prolong the litigation. In its Order, the 9th Circuit dismissed the AG's appeal, noting that it was moot in light of the Guam Supreme Court's 2023 decision.

"This is a victory for our women, our families, and our community. It ensures that the power to make important medical decisions regarding reproductive healthcare remains with the people who know what is best for every individual's circumstances – the women themselves, their families, and their doctors," said Governor Leon Guerrero. "The courts have spoken and their message is unified and clear – this issue is over and the Attorney General needs to move on."

"This decision also recognizes the deference due to the Guam Supreme Court in its interpretation of local law," added Acting Governor Josh Tenorio. "Our judiciary really is best situated to understand the nuance of Guam law and its application."

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