

CAUSE NO. D-1-GN-22-000560

THE SATANIC TEMPLE, INC. and	§	IN THE DISTRICT COURT
JANE DOE,	§	
	§	
<i>Plaintiffs</i>	§	
	§	
v.	§	459 th JUDICIAL DISTRICT
	§	
TEXAS HEALTH AND HUMAN	§	
SERVICES COMMISSION, and	§	
CECIL YOUNG in her	§	
OFFICIAL CAPACITY as	§	
EXECUTIVE COMMISSIONER OF	§	
the TEXAS HEALTH AND HUMAN	§	
SERVICES COMMISSION,	§	
	§	
<i>Defendants.</i>	§	TRAVIS COUNTY, TEXAS

DEFENDANTS’ ORIGINAL ANSWER AND AFFIRMATIVE DEFENSES

Defendants the Texas Health and Human Services Commission, and Cecile Young in her Official Capacity as Executive Commissioner of the Health and Human Services Commission file this Original Answer and Affirmative Defenses in response to Plaintiffs’ Original Petition and would respectfully show the Court the following:

GENERAL DENIAL

1. Defendants deny each and every one of Plaintiffs’ allegations and demands strict proof thereof pursuant to Rule 92 of the TEXAS RULES OF CIVIL PROCEDURE.

AFFIRMATIVE DEFENSES

2. Defendants assert the following affirmative defenses and reserves the right to timely amend its answer to include defenses throughout the course of this lawsuit.

3. Defendants assert the defense of governmental and/or sovereign immunity as to any of Plaintiffs’ claims for which there has been no statutory or express waiver.

4. Defendants reserve the right to raise additional affirmative defenses.

PRAYER

Accordingly, Defendants the Texas Health and Human Services Commission, and Cecile Young in her Official Capacity as Executive Commissioner of the Health and Human Services Commission respectfully pray that this Court deny Plaintiffs any and all relief demanded in their Original Petition and grant Defendants such other and further relief to which it may be justly entitled, including reasonable and necessary costs and attorney fees.

Respectfully submitted:

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Attorney General of Texas

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First Assistant Attorney General

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/s/ Ryan G. Kercher _____
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing document has been served electronically through the electronic-filing manager in compliance with TRCP 21a on March 7, 2022, to:

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/s/ Ryan G. Kercher _____
RYAN G. KERCHER

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Associated Case Party: CECILE YOUNG EXECUTIVE COMMISSIONER OF THE HEALTH AND HUMAN SERVICE COMMISSION

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Ryan Kercher		ryan.kercher@oag.texas.gov	3/7/2022 9:50:00 AM	SENT