

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

JESSICA HICKLIN,

Plaintiff,

Case No. 4:16-CV-01357-NCC

v.

ANNE PRECYTHE,

et al.,

Defendants.

**PLAINTIFF’S MOTION FOR DECLARATORY RELIEF AND A PERMANENT
INJUNCTION¹**

Pursuant to 42 U.S.C. §§ 1983 and 1988, 28 U.S.C. § 2201, and Federal Rule of Civil Procedure 65, Plaintiff Jessica Hicklin (“Plaintiff” or “Ms. Hicklin”), by and through her attorneys, hereby moves this Court to enter judgment in her favor (1) declaring that Defendants’ refusal to provide Ms. Hicklin medically necessary care related to her gender dysphoria violates the Eighth Amendment to the United States Constitution; (2) declaring that Missouri Department of Corrections’ policy, practice, custom, or usage of banning the provision of hormone therapy to any transgender inmate who was not receiving such therapy before entering MDOC (“the freeze-frame policy”) violates the Eighth Amendment to the United States Constitution, both on its face and as applied to Ms. Hicklin; (3) entering permanent injunctive relief requiring all Defendants to provide Ms. Hicklin with care that her doctors deem medically necessary, including hormone therapy, permanent hair removal, and access to gender-affirming canteen items; (4) entering permanent injunctive relief enjoining the enforcement of the freeze-frame policy by all

¹ As of the filing of this Motion, Defendants have not confirmed whether this Motion is unopposed.

Defendants; and (5) awarding Ms. Hicklin costs, expenses, reasonable attorneys' fees, and any other relief the Court deems just and proper.

The grounds for this Motion are set forth in the accompanying Memorandum of Law, declarations, and attached exhibits. Ms. Hicklin also respectfully refers the Court to its February 9, 2018 Memorandum and Order granting her Motion for Preliminary Injunction (Doc. 145) and Plaintiff's First Amended Complaint for Declaratory and Injunctive Relief (Doc. 152), filed on February 26, 2018.

Ms. Hicklin respectfully requests oral argument on this Motion, which will assist the Court in resolving the issues presented.

Respectfully submitted this 30th day of March
2018.

s/Demoya R. Gordon
Demoya R. Gordon*
Richard Saenz*
Lambda Legal Defense &
Education Fund, Inc.
120 Wall Street, Floor 19
New York, NY 10005
Tel: 212-809-8585
Fax: 212-809-0055
dgordon@lambdalegal.org
rsaenz@lambdalegal.org

Marla R. Butler*
Sharon E. Roberg-Perez*
Rajin S. Olson*
Robins Kaplan LLP
800 LaSalle Avenue
2800 LaSalle Plaza
Minneapolis, MN 55402
Tel: 612-349-8500
Fax: 612-339-4181
mbutler@robinskaplan.com
sroberg-perez@robinskaplan.com
rolson@robinskaplan.com

Frederick A. Braunstein*
Robins Kaplan LLP
399 Park Avenue
Suite 3600
New York, NY 10022
Tel: 212-980-7400
Fax: 212-980-7499
fbraunstein@robinskaplan.com

Kevin L. Schriener, #35490MO
Law & Schriener, LLC
141 N. Meramec Avenue
Suite 314
St. Louis, MO 63105
Tel: (314) 721-7095
Fax: (314) 863-7096
kschriener@schrienerlaw.com

Attorneys for Plaintiff Jessica Hicklin

**Admitted pro hac vice*

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing Plaintiff's Motion for Declaratory Relief and a Permanent Injunction was made on March 30, 2018 via the Court's CM/ECF system to:

D. John Sauer, # 58721MO
First Assistant and Solicitor
David Dean, # 67190MO Assistant Attorney General
Missouri Attorney General's Office
P.O. Box 861
St. Louis, MO 63188
Telephone: (314) 340-7652
Facsimile: (314) 340-7029
John.Sauer@ago.mo.gov
David.Dean@ago.mo.gov

Attorneys for Anne Precythe, Joan Reinkmeyer, Cindy Griffith, Stan Payne, Scott O'Kelly, and Latoya Duckworth

J. Thaddeus Eckenrode, MoBar #31080
Eckenrode-Maupin
11477 Olde Cabin Rd
Suite 110
St. Louis, MO 63141
Tel: 314-726-6670
Fax: 314-726-2106
jte@eckenrode-law.com
kkp@eckenrode-law.com

Attorneys for Corizon LLC, William McKinney, John Deghetto, Thomas Kevin Bredeman, Diana Larkin, Kimberley S. Randolph, Daly Smith, Stormi Moeller, Ernest Graypel, Elizabeth Atterberry, and Kim Foster

s/ Demoya R. Gordon