

FILED: June 8, 2026

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 25-1232 (L)

JONATHAN R., minor, by Next Friend, Sarah Dixon; ANASTASIA M., minor, by Next Friend, Cheryl Ord; SERENA S., minor, by Next Friend, Sarah Dixon; THEO S., minor, by Next Friend, L. Scott Briscoe; GARRETT M., minor, by Next Friend, L. Scott Briscoe; GRETCHEN C., minor, by Next Friend, Cathy L. Greiner; DENNIS R., minor, by Next Friend, Debbie Stone; CHRIS K., CALVIN K., and CAROLINA K., minors, by Next Friend, Katherine Huffman; KARTER W., minor, by Next Friend, L. Scott Briscoe; ACE L., minor, by Next Friend, Isabelle Santillion; and individually and on behalf of all others similarly situated

Plaintiffs - Appellants

v.

PATRICK MORRISEY, in his official capacity as the Governor of West Virginia; ALEX J. MAYER, in his official capacity as Secretary of the West Virginia Department of Human Services; CAMMIE CHAPMAN, in her official capacity as Deputy Secretary of the Department of Health and Human Resources; LORI BRAGG, in her official capacity as Interim Commissioner of the Bureau for Social Service; WEST VIRGINIA DEPARTMENT OF HUMAN SERVICES

Defendants – Appellees.

LAW SCHOLARS; THE NATIONAL CENTER FOR YOUTH LAW AND 32
ADDITIONAL ORGANIZATIONS; THE ARC OF THE UNITED STATES;
THE CENTER FOR PUBLIC REPRESENTATION; THE NATIONAL
HEALTH LAW PROGRAM; THE JUDGE DAVID L. BAZELON CENTER
FOR MENTAL HEALTH LAW,

Amici Supporting Appellants.

THE LIBERTY JUSTICE CENTER; STATES OF ALASKA; ALABAMA;
ARKANSAS; DELAWARE; FLORIDA; GEORGIA; IDAHO; IOWA;
KANSAS; LOUISIANA; MISSISSIPPI; NEBRASKA; NEW HAMPSHIRE;
NORTH DAKOTA; SOUTH CAROLINA; TEXAS,

Amici Supporting Appellees.

O R D E R

The court amends its opinion filed June 4, 2026, as follows:

On the cover page, the decided date is corrected June 4, 2026.

For the Court

/s/ Nwamaka Anowi, Clerk