



KING'S ACADEMY MODEL UNITED NATIONS 2026

Supreme Court of the United States

**United States v. State of Texas**

*By Omar Rabadi*

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Original: **English**

No: **SCOTUS-KAMUN-01**

Date: **February 2026**

**SITUATION REGARDING THE CONSTITUTIONALITY  
OF TEXAS'S POST-DOBBS ABORTION LAW**

IN THE CASE OF

*United States v. State of Texas*

*Before:*

*Chief Justice Omar Rabadi*

**Under Seal**

**CASE DOCUMENTS**

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## CASE SUMMARY

This case arises on a writ of certiorari from the United States Court of Appeals for the Fifth Circuit. The United States, as Petitioner, challenges the constitutionality of Texas’s post-Dobbs abortion law. The statute authorizes private citizens to bring civil actions against anyone who performs or assists in an abortion. The federal government argues that the law violates the Due Process Clause of the Fourteenth Amendment and improperly burdens interstate commerce in violation of the Commerce Clause.

## QUESTIONS PRESENTED

1. Whether Texas’s post-Dobbs abortion law, by delegating enforcement to private citizens, violates the Due Process Clause of the Fourteenth Amendment.
2. Whether the law imposes an undue burden on interstate commerce in violation of the Commerce Clause of Article I, Section 8 of the U.S. Constitution.

## FACTS OF THE CASE

In 2021, Texas enacted Senate Bill 8 (S.B. 8), prohibiting most abortions after approximately six weeks of pregnancy. Unlike typical criminal statutes, the law authorizes private citizens (rather than state officials) to enforce the ban through civil lawsuits. Successful plaintiffs may recover damages and legal fees against those who perform or assist in an abortion..

Following *Dobbs v. Jackson Women’s Health Organization* (2022), which overturned *Roe v. Wade* and returned abortion regulation to the states, Texas expanded this framework. The United States filed suit, arguing that Texas’s scheme undermines constitutional rights and intrudes on federal authority. The Fifth Circuit upheld the law, and the case is now before the Supreme Court.

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## RELEVANT CONSTITUTIONAL PROVISIONS

### **Fourteenth Amendment, Section 1 – Due Process Clause**

“All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.”

### **Article I, Section 8, Clause 3 – Commerce Clause**

“The Congress shall have power to regulate commerce with foreign nations, and among the several States, and with the Indian tribes.”

## RELEVANT PRECEDENTS

### **Roe v. Wade (1973)**

Recognized a constitutional right to abortion under substantive due process.

### **Planned Parenthood v. Casey (1992)**

Reaffirmed Roe but adopted the “undue burden” test.

### **Dobbs v. Jackson Women’s Health Org. (2022)**

Overruled Roe and Casey, returning abortion regulation to the states.

### **Gonzales v. Raich (2005)**

Interpreted the Commerce Clause broadly, upholding federal power to regulate intrastate activities affecting interstate markets.

### **Ex parte Young (1908)**

Allowed federal courts to enjoin unconstitutional state enforcement actions.

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## ARGUMENTS OF THE PARTIES

### **Petitioner (United States)**

Argues that deputizing private citizens to enforce abortion bans is an unconstitutional circumvention of judicial review and violates due process protections.

Claims that the law burdens interstate commerce, as individuals may need to travel across state lines to seek medical services.

### **Respondent (State of Texas)**

Argues that after *Dobbs*, states hold full authority to regulate abortion.

Asserts that the law does not violate due process because no constitutional right to abortion exists.

Contends that the statute concerns intrastate medical practice and does not substantially burden interstate commerce.

## PROCEDURAL MOTIONS

The following motions may be debated before oral arguments. Each side will be given a short amount of time to argue for or against the motion, and the court will rule on each motion. The court's order is final and dictates what is permitted for the remainder of the trial. Each side will also be given the opportunity to raise ONE other motion of their own if they please.

- 1. The Respondent's motion to dismiss for lack of standing.**
- 2. The Plaintiff's motion to consolidate constitutional questions.**