

# Alabama Court Allows Father of Aborted Baby to Sue Women's Center that Performed the Abortion

written by GEG | March 6, 2019



An Alabama court became the first in the nation to recognize an aborted baby as a person with rights. The court ruled that the father of the baby that was aborted at six weeks by his girlfriend has the right to sue the women's center that performed the abortion as well as the employees of the center.

In a landmark case, an Alabama court became the first court in the nation to recognize an aborted baby as a person with rights.

The Madison County probate court ruled that a father of a baby that was aborted by the father's girlfriend has the right to sue the woman's center that performed the procedure as well the employees of the center and the pharmaceutical company that made the medication used in the abortion.

On

February 10, 2017, against his wishes, the girlfriend of Ryan Magers aborted the baby they had conceived. In early February 2019, Magers filed suit; the suit states that the baby (Baby Roe) was aborted at six weeks in 2017, despite the fact that Magers repeatedly begged his girlfriend to let the baby live. The girlfriend went to the Alabama Women's Center, where she was given a pill that would abort the baby.

Magers

said, "I just tried to plead with her and plead with her and just talk to her about it and see what I could do, but in the end, there was nothing I could do to change her mind."

On January 25, 2019, Magers filed a petition for letters of administration with the Madison Probate Court to serve as the personal representative of Baby Roe's estate.

Magers recalled in February 2019, "It was just like my whole world fell apart," saying he filed the suit because "I'm here for the men who actually want to have their baby. Even though there's nothing I can do for the situation I was in, there is something I can do for the future situations for other people. ... I believe every child from conception is a baby and deserves to live."

At the time Magers filed the suit, his attorney, Brent Helms, told [WAAY 31](#) he didn't know of any similar case in Alabama and speculated that the case could set a strong precedent. He said, "The only thing that estate has is the right to sue, and so that is what Ryan is doing, is suing on behalf of Baby Roe's estate."

This week, the probate court ruled that the aborted baby was a person, and thus Magers could legally represent the baby's estate. Helms stated, "We have already had a victory, and it was the first one of its kind, ever." He added, "This is the first estate that I'm aware of that has ever been opened for an aborted baby."

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