

West Virginia v. B.P.J.

Timeline

March-April 2021	West Virginia passed HB 3293 , the “Save Women’s Sports Act”.
June 2021	Student B.P.J. filed complaint in the Southern District of West Virginia, Charleston Division .
July 2021	The district court temporarily blocked West Virginia from enforcing the law against B.P.J., which allowed B.P.J. to play on the girls’ teams while the case is pending.
January 2023	The district court dissolved the preliminary injunction that it initially put in place and ruled that the “Save Women’s Sports Act” is constitutional .
February 2023	<p>The district court denied B.P.J.’s Motion for Stay Pending Appeal.</p> <p>B.P.J. filed a Motion for Stay Pending Appeal with the United States Court of Appeals for the Fourth Circuit.</p> <p>The United States Court of Appeals for the Fourth Circuit granted B.P.J.’s request to keep playing on the girls’ teams while the appeal was being decided.</p>
March 2023	<p>B.P.J. filed appeal in the United States Court of Appeals for the Fourth Circuit.</p> <p>West Virginia filed a motion asking the Supreme Court to remove the Fourth Circuit’s injunction.</p>
April 2023	The Supreme Court declined to vacate the Fourth Circuit’s injunction. The Court did not rule on the merits of the case.
August 2023	The United States Court of Appeals for the Fourth Circuit denied West Virginia’s motion to suspend the injunction pending appeal based on B.P.J.’s improvement in sports.

October 2023	Oral argument before the United States Court of Appeals for the Fourth Circuit.
April 2024	The United States Court of Appeals for the Fourth Circuit vacated the District Court's decision to grant summary judgment against B.P.J. and sent it back for further proceedings.
July 2024	The State of West Virginia filed a Petition for a Writ of Certiorari with the United States Supreme Court asking the Court to hear the case.
June 2025	West Virginia submitted a supplemental filing , urging the U.S. Supreme Court to hear the case.
July 2025	The Supreme Court granted West Virginia's Request and agrees to hear the case.
September 2025	West Virginia filed its opening brief.
November 2025	Brief of respondent B.P.J. , by her next friend and mother, Heather Jackson filed.
December 2025	Reply of West Virginia, et. al. submitted.
January 2026	Oral argument before the United States Supreme Court of Appeals.
June 2026	<p>The U.S. Supreme Court of Appeals handed down its decision in this case. The justices ruled 9-0 on the Title IX issue and 6-3 on the Equal Protection issue.</p> <p>The Supreme Court's decision upholds West Virginia's "Save Women's Sports Act" as both constitutional and lawful under Title IX.</p> <p>The decision overturns a ruling from the Fourth Circuit of Appeals that wrongly concluded that a biological male could participate in girls' sports in West Virginia, stripping the State of its authority to assign athletic teams based on sex to ensure opportunities for biological females.</p>