

# [***Biden-Appointed Federal Judge Hinders County From Enforcing Ban On Biological Males Competing In Women's Sports***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6BR2-88P1-JBFB-H019-00000-00&context=1516831)

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**Body**

[*Link to Image*](https://cdn01.dailycaller.com/wp-content/uploads/2024/04/GettyImages-1935575561-scaled-e1712263243988.jpg)

A federal judge denied a motion Thursday from Nassau County to avoid a state lawsuit against its policy to prevent men from participating in women's sporting events at county-run facilities.

Republican Executive Bruce Blakeman of Nassau County on Feb. 22 [*signed*](https://dailycaller.com/2024/02/22/blue-state-county-single-handedly-bans-boys-from-competing-in-girls-sports/) an [*executive order*](https://www.nassaucountyny.gov/DocumentCenter/View/43897/EXEC-ORDER-2-24?bidId=) that would deny the use of county parks and property for women's sporting events unless they limit participation to one biological sex, based on participants' birth certificates. After being [*threatened*](https://cdn01.dailycaller.com/wp-content/uploads/2024/03/2024.3.1-cease-and-desist-nassau.pdf) with a lawsuit by Democratic Attorney General Letitia James of New York over the policy, Blakeman [*sought an order*](https://dailycaller.com/2024/03/06/county-sues-letitia-james-general-over-males-competing-womens-sports/) from the U.S. District Court for the Eastern District of New York to prevent such an action, which was [*denied*](https://www.courtlistener.com/docket/68311871/blakeman-v-james/?filed_after=&filed_before=&entry_gte=&entry_lte=&order_by=desc) by a federal judge - risking legal action if the policy is enforced. [***(RELATED: New York County Sues Letitia James For Trying To Stop Ban On Male Athletes Competing In Women's Sports)***](https://dailycaller.com/2024/03/06/county-sues-letitia-james-general-over-males-competing-womens-sports/)

“There are no facts in the record showing that any specific cisgender woman or girl in Nassau County will face imminent injury in an athletic event involving a transgender woman or girl on Nassau County Parks property if the Executive Order is invalidated,” wrote U.S. District Judge Nusrat Jahan Choudhury, an appointee of President Joe Biden, [*according*](https://www.reuters.com/legal/judge-denies-new-york-countys-request-let-it-enforce-trans-sports-restrictions-2024-04-04/) to Reuters. She added that Blakeman's request “falls far short of meeting the high bar” necessary to prevent the state from suing him.

**Read Blakeman's executive order here:**

[*Nassau County Executive Order 2-2024*](https://www.scribd.com/document/720116182/Nassau-County-Executive-Order-2-2024#from_embed) by [*Daily Caller News Foundation*](https://www.scribd.com/user/292804634/Daily-Caller-News-Foundation#from_embed) on Scribd

Blakeman had argued that his order was essential to protect the constitutional rights of women in girls' sports and that Letitia James could not prevent him from doing so.

“[T]he Executive Order lawfully levels the playing field and ensures safe and equal opportunities for biological girls and women to participate in the same way and numbers historically enjoyed by their male counterpoints,” Blakeman wrote in his [*initial complaint*](https://storage.courtlistener.com/recap/gov.uscourts.nyed.511470/gov.uscourts.nyed.511470.1.0_3.pdf). “[Letitia James'] cease-and-desist order violates the constitutional rights of biologically girls and women who are a federally recognized protected class. Transgender individuals are not a protected class under federal law. Therefore, the rights of a federally protected class, i.e., biological girls and women, cannot be abridged by state law.”

Blakeman has indicated that his order does not ban transgender individuals from all sporting competitions. “[T]he Executive Order invites transgender biological males to compete except in teams and leagues that advertise or identify as exclusively all-girls or all-women,” Blakeman wrote.

Blakeman did not immediately respond to a request for comment.

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**Graphic**

NEW YORK, NEW YORK - JANUARY 15: Attorney General of New York Letitia James speaks on stage during 38th Annual Brooklyn Tribute To Dr. Martin Luther King, Jr. at BAM Howard Gilman Opera House on January 15, 2024 in New York City. (Photo by Jason Mendez/Getty Images for (BAM) Brooklyn Academy of Music )

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