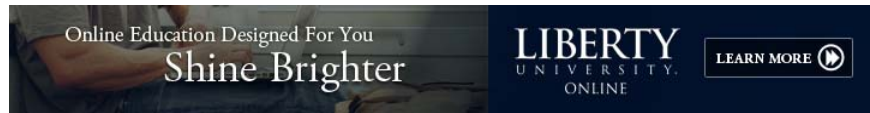


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Lawsuit Filed in Arizona Challenges Gay Marriage Ban

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Supreme Court Halts Gay Marriage in Utah Pending State Appeal

BY KATHERINE WEBER, CHRISTIAN POST REPORTER

January 8, 2014 | 9:56 am

Four couples in Arizona filed a class action lawsuit against the state this week, challenging its constitutional ban on same-sex marriage. The arguments employed in the lawsuit reportedly reflect the lawsuit that ultimately overturned Utah's ban on same-sex marriage.

"We are asking for relief on behalf of all married and unmarried same-sex couples in Arizona," attorney Shawn Aiken, who is representing the four same-sex couples in the lawsuit, said in a [statement](#). "Now is the time to take up this issue."

The lawsuit reportedly argues that the Supreme Court's June ruling, which struck down a key provision of the Defense of Marriage Act and thus awarded some federal benefits to same-sex couples, should be reason for Arizona to legalize same-sex marriage. The rationale behind this argument is that same-sex couples receiving federal benefits should also have their union recognized by individual states.

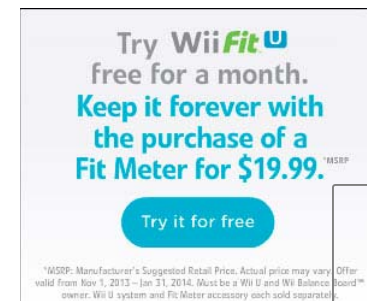
"We're saying, 'Look, follow that rationale and make the same declaration as to the law in Arizona,'" Aiken said, according to the [Arizona Republic](#). "It's that simple."

Those being represented in the recent Arizona lawsuit include Joseph Connolly and Terrel Pochert from Pinal County, Suzanne Cummins and Holly Mitchell of Maricopa County, Clark Rowley and David Chaney of Maricopa County, and Mason Hite and Christopher Devine, also of Maricopa County.

The lawsuit comes weeks after, in a surprise ruling, U.S. District Judge Robert J. Shelby overturned Utah's 2004 ban on same-sex marriage, saying it was unconstitutional based on the U.S. Constitution's 14th Amendment rights to Equal Protection and Due Process. Since his ruling, over 1,000 same-sex couples in the conservative state have received marriage licenses from their local county clerk. On Monday, Jan. 6, however, the U.S. Supreme Court [granted](#) Utah a stay in the issuing of same-sex marriage licenses as the state challenges Shelby's ruling in the Denver-based 10th U.S. Circuit Court of Appeals. It is unclear what will happen to the licenses already issued to same-sex couples in Utah.

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Brian Brown, president of the National Organization for Marriage, a group that opposes same-sex marriage, [said](#) in a statement following the Supreme Court's decision Monday that "the decision by a single federal judge to redefine marriage in Utah is lawless, and we are pleased that the Supreme Court has put this decision on hold to allow the state to appeal it in an orderly fashion."

According to the Arizona Republic, the most recent Arizona case is one of 25 filed in 16 states challenging state law that bans same-sex marriage. Arizona's constitutional ban on same-sex marriage was rejected by voters in 2006, but then approved by voters in 2008 under the name Proposition 102.

Cathi Herrod, president of the pro-traditional marriage advocacy group Center for Arizona Policy, told the Arizona Republic that she hopes the most recent lawsuit filed in Arizona will not succeed in overturning the will of Arizona voters. "We would hope the courts would defer to the Arizona voters that clearly defined marriage as only being between one man and one woman."

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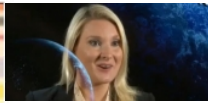
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Page 2 of 2 | [See all](#) (24 comments)**AndrewWA** 3:00 PM on January 08, 2014

31 FOLLOWERS MUTE

Jim - are you there or are you busy decorating?

REPLY

[Agree\(8\)](#) [Disagree\(2\)](#) [Report abuse\(0\)](#)**butidigress** 2:24 PM on January 08, 2014

11 FOLLOWERS MUTE

Odd that no attempt has been made to ban divorce on a statewide level.

REPLY

[Agree\(7\)](#) [Disagree\(1\)](#) [Report abuse\(0\)](#)**jennyleroy** 1:00 PM on January 08, 2014

6 FOLLOWERS MUTE

It is about time we had equal rights for all citizens in the US, in Arizona also of course.

REPLY

[Agree\(11\)](#) [Disagree\(3\)](#) [Report abuse\(0\)](#)**Moxie** 10:41 AM on January 08, 2014

4 FOLLOWERS MUTE

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It's coming... Yes, even to AZ! There is no rational legal argument otherwise, as we've seen with every loss of the bigots. I for one can't wait... CP's resident failed prophet, Jim Liberatore, will be having a fit! Nothing would keep me from that!

REPLY

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MythSmasher 11:37 AM on January 08, 2014

5 FOLLOWERS MUTE

Moxie - Yep, I'm sure old Jimmy is pulling his hair out, right about now, hehehe.....lovin' it!

REPLY

Agree(11) Disagree(2) Report abuse(0)



Moxie 12:28 PM on January 08, 2014

4 FOLLOWERS MUTE

MythSmasher - He'll blow it off with another failed prophecy about constitutional amendments (it's his form of "praying" for the outcome he wants)... but when the time DOES come when he loses, it'll be SO sweet.

REPLY

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AdamWilson 12:40 PM on January 08, 2014

FOLLOW MUTE

Moxie - "It's coming... Yes, even to AZ!" --- Yes, it's coming, even nationwide soon. I wonder why this writer fails to mention 66% of Utah voters approved their amendment in 2004. I think this is the first CP story that failed to include that tidbit. It's irrelevant, but they always throw it in.

REPLY

Agree(7) Disagree(2) Report abuse(0)



rev jesse sharpston 10:36 AM on January 08, 2014

4 FOLLOWERS MUTE

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MythSmasher 11:34 AM on January 08, 2014

5 FOLLOWERS MUTE

rev jesse sharpston - Funny thing, but most Americans see religious extremists as mentally ill.....rawstoryDOTcom/rs/2013/05/30/leading-neuroscientist-religious-fundamentalism-may-be-a-mental-illness-that-can-be-cured/

REPLY

Agree(11) Disagree(2) Report abuse(0)



AdamWilson 12:37 PM on January 08, 2014

FOLLOW MUTE

rev jesse sharpston - "These "GAY" people that want to marry each other [same sex] are mentally ill. " -- you should change your pic to evander holyfield

REPLY

Agree(8) Disagree(2) Report abuse(0)



jennyleroy 12:58 PM on January 08, 2014

6 FOLLOWERS MUTE

rev jesse sharpston - Why about you? Homophobia is a dangerous obsession.

REPLY

Agree(7) Disagree(2) Report abuse(0)



AndrewWA 3:02 PM on January 08, 2014

31 FOLLOWERS MUTE

rev jesse sharpston - I am mentally ill, Jesse?

REPLY

Agree(6) Disagree(2) Report abuse(0)



DaleRichner 3:48 PM on January 08, 2014

8 FOLLOWERS MUTE

rev jesse sharpston - Actually, dearest one, homosexuality involves no mental illness. You're about four decades out of date. Pick up a book once in a while. In the meantime you should know that leading national institutions whose professional findings conclude that there is nothing wrong or bad about being gay include [...more](#)

REPLY

Agree(6) Disagree(3) Report abuse(0)



DaleRichner 3:49 PM on January 08, 2014

8 FOLLOWERS MUTE

rev jesse sharpston - "I believe in equal human rights, before the law, for all human beings, and race, gender, disability, class or sexual orientation should not be a factor under the law. Religious groups must still be able to maintain their spiritual and moral option to either give or withhold a religious or sacred blessing to such unions. However, the government should not have that option. It must affirm the human and legal rights of everyone." --Al Sharpston

REPLY

Agree(6) Disagree(3) Report abuse(0)



CalebELCA 5:49 PM on January 08, 2014

2 FOLLOWERS MUTE

rev jesse sharpston - you seem pretty mentally ill...also, you have no right to tell my church what to do. The ELCA, PCUSA, TEC, UCC, Disciples of Christ, Reformed/Conservative Judaism, Unitarianism, and even the UMC Conference of Arizona all support same-sex marriage or unions.

REPLY

Agree(5) Disagree(3) Report abuse(0)

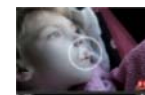
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