

STATE OF MICHIGAN



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Schuette Seeks Emergency Stay, Appeal of Federal Court Ruling Striking Down Marriage Amendment to Michigan Constitution

*Schuette to Defend Constitution, Will of the People in Request for Stay,
Appeal to be Filed with U.S. Court of Appeals for the Sixth Circuit*

LANSING - Michigan Attorney General Bill Schuette today announced he has filed an emergency request for stay and appeal of a federal judge's ruling striking down Article 1 Section 25 of the Michigan Constitution, also known as the Marriage Amendment. The amendment was approved by 2.7 million Michigan voters in 2004.

"In 2004 the citizens of Michigan recognized that diversity in parenting is best for kids and families because moms and dads are not interchangeable. Michigan voters enshrined that decision in our State constitution, and their will should stand and be respected. I will continue to carry out my duty to protect and defend the Constitution," said Schuette.

U.S. District Court Judge Bernard A. Friedman ruled against the Michigan Constitution in *DeBoer v. Snyder* on March 21, 2014 following a two week trial to evaluate voters' decision to define marriage as between one man and one woman.

In contrast with other federal judges handling similar cases across the country, Judge Friedman did not stay his ruling pending the outcome of appeal. The following adverse rulings against state marriage laws were all stayed pending the outcome of appeal:

- **Oklahoma** - *Bishop v. United States*, stay granted by Judge Terence Kern, U.S. District Court for the Northern District of Oklahoma;
- **Virginia** - *Bostic v. Rainey*, stay granted by Judge Arenda L. Wright Allen, U.S. District Court for the Eastern District of Virginia;
- **Texas** - *De Leon v. Perry*, stay granted by Judge Orlando L. Garcia, U.S. District Court for the Western District of Texas; and,
- **Utah** - *Kitchen v. Herbert* – When stays were denied by U.S. District Court Judge Robert J. Shelby and the U.S. Court of Appeals for the 10th Circuit, the U.S. Supreme Court stepped in, granting the Utah Attorney General's request for stay.

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“Given the U.S. Supreme Court’s ruling in the Utah case, I fully expect our request for stay to be granted,” said Schuette.

Schuette’s emergency request for stay and appeal were filed with the U.S. Court of Appeals for the 6th Circuit today.