

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

BRUCE T. MORGAN and
BRIAN P. MERUCCI,

Plaintiffs,

v.

RICK SNYDER and
MARY HOLLINRAKE,

Defendants.

Case No. 1:14-CV-632

HON. GORDON J. QUIST

ORDER STAYING CASE

Pursuant to the Court's December 2, 2014 Order to Show Cause, the parties have filed responses to the Court's inquiry why it should not stay this case pending a decision by the United States Supreme Court on the petitions for writ of certiorari that have been filed following the Sixth Circuit's recent decision in *DeBoer v. Snyder*, 772 F.3d 388 (6th Cir. 2014). Defendants respond that the Court should stay the case, noting that absent a stay, the Sixth Circuit's decision in *DeBoer* would require the Court to dismiss Plaintiffs' claims. Plaintiffs respond that a stay is not appropriate in this case, because the plaintiffs in *DeBoer* are unmarried and seeking the right to marry, while in this case Plaintiffs are married (having been married in New York) but the State of Michigan simply refuses to recognize their out-of-state marriage, in violation of Plaintiffs' fundamental right to marry.

Plaintiffs' argument overlooks the portion of the Sixth Circuit's opinion in *DeBoer* holding that a state does not violate the Constitution by refusing to recognize out-of-state gay and lesbian

