

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ERIN DAWN BLANKENSHIP, ET AL.,

Plaintiffs,

v.

RICK SNYDER, ET AL.,

Defendants.

Case No. 14-12221

SENIOR UNITED STATES DISTRICT
JUDGE ARTHUR J. TARNOW

MAGISTRATE JUDGE MICHAEL J.
HLUCHANIUK

**ORDER GRANTING DEFENDANTS' MOTION TO STAY [14] AND
ADMINISTRATIVELY TERMINATING DEFENDANTS' MOTION TO DISMISS [15]**

Plaintiffs allege that Defendants have violated the Fourteenth Amendment by enforcing Michigan law to deny recognition to Plaintiffs' same-sex marriage, which was validly performed and licensed in New York. The Supreme Court recently granted and consolidated several petitions for writs of certiorari from *DeBoer v. Snyder*, 772 F.3d 388 (6th Cir. 2014), identifying the following question for review: "Does the Fourteenth Amendment require a state to recognize a marriage between two people of the same sex when their marriage was lawfully licensed and performed out-of-state?" *DeBoer v. Snyder*, --- S. Ct. ---, 2015 WL 213650, at *1 (Jan. 16, 2015). The Court believes that the Supreme Court's

resolution of this question will likely be dispositive of Plaintiffs' claims.¹ That resolution is also likely to occur before the end of the Supreme Court's current term in June, approximately five months from the date of this order. The Court therefore believes that the interests of judicial economy outweigh any hardship to the parties that may result from staying this case pending the Supreme Court's decision. *Cf. Morgan v. Snyder*, No. 14-632 (W.D. Mich. Dec. 23, 2014) (order staying case pending Supreme Court decision on petitions for writ of certiorari in *DeBoer*). Accordingly,

IT IS ORDERED that Defendants' Motion to Stay [14] pending final appellate resolution in *DeBoer* is **GRANTED**. The case is stayed pending the Supreme Court's decision in *DeBoer* and the cases with which it is consolidated.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss [15] is **ADMINISTRATIVELY TERMINATED**. The motion is closed without prejudice. If Defendants wish to reopen the motion, they may do so at any time by providing the Court with written notice after the stay is lifted.

IT IS FURTHER ORDERED that the case is **CLOSED** administratively.

IT IS SO ORDERED.

¹ In their Response to Defendants' Motion to Stay [19], Plaintiffs argued that the Sixth Circuit's decision in *DeBoer* would not be dispositive of their claims. The Court is now concerned with the likely effect of the Supreme Court's decision, and need not address the effect of the Sixth Circuit's decision.

Dated: February 10, 2015

s/Arthur J. Tarnow

Arthur J. Tarnow

Senior United States District Judge