



C.L. "BUTCH" OTTER
GOVERNOR

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JUSTICE KENNEDY STAYS APPELLATE COURT MANDATE ON SAME-SEX MARRIAGE IN IDAHO

(BOISE) – U.S. Supreme Court Justice Anthony Kennedy issued an order early today blocking enforcement of the 9th U.S. Circuit Court of Appeals' after-hours decision on Tuesday that same-sex marriages should be allowed to begin immediately.

"It is ordered that the mandate of the United States Court of Appeals for the Ninth Circuit ... is hereby stayed pending further order of the undersigned or of the Court," Justice Kennedy wrote. He set a 5 p.m. Thursday deadline for the filing of a response from those suing Idaho to allow same-sex marriage.

"I'm pleased that Justice Kennedy has given us the opportunity to make our case in a way that helps avoid the confusion some other states have faced. We also asked the 9th Circuit for the same relief, but I'm grateful that Justice Kennedy acted so promptly," Governor C.L. "Butch" Otter said. "I intend to be faithful to my oath of office and keep working to protect the Idaho Constitution and the mandate of Idaho voters in support of traditional marriage."

About midday Tuesday, the 9th Circuit rejected Idaho's appeal of a lower-court ruling that Idaho's constitutional definition of marriage as being between a man and a woman violates the U.S. Constitution. Its initial "mandate" for enforcing that decision gave the State seven days to respond. Then after 6 p.m. MDT Tuesday, the appellate court amended its order to make it effective immediately. That prompted Governor Otter and Attorney General Lawrence Wasden to ask the 9th Circuit for a delay while the Governor also submitted a stay request to Justice Kennedy.

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