

PlainSite® 

# Legal Document

---

Georgia Northern District Court  
Case No. 1:14-cv-01180  
**Inniss et al v. Aderhold et al**

Document 67



**View Document**



**View Docket**

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**CHRISTOPHER INNIS, et al.,**  
**Plaintiffs,**

**v.**

**DEBORAH ADERHOLD, et al.,**  
**Defendants.**

---

**1:14-cv-1180-WSD**

**ORDER**

This matter is before the Court on the Parties' September 15, 2015, Joint Status Report (the "Status Report") [66]. The Status Report was filed in response to the Court's September 2, 2015, Order [65], requiring the Parties to discuss the impact on this action of the Supreme Court's decision in Obergefell v. Hodges, --U.S. --, 135 S.Ct. 2584 (2015).

The Parties represent in their Status Report that Obergefell is binding precedent in this action. They suggest the Court vacate its January 8, 2015, Order ("January 8th Order") [49] denying Defendants' Motions to Dismiss and enter judgment in favor of Plaintiffs. The January 8th Order, the Court notes, addresses issues in addition to the constitutional issues addressed and decided by the Supreme Court in Obergefell. Vacation of the January 8th Order is not required or

appropriate. The Court agrees, however, that Obergefell requires entry of judgment in favor of Plaintiffs because Obergefell prohibits the enforcement of Georgia Constitution art. I, § IV, para. I, and O.C.G.A. §§ 19-3-3.1, 19-3-30, to exclude same-sex couples from civil marriage on the same terms and conditions as opposite-sex couples, or to refuse to recognize a lawful same-sex marriage performed in another State on the ground of its same-sex character. See Obergefell, 135 S.Ct. at 2605, 2608.


Accordingly,

**IT IS HEREBY ORDERED** that judgment be entered in favor of Plaintiffs Christopher Inniss, Shelton Stroman, Rayshawn Chandler, Avery Chandler, Michael Bishop, Johnny Shane Thomas, Jennifer Sisson, Elizabeth Wurz and Krista Wurz.

**IT IS FURTHER ORDERED** that Defendants and their officers, employees, agents, and all other individuals under their supervision, direction, or control are permanently enjoined from enforcing Constitution art. I, § IV, para. I, and O.C.G.A. §§ 19-3-3.1, 19-3-30, to exclude same-sex couples from civil marriage on the same terms and conditions as opposite-sex couples, or to refuse to

recognize a lawful same-sex marriage performed in another State on the ground of its same-sex character.<sup>1</sup>

**SO ORDERED** this 7th day of October, 2015.

  
\_\_\_\_\_  
WILLIAM S. DUFFEY, JR.  
UNITED STATES DISTRICT JUDGE

---

<sup>1</sup> Plaintiffs have agreed not to seek fees or costs in this matter. (Status Report at 5). Based on this representation, the Court directs the Clerk of Court to close this matter.