



**PRESS RELEASE**

Colorado Department of Law  
Attorney General John W. Suthers

**FOR IMMEDIATE RELEASE**

June 25, 2014

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**ATTORNEY GENERAL SUTHERS' STATEMENT REGARDING BOULDER  
COUNTY CLERK AND RECORDER'S ISSUANCE OF INVALID SAME-SEX  
MARRIAGE LICENSES**

**DENVER** – Today, the 10<sup>th</sup> Circuit Court of Appeals issued a 2-1 ruling finding Utah's ban on same-sex marriage to be in violation of the United States Constitution's guarantees of equal protection and due process. The 10<sup>th</sup> Circuit itself delayed the effect of its order pending resolution of the case by the United States Supreme Court. Subsequent to that decision, the Boulder County Clerk and Recorder announced Wednesday afternoon that the office would begin issuing same-sex marriage licenses.

In response to the court's ruling and clerk's announcement, Colorado Attorney General John Suthers issued the following statement:

“Colorado's constitutional prohibition on same-sex marriages remains in effect. Today's decision by the 10<sup>th</sup> Circuit Court of Appeals was stayed by the Court and has not gone into effect even in Utah, let alone in Colorado. Any marriage licenses issued to same-sex couples in Colorado before a final court resolution of the issue are invalid.

As Colorado Attorney General J.D. MacFarlane opined in 1975 when the Boulder County Clerk and Recorder issued same-sex marriage licenses, ‘the issuance of a license under such circumstances is useless and an official act of no validity and may mislead the recipients of the license and the general public.’”

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