

# Suit filed to allow same-sex marriages in Arizona

**BY:** abc15.com staff, wire reports

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PHOENIX - Four couples have filed a class-action lawsuit seeking to make same-sex marriage legal in Arizona.

The suit filed Monday claims a voter-approved ban on gay marriage is unconstitutional. It seeks to allow same-sex couples to be married and recognize same-sex marriages conducted in other states.

"I think most people expect that this issue will eventually be decided by the U.S. Supreme Court," attorney Shawn Aiken, who filed the suit.

The suit names Gov. Jan Brewer and Attorney General Tom Horne among the defendants. There was no immediate response Monday night from either Brewer's or Horne's offices.

The lawsuit claims certain rights and benefits are denied to gay couples because Arizona doesn't recognize their marriages.

"Two of the four couples that are plaintiffs were married in California," Aiken said. "As the law stands in Arizona today, their valid California marriage is unrecognized in Arizona."

Aiken said the suit involves three male couples and one female couple. All are long-time Arizona residents and two of the couples have adopted children, he said.

One of the couples, Terry Pochert and Joe Connolly have been a committed couple since 1995.

Nineteen years ago, same-sex marriage was just a dream. The pair officially tied the knot in California in 2008.

"For us, being people of faith, we also felt that we needed to have this recognized and blessed in a church," said Joe.

"The U.S. constitution proves this right, and that's what kind of hurts, that we have to fight for this," said Terry.

According to Aiken, there are about 25 lawsuits filed in 15 states that are seeking the legalization of gay marriage.

Should the plaintiffs win the case, Arizona would become the 19th state to recognize same-sex marriages.

New Mexico and Utah legalized gay marriage last month. However, the U.S. Supreme Court put a hold on same-sex marriage in Utah on Monday.

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