

# Court: Gay-marriage ban unconstitutional

By Maura Dolan, Los Angeles Times

SAN FRANCISCO – A federal appeals court Tuesday struck down California's ban on same-sex marriage, clearing the way for the U.S. Supreme Court to rule on gay marriage as early as next year.

The 2-1 decision by a panel of the U.S. 9th Circuit Court of Appeals found that Proposition 8, the 2008 ballot measure that limited marriage to one man and one woman, violated the U.S. Constitution. The architects of Prop. 8 have vowed to appeal.

The ruling was narrow and likely to be limited to California.

"Proposition 8 served no purpose, and had no effect, other than to lessen the status and human dignity of gays and lesbians in California," the court said.

The ruling upheld a decision by retired Chief U.S. District Judge Vaughn R. Walker, who struck down the ballot measure in 2010 after holding an unprecedented trial on the nature of sexual orientation and the history of marriage.

In a separate decision, the appeals court refused to invalidate Walker's ruling on the grounds that he should have disclosed he was in a long term same-sex relationship. Walker, a Republican appointee who is openly gay, said after his ruling that he had been in a relationship with another man for 10 years. He has never said whether he and partner wished to marry.

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