

Coalition challenges judges in Nev. gay marriage case

By Adam Liptak, New York Times

WASHINGTON – When a three-judge panel of the federal appeals court in California struck down bans last month on same-sex marriage in Idaho and Nevada, it was no surprise. The panel included two of the court’s leading liberals.

A group opposing same-sex marriage said the composition of the panel was also no coincidence. In an unusual accusation in a recent court filing, the group said the two judges served on a disproportionate number of cases involving gay rights.

The odds of this were 441 to 1, according to a brief filed by the group, the Coalition for the Protection of Marriage. It asked the United States Court of Appeals for the Ninth Circuit to rehear the Nevada case “to cure the appearance that the assignment of this case to this particular three-judge panel was not the result of a random or otherwise neutral selection process.”

Peter Renn, a lawyer with Lambda Legal, which represents the plaintiffs in the Nevada case, said, “This conspiracy theory is more believable as the plot to a John Grisham novel than a credible legal argument substantiated by evidence.”

Read the whole story