

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JAMES N. STRAWSER and)	
JOHN E. HUMPHREY,)	
)	
Plaintiffs,)	
)	
v.)	
)	
LUTHER STRANGE, in his official capacity as)	
Attorney General of the State of Alabama,)	
)	
Defendant.)	

Case No.
1:14-cv-00424-CG-C

**DEFENDANT LUTHER STRANGE’S OPPOSITION
TO THE PLAINTIFFS’ MOTION TO LIFT STAY (DOC. 40)**

Defendant Luther Strange, sued in his official capacity as Attorney General of the State of Alabama, respectfully submits this opposition to the Plaintiffs’ Motion to Lift Stay (doc. 40):

Attorney General Strange opposes Plaintiffs’ Motion, on the same grounds that he opposed a similar motion in a similar case (*Searcy v. Strange*, No. 1:14-cv-00208): Leaving the stay in place through February 9, 2015, will permit the Attorney General to submit the issue to the United States Supreme Court, and will avoid confusion among officials who enforce Alabama’s marriage laws and who likely have relied on the announced schedule.

In *Searcy*, the Court denied the motion for an immediate lifting of the stay and left the stay in place until February 9, 2015, as previously announced (*see Searcy* doc. 69). The same result is appropriate here.

For these reasons, the Attorney General asks that Plaintiffs’ motion be denied. If the Supreme Court does not extend the stay before such time, then this Court’s stay will lift on February 9, 2015, as presently scheduled.

Respectfully submitted,

LUTHER STRANGE (ASB-0036-G42L)
Attorney General

s/ James W. Davis

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CERTIFICATE OF SERVICE

I certify that on February 3, 2015, I electronically filed the foregoing document using the Court's CM/ECF system, which will provide electronic notification to the following counsel of record:

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