

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION

CASIE JO MCGEE and SARAH ELIZABETH
ADKINS; JUSTIN MURDOCK and WILLIAM
GLAVARIS; and NANCY ELIZABETH
MICHAEL and JANE LOUISE FENTON,
individually and as next friends of A.S.M., a minor
child;

Plaintiffs,

v.

KAREN S. COLE, in her official capacity as
CABEL COUNTY CLERK; and VERA J.
MCCORMICK, in her official capacity as
KANAWHA COUNTY CLERK;

Defendants,

and

STATE of WEST VIRGINIA, *ex rel.*
PATRICK MORRISSEY, ATTORNEY
GENERAL,

Intervenor.

No. 3:13-cv-24068

DECLARATION OF WILLAM GLAVARIS

I, William Glavaris, hereby declare as follows:

1. The testimony set forth in this Declaration is based on first-hand knowledge, about which I could and would testify competently in open Court if called upon to do so.
2. I am 31 years old and a life-long West Virginian. I currently live in Huntington, West Virginia, and have been in a committed and loving relationship with Justin Murdock

(“Justin”) for nearly three years. We wish to marry each other. Justin also has provided a declaration, and we will try not to repeat each other.

3. I am a network engineer working for a company based in Belmont, CA, and I work from home.

4. I am a gay man. I grew up in West Virginia, and moved to Huntington to become a student at Marshall University. I have lived in the area ever since.

5. My views on marriage have been fixed since I was a young child. I believe that marriage is vitally important to reflect the depth of your commitment to your chosen mate.

6. When I met Justin, I was instantly attracted. Justin was very persistent in pursuing a romantic relationship, and I soon fell very much in love with him. After a few months, I knew he was the man I wanted to spend my life with. We each knew there was something special about the other. On one of our first dates, Justin took me to his church. I was impressed by the depth of his commitment to his church and faith. I am also a Christian and my faith is similarly important to me.

7. Among the reasons I love Justin is because he is such a great person, and a great father. He sets his mind to things and gets them accomplished with a smile. He motivates me to be a better person. He makes me happy and makes me smile, too. He makes bad days good.

8. His energy is infectious; I love to be around him. We challenge each other and he is my best friend.

9. I love and adore Justin’s children. I have a close relationship with both of them. We interact as a family. I am also very close to Justin’s parents and extended family and they have embraced me as a part of their family. This is very important to me because there are very

few surviving members of my family. Marriage would allow me to rebuild my family. It would make me officially a part of Justin's family.

10. My father died of cancer. We were very close and I know it would have meant a great deal to him to see me get married. He was very proud of me.

11. I have two sisters living in West Virginia but we are estranged. Other than my sisters, the closest surviving member of my family is a great aunt in South Carolina. This is particularly worrying because if something were to happen to me, who would make decisions for me and take care of me? I would want Justin to be able to make those decisions. Without being married, Justin most likely wouldn't be given the power to make important medical decisions on my behalf, and he may not even be permitted to be by my side. This is very scary to me.

12. The day that the Supreme Court decided the Windsor and Perry cases, I remember being really happy and crying because I felt like we had taken a huge step toward equality. I was so happy for all the people who were finally going to be able to have their marriages recognized by the federal government, but then I felt sad. I felt sad because it still wasn't an option for Justin and me.

13. Being able to finally legally marry would be incredible. I cannot express how important it would be for us. There are no words to explain how it would feel. I want the people in my state to understand that Justin and I are a couple. We are a family.

14. I am a life-long West Virginian. This is my home, and I love it here. I have travelled all over the country, but my home is and always will be here. It is important to me that I be able to marry in my home state and it is important that West Virginia recognize and respect our relationship the way that straight couples are recognized and respected. Even though our dream is to marry in our home state, if we were able to travel to another state to marry and return

home to have our marriage registered and respected here in West Virginia, we would do it because our need to be legally recognized as a family is such a priority for us. However, we know that the clerk would refuse to register our out-of-state marriage.

15. Marriage is the only word that could express the depth and importance of my and Justin's commitment to each other. "Partner" isn't enough, it isn't clear. Only "marriage" will do.

16. Justin and I are able and eager to assume the responsibilities of marriage. We meet all of the requirements to marry under West Virginia law, except for the fact that we are a same-sex couple:

- a. I am 31 years old, and therefore over the age of 18.
- b. I am legally competent.
- c. I am not related to Justin.
- d. I am not married to any other person.

17. Justin and I have requested a marriage license application three times. In each attempt, we were prepared to present the requisite identification, fill out the requisite paperwork and pay the required fee.

18. On the last attempt to seek a marriage license, on or about September 24, 2013, an employee of the Cabell County Clerk's office handed us a copy of a letter prohibiting clerks from issuing marriage licenses or registering marriage licenses of same-sex couples. Justin and I were accordingly denied the ability to obtain a marriage license by the Cabell County Clerk's office based solely on our sex and sexual orientations.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.