

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ADA CONDE VIDAL, et al.,

Plaintiffs,

v.

ALEJANDRO GARCÍA PADILLA, et al.,

Defendants.

CIVIL NO. 14-1253 (GAG)

**ORDER DECLARING UNCONSTITUTIONALITY OF PUERTO RICO SAME-SEX
MARRIAGE BAN**

The undersigned United States District Judge hereby declares¹ unconstitutional Article 68 of the Puerto Rico Civil Code, P.R. LAWS ANN. tit. 31, § 221, as well as any other federal or commonwealth law that prohibits same-sex couples from marrying, or which fails to recognize any valid same-sex marriage performed in another jurisdiction. See Obergefell v. Hodges, ___ U.S. ___, 135 S.Ct. 2584 (2015); see also Conde Vidal v. Rius-Armendariz, No. 14-2184, 2015 WL 10574261 (1st Cir. 2015). Judgment shall enter forthwith.

In light of the above, the Court intends to enter judgment with all due deliberate speed. However, in order to adequately ensure that the instant Order resolves all matters as between the parties to this action, a conference is hereby set for **Monday, April 11, 2016 at 11:30am at the Old San Juan Courthouse**, at the first floor courtroom. The parties are

¹ The Court declares the plaintiff's rights pursuant to the Declaratory Judgments Act, 28 U.S.C. § 2201, given that the Court has before it an actual case and controversy.

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1 encouraged over the weekend to stipulate to a proposed judgment, which can be entered as early
2 as that same day. The parties shall further come prepared to address, as well as include in the
3 proposed judgment, the matter of the Court retaining jurisdiction to enforce its declaratory
4 judgment. This is so given that the commonwealth legislature, following Obergefell, has not
5 amended Article 68 to conform with our Constitution.

6 **SO ORDERED.**

7 In San Juan, Puerto Rico this 7th day of April, 2016.

8 *s/ Gustavo A. Gelpí*

9 GUSTAVO A. GELPI

10 United States District Judge

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