

1                                   **IN THE UNITED STATES DISTRICT COURT**  
2                                   **FOR THE DISTRICT OF PUERTO RICO**

3   **ADA CONDE VIDAL, et al.,**

4   **Plaintiffs,**

5   **v.**

**CIVIL NO. 14-1253 (GAG)**

6   **ALEJANDRO GARCÍA PADILLA, et al.,**

7   **Defendants.**

8  
9                                   **ORDER DECLARING UNCONSTITUTIONALITY OF PUERTO RICO SAME-SEX**  
10                                   **MARRIAGE BAN**

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

17           In light of the above, the Court intends to enter judgment with all due deliberate  
18 speed. However, in order to adequately ensure that the instant Order resolves all matters as  
19 between the parties to this action, a conference is hereby set for **Monday, April 11, 2016 at**  
20 **11:30am at the Old San Juan Courthouse**, at the first floor courtroom. The parties are

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23           <sup>1</sup> The Court declares the plaintiff's rights pursuant to the Declaratory Judgments Act, 28 U.S.C. §  
24 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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