

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NO. 1:14-cv-00065-MOC

CAROL MCCRORY and BRENDA CLARK,)
)
 Plaintiffs,)
)
 v.)
)
 THE STATE OF NORTH CAROLINA, et al.,)
)
 Defendants.)

ORDER

THIS MATTER is before the court on its own Motion for Judgment on the Pleadings. In light of this court’s recent decision in General Synod of the United Church of Christ v. Cooper, No. 3:14-cv-213 (W.D.N.C. Oct. 10, 2014), which held unconstitutional Article XIV, Section 6 of the North Carolina Constitution, North Carolina General Statute § 51-1 *et seq.*, and any other source of state law that, as raised in this action, prohibits recognition of same-sex marriages lawfully solemnized in other States, Territories, or a District of the United States, this matter is now moot.¹

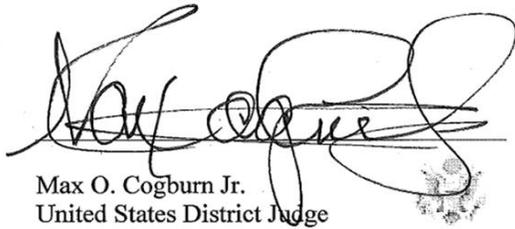
¹ In addition, this court previously issued an Order (#15) staying this matter. In light of the decision of the Court of Appeals for the Fourth Circuit in *Bostic v. Schaefer*, 760 F.3d 352 (4th Cir. 2014), *cert. denied*, ___ S.Ct. ___, 2014 WL 4354536 (U.S. Oct. 6, 2014), as to which the Mandate has now issued, *Bostic v. Schaefer*, No. 14-1167, 14-1169, 14-1173 (4th Cir. Oct. 6, 2014), this stay automatically dissolved on October 6, 2014, when the Supreme Court denied *certiorari* in *Bostic*.

ORDER

IT IS, THEREFORE, ORDERED that the court's Motion for Judgment on the Pleadings is **GRANTED**, and this action is **DISMISSED WITHOUT PREJUDICE** as **MOOT** inasmuch as the relief sought has already been granted in General Synod, supra. All other pending motions are terminated and this action is **DISMISSED** without prejudice.

The Clerk of Court shall issue a Judgment consistent with this Order.

Signed: October 10, 2014



Max O. Cogburn Jr.
United States District Judge