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JUDGE RULES BAN UNCONSTITUTIONAL | COUPLES WED

Gay marriage is legalized in N.C.

'North Carolina's laws prohibiting same-sex marriage are unconstitutional as a matter of law. The issue before this court is neither a political issue nor a moral issue. It is a legal issue.' — U.S. District Court Judge Max O. Cogburn, Jr.



18 Nunley holds a gay pride flag before a rally Friday evening at Wilmington's 1898 memorial to celebrate the striking down of North Carolina's ban on gay marriage. 'Somebody I do want to marry someone,' Nunley said. 'And I want it to be legal not in New York, not in Massachusetts, but in my hometown of Wilmington, North Carolina.' Photo by Adam Wagner

In Wilmington, tears and an impromptu rally

By Adam Wagner

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Ryan Harris issued a well-worn sign protesting Amendment One to the ground Friday night.

"We don't need this anymore, guys," he said to applause.

Harris, president of Cape Fear Equality, was right. Late Friday afternoon in Asheville, U.S. District Judge Max Cogburn struck down North Carolina's gay marriage ban, which was passed in May 2012. The ruling opened the way for the first same-sex weddings in the state to begin immediately.

About 100 people rushed to the 1898 Memorial in Wilmington for a near-impromptu rally, which started at 6:30 p.m. Some in the crowd half-jokingly wondered if there would be a boom of gay parents having children in July 2015.

Cogburn's ruling follows Monday's announcement by the U.S. Supreme Court that it would not hear any appeal of a July ruling by the 4th Circuit Court of Appeals in Richmond striking down Virginia's ban. That court has jurisdiction over



Chad Blagg (left) and Chris Creek say their wedding vows in front of magistrate Dexter Williams at the Wake County Courthouse in Raleigh on Friday. The men are both Wake County sheriff's deputies. Photo by MCT

MARRIAGE

Continued from 1A

North Carolina.

Though Cogburn's federal judicial district covers only the western third of the state, state Attorney General Roy Cooper said through a spokeswoman that the federal ruling applies statewide.

Among those at the Wilmington rally were Amanda and Julie Goins, who were married in April 2010 in Washington, D.C. That marriage will now, according to Cogburn's ruling, be recognized in North Carolina.

Amanda and Julie were on a walk with Willow, their young daughter, and their dog when they found out the ban had been overturned.

"There were tears, lots of tears, and it was like, 'Mommy cry? Mommy cry?' And we had to explain they were happy tears," Amanda said.

Now, Amanda will officially be able to take Julie's name. And they'll finally be able to have an official wedding and a ceremony.

"I said when it was legal, I'll do it," Julie said. "So now I'm just kind of stuck to that."

"The Pinterest boards are all ready," Amanda said.

Local register of deeds offices have said they're ready to handle gay marriages.

In New Hanover County, the office has applications prepared and has a workaround for its software system, which can't be changed until the ban is deemed unconstitutional. And in Pender County, Register of Deeds Sharon Willoughby has said the county's software can handle any change and that a gender-neutral marriage license form could be received in minutes.

Many of those in Friday evening's crowd aren't ready to be married, but are ready to have the avenue open to them.

"Someday I do want to marry someone," said TR Nunley. "And I want it to be legal not in New York, not in Massachusetts, but in my hometown of Wilmington, North Carolina."

The minds of friends and neighbors of gay couples also change with proximity, said Amanda Goins, while standing with her partner and their young daughter.

"They see we're just a normal family and that changes a lot of opinions," Amanda Goins said.

Friday's action also provides protection for Willow, though. Amanda and Julie Goins hope Julie will now be able to formally adopt Willow, meaning Julie would have a significantly easier time maintaining custody if any tragedy were to befall Amanda. Adoption by second parents in gay relationships had been a legal question, but it is widely held that married gay couples can have step-parent adoption akin to those of any other couple.

The Rev. John McLaughlin of St. Jude's Metropolitan Community Church has performed "dozens" of gay wedding ceremonies despite the ban. Friday's legal action means the ceremonies will be advanced past the spiritual and McLaughlin will be able to sign the license making the union official.

While McLaughlin said Friday was joyous, he also sounded a note of caution and said there is still work to be done before lesbian, gay, bisexual and transgender residents of North Carolina are considered equal. He specifically pointed to the state's lack of an employment discrimination law for the LGBT community.

"I can see gay couples getting married and putting the marriage notices in the paper and coming in Monday only to get fired," McLaughlin said.

Pete Bottiglieri was joined at Friday's rally by his partner, Tony Davis. And even though the two aren't ready to wed, emotions were still high.

"I'm just dumbstruck," Bottiglieri said. "Tears have been streaming down my face like every five minutes."

Davis, who woke up from a nap Friday to find the ban overturned, said it was a major step to the acceptance of gay marriage in North Carolina.

"As time progresses, it won't be anything