

FILED

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

AUG 11 2015
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____
DEPUTY CLERK

CLEOPATRA DE LEON, NICOLE	§
DIMETMAN, VICTOR HOLEMS, and	§
MARK PHARISS,	§
Plaintiffs,	§
	§
v.	§
	§
GREG ABBOTT, in his official capacity as	§
Governor of the State of Texas, KEN	§
PAXTON, in his official capacity as Texas	§
Attorney General, and KIRK COLE, in his	§
official capacity as interim Commissioner of	§
the Texas Department of State Health Services,	§
Defendants.	§

Cause No. SA-13-CA-00982-OLG

ORDER

On August 10, 2015, the Court held a telephonic status conference in which all parties in the above-styled case appeared by and through their counsel of record. The parties advised the Court that the death certificate of James H. Stone-Hoskins had been amended, as ordered by this Court. Furthermore, the Texas Attorney General’s office advised the Court that “in the next couple of days,” and in conjunction with the State Department of Health Services, it would issue policy guidance related to the recognition of same-sex marriage in death and birth certificates, and assuring that “the State and its agencies will fully be in compliance with [this Court’s] final judgment that was issued on July 7th” (docket no. 112, p. 15).

The Court notes that Ken Paxton, as Attorney General for the State of Texas, is in the unique position to insure the proper implementation of the law across all state agencies, and Kirk Cole, as interim Commissioner of the Texas Department of State Health Services, is in the unique position to ensure that his office promptly complies with this Court’s order and recognizes same-sex marriages when issuing death and birth certificates.

Accordingly, the Court ORDERS Defendants to submit an advisory to the Court, **no later than Monday August 24, 2015**: (1) notifying the Court they have created, issued, and implemented policy guidelines recognizing same-sex marriage in death and birth certificates issued in the State of Texas, and (2) assuring the Court that the Department of State Health Services has granted all pending applications for death and birth certificates involving same-sex couples, assuming the applications are otherwise complete and qualify for approval.

It is so ORDERED.

SIGNED this 11th day of August, 2015.

A handwritten signature in black ink, appearing to read "Orlando L. Garcia", written in a cursive style.

United States District Judge Orlando L. Garcia