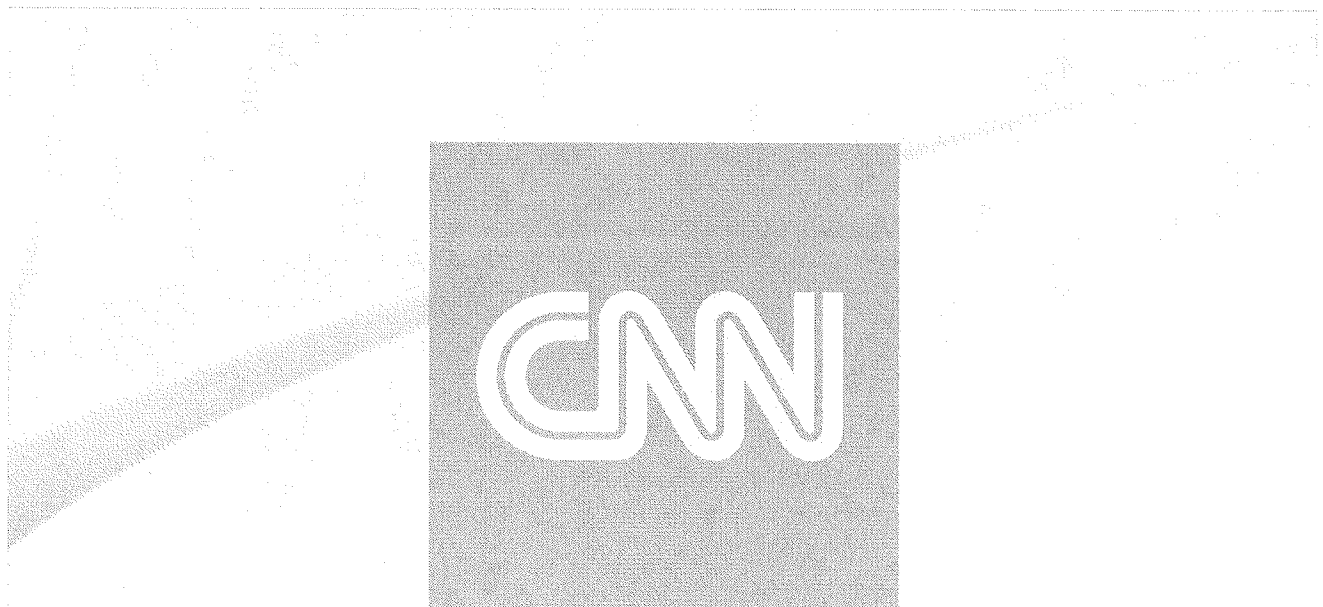


# Kim Davis appeals contempt of court ruling over same-sex marriage licenses

By Ed Payne, CNN

🕒 Updated 5:30 PM ET, Mon September 7, 2015



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Source: CNN

Supporters gather in solidarity for Kentucky clerk 02:12

## Story highlights

Kim Davis appeals the contempt of court ruling that put her jail

**(CNN)**—Kim Davis, the Kentucky clerk who's refused to issue same-sex marriage licenses, has appealed the contempt of court ruling that landed her in jail last week, according to court documents obtained by CNN.

"While most Americans are enjoying the extended holiday weekend with family and friends, Kim Davis

Davis, a Christian, says she has religious objections to same-sex marriage

sits in isolation for the fourth day in jail," her attorney, Mat Staver, said in a statement Sunday. "We are working through the holiday to secure Kim's freedom."

Davis had refused to give licenses to same-sex couples after June's Supreme Court decision on grounds that issuing the licenses would violate her Christian convictions against same-sex marriage.

A federal judge ordered her to jail Thursday, ruling she was in contempt of court for refusing to issue the licenses and not allowing her deputies to distribute them for her.



U.S. District Judge David Bunning said Davis would remain behind bars until she complies. Five of her deputies agreed Thursday to issue marriage licenses in her absence and the Rowan County Clerk's Office began doing so the following day.

**Related Video:** Kentucky clerk faces judge in marriage debate 04:01

## How long will Davis stay in jail?

Staver said Davis has no plans to resign and would remain in jail until a compromise is reached. He said his client would be willing to issue licenses if her name and title were not on them.

Davis' husband, Joe, told reporters Friday that his wife was willing to stay in jail until that proposed compromise happened.



**Sonia Moghe**  
@soniamoghe

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Kim Davis' husband protesting outside clerks office. Says she's willing to stay in jail "as long as it takes."

7:50 AM - 4 Sep 2015

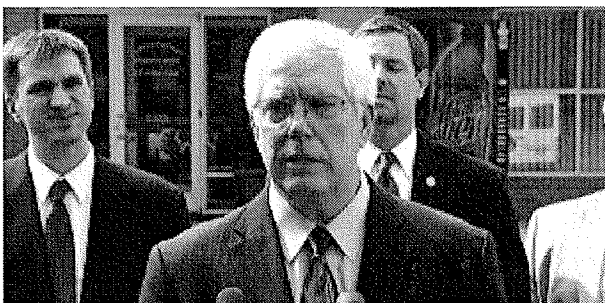
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"As long as it takes," Joe Davis said. "Hopefully (Kentucky Gov. Steve) Beshear will have the guts to do his job."

Staver also criticized Beshear on Friday, saying, "She is incarcerated not because of anything she's done but because of what the governor has failed to do."

He said the governor could issue an executive order to solve the problem.

Who is Kim Davis?



The legislature could pass a law removing clerks' names from the licenses, but it won't be in session until January.

Beshear said last week he won't call lawmakers for a special session to deal with the issue, adding that to do so would cost "hundreds of thousands of dollars of taxpayers' money."

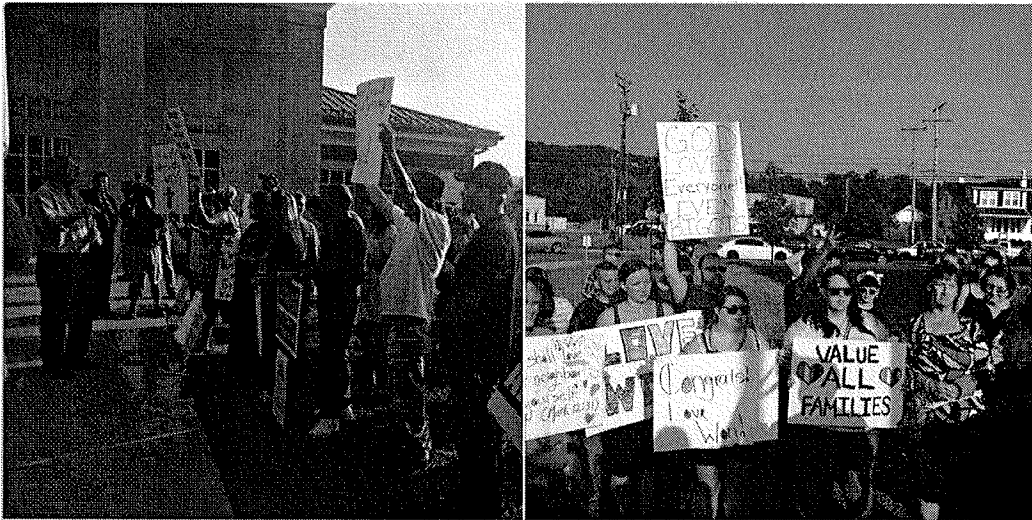


**Related Video:** Attorney: Kim Davis 'has no intention' of resigning 01:22

## Deputies take over

Beshear on Thursday welcomed the news that Davis' deputies agreed to issue the licenses.

"The future of the Rowan County Clerk continues to be a matter between her and the courts. Deputy clerks have said they will commence issuing marriage licenses beginning (Friday)," he said. "It appears that the citizens of Rowan County will now have access to all the services from the clerk's office to which they are entitled."



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Outside Rowan County Clerk's office right now: dueling protests, both going strong. Marriage licenses being issued

8:45 AM - 4 Sep 2015

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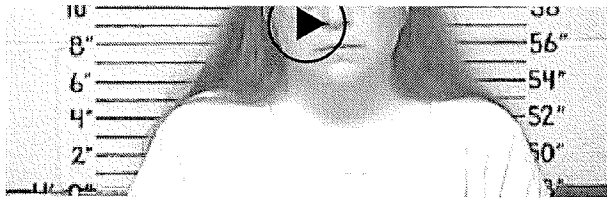
In court papers, attorneys for Davis argued that she is unable to comply with the court orders because issuing same-sex marriage licenses "irreparably and irreversibly violates her conscience."

Related: Court clerk who won't issue marriage licenses has been divorced three times

But American Civil Liberties Union attorneys contended Davis has no legal basis to avoid performing her duties as a government clerk.



A federal prosecutor said it was time for Davis and her county to comply.



**Related Video:** Same-sex marriage showdown in Kentucky 02:52

"Government officials are free to disagree with the law, but not disobey it," U.S. Attorney Kerry B. Harvey said in a statement. "The county clerk has presented her position through the federal court system, all of the way to the U.S. Supreme Court. It is time for the clerk and the county to follow the law."

Bunning said he, too, was religious, but he explained that when he took his oath to become a judge, that oath trumped his personal beliefs, CNN affiliate WKYT-TV reported.

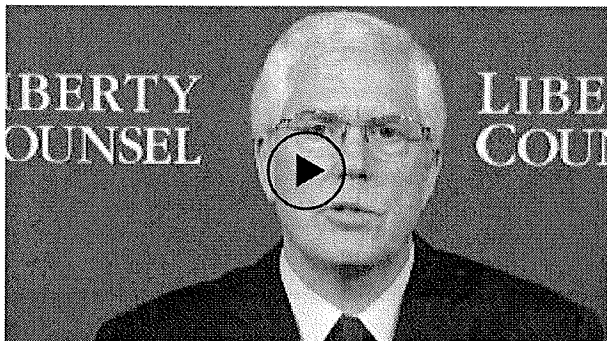
defense," Bunning said.

"Her good faith belief is simply not a viable

Kim Davis case: Some GOP candidates rally around her

## Jailing was 'not what everyone was hoping for'

Staver, founder of Liberty Counsel, which represented Davis, said he was stunned by Thursday's ruling ordering Davis to jail.



**Related Video:** Counsel: Ky. clerk wants her name off marriage license 03:18

"Knowing Kim Davis and her strong Christian resolve and convictions, she may be jailed behind bars, but her conscience remains free," he told CNN's "The Lead with Jake Tapper" on Thursday.

Daniel Canon, an attorney who was working with the ACLU on the case against Davis, said his clients had not asked for Davis to be jailed. But now that she is, he said, there should be "some assurance that Ms. Davis is not going to continue to impose her religious beliefs."

Ryan Anderson, a senior research fellow at the Heritage Foundation, a Washington-based conservative think tank, said the legislature should remove clerks' names from the licenses as Davis has asked.

"Hopefully she'll get out of jail because the state of Kentucky will realize that there are compromises we can reach that will protect both the rights of gays and lesbians to receive marriage licenses and the rights of someone like Kim Davis not to have her name on that marriage license," he said.

Anderson acknowledged that Davis could resign, but he said she shouldn't have to.

"We have a rich history in the United States of accommodating conscientious objectors," Anderson said. "Kentucky accommodates conscientious objectors for other types of licensings. ... The question should be: If we can accommodate someone, why shouldn't we?"



**Related Video:** Clerk chooses jail over issuing same sex licenses 02:28

is. But I am forgiven."

Staver said Davis occupies a cell by herself. She slept well the first night and has been studying the Bible, he said.

"She has a clean conscience even though she's incarcerated behind these bars," he said.

*CNN's Tony Marco contributed to this report.*

Beshear, the governor, says he has no power to remove Davis from office.

Opinion: Was it right to jail her?

## A different person

Some scoff at the clerk, suggesting she's a hypocrite because she has been divorced three times.

Davis said she's a different person since becoming a Christian four and a half years ago.

"I am not perfect," she said in a statement. "No one



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