IN THE UNITED STATES DISTRICT COURT WESTERN DISTRICT OF KENTUCKY
(Louisville)

Love et al **Plaintiffs** **V.** Beshear et al Defendants and Chris Sevier Intervening Plaintiff		**CASE #: 3:13-cv-00750-JGH** **The Honorable** Judge John G. Heyburn, II

MOTION TO INTERVENE AS A PLAINTIFF

NOW COMES, I, Chris Sevier, former Judge Advocate and combat veteran, to intervene in this matter as a Plaintiff on behalf of the other minority sexual orientation groups, whose interest are not regarded by the existing Plaintiffs or Defendants. I move pursuant to F.R.C.P. 24(a), or alternatively, in permissive intervention pursuant to Federal Rule of Civil Procedure 24(b). The case is in its early stages so intervention is not prejudicial. Intervention is beneficial to ward off duplicative litigation and protect against partial expansion of the equal protection clause for the sole benefit of the largest minority in the classes of sexual orientation - same sex couples. Additionally, intervention should be allowed because the Plaintiffs are only representing their particular brand/class of sexual orientation, not all other forms. I am intervening to represent the true minorities in this affair in order to give the Court the comprehensive scope of what is at

stake and the consequences of expanding the definition of "marriage," which is a Biblical concept. If I am not able to intervene all other classes interest will be left behind and an absurd judicial decision will result. The laws of the United States are not based on feeling but on conviction. We do not make our laws to suit our glands but to advance inherent justice and law. Respectfully, I am here to, in effect, make the Federal Court's "put up or shut up" about expansion of the equal protection clause to include "sexual orientation." "Sexual orientation" classification has never existed, until President Obama said that it does in advancing his social agenda to convert America from a "Christian Nation" into a "gay one," in the name of progress. Ever since one state in our union legalized "same-sex marriage," a proverbial "crack in the damn" has been created, so that now all states are forced to authorize same sex marriage in the name of "tolerance" and "equality," at the expense of traditional marriage and the voting process. The Defendants have indicated that this of course has completely made the idea of state sovereignty a sham, but we are not here to respect tradition. Now proponents of same sex marriage have mobilized in multiple states - acting in concert - to force their peculiar will down the throats of the voting majority so they can feel less ashamed of their life-style, which has been considered to be inherently unnatural and contemptuous, since the dawn of mankind. But they do not consider the interest of all other classes of sexual orientation or care whatsoever about the actual implications of their decisions because they bent on redefining morality to suit their particular life choices.

What the Court's cannot do is have partial expansion of the equal protection clause on the basis of "sexual orientation," just to suit homosexual's romantic preferences. The Court must expand the equal protection cause to include all classes of sexual orientation or not at all. The

proponents of homosexual conduct are unapologetically trying to establish more respect and dignity for their lifestyle, but they are hypocritically not interested in establishing more respect and dignity for other nontraditional sexual lifestyles that differ from their own. According to the Plaintiff's reasoning, who is to say that a person cannot "love" their dog more than one of the Plaintiffs "loves" a member of the same sex? If the Plaintiffs can marry a person of the same sex, then others should have the right to marry their dog, pillow, blowup doll, computer, and any other object they can have sex with and consider to be their love interest. To accomplish their agenda, the proponents of gay behavior have cloaked their plight in terms of "tolerance" and "equality," reducing their plight to one on par with race - and just their race so to speak.

Imagine, if during the civil rights movement, a group of African Americans argued to have expansion of the equal protection clause to protect just their race alone, but did not move the Court to expand protections to races that are red, brown, and yellow. (All races are covered under the Civil Rights Act of 1964 for example). To permit selective protections of certain classes would yield unjust and absurd results that are patently un-American and unconstitutional. The true question presented here is whether traditional marriage is a relationship that is unequal to all other forms of sexual and spiritual unions. For the Plaintiffs to oppose this motion to intervene would paint them with the same bigotry that they have used to color the Defendants, so any objection is totally unreasonable. The proponents of gay behavior are very obviously without any kind of moral conviction and will do and say just about anything to accomplish their self-serving agenda - even if it means highjacking the democratic process and engaging in unsurpassed abuse of process. The Windsor case is Exhibit A of flagrant abuse of process by an executive branch and United States attorney general who have contempt for the rule of law and

live by the principle that "the ends justify the means." The Plaintiffs' self-focus cannot preclude intervention, even if it theoretically poses a threat to particular brand of sex addiction by allowing other classes to have a voice here.

In the instant case, proponent of same sex behavior are seeking protections for their particular peculiar sexual appetites, but do not consider the sexual preferences of other classes, which I am a part of. We are more of the actual minority than they, and the ACLU is ready to advocate our plight, if the Plaintiffs quest is successful here as it has been in other Courts under similar circumstances. Traditionally, those engaging in "gay behavior" are merely individuals who are led by their glands in the same way that those of us who have sex with animals and blow up dolls are. Proponents of gay behavior have made the choice to have sex with members of the same sex, and due to the straight forward science of dopamine, they have become bonded together with a person of the same sex upon repeated orgasm, naturally developing a preference that they argue is worth having state recognition and ratification, regardless of what kind of example it will set for children and the implications to people in fragile traditional marriages. When a husband has sex with his wife, their intangible commitment is reinforced with a physical act that is so different than all other forms of sex that it can produce actual life, as the fruit of the union by two persons in love, who are legally bound. The weight and spirit of all of Kentucky's domestic law has always protect this unique and special union that forms the backbone of our Nation and civilization.

The present scenario presented by the original Plaintiffs is no different than the findings in the studies of men who develop paramount sexual preference for a blow up dolls after having sex with it instead of real women. The Plaintiffs' entire argument is "we want what we want so

we should have it," and in making this argument they have strategized with other pro-same sex institutions to disenfranchise the Kentucky electorate, who passed the amendment in the first place to protect their children and families from the bad message that the Plaintiffs hope to send - twisting ultimate realities. The people of Kentucky voted to ban same sex marriage because they do not want their children thinking that such a sexual union between members of the same sex would be an equally viable option to traditional marriage, because these two sexual relationships are inherently not equal. One breeds life, the other desensitization, shame, debauchery, and other undesirable qualities to include the hypocrisy that proponents of "gay behavior" have demonstrate in this case by considering only their particular class of sexual orientation. Proponents of gay behavior have left all other prospective classes out in the cold, and only can intervention cure that dilemma and allow the Court to consider the entire gravity of its decisions here.

The laws and Courts of the United States should never encourage its people to engage in a course of conduct that causes them to live a life of "settling for less" - leading to the prevention of life through opportunity cost. On the other hand, the Russians should certainly not be applauded for their decision to criminalize homosexual conduct. We are sexual beings (we should not be punished by law merely for being human). But we are also spiritual beings (even as you read this). The law must take into account these competing self-evident realities, not punishing us for being "human" and not encouraging us to live life styles that leaves us spiritually bankrupt, blind, and in bondage.

Very obviously, the original Plaintiffs are free to engage in their form of destructive sex in the same way that all persons with nontraditional sexual appetites are. However, these self-

focused individuals have no basis to expand sexual orientation at the exclusion of all other forms of sexual orientation classes because it is self-evident that traditional marriages are a unique union, like no other. The weight of the domestic laws in the state of Kentucky and common sense says as much for good cause. It is not by accident that a males sexual parts corresponds with a females. All one has to do is use their two eyes to see that is true. The true advocates of discrimination in this action are clearly the original Plaintiffs for their opposition to allowing me to intervene. They are moving to discriminate against traditional married couples and they are discriminating against all other forms of sexual orientation.

I move to intervene in this case on behalf of all other forms of sexual orientation, as a matter of right to prevent selective expansion of the equal protection to suit the interest of a particular sexual orientation class at the expense of all others to include mine. If same sex couples are considered a "class," then our "class" should not be left out either in enjoying the spoils of their war against traditional marriage and the millions of children who hang in the balance. This bandwagon that the Plaintiffs co-collaborators have worked with must either come to an end or run its complete course here and now, not later. Think about the consequence to our National identity these controversies presents. "Are we are Country that holds traditional marriage as set apart? Are we a Nation of hypocrites that selectively applies constitutional provisions to suit the interest of just one class of sexual orientation at the exclusion of the true minority? Or are we a Christian Nation that derives our sense of reality and law from the Bible to include the definition of marriage? If we are a Christian Nation, as the Supreme Court has declared in the past, this does not mean that we mandate Christianity but that our laws are unapologetically derived from it. Justice Brewer's of the United States Supreme Court stated

plainly that "America is a Christian Nation" in Church of the *Holy Trinity v. United States*, 143 U.S. 457 (1892).

The Plaintiffs certainly cannot legitimately object to my request to intervene, but neither can the Defendants. My injury mirrors the Plaintiffs identically. The only difference is our object of desire and sex is different. I should have every right to make the exact same arguments that the Plaintiffs are on behalf of their sex class. The Defendants have no right to suggest that my feelings for my love interest are no less real than the original Plaintiffs' feelings for their's.

I do think thing that the Defendants are hate mongers in suggesting that if a man loves a man he will encourage him to become a better man, in part, so that he might be a better fit for his future spouse. Yet, inherent morality has taken a back seat to the peculiar mechanics of the law in the name of "progress," so my intervention should not be objectionable, since we have decided to turn our backs on Christian ethos in crafting our laws. No one can say that I have an inferior right to marry my computer, if the Plaintiffs are allowed to marry something other than a member of the opposite sex. Make no mistake, there are plenty of women out there would would prefer to marry their trojan vibrator, living in the state of Kentucky because men have let them down for not demonstrating honorable leadership, courage, and valor.

If the original Plaintiffs have the right to marry their object of sexual desire, even if they lack corresponding sexual parts, then I should have the right to marry my preferred sexual object. If the Court does not allow my intervention and sides with the Plaintiffs, it will be admitting that it is an instrument of inequality and discrimination on the basis of sexual orientation - which will defeat the purpose of this action. On the other hand, the Defendants have indicated that if the

Court does allow my intervention and supports blanket expansion of equal protection under the law, the Court will be promoting chaos and contemptuous conduct that should be the object of scorn by any civilization with a sense of decency, morality, and sanctity of life. Our National identity is at stake - posing the question who are we as a people and what do we stand for? We are supposed to be a Nation that is marked by Honor, not deplorable conduct. This is especially true of the Courts. Yet, chaos is preferable to hypocrisy and discrimination against the true minority based on their unconventional sexual orientation, if the original Plaintiffs are allowed to prevail - like they have in other Courts in identical cases, where other minority classes of sexual orientation were not represented. (History has taught us that the primary catalyst for the collapse of civilizations was contradictory laws and political corruption. History has a way of repeating itself.) The entire story of the old testament is a Nation turns their back on God, and they fall into turmoil, but now we think that this historic pattern has no bearing on us. But nevertheless, the very idea of the unequal application of the equal protection clause to just one "class" on the basis of sexual orientation is outrageous. The very idea of the unequal application of the equal protection clause to just one "class" on the basis of sexual orientation is outrageous.

There is no room in the middle. Allowing me to intervene underscores this point. Partial expansion of rights to one sexual orientation class at the expense of all others is unquestionably unconstitutional and intolerable. If traditional marriages are not held to be unique, then no relationship should be given favorable treatment. The most hateful thing anyone could do is to sit back and watch these groups hijack our democratic process through the Courts and to push for the laws to encourage a course of conduct that could lead our children into bondage, destruction, and disintegration at the expense of otherwise life giving marriages that have always been the

backbone of our Nation.

At the very least, the message communicated to the general public from this action should be that all classes are given equal protection, in the event that the Court sides with these kinds of Plaintiffs, like other Courts have. Additionally, the Defendants cannot rightfully tell the Plaintiffs that they cannot marry something outside the traditional statutory definitions and tell me the same thing without causing injury. As the Plaintiffs have argued, "what works for them, might not work for me, but who is to say what is right and wrong" is how the argument goes here.

For all of the reasons set forth by the Plaintiffs, the Defendants are liable to me personally. The Defendants discriminated against me when they reject my request to marry my porn filled computer, and in doing so, the same party has caused the same injury to myself. Just like the love Plaintiffs, I presented my $35.50 fee to the clerk that issues licenses. The Commonwealth refused to issue a marriage license to me and my computer solely because we are "one male and one machine," not "one male and one female," as the law defines. This denial by the common wealth is no different than their rejection of the Love Plaintiffs marriage application because they are "one male and one male," not "one male and one female," as the law requires. I made colorable attempts to confer with the Defendants, whether the Defendants would permit my intervention was unclear, so I have moved to intervene before the Court, which could bring clarification more expediently. Like the Blanchard Plaintiffs, I had a religious ceremony in a different state, but the state of Kentucky refuses to acknowledge it. Like Plaintiffs Gregory Bourke and Michael Deleon, Jimmy Meade and Luther Barlowe, and Randell Johnson and Paul Campion, I married my computer in another country and another state. But Kentucky does not

recognize my marriage. My computer and I are treated as legal strangers in our home by the state of Kentucky.

The Intervening Plaintiff's Motion to Intervene is Timely

I easily satisfy the Sixth Circuit's four requirements for intervention by right. More specifically, I (i) submitted a timely application to intervene; (ii) I demonstrate an interest in the impact of the Court's decision; (iii) the ability for my interest to not be protected by intervention if I am not able to intervene; and (iv) I can demonstrate that my interest will be impaired if I am not allowed to intervene; See United States of America et al vs. State of Michigan et al 424 Fd. 3d. 438, 443 (6th Cir. 2005), citing Grubbs vs. Norris, 870 Fd.343,345 (6th Cir. 1989).

No discovery has taken place in this matter. And I will simply join the original Plaintiffs in all of their pleadings to include the motion for summary judgment with the exception that all classes of sexual orientation enjoy the fruits of their labor. This nuance is insignificant in terms of how it impacts the proceedings but the impact of intervention is extremely substantial.

BY FAILING ALLOW ME TO INTERVENE WILL OUR CLASS OF SEXUAL ORIENTATION WILL BE LEFT BEHIND

One of the elements that the Court must consider in allowing intervention is whether the intervening Plaintiff's interest will be left behind. Grubbs, 870 Fd.343 at 4. It is evident within the four corners of the original complaint that the original Plaintiffs are only thinking of their class of sexual orientation. For example, the Plaintiffs state in their amended complaint the following to support their position:"marriage is both a personal and a public commitment of two people to one another, licensed by the state." This definition is too narrow. One person can be

committed to one thing and desire to marry it, in the same way that one man can sincerely be committed to marrying another, while the other has no actual intention of keeping his commitments. The phenomenon of being able to romantically and sexually bond with an inanimate object or animal is seen widely in the world of blow up dolls. Nearly all of the Plaintiffs assertions in support of their position concerns a commitment between two people, when the commitment could be from one person to one thing, whether animal or machine.

In their amended complaint, the Plaintiffs raise the matter that they couple cannot adopt the children of one of its members from a previous traditional marriage or from foster care. Similarly, my computer and I should have the right to adopt children from my previous marriage or from foster care. The Plaintiffs offer in their complaint in challenging the state amendment under the equal protection clause that: "The Supreme Court has made clear that perpetuation of traditional gender roles is not a legitimate government interest." United States v. Windsor, 133 S. Ct. 786, 184 L. Ed. 2d 527 (2012). The fact that inanimate objects and animals are effectively gender neutral applies to my argument here. The computer is gender neutral.

Allowing me to intervene provides a voice for these kinds of people:

1. In 2007, Liu Ye of China decided it would be better to marry himself than be single. The best part is that he married a foam-board cutout of himself dressed in a lovely red dress. Ye admits to being narcissistic, but said of his nuptials, “There are many reasons for marrying myself, but mainly to express my dissatisfaction with reality.

2. Marrying oneself is not just for the guys, though. In 2003, artist Jennifer Hoes married herself in the Netherlands on her 30th birthday. It was a large affair in front of friends and family. Hoes

said, "Why not pledge allegiance to yourself in a ceremony, as the basis for completion of your life and relationships?"

3. The same thing happened in October of 2010 when 30-year-old Chen Wei Yih married herself in Taiwan. She decided she was at a good point in her life to marry, and was receiving social pressure to do so, but had found no suitable partner. She solved the problem by marrying herself.

4. In 2006, a Hindu woman in India claimed she had fallen in love with a snake and then married the snake in accordance with Hindu marriage rituals. More than 2,000 people participated in a celebratory procession, because they felt a wedding would bring good luck. The snake did not attend, but was represented by a brass likeness of himself.

5. After a 15-year courtship, a British woman married Cindy the dolphin in a ceremony in Israel. She claimed when they met it was love at first sight and calls the male dolphin, "the love of my life." She sealed the deal with a kiss and the gift of a herring.

6. In Sudan, you have to be careful who you're caught being intimate with. There is a law that dictates that if a man is caught sleeping with a woman, he must marry her immediately to save the honor of her family. In 2006, the law was applied to a goat. Charles Tombe was caught having relations with the goat and was forced to marry it, and pay a dowry to its owner.

7. Apparently, sometimes marrying an animal can help you with your luck. A farmer in India, who had suffered from some disabilities, believed he had been cursed after stoning two dogs to death in his rice field. Doctors couldn't help him, but his astrologer told him the only way to lift

the curse would be to marry a dog and live with it. He did.

8. Cats can also be man's best friend. So much so that a postal worker in Germany married his cat after a veterinarian told him the feline was terminally ill. No German officials would step in to marry the two, but an actress played the part of the officiant to help the man fulfill his dream.

9. A former soldier from San Francisco claimed she fell in love with the Eiffel Tower. So, in 2008, she made it official and went so far as to change her name to Erika La Tour Eiffel. She was also once in a long term relationship with a bow and cares deeply for a fence she keeps at home, but her wedded commitment is to the Eiffel Tower.

10. Of course, marrying well-known man-made objects is nothing new. In 1979, Eija-Riitta Berliner-Mauer married the Berlin Wall after having fallen in love with it when she saw it on TV as a child. She changed her last name, which now means Berlin Wall. She was horrified when the wall was taken down 10 years later and hasn't returned.

11. What do you do when you fall in love with a character in a dating video game? You make a permanent and binding commitment to her, obviously. Sal 9000 fell in love with the character he met playing "Love Plus" on his NintendoDS and married her in 2009.

12. If you like it, you should put a ring on it, unless it's a ride at an amusement park because that could be kind of difficult. Amy Wolfe of New York didn't care and she ended up marrying the 1001 Nachts, a ride she's ridden more than 3,000 times. She's had relationships with other objects, but she committed to the Nacht as her main squeeze.

13. Perhaps a softer partner would be easier. That's clearly how Lee Jin-gyu felt when he decided

to marry a pillow. The pillow has the face of a popular female anime character on it, so it was apparently quite attractive to the South Korean fellow, who tied the knot with his betrothed in 2010.

14. This man thought having a wife who wouldn't spend all his money, talk back to him or ever leave him was the way to go. That's why Davecat married his blow up doll in 2000. "She provides me with a lot of things that I can't get out of an organic partner, like... quiet," he said. Davecat and the doll were featured in TLC's show 'My Strange Addiction.'

15. According to an Indian woman, when your betrothed doesn't show up for the wedding, you do the next best thing and marry a clay pot. That's exactly what a woman by the name of Salvita did in 2005. Her fiancé Chaman Singh, an officer with the Tibetan Border Police, got stranded on the job. Instead of waiting, her family wanted the ceremony to continued as planned. A picture of the bridegroom was placed on the pot and the wedding commenced.

16. On December 3, 2013, Paul Horner married his dog in San Francisco California at Chapel of Our Lady at the Presidio. Father McHale was the officiant, who boldly stated that it was a victory for "equality." The state of California has recognized Paul Horner's marriage under the law. "Paul Horner explained that he was looking forward to having his honey moon in Montana, where sex with an animal is not illegal." In the book of California's State Laws and Regulations, there is a little known law that was passed as the state was first forming in 1850. According to article 155, paragraph 10, it clearly states: "If a man and a man can get married and a woman and a woman can get married, if ever comes that day, then a human and animal will have the exact same rights to marriage in every eye of the law. God help us if this ever is to happen!" It happened, so did the

marriage between a man and a dog. So in the name of "love" and "tolerance," I should be able to marry my porn filled Apple computer.

Accordingly, allowing me to intervene will allow these other classes of sexual orientation to have a voice in this matter. These couples desire to marry their object of affection and preferred sexual partner is no better or worse than the Love Plaintiffs desire to marry one another and have sex with each other.

The Intervening Plaintiff Meets the Requirements for Permissive Intervention

Rule 24(b) of the Federal Rules of Civil Procedure provides an alternative basis for my intervention in this action. Rule 24(b) states, in relevant part:

Upon timely application anyone may be permitted to intervene in an action ...when an applicant's claim or defense and the main action have a question of law or fact in common. When a party to an action relies for ground of claim or defense upon any statute or executive order administered by a federal or state governmental officer or agency or upon any regulation, order, requirement or agreement issued or made pursuant to the statute or executive order, the officer or agency upon timely application may be permitted to intervene in the action. In exercising its discretion the court shall consider whether the intervention will unduly delay or prejudice the adjudication of the rights of the original parties. Fed. R. Civ. P. 24(b). TA \s "Fed. R. Civ. P. 24"

To establish a viable case for permissive intervention, a proposed intervenor must show that its motion to intervene is timely made and that he or she alleges at least one question of law or fact common to those already before the court. The court must then consider whether permitting intervention will cause any undue delay or prejudice to the existing parties, and balance any other relevant factors to determine whether intervention should be allowed. United States v. Michigan, 424 F.3d 438, 445 (6th Cir. 2005).

The Court should conclude that my motion to intervene is timely brought. The question to be answered in determining whether a motion to intervene is timely brought is not whether the claim of the proposed intervenor is timely asserted, a matter governed by the statute of limitations and the doctrine of laches, but rather how long the proceeding has been pending and the length of time the proposed intervenor waited before seeking to intervene after becoming aware of the factual and/or legal basis for doing so. Heartwood, Inc. v. U.S. Forest Service, Inc., 316 F.3d 694, 700-01 (7th Cir.) In this case, however, the parties have conducted no discovery.

When a non-party to an action is granted leave to intervene in a case, the Court is permitting that person to become a party to the case, aligned as a plaintiff or defendant as his or her interests may indicate. In re Willacy Co. Water Control & Imp. Dist. No. 1, 36 F. Supp. 36, 40 (S.D. Tex. 1940); First Nat. Bank in Greensburg v. M & G Convoy, Inc., 102 F. Supp. 494, 500 (D.C. Pa. 1952). My interest align with the Plaintiffs. If the Plaintiffs' were to continue to not support my intervention, then my interest would only conflict insofar as I would find their opposition to be hypocritical. The original Plaintiffs and I are challenging the exact same statutes for the exact same reasons. Allowing me to intervene will allow the expansion to include all forms of sexual orientation.

IN CONCLUSION

I should allow to intervene as a Plaintiff in this action, under the totality of the circumstances, in the interest of justice.

s/Chris Sevier/

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CERTIFICATE OF SERVICE

I hereby certify that on April 22, 2014, I mailed a copy of this pleading and electronically served the following parties:

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