

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

KAIL MARIE, et al,)	
	Plaintiffs,)
)	
vs.)	Case No. 14-cv-02518-DDC/TJJ
)	
ROBERT D. MOSER, M.D., et al.,)	
	Defendants.)

NOTICE OF APPEAL
BY WESTBORO BAPTIST CHURCH

Notice is hereby given, pursuant to 28 U.S.C. Section 1291 (and any and all other applicable statutes or rules of law affording the Tenth Circuit Court of Appeals jurisdiction), that Westboro Baptist Church, Inc. (WBC), movant as defendant intervenor, hereby appeals to the United States Court of Appeals for the Tenth Circuit from the November 7, 2014, order (Doc. 35), a final order subject to immediate review because it prevented WBC from becoming a party to this action by denying WBC's motion to intervene as a defendant herein; together with any and all rulings adverse to WBC of any kind, nature or date, whatsoever. WBC appeals any and all appealable issues in the November 7, 2014 order (Doc. 35), or otherwise in this record, which are appealable by WBC, including the ruling denying WBC intervention as a matter of right, or permissively, thereby denying WBC's request to become a defendant to these proceedings. This notice

appeals any and all rulings adverse to WBC, including the November 7, 2014 ruling denying WBC intervention; including,

- WBC appeals the Court's erroneous conclusion that it would "clutter" these proceedings for WBC to assert a government interest in promoting morality; and a government interest in protecting the citizens of Kansas from the harsh and ruinous impact of same sex marriage;
- WBC appeals the erroneous conclusion that WBC lacks sufficient interest in these proceedings to intervene, after WBC has faithfully warned for 25 years, using every lawful means of publishing; pleading with the citizens of Kansas to obey God; to put away proud sin; and to not let the sins of adultery (including divorce/remarriage), fornication, greed, murder (including of unborn babies), and pride, be used to justify the even worse sins of homosexuality and same sex marriage. No group of people has toiled in the vineyard of warning of the impact of same sex marriage more tirelessly than the members of WBC; and no group of people has a greater interest in vigorously opposing plaintiffs' claims.
- WBC appeals the erroneous conclusion that efforts to force WBC to participate in or show tolerance for this unscriptural quest to treat same sex marriage as holy, respectable and dignified, are "remote" or "speculative," given the outpouring of passionate craving to be treated with respect and dignity contained in plaintiffs' Complaint (such that the request for a same-sex marriage license is almost secondary).

- The erroneous conclusion that the Kansas Attorney General (or any other government or elected official in this day) is willing or able to vigorously defend the ban against same sex marriage in Kansas. The record to date reflects a focus on procedural technicalities, without so much as a *mention* of the great moral wrong and resultant destruction at God's hand that will ensue when the flood gate of same sex marriage is opened in Kansas. The fierceness of the same sex marriage agenda, coupled with the political correctness that chokes virtually every segment of society, renders it unlikely that anyone besides WBC will truly vigorously defend against the unholy matrimony plaintiffs propose.

Respectfully submitted,

/s/ Margie J. Phelps

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WESTBORO BAPTIST CHURCH, INC.

Certificate of Service

I hereby certify that a copy of the foregoing Notice of Appeal was served through the Court's CM/ECF system on November 9, 2014, on all counsel of record herein.

/s/ Margie J. Phelps

Margie J. Phelps