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Tampa judge won't grant gay divorce

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TAMPA — A Hillsborough Circuit Court judge has refused to grant a divorce to two Tampa women who were married in a state that allows gay marriage.

“There is no valid marriage to be dissolved under the laws of Florida,” Circuit Judge Laurel M. Lee wrote in her two-page opinion released Friday. “The Court is without jurisdiction to dissolve that which does not exist,” she wrote.

Lawyers for the two women say they will take the case to the Second District Court of Appeal. The case is being closely watched by those for and against Florida’s same-sex marriage ban.

The attorneys said they are hopeful they eventually will be able to get the divorce petition granted for both women, Mariama Changamire Shaw and Keiba Lynn Shaw.

“We’re pretty confident that the parties will be able to get a divorce through the Second District Court of Appeal or the Florida Supreme Court,” said Adam Cordover, attorney for Keiba Lynn Shaw. “I’m very hopeful. The trend in the various court systems is in favor of marriage equality.”

The case involves Changamire Shaw and Keiba Lynn Shaw, who married in 2010 in Massachusetts.

They moved to Tampa in 2011.

Changamire Shaw said she knows the case could take a long time to be resolved but said she will keep pushing to get a divorce.

“I feel it’s unfortunate,” said Changamire Shaw, a college educator who lives in Tampa. “We knew it could go either way. It’s disappointing. We’ll just press on.”

Both women have agreed to terms of a divorce and want a judge to enforce their divorce rather than leaving them in limbo, said their attorneys.

“The state of Florida wants them to be perpetually married,” said Brett Rahal, an attorney for Changamire Shaw.

Rahall said attorneys expect the Attorney General’s office will get involved in the next phase of the case.

“I’m assuming the attorney general is going to step in and defend the judge’s ruling,” Rahall said.

Changamire Shaw knows the significance of the case, not only for herself but for the country.

“It will actually — either way — be a decision that can impact the nation, not just Florida,” Changamire Shaw said.

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