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## Utah Polygamist Invokes Ruling on Gay Sex

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December 1, 2003, 7:38 PM EST

SALT LAKE CITY -- A lawyer for a Utah man with five wives argued Monday that his polygamy convictions should be thrown out following a Supreme Court decision decriminalizing gay sex.

The nation's high court in June struck down a Texas sodomy law, ruling that what gay men and women do in the privacy of their homes is no business of government.

It's no different for polygamists, argued Tom Green's attorney, John Bucher, to the Utah Supreme Court.

"It doesn't bother anyone, (and with) no compelling state interest in what you do in your own home with consenting adults, you should be allowed to do so," Bucher said.

The state said the court should reject the appeal because Green failed to raise the issue during his trial more than two years ago or anywhere else along the judicial path since then.

Green, who is not affiliated with any church, was convicted of four counts of bigamy and one count of criminal nonsupport of his 30 children in August 2001.

Besides his five-year sentence, he faces up to life in prison after being convicted of child rape for having sex with one of his five wives when she was 13.

"He preys on young girls," assistant Utah Attorney General Laura Dupaix said. "This case is about a man who marries young girls and calls it religion."

Polygamy was renounced by the Church of Jesus Christ of Latter-day Saints in 1890 as part of a deal to grant Utah statehood, and the church now excommunicates those members who practice or advocate it. Polygamy has an estimated 30,000 practitioners in the West.

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