

Story of Divorce-Seeking 'Pregnant Man' Takes Redefinition of Marriage to Whole New Level

A woman who became a transgendered man and made headlines by giving birth to three children can divorce her wife of more than 10 years, an Arizona appeals court ruled this week, rejecting a lower court's decision.

A three-member panel of the Arizona Court of Appeals unanimously decided on Wednesday that the divorce can proceed because Thomas Beatie's 2003 marriage in Hawaii was considered legal in Arizona.

"As the Beaties' Hawaii marriage was lawfully entered in Hawaii and is not deemed void by Arizona law, the marriage is valid within this state," Judge Kenton D. Jones wrote in the 12-page opinion.

The court's decision overturns a ruling made in March 2013 by a Maricopa County Family Court judge that blocked the divorce.

Judge Douglas Gerlach denied the divorce on the grounds that Beatie had not shown she was a man when she married another woman in 2003, and thus could not show she and her wife had been a heterosexual couple. Same-sex marriages are not recognized as valid in Arizona.

Beatie, 40, was born a woman, but has lived as a man since her 20s after hormone treatments and surgery to change her gender. Beatie was legally allowed to change her birth certificate and other documents to reflect her now being a male.

She first gained notoriety after stopping the testosterone

treatments and deciding to have a baby when her wife was unable to conceive because she'd had a hysterectomy.

She made the rounds of national talk shows as the “man with the thin beard and baby belly” when she became pregnant and gave birth to a baby girl in 2008. Two other children followed in the next two years.

Beatie filed for divorce in 2012, seeking dissolution of his marriage with plans to marry her new girlfriend.

Beatie's attorney, David Michael Cantor, said he hopes that the appeals court ruling goes beyond this one case.

“People are going to have to get used to the fact that transgender people exist, and they deserve the same rights and responsibilities that everyone else have,” Cantor told Reuters. “That includes the right to get married and the right to be divorced and the responsibilities that go along with all that.”

Editing by Dan Whitcomb and Sandra Maler

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