

## Court revives gay's suit against military

by UPI

SAN FRANCISCO -- A U.S. appeals court in San Francisco ruled a U.S. Air Force major dismissed for being gay can pursue her legal battle against the military. While letting the military's "don't ask, don't tell" policy stand, the Ninth Circuit Court of Appeals said the government may "intrude upon the personal and private lives of homosexuals" only to "advance an important governmental interest," such as improving morale or maintaining troop readiness, CNN reported Thursday. The appeals court overturned a lower court judge's decision to dismiss the lawsuit. The decision involved Air Force Maj. Margaret Witt, discharged after spending nearly 20 years in the military on the grounds she had a relationship with a civilian woman for six years. "I am thrilled by the court's recognition that I can't be discharged without proving that I was harmful to morale," Witt, a flight nurse, said in a statement issued by the American Civil Liberties Union in Washington state, which sued the Air Force for Witt in 2006. At the time of the investigation, Witt was flight nurse and operating room nurse at McChord Air Force Base near Tacoma, Wash.

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