

## California's ban on same-sex marriage rejected

Path to Supreme Court is clearer after appeals court upholds ruling.

BY HOWARD MINTZ • San Jose Mercury News

**SAN FRANCISCO** • A federal appeals court on Tuesday struck down Proposition 8, finding that California's ban on same-sex marriage is unconstitutional because it deprives gay and lesbian couples of the equal right to wed.

With a decision that pushes the gay marriage issue a step closer to the U.S. Supreme Court, the 9th U.S. Circuit Court of Appeals upheld former San Francisco Chief U.S. District Judge Vaughn Walker, who invalidated Proposition 8 in 2010 after conducting an unprecedented trial.

"Proposition 8 serves no purpose, and has no effect, other than to lessen the status and human dignity of gays and lesbians in California, and to officially reclassify their relationships and families as inferior to those of opposite-sex couples," Judge Stephen Reinhardt wrote, joined by Judge Michael Daly Hawkins.

Judge N. Randy Smith dissented, saying there were "legitimate governmental interests" in restricting the definition of marriage to a union between a man and woman.

Proposition 8 backers can now ask the 9th Circuit to rehear the case with an 11-judge panel, or proceed directly to the Supreme Court. Smith's dissent could be a strong indicator there will be some support within the court to take a second

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### HARRY KEOUGH • 1927-2012

Harry Keough, a St. Louis postman who reached the highest levels of American soccer as both a player and a coach, died Tuesday. Mr. Keough was one of five St.

Louis players on the United States team that stunned England, 1-0, in the 1950 World Cup, considered one of the greatest upsets in international soccer history. He later won eight national titles as a player and led St. Louis University to five NCAA championships as a coach. He also captained the U.S. teams at the 1952 and 1956 Olympics.

SPORTS • C1



## Sky-diving center ousted in Illinois

Vandalia Park District says firm failed to defray costs in suit over 2010 death.

BY TERRY HILLIG  
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**VANDALIA, ILL.** • There has been only one fatality at the Archway Skydiving Center under the current owners, but its repercussions have caused them to announce the closing of a business that was nearing its 50th year.

Trustees of the Vandalia Park District, which oversees the Vandalia Municipal Airport, recently voted to terminate an agreement with Archway on Feb. 15 because of the cost of defending a wrongful-death lawsuit. The lease was not due to expire until the end of the year.

Archway will not attempt to reopen anywhere else, co-owner Jason Mark said last week.

The death there of Jonathan Bullar, 24, of Maryland Heights, on Oct. 9, 2010, was Archway's only fatality since the operation was acquired by Mark and Anita Wuertz in 1999.

There had been at least 10 sky-diving deaths — including three at Vandalia — under previous ownership. Archway began operations at Hunter Field, near Sparta, Ill., in 1965 and moved to Vandalia, about 65 miles northeast of St. Louis, in the early 1990s.

Bullar was making his third jump of the day, from 6,500 feet, when his main parachute did

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# Big Missouri win makes statement for Santorum

**'Beauty contest'** • He gets more than half the vote in primary here.

**Sweep?** • Ex-senator also leading in Minnesota; Colorado close.



Presidential candidate Rick Santorum is cheered by his wife, Karen, as he takes the stage in front of supporters at the St. Charles Convention Center on Tuesday following the mostly symbolic Missouri Republican primary.

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MISSOURI	MINNESOTA	COLORADO
100 percent reporting	74 percent reporting	77 percent reporting
Santorum 55 percent	Santorum 45 percent	Santorum 38 percent
Romney 25 percent	Paul 27 percent	Romney 35 percent
Paul 12 percent	Romney 17 percent	Gingrich 13 percent
Gingrich not entered	Gingrich 11 percent	Paul 13 percent

BY JAKE WAGMAN • jwagman@post-dispatch.com AND MARK SCHLINKMANN • mschlinkmann@post-dispatch.com

**ST. LOUIS** • Rick Santorum's bid for the White House received a welcome boost on Tuesday, with the former U.S. senator from Pennsylvania performing strongly among Republican voters in three states, even if his win in Missouri was mostly symbolic.

Santorum, who is leveraging his appeal with social conservatives to make the case he is the leading alternative to GOP front-runner Mitt Romney, enjoyed his best night of the campaign since last month's Iowa caucuses.

Santorum won the Minnesota caucuses and was doing well in early returns in the Colorado caucuses.

He also, by a wide margin, was the top vote getter in Missouri's "beauty contest" vote, which, because of an awkward attempt to comply with party bylaws, won't count toward awarding convention delegates.

Even so, Santorum invested more time and energy in Missouri than any of his primary rivals, seizing on a rare, if unconventional, opportunity to go head-to-head with Romney. Former House Speaker Newt Gingrich is also hoping to keep pace with Romney but, for reasons that remain ambiguous, did not sign up for the Missouri ballot.

Santorum was the only candidate to do any meaningful campaigning in Missouri, appearing in St. Charles County and across the state last week. Santorum also apparently targeted likely voters with telephone calls, a sign that he was treating the race as seriously as a traditional contest.

On Tuesday evening, he returned to St. Charles, where in a room full of supporters at the St. Charles Convention Center,

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Republican presidential candidate Mitt Romney speaks at a campaign rally in Loveland, Colo., on Tuesday.

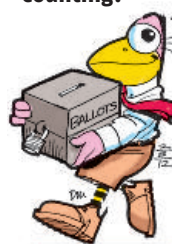
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### IT'S FAR FROM OVER

Strong surge by Santorum could split the GOP convention in August. **A4**

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But who's counting?



## Winter adds to ordeal of cancer patients

Compromised immunity puts them at risk from infections; drugs increase sensitivity to cold.

BY CYNTHIA BILLHARTZ GREGORIAN • cbillhartz@post-dispatch.com > 314-340-8114

For a lot of people, weathering the winter is no fun. Cold temperatures. Shorter days. More colds and flu.

Weathering it all with cancer is worse. Before Jerry Miller was diagnosed with Stage 3B colon cancer last summer, he walked pretty much everywhere, year-round. And he loved it.

"My car was stolen 12 years ago, and I never bothered to replace it," said Miller, 44, of the Central West End.

Not anymore. In addition to fatigue and weakness, chemotherapy has wreaked havoc on his immune system and caused extreme cold sensitivity in his hands, feet and other parts of his body. Now, he relies on friends to drive him everywhere. He's also had to cut back on socializing to avoid germs.

There's little data on how many cancer patients are treated for viral and bacterial infections each year. But health care experts report that the rate of

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Bundled up, cancer patient Jerry Miller leaves his oncologist's chemotherapy treatment room last month for a two-block trek to work. The drugs leave him ultrasensitive to cold temperatures.

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