



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



**ANTHONY PAUL GUERRIERO v. GLORIA LIZETTE
GUERRIERO**

CV-25-0189-PR

PARTIES:

Petitioner: Anthony Paul Guerriero (“Husband”)

Respondent: Gloria Lizette Guerriero (“Wife”)

FACTS:

Husband and Wife participated in a marriage ceremony in Durango, Mexico. A Durango Civil Registry Official (“Official”) performed the ceremony and issued the parties a marriage certificate, which the Official, the parties, and two witnesses signed. However, the parties did not provide the Official with the documentation required by the Durango Civil Code to certify the marriage. Consequently, the Official never filed the marriage certificate in the Civil Registry books.

The parties returned to Arizona immediately after the ceremony. More than 20 years later, Husband petitioned for dissolution. He later moved to dismiss the petition, alleging that the parties were never legally married. The superior court granted Husband’s motion to dismiss. Wife appealed.

The court of appeals vacated the dismissal order, finding that the marriage was valid under A.R.S. § 25-112(B). The court first presumed that a “contracted marriage” and a “solemnized marriage” as set forth in § 25-112 are not the same thing. The court then determined that the parties’ marriage was a “solemnized marriage” within the scope of § 25-112(B). The court also found that the parties intended to, and did, reside in Arizona immediately after the ceremony in Durango.

ISSUE:

Assuming the marriage was invalid due to failure to comply with the law of the country where the marriage took place, Arizona will nevertheless recognize the validity of the marriage as if it had been solemnized in Arizona and if the parties intended to reside in Arizona. However, where the parties’ marriage license here was not properly issued, did the Court of Appeals err in determining the marriage was valid under Arizona law?

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