IN THE SUPREME COURT

Action No)))
)
Joseph Levin-Manning)
Speaker, Student Congress)
Representative, District 3 South Campus PLAINTIFF)))
Versus) COMPLAINT
Peter Gillooly, Board of Elections Chair DEFENDANT)

1. Establishing jurisdiction: The Student Supreme Court has jurisdiction over this matter pursuant to Section 403 Part L of Title VI. The plaintiff alleges that the Board of Elections improperly conducted the Special Election for the two empty seats in District 3, South Campus.

Standing: The plaintiff has standing in the matter under Section 409 of Title III as a student alleging that he is "A student directly and adversely affected by a regulation, ruling, or determination of the Elections Board."

- 2. Necessary Defendant: Pursuant to Section 510 of Title III, Part B(3) the necessary defendant is Peter Gillooly, Board of Elections Chairperson.
- 3. Relief:
 - a. The plaintiff alleges that the Board of Elections Chair inappropriately accepted late a declaration of candidacy for someone to be eligible for Student Government financing. Pursuant to Section 404 Part B (4) of Title VI "The candidate's campaign must submit an official declaration of candidacy before collecting petition signatures, due at the compulsory candidates' meeting" Daniel Peterson's declaration was turned in on October 29th, 2009. The last required candidates meeting was held on October 19th, 2009.
 - b. The plaintiff alleges that the Board of Elections Chair inappropriately accepted late petitions from candidates to be placed on the ballot. Pursuant to Section 303 Part C (1) of Title VI "This petition shall be submitted by 5pm twenty-one (21) days before a Regular Election and fourteen (14) days before a Special election." Daniel Peterson turned in his declaration seven days prior to the special election

and pursuant to Section 303 Part C (1) of Title VI "All potential candidates shall provide the Board of Elections with a written notice declaring his/her candidacy for a specified office before receiving the petition, gathering any petition signatures" he was not eligible to turn in petitions to be on the ballot but was placed there.

c. The plaintiff further alleges that Board of Elections chair failed to conduct a public lottery to determine the ballot order five days in advance of the elections per Section 507 of Title VI of the Student Code which reads,

i."Candidates shall be listed by their full legal name on the ballot in an order determined by a lottery conducted by the Elections Board and open to the public at a date, time, and location to be publicly announced five (5) days in advance..."

4. Demand for judgment: I request that the Court determine the Special Election on November 5th for District 3 as improper; call for a re-election due to the errors on the part of the Board of Elections Chair.

I do affirm that I have read in full the foregoing complaint and that the allegations contained therein are true to the best of my knowledge and belief.

Joseph Levin-Manning manningj@unc.edu 919.673.2897 515 Paul Hardin Dr.,101 Chapel Hill, NC 27514 Speaker, Student Congress Representative, District 3 South Campus

Filed this the 11th day of November, 2009, at 2:30PM.