

IN THE SUPREME COURT

Action No. 12 SSC 001)
)
 CONNOR BRADY,)
 PLAINTIFF)
)
 Versus)
)
 WILL LEIMENSTOLL,)
 Student Body President)
 RACHEL MYRICK,)
 Student Body Vice President,)
 DEFENDANTS)

COMPLAINT

I. JURISDICTION

The Student Supreme Court has jurisdiction over this matter pursuant to III S.G.C. Section 600 (A), “the jurisdiction of the Student Supreme Court shall extend to controversies concerning actions of the Executive Branch... extend to questions of law arising under this Constitution, the laws enacted under its authority of actions of the Executive Branch.”

The Plaintiff alleges that the Defendants are in violation of I S.G.C. Section 204(E) in their failure to inform the Speaker of Student Congress (and thereby, the Student Congress, and thereby, the student body) the name, appointment, and date of appointment of their provisional appointments of the Chair of the Hardship Parking Committee within forty-eight (48) hours of the making the provisional appointment.

II. STANDING

The Plaintiff has standing in this matter pursuant to III S.G.C. Section 620, which grants standing to any student in any case alleging invalidity or illegality of an act of a student body officer, member of the administration executive committee, cabinet or committee of the executive branch.

III. NECESSARY DEFENDANTS

Pursuant to III S.G.C. Section 707 (B)(2), Will Leimenstoll, as Student Body President, and Rachel Myrick, as Student Body Vice President, are necessary Defendants. IV S.G.C. defines the officers of the Executive Branch.

IV. RELIEF

- A) The Student Body President is required to notify the Speaker of Student Congress of all provisional appointments, including the provisional appointment’s name, relevant provisional appointment position, and the date of the appointment within forty-eight (48) hours of the provisional appointment, pursuant to I S.G.C. Section 204(E) and failed to do so.

- B) On December 6, 2012, Plaintiff received notification from Defendants of their decision to remove him as Chairperson of the Hardship Parking Committee.
- C) On December 13, 2012, Plaintiff received notification from Information Technology Services (ITS) that the email alias he had formerly occupied, as Chairperson of the Hardship Parking Committee, (hardshipparking@unc.edu) had been transferred to Ms. Brittany Reeves, at the December 12, 2012 request of Defendant Myrick.
- D) On December 19, 2012, the Department of Public Safety (DPS) had a hardship parking application published on its website stating “Brittany Reeves, Hardship Chairperson” was the proper contact person for inquiries of Hardship Parking.
- E) Plaintiff contacted Defendant Myrick on January 2, 2013, to request copies of correspondence to Paige Comparato, Speaker of Student Congress, notifying her of the Student Body President’s provisional appointment selections.
- F) Defendant Myrick responded on January 2, 2013, that “provisional appointments will be finalized by Will and me the next week before the start of spring classes, at which point the Speaker will receive official emailed notification from the SBP as per the Student Code.”
- G) The Plaintiff alleges that the Defendants had made a provisional appointment in Ms. Brittany Reeves by notifying ITS of the provisional appointment on December 13, 2012; however, failed to communicate this to the Speaker of Student Congress, Paige Comparato, within forty-eight (48) hours of doing so, in violation of I.S.G.C. Section 204(E).
- H) The date of the provisional appointment of Ms. Reeves was December 13, 2012. Defendants would be required by law to notify the Speaker of Student Congress by December 15, 2012 of this appointment. December 15, 2012 was during a scheduled University recess, thus, pursuant to III S.G.C. 710(B), the ninety-six hour statute of limitations has *not* elapsed.

V. DEMAND FOR JUDGMENT

The Plaintiff respectfully requests that the Court order the Defendants to follow laws pursuant to I. S.G.C. 204(E) and immediately notify the Speaker of Student Congress of their provisional appointment to the Hardship Parking Committee Chairship, Brittany Reeves, with an appointment date of December 13, 2012, as reported to the Information Technology Department.

The Plaintiff respectfully requests that the Court order the provisional appointment of Ms. Reeves to expire on Friday, January 11, 2013, at 5:00pm in accordance with I.S.G.C. 204(B)¹.

¹ Original complaint requested judgment in accordance with I.S.G.C. 204(E), but the 30-day requirement of expiration of a provisional appointment is I. S.G.C. 204(B).

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

A handwritten signature in black ink, appearing to read 'C. Brady', written over a horizontal line.

Connor E. Brady
Plaintiff

102 Country Club Road, Graham Hall – Room 356
Chapel Hill, North Carolina 27514
cebrady92@gmail.com
336.953.2511

Filed this day of January 9, 2013 at 12:50 a.m.