

IN THE SUPREME COURT

Action No. 16-007)
)
Will Hopping,)
PLAINTIFF)
)
Versus)
)
Maurice Grier,)
SBP Candidate)
Elizabeth Adkins,)
SBP Candidate)
Luke Cullifer,)
Student Solicitor General)
Paul Kushner,)
Chair, Board of Elections)
Lucy Best,)
Member, Board of Elections)
Arunabha Debnath,)
Member, Board of Elections)
Zaid Khatib,)
Member, Board of Elections)
Zach Johnson,)
Member, Board of Elections)
DEFENDANTS)

ORDER REJECTING APPEAL

I. BACKGROUND

On February 26th, 2017, Plaintiff Will Hopping filed a complaint with the Board of Elections alleging that Maurice Grier, a candidate for Student Body President, had committed twelve (12) counts of Technology under VI S.G.C. §801(E)(4), five (5) counts of False Start under VI S.G.C. §801(E)(2), one (1) count of Location under VI S.G.C. §801(E)(3), and one count of Falsification under VI S.G.C. §801(E)(5).

On March 3rd, 2017, the Board of Elections heard the case *Hopping v. Grier*.

On March 5th, 2017, the Board of Elections delivered a decision to assign Defendant Grier a sanction of 4 points for twelve (12) counts of Technology under VI S.G.C. §801(E)(4) and one (1) count of False Start under VI S.G.C. §801(E)(2).

On March 7th, 2017, Will Hopping requested an appeal of the Board of Elections' decision to this Court.

On March 8th, 2017, this Court convened to discuss Plaintiff's request for appeal pursuant to VI S.G.C. §831(D).

II. ANALYSIS

Plaintiff alleges in his complaint that the Chair of the Board of Elections and the Student Solicitor General violated VI S.G.C. §300 by taking actions that could be construed as endorsing/supporting a candidate for Student Body President. Plaintiff further alleges that these violations of VI S.G.C. §300 also constitute a violation of I S.G.C. §900, which mandates the Board of Elections “conduct fair and impartial student elections in accordance to the Student Government election regulations.” Plaintiff offers quotations from the recordings presented as evidence in the Board of Elections’ case *Hopping v. Grier* as evidence of these violations.

Though Plaintiff Hopping may or may not make a case for a violation of VI S.G.C. §300 concerning actions of the Student Solicitor General, given that this position has no role in the determination of election violations and sanctions pursuant to Title VI, this Court can give no consideration to the allegations in this complaint against Mr. Cullifer. The authority to remove a student government official for misconduct lies with Student Congress and not this Court, pursuant to II S.G.C. §600.

With regards to the charges that the Chair of the Board of Elections violated VI S.G.C. §300, Plaintiff Hopping offers examples of the Chair providing procedural guidance on the hearing process to candidates. It is well within the scope of the Board of Elections pursuant to I S.G.C. §900 to offer procedural guidance to candidates during the campaign and hearing process to ensure a fair election process.

Concerning the allegation that the Board of Elections’ decision pursuant to VI S.G.C. §801 was a product of bias, this Court determined that Plaintiff Hopping did not present convincing evidence of bias. The Board of Elections’ decision to combine Grier’s Technology violations lies within the scope of their power under VI S.G.C. §801, which explicitly states that “multiple violations of the same offense may be compiled into a single election violation” at the discretion of the majority opinion of the Board of Elections.

III. ORDER

The Court rejects Plaintiff’s request for appeal pursuant to VI S.G.C. §831(D). The Board of Elections decision is therefore binding.

It is so ordered.

Done this 8th day of March, 2017, at 11:35 p.m.