

IN THE SUPREME COURT

ACTION NO. 22-003-001

DEAN PEARCE, CONNOR COMMUNITY
GOVERNOR

PLAINTIFF

v.

NATE WORLEY, RESIDENCE HALL
ASSOCIATION PRESIDENT

DEFENDANT

COMPLAINT

RECEIVED

Sept 19 2022

OFFICE OF THE CLERK
OF THE STUDENT
SUPREME COURT

I. Jurisdiction

The Supreme Court holds jurisdiction as authorized under III J.C.S.G. §610 (A)(1) which states that the Jurisdiction of the Student Supreme Court shall “[e]xtend to questions of law arising under the Student Body Constitution, the laws enacted under its authority, the actions of... other independent agencies of Student Government...” The Plaintiff alleges that the Defendant, Nate Worley, President of the Residence Hall Association (RHA), which is established as an independent agency under I J. C.S.G. §121 (B)(8), violated the governing documents (Bylaws and/or Constitution) of the RHA and thus has violated the Plaintiff’s rights contained therein.

II. Standing

The Plaintiff has standing, as required under III J.C.S.G §620, as Nate Worley stripped the Plaintiff of the “powers, rights, privileges, benefits or immunities” of their position as Connor Community Governor.

III. Necessary Defendants

The Plaintiff asserts that the action of Nate Worley, in his capacity as President of the RHA, to deny the legislative privileges of Community Governor before an Ethics Hearing is in clear violation of RHA Bylaws. Therefore, Nate Worley is a necessary defendant.

IV. Relief

On September 13th, 2022 the Defendant notified the Plaintiff that an Ethics Hearing would be called against them per the RHA Bylaws. In this notice, the Defendant prohibited the Plaintiff from participation in “any actions pertaining to the office of Connor Community Governor” until the conclusion of the Ethics Hearing. The capability for such an abridgement of privileges is not granted to the President, nor proscribed as part of Ethics Hearing

procedure per the RHA Bylaws and Constitution. Thus, the Plaintiff asserts that the prohibition of the Plaintiff from exercising their rights and duties as Connor Community Governor is in violation of the law.

V. Demand for Judgement

The Plaintiff's ability to appoint a proxy to attend RHA Board of Governors meetings would constitute an action "pertaining to the office of Connor Community Governor", and was as such prohibited by the injurious action. Therefore:

The Plaintiff respectfully requests that the Supreme Court annul all business undertaken between the onset of this abridgment of privileges (September 13th, 2022) until the Plaintiff has been delivered the final decision of the Ethics Hearing.

The Plaintiff's ability to appoint members of the Community Government would constitute an action "pertaining to the office of Connor Community Governor", and was as such prohibited by the injurious action. Therefore:

1. The Plaintiff seeks a court order that RHA events relating to training of Community Government officers be postponed, or new trainings scheduled, to give reasonable time for the Connor Community Government to be appointed.
2. The Plaintiff seeks a court order granting a stay on Ethics Hearings predicated on charges of failure to appoint mandatory Community Government positions which arise as a result of this injurious action.

Plaintiff

Dean Avery Pearce

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Counsel for the Plaintiff

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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.

*Filed this the 19th day of September,
2022, at 10:40 p.m.*