



IN THE SUPREME COURT )  
 )  
 Action No. 22-005 )  
 )  
 Andrew Gary, )  
 Dean Pearce, )  
 PLAINTIFF )  
 )  
 Versus )  
 )  
 Executive Board of )  
 The Residence Hall Association, )  
 DEFENDANTS )  
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COMPLAINT

JURISDICTION

1. Pursuant to III JCSG §610(A), “The Jurisdiction of the Student Supreme Court shall... 1. Extend to controversies concerning student government actions, 2. Extend to questions of law arising under the Student Body Constitution, the laws enacted under its authority, the actions of the Joint Governance Council, the USG Executive Branch, The GPSF Executive Branch, the USG Legislative Branch, The GPSF Legislative Branch, the Board of Elections, and other independent agencies of Student Government, and the governing documents of all independent agencies of Student Government and all officially recognized student organizations, and 3. Be based on a substantial controversy in law.”
2. The Residence Hall Association’s (RHA) Executive Board is an independent agency of the Student Government established under Student Const. art. V, §1. This Court has original jurisdiction to hear complaints arising from the actions of the RHA.
3. Plaintiffs bring this complaint in response to the actions of the Executive Board of the Residence Hall Association.

## STANDING

4. Andrew Gary is a fee-paying Undergraduate Student who lives in the Spencer Residence Hall.

5. Dean Pearce is a fee-paying Undergraduate Student who lives in the Connor Residence Hall. Further, Dean Pearce is the Connor Community Governor, elected on the 9<sup>th</sup> of September, 2022.

6. Pursuant to III JCSG §650, “Standing to bring an action before the Court based on the question of legitimacy or illegality of an act by an officer, official or agent of the Residence Hall Association, Carolina Athletic Association or other recognized organizations and committees or groups receiving funds from Student Fees extends to...(A) Any student or officially recognized student organization whose powers, rights, privileges, benefits or immunities are adversely affected, restricted, impaired or diminished by the act in question, (B) Any student who is a constituent of the Residence Hall Association, Carolina Athletic Association or other recognized organization and committee or group receiving funds from Student Fees.”

7. Pursuant to III JCSG §651, “For the purposes of standing, a constituent is defined by: (A) Any resident of the residence hall for the Residence Hall Association.”

8. Plaintiffs allege an adverse effect on their powers, rights, and privileges in five counts: (1) RHA fails to have an up-to-date website as required by I JCSG §141, (2) RHA fails to keep full and accurate minutes of Executive Board on their website as required by Article 33C of Chapter 143 of the North Carolina General Statutes, (3) RHA fails to post written notice of meetings of the Executive Board on the bulletin board of the principal office of the RHA as required by Article 33C of Chapter 143 of the North Carolina General Statutes, (4) RHA fails to post on its website notice of meetings as required by Article 33C of Chapter 143 of the North Carolina General Statutes, (5) RHA bars members of the public from attending open meetings in violation of Article 33C of Chapter 143 of the North Carolina General Statutes.

## NECESSARY DEFENDANTS

9. RHA is a constitutionally-established (Student Const. art. V, §1) agency of the student government. Their noncompliance with Open Meetings Law forms the basis of the Plaintiffs’ complaint.

**RELIEF**

10. By failing to comply with North Carolina's Open Meetings Law, the RHA subverts the law's requirement for the people's business to be conducted in a transparent manner that allows for public input and oversight.

**DEMAND FOR JUDGEMENT**

13. Plaintiffs request declaratory action rendering all actions taken by the Executive Board of the RHA or its component members during meetings which violated open meetings law void. Plaintiffs request that actions taken at all meetings of the Executive Board of the RHA be rendered void as no meetings of the Executive Board are compliant with Article 33C of Chapter 143 of the North Carolina General Statutes.

14. Plaintiffs request that an independent monitor be installed with the responsibility of monitoring the RHA's compliance with Article 33C of Chapter 143 of the North Carolina General Statutes for however such time as may be necessary to ensure full compliance with the law.

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.

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PLAINTIFF  
Andrew Gary

[REDACTED]

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COUNSEL

Jasmine Alamelu Werry

[REDACTED]

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PLAINTIFF  
Dean Avery Pearce



Filed this the 19<sup>th</sup> day of September 2022, at 11:20 a.m.