**SUPREME COURT OF THE STUDENT BODY**

No. 22–123

CANDY DEIGHT

*Plaintiff*

*v*.

THE BOARD OF ELECTIONS OF THE UNIVERSITY OF NORTH CAROLINA

*Defendant*

**COMPLAINT**

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# INTRODUCTION

1. Candy Deight is running in the election for District One’s Undergraduate Senator. This action arises from punitive and administrative orders issued by the Board of Elections (“BOE”).
2. On August 29, 2022, the *Tar Heel Digest* interviewed Candy Deight on her potential candidacy. Later that day, the *Tar Heel Digest* published an article reporting that Candy Deight was holding an interest meeting at the Campus “Y.”
3. Candy Deight and the BOE Chairman later met to discuss the *Tar Heel Digest* article. Candy Delight admitted to holding an interest meeting in that discussion, and that *Tar Heel Digest* interviewed her. On September 1, 2022, an official complaint was submitted to the BOE. On September 8, 2022, after a hearing, the BOE found Candy Deight in violation of applicable election laws.
4. The same day, the BOE issued a Punitive Decision (“PD”) 22–BE–000, which stated it would “fine Ms. Deight’s campaign $40.00 should she become a certified candidate.” Additionally, the BOE issued an Administrative Decision (“AD”) 22–BE–001, which materially altered the meaning of “campaigning” as defined under the *Student Constitution of the University of North Carolina at Chapel Hill* (the “*Constitution”*).
5. Candy Deight timely filed this action challenging the validity of PD 22–BE–000 and AD 22–BE–001 (collectively the “decisions”) of the BOE.

# THE PARTIES

1. Plaintiff, Candy Deight, is a sophomore in the biology program at UNC’s College of Arts and Sciences and is a future candidate for District One’s Undergraduate Senator election.
2. Defendant, the Board of Elections of the University of North Carolina, is an organization defined under the Student Const. ch. 1, art. VI, §1.

# JURISDICTION AND STANDING

1. The Court possesses jurisdiction of this action pursuant to Rule 11(a)(2).
2. The Court has jurisdiction over Defendant because they are an organization defined under the Student Const. ch. 1 Art. VI, §1.
3. Standing is proper pursuant to Rule 19(b).

# FIRST CLAIM

## Board Error

1. The BOE’s purpose is to conduct fair and impartial elections in accordance with regulations.
2. Deight is a “declared candidate,” as that term is defined in II J.C.S.G. §200(H) because she (1) submitted her Declaration of Candidacy and (2) it was pending certification by the BOE.
3. On September 8, 2022, the BOE issued the decisions.
4. Plaintiff alleges and incorporates by reference Paragraphs 1 through 13 as if set forth herein.
5. Plaintiff submitted her candidacy for District One’s Undergraduate Senator to the BOE on August 20, 2022 (hereby Exhibit 1).
6. Plaintiff held a private candidate interest meeting at the Campus “Y” on August 29, 2022.
7. Invitations were extended personally and individually to potential attendees.
8. *Tar Heel Digest* interviewed Plaintiff on the same day (hereby Exhibit 2). In this interview, Plaintiff reaffirmed issues with student elections and voiced a need for “things to change” Ex. 2.
9. Defendant issued the decisions on September 8, 2022. (hereby Exhibit 3). These decisions “fine Ms. Deight’s campaign $40.00 should she become a certified candidate.” Ex. 3.
10. On information and belief, Defendant misinterpreted how “private” and “public” are defined by the *Joint Code*. Defendant erroneously concluded that a private meeting fell within the ambit of II J.C.S.G. §602(B). *Id*.
11. Plaintiff’s actions were private and in accordance with II J.C.S.G. §200(C)(2), and therefore not a violation of §602(B).
12. As a result of Defendant’s actions, Plaintiff has suffered harm to their campaign by way of a $40.00 fine and is entitled to relief permitted by law.

# RELIEF

Wherefore, Plaintiff requests the following relief:

1. A declaration that Defendant misinterpreted the *Constitution*.
2. An award setting aside Defendants decisions
3. Any relief as the Court deems just and proper.

*The undersigned individuals affirm they read in full the foregoing Complaint, and the allegations therein are true to the best of my knowledge and belief.*

/s/ Candy Deight

Candy Deight

College Arts & Sciences

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/s/ Anna Turney

Anna Turney

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