

IN THE SUPREME COURT )  
 )  
 Action No. 23-XXX )  
 )  
 Jaleah Taylor, and )  
 Matthew Tweden )  
 PLAINTIFF )  
 )  
 Versus )  
 )  
 Board of Elections )  
 Sophie van Duin, )  
 Acting Chair of the Board of Elections )  
 DEFENDANTS )

EMERGENCY MOTION  
 FOR AN INJUNCTION

**EMERGENCY MOTION OF PLAINTIFFS FOR AN INJUNCTION ENJOINING THE BOARD OF ELECTIONS FROM ISSUING A FINAL LIST OF CERTIFIED CANDIDATES**

**I. BACKGROUND**

1. PLAINTIFF 1 Jaleah Taylor and PLAINTIFF 2 Matthew Tweden ask this Court to enjoin the planned February 2, 2024 final candidate certification by DEFENDANTS. On or around 11:58 A.M. on February 1, 2024, DEFENDANTS issued an Initial List of Certified Candidates and established a 24-hour window for *correction* of out-of-order petitions.
2. PLAINTIFFS further asks this Court for an injunction against certification until this emergency motion has been fully adjudicated, noting III J.C.S.G. §541(B): “If, in the opinion of the Chief Justice, there is insufficient time to convene the court in order to issue a temporary injunction, they may issue a temporary injunction in the name of the Supreme Court.” Immediate action is necessary because, despite being presented with viable course corrections and alternatives, Defendants have refused to reconsider their errant interpretation of the Correction Statutes.

**II. JUSTIFICATION**

3. III J.C.S.G. §541(B) provides: “[t]he Supreme Court may issue temporary injunctions against the Board of Elections stopping an election to protect the Court’s jurisdiction or to preserve the status quo until a judicial determination can be reached. The Supreme Court shall only issue elections injunctions in extreme circumstances and when necessary.”
4. This Court has previously ordered in *Nichols v. Raynor* that “the phrase ‘stopping an election’ implies more than merely stopping voting. An election is not a singular event, but a series of actions occurring along a general timetable.” Order Granting a

Temporary Injunction to Delay the Release of Results of the Childcare Services Fee Referendum, 08-004. The certification of candidates and publication of the Final List of Certified Candidates is clearly a set of actions part of the election. For the purposes of this case, PLAINTIFFS urge that the Court and, where appropriate, the Chief Justice may enjoin all actions which constitute the election, or any appropriate subset thereof.

5. This Court further held in *Nichols* that “extreme circumstances and when necessary” arise where “the balance of harms [is] such that more harm occurs from the conduct of the election than from the injunction itself.”
6. Permitting DEFENDANTS to certify candidates would create grave harm by (a) potentially prejudicing the electorate to believe that candidates for Student Body President other than PLAINTIFF 1 have been legitimately certified by placing such candidates on the Final Certified Candidates list unlawfully, (b) by precluding an opportunity for PLAINTIFF 2 to correct signatures on his ballot petition under the lawful procedure, and (c) by failing to preserve the jurisdiction of this Court in this case.
7. The harm created from this proposed injunction would be minimal – only enjoining those election actions which pertain to the DEFENDANT’s alleged misapplication of the law, namely the certification of candidates and publication of a Final Certified Candidates list. The Court shall have 13 additional days to rule on the matter before it, during which time other election activities such as official debates and campaigning may occur. No person shall see their rights abridged by the imposition of this injunction. Further, any potential harm is reasonably remedied. PLAINTIFFS further note that a temporary election accommodation, such as 12 additional hours to *correct* the ballot petitions, would be acceptable and in line with the spirit of the law in this matter.
8. Given the wide array of harms from proceeding with noted election actions and few harms associated with a potential injunction, it is clear that an injunction would be in the context of “extreme circumstances” and would be “necessary.”

### CONCLUSION

9. PLAINTIFFS respectfully requests that the Court grant an injunction while this motion is pending, and thereafter enjoin the final certification of candidates in the 2024 Spring General Election. The timeline here is critical – failure to issue a substantive order prior to 11:58 A.M. on February 2, 2024 will have cataclysmic consequences on the further administration of this election. Bearing this in mind, and noting the powers and privileges afforded the Chief Justice, we urge that prompt and reasonable measures be taken.

/s/ Jaleah Taylor  
PLAINTIFF

[REDACTED]

/s/ Matthew Tweden  
PLAINTIFF AND PRO SE

[REDACTED]

/s/ Christopher Lee Williams  
CAMPAIGN COUNSEL,  
JALEAH TAYLOR FOR SBP

[REDACTED]

/s/ Logan Grodsky  
CAMPAIGN CO-COUNSEL,  
JALEAH TAYLOR FOR SBP

[REDACTED]

Filed this the 1<sup>st</sup> day of February, 2024 at 10:50 P.M.