

TEAGUE *v.* MAXWELL

Opinion of the Court

SPRING TERM, 2021



JUDICIAL COURT OF TEXAS A&M

JOHN CARTER TEAGUE *v.* ELECTION COMMISSIONER MAXWELL

ON PETITION FOR WRIT OF CERTIORARI TO THE STUDENT
GOVERNMENT ASSOCIATION ELECTION COMMISSION

No. 73-0(4). Decided February 28, 2021.

The petition for a Writ of Certiorari is denied.

MCINTOSH, C.J., CHENG, J., CHOPRA, J., and MINOR, V.C.J., delivered the opinion of the Court on the denial of certiorari, in which Johnson, J., joined.

On February 27, 2021, John Carter Teague (“the appellant”) submitted a Petition for a Writ of Certiorari on behalf of former Student Body President (SBP) candidate Josh Feldman. The purpose of his Petition was to request an “investigation” by this Court into the legitimacy of the Election Commission’s rulings and overturn any decisions that are deemed to be inconsistent with the Student Government Association Code (S.G.A.C.) or with Judicial Court precedent. This Petition was submitted in response to violations submitted by the Forward with Feldman campaign against opponent Natalie Parks that they felt were not ruled upon properly by the Election Commission. The desired result of this Petition was to potentially levy extra penalties on SBP-elect Natalie Parks, and possibly overturn the SBP election results based on the opinion of the Court.

The Court deemed it improper to grant certiorari in this matter for a multitude of reasons. To begin, the Court examined the statutes cited in

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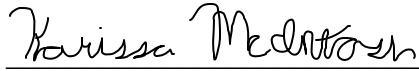
the appeal and the Election Commission's decisions; we found no inconsistencies across the decisions with regard to the S.G.A.C and the Court's precedents. Further, the appellant asked the Court to "investigate" and assume that the Election Commission was operating in opposition to the S.G.A.C. As an appellate court, we are not a fact-finding body. Our responsibilities are clearly enumerated in the Constitution of SGA: Constitutional interpretation, statutory interpretation, and settling disputes within SGA in regard to statutes, rules and regulations, and actions pursuant to the Constitution of SGA. Furthermore, the appellant cited entire Judicial Court opinions and broad statutory sections with no reference to how the Election Commission's decisions are subject to review in terms of their legality. Due to the vagueness of the content provided by the appellant and the responsibilities of the Judicial Court enumerated in the S.G.A.C., we have denied the Petition for Writ of Certiorari.

The appellant attempted to cite the Court's precedents 69-02 *McIntosh v. Election Commissioner Keathley* and 73-02 *Nguyen v. Election Commissioner Maxwell*. The Court failed to see how these two precedents are relevant and the appeal failed to elaborate on how these are applicable. Moreover, "this Court operates under a framework reminiscent of the Civil Law system where codified statutes predominate over case law." (from 73-02 *Nguyen v. Election Commissioner Maxwell* — Opinion of the Court, CHENG, J.), the Court is not bound by precedent (except in cases of constitutional interpretation) but instead reviews the actions of SGA entities in accordance with the most up-to-date codified statutes that are relevant.

Our purpose is to serve as an independent judiciary. Make no mistake, this Court is not and shall not be a political tool used to overturn legitimate election results just because some parties are unsatisfied with the outcome.

The judiciary is not a platform for retribution, but a platform for justice.

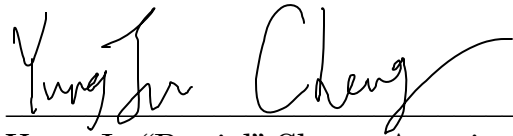
SIGNATURES OF THE JUSTICES



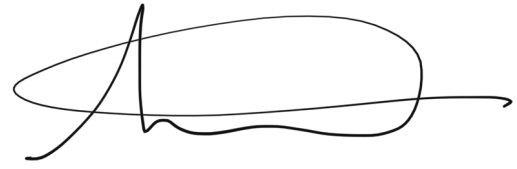
Karissa McIntosh, Chief Justice



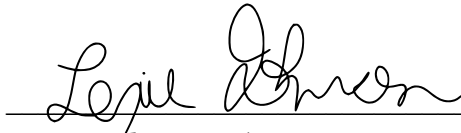
Alexandra Minor, Vice Chief Justice



Yung-Ju "Daniel" Cheng, Associate Justice



Shefali Chopra, Associate Justice



Lexie Johnson, Associate Justice