Spring Term 2017

JUDICIAL COURT OF TEXAS A&M

McIntosh *v.* Election Commissioner Keathley

Pre-Trial Hearing

No. | 69-01

March 1st, 2017

Syllabus

The Plaintiff requested a pre-trial hearing for the case 69-01, McIntosh v. Election Commissioner Keathley. The question before the Court is whether to continue to the hearing phase, given the considered evidence. While a retrospective consideration of the Plaintiff's motion for a pre-trial lacks a scintilla of logical or substantive reasoning, the Court felt compelled to answer it nonetheless.

The Court Issues a Per Curiam Opinion:

Due to the evidence presented and witness testimonies, it is the unanimous opinion of the Court that the case shall proceed. No evidence brought before the Court indicated that the defendant's submissions should be invalidated, and as the Election Commission has a process in place for receiving and assessing violations, their evidence cannot be discredited. If the Plaintiff has further disputes regarding the actions of the Commissioner in assessing his violations and the justification for his disqualification, the argument would be more appropriate for the 69-01 hearing.

The Court seeks only to answer the question that was presented; in the future, the Court deems pre-trials shall only take place when the validity and nature of the probative evidence is in question. Pre-trial shall not be construed as a means of dismissing altogether a previous decision made within the discretion and capacity of the Election Commission. Following this election season, all future pre-trial hearings shall be conducted in a manner that reflects this understanding.
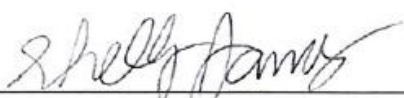
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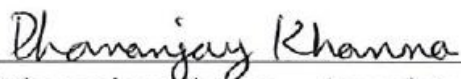
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Signatures

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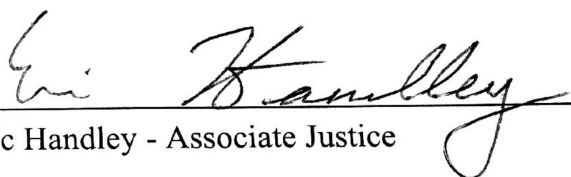Shelby James – Chief Justice

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Laura Durie – Vice-Chief Justice
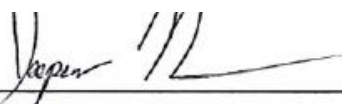
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Dhananjay Khanna – Associate Justice

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Benjamin Harrison, Associate Justice

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Michael Formella, Associate Justice

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Eric Handley - Associate Justice

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Corbin Neumann, Associate Justice

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Ryan Woolsey, Associate Justice