

Texas A&M University

Judicial Court



Kyle Womack V. Commissioner Jacob Lopez

March 25, 2010

SUMMARY

On March 5, 2010 Student Senate candidate Kyle Womack filed an appeal with Judicial Court. He sought to overturn Commissioner Jacob Lopez's decision to disqualify him from the Student Senate Elections and sought to be reinstated. Kyle Womack had received a University Excused Absence for March 2, 2010 through March 4, 2010 as he was ill. Commissioner Lopez disqualified the Plaintiff for submitting his campaign finance report March 4, 2010 at 5:21PM by proxy. Commissioner Lopez had stated in the mandatory candidate meetings and subsequent emails that candidates would be disqualified for submitting campaign finance reports after March 4, 2010 at 5:00PM.

FACTS

Kyle Womack submitted his campaign finance report on March 4, 2010 at 5:21 p.m. and was subsequently disqualified by Election Commissioner Lopez.

Pursuant to Commissioner Lopez's interpretation of Article V, Section C, Part 1 of the Election Regulations, Commissioner Lopez disqualified candidate Kyle Womack for not submitting his finance report by March 4th at 5:00 p.m.

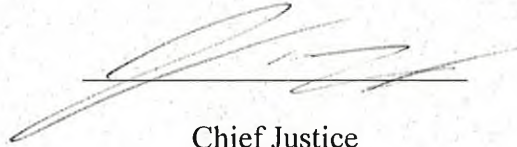
On March 2nd, Kyle Womack received a University Excused Absence from the Beutel Health Center exempting him from attending class. Mr. Womack's received a University Excused Absence for March 2, 2010 through March 4, 2010.

DECISION

The Court finds that plaintiff Kyle Womack is to be *reinstated* to the Student Senate. Mr. Womack's University Excused Absence for March 2nd through March 4th exempted the plaintiff from the March 4th finance report deadline. The Court finds that an absence that exempts a student from deadlines associated with class attendance should also apply to deadlines associated with Student Government activities. However, it is the responsibility of the candidate to submit his finance report to the Election Commission immediately following the day in which the University Excused Absence is to expire. Thus, because Mr. Womack submitted his finance report on March 4th at 5:21 p.m., candidate Womack submitted his finance report in a timely fashion following the expiration of his University Excused absence.

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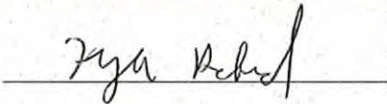
Chief Justice



Vice-Chief Justice



Justice



Justice



Justice



Judicial Court