



**TEXAS A&M UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
JUDICIAL COURT**

Roberts v. Commissioner Jackson
(Plaintiff) (Defendant)

Judicial Court Case #64-09

March 2, 2012

SUMMARY

Plaintiff brought suit against the Election Commission on the following grounds:

1. Monetary harm was done to the plaintiffs due to Election Commission results announcement timeline.
2. The Election Commission did not publish the results immediately after announcing them.
3. Election Commission changed their practice from counting an abstain vote to a blank vote.
4. The Election Commission did not clearly state how abstained votes and blank votes were different in nature.

Decision

Part I. Monetary Harm

The Court is strictly prohibited from levying monetary damages (SGA Constitution Article IV, Section III, f). If monetary damages are requested, there are other avenues for Plaintiff to pursue.

Part II. Election Commission Publishing Deadline

The election results were announced in full at 1:25AM February 29th. The results were made available online at 2:13AM that same morning. The term immediately in the election rules means as soon as reasonably possible. The less than one hour delay in results posting is a reasonable timeframe. Election results must be certified in order to become official. This has yet to be done and as such the Election Commission is allowed to make corrections if mistakes are found, this is what occurred in this case.

Part III and IV. Abstaining vs. Blank Votes

The Election Commission announced the original results based off of a faulty method used by the Department of IT which is responsible for calculating the percentages. They used the amount of votes cast in the election instead of using the amount of votes cast in that particular race which has been the standard procedure used in all years past.

The Court does not contend that any ballot cast that did not vote in a particular race is a blank ballot and should be used in calculating the percentages that a candidate received. It is reasonable to assume that the student electorate has the ability to protest the candidate choices through other avenues provided to them such as write-in abilities and other practices.

Therefore, for the reasons stated above, the Court AFFIRMS the Election Commissions actions and rulings on the above counts.

...It is so ORDERED

Texas A&M University

Judicial  Court

64-09

Bryan Rome

Hannah Weger

Kyle Klumpp

Erin M. Hallert

Steph M

Erin Dauter

Signed on
3/2/12