



TEXAS A&M UNIVERSITY
STUDENT GOVERNMENT ASSOCIATION
JUDICIAL COURT

Jarrett Namken vs. Election Commissioner Krenzien
(Plaintiff) (Defendant)

Judicial Court Appeal #66-01

September 13, 2013

SUMMARY

(Justices Whitley, Felder, Reed, Kiec, Halbert)

Plaintiff brought suit alleging that the Election Commissioner had over stepped her bounds by declaring the plaintiff ineligible to run in the Student Body President race in the spring of 2014.

DECISION

The plaintiff's core argument rests in the election regulations and cites (Article 2, section E subsection 1 [A], [B]). The plaintiff built upon those rules by asserting that they do not specify whether or not a prospective SBP candidate must have 3 semesters at A&M College Station, or at any of the other branch schools. Also in contention is the notion of what exactly "reasonable vicinity" is. Another core argument the plaintiff makes is the fact that there are so many overlaps in terms of traditions (from the Corps, Aggie Ring, Yell Leaders, etc..) as well as official legal overlaps (from degrees being conferred by Texas A&M at both campuses, university organizational structure, etc..). These overlaps however mean little with the issue at hand. The fact remains that our Student Governments at each individual campus have little to no overlap with each other, and in the instances that they do, it was because of the administration of the university system.

The Commissioner argues that she has the ability to interpret the election rules to an extent. Based off of precedent (J.C.A #65-02), the Court agrees with her. Going off of the evidence provided to us brought by both sides, the Court finds that Commissioner Krenzien has not operated outside of her role in this particular instance. The plaintiff was unable to show that the Commissioner had acted in an unconstitutional manner.

The scope of the case was set when the plaintiff filed the appeal. With the facts that both parties presented during the hearing, the Court has only considered those pieces. The Court acknowledges that if it brings outside information (not presented in oral arguments, or submitted as evidence) during deliberations, it could potentially lead the Court to building a case for one side or another. This of course, is not the job that falls under the Court's prerogative.

As such, the Court recognizes the very real problems of vagueness of the election rules, and how they relate not only to the code, but also the Constitution. In order to prevent future confusion, the Court suggests that the Senate take steps that it deems prudent to better define the term "Texas A&M University".

...It is so ORDERED

Texas A&M University

Judicial  Court

Majority Opinion #66-01

Namken v. Commissioner Kenzie

Cameron Bellant

Stephine

Paula Reed

Lawrence Felder
John White

Concurring Opinion:

Robert H. [Signature]