

**Jason Herrick v. Election Commission**  
**March 31, 1997**  
**Dissenting Opinion**

The dissenting opinion of the Judicial Board is as follows:

We feel that we cannot decide on the violation in question. In our opinion, the intention of the plaintiff's filing was to ask us if a violation was incurred by the candidate, and if so, did the election commissioner enforce the appropriate punishment? The actual wording of the complaint was to determine if Election Commissioner acted in his jurisdiction. We feel that he did. If we were asked to determine if an infraction did occur, and if the Election Commissioner was negligent in assessing a fine or punishment, we would have reviewed the filing in an different manner. However, that is not what we were asked to decide in this filing.

*Amanda Cochran '99*  
*Ben Kaia '00*  
*Mike Lemond '00*