



JUDICIAL COURT OF TEXAS A&M

Syllabus

QUILLAN THURMAN *v.* ELECTION COMMISSIONER EDALUR

CERTIORARI TO THE TEXAS A&M STUDENT GOVERNMENT
ASSOCIATION ELECTION COMMISSION

No. 77-03. Argued March 6, 2025 – Decided March 8, 2025.

Following the results of the Spring 2025 Student Body Elections, Quillan Thurman (the “petitioner”) filed a petition for Writ of Certiorari against Election Commissioner Edalur, (the “respondent”) with the Judicial Court. In stating their desired result, the petitioner requested the Judicial Court overturn the decisions of nine different violations listed within the Election Commission’s (the “EC”) Spring 2025 Violation Report. During oral arguments, the petitioner requested that violation number 96 be removed from the list of requested violations to be overturned, as this instance did not relate to the petitioner’s overall desired result. In evaluating the remaining eight decisions made by the EC (violations 20, 21, 22, 23, 95, 97, 98, and 103), the Court must decide whether or not students running on ‘The Goodbull Ticket’ (a group of students campaigning for office together) violated Election Regulations by campaigning in the Memorial Student Center (the “MSC”), failing to expense and report campaign materials, and undermining the free and fair nature of the election through the actions of supporter, Malik Salami.

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Concurring Opinion

LEFFINGWELL, C.J., delivered a concurring opinion.

In the case of Thurman *v.* Election Commission Edalur, the Concurring upholds the Election Commission's decisions for violations 20, 21, 22, 23, 95, 97, and 98. However, the Concurring believes that violation 103 warrants a minor violation when presented with sufficient evidence. Violation 103, in reference to student Malik Salami, also known as *Salami the Aggie*, reports the following:

"In an Instagram story, Salami the Aggie was seen posting a picture that said that he was glad that the SGA election campaigning had concluded because he was using his following to endorse the entire Good Bull Ticket, to include Riley Pritzlaff and Ezra Villarreal. Salami also said that he had been getting monetary compensation for the endorsement. It is very clear that the Good Bull Ticket had a hand in paying Salami to vote for their ticket, but also getting Salami's following to vote for them. This is a clear major violation and the Student Body calls on the Election Commission to disqualify the entire Good Bull Ticket."

The evidence attached to this violation shows an Instagram Story from *Salami the Aggie* that says,

"Finally done with all the campaign promo[tion]. Back to our regularly scheduled content. Let an aggie get his (money bag emoji) y'all."

When initially considering violation 103, the Election Commission, using the standard of only accepting "photographic clear and convincing evidence" (V S.G.A.C. §601.8(2) (b)), was unable to issue a violation, explaining,

"The image does not show a monetary transaction nor does it show any candidate physically providing Salami the Aggie with money. There is

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no evidence a financial transaction was made. The evidence is outside of the commission's jurisdiction provided by the regulations."

Given the evidence provided for this violation, individually, and the guidelines that structure the EC's decision-making process, the EC made the proper decision to not issue a violation. However, in this case, the Justices of the Judicial Court were able to consider more evidence than what was available to the Election Commission at the time of making their decision. This evidence included an additional quote from *Salami the Aggie* in the form of an Instagram comment, which read, "Whatever pays the bills lil bro." With the Court now able to consider both of these comments from *Salami the Aggie*, along with a complete list of all candidates that he endorsed, the Concurring finds that *Salami the Aggie* was in some way compensated for his endorsement to "The Goodbull Ticket".

This opinion is similar to the plurality in believing the Judicial Court may consider additional pieces of evidence that the Election Commission did not have access to in making their initial decision. This belief is founded on the Court's right to consider evidence that is "relevant and admissible" as stated in III S.G.A.C. §003.6(3).

The inclusion of additional "relevant" evidence is essential for the Court to provide the students of Texas A&M University with a fair appeals process. In this case, we see the admission of additional evidence serves to prove a party's fault, but setting the standard of not being able to consider additional pieces of evidence would bar the future Court from proving a party's innocence, in an alternate case. In both scenarios, not being able to consider any additional pieces of relevant evidence would infringe on the students' right to the fair process of law, which is one of the specifically named powers rights of the student body named in The Constitution of the Student Government Association (II S.G.A.C §001.10(4)).

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This concurring opinion differs from the opinion delivered by Justice Whitcomb in the recognition of a “ticket”, which is understood as a group of students that campaign together for various offices in the Student Government Association. Justice Whitcomb believes she cannot recognize this entity, as it is not something that is addressed in the Student Government Association Code (“S.G.A.C.”), however, the function of a ticket is no different from a group of co-dependent supporters. Supporters are defined in V S.G.A.C. §601.5(1) (b)¹ as “anyone who (including but not limited to), speaks as a delegate of the candidate, holds banners, works on financial reports, or distributes campaign materials.” In this case, each member of a ticket is both a candidate and a supporter of all other candidates on said ticket. Additionally, the V S.G.A.C. §601.5(1) (b)² states that, “candidate[s] shall be held responsible for the actions taken by their supporter” and “any violation of the regulations by a supporter of a candidate could result in a fine for the candidate.” With this in mind, each candidate running on this ticket must be held accountable for no member expensing the endorsement of *Salami the Aggie* for their campaigns.

The Concurring believes that not expensing this endorsement falls under a tier 2 violation, or a minor violation, which includes “finance violations, and offenses not included within the major violations criteria as determined by the Election Commission and these regulations” (V S.G.A.C. §601.6(3) (b)(1)). Because this payment for *Salami the Aggie’s* endorsement was not expensed, the absence of this expense should be simply treated as a finance violation. The Concurring believes that this offense should not be treated as a major violation due to this specifically listed penalty for finance-related violations.

The plurality brings up an excellent point, explaining that something can be both a finance violation and an incident that “obstructs the free and fair nature of voting”, which would be a major violation under V S.G.A.C.

¹ This citation is in reference to Article V: Campaigning, and should not be confused with Article V: Restrictions (which is also in the December 2024 edition of the Election Regulations).

² Ibid

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§601.6(3) (a)(1)(iii). However, the Concurring believes that having to choose between assigning a major violation for “obstructing the free and fair nature of voting” and a minor violation for a “finance violation” is a shortcoming of the S.G.A.C., as it can be argued that noncompliance with any part of the election regulations could obstruct the free and fair nature of the elections process. Because of this, the Concurring holds that because finance violations are specifically named as a minor violation, a minor violation is what must be applied in this instance.

It is so ordered.

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SIGNATURE OF THE JUSTICE

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A handwritten signature in cursive script that reads "claire leffingwell".

Claire Leffingwell, Chief Justice