



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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DALTON, KIM, and REHFELD JJ. delivered the plurality opinion of the Court. Two concurring opinions and one dissenting in part opinion have been delivered.

Before addressing violations 20, 21, 22, 23, 95, 97, 98, and 103, the Plurality, at the request of the petitioner during oral arguments, dismisses the request to review violation 96. It was confirmed that violation 96 was submitted in error and the petitioner did not wish for it to be considered by the Court.

Within the Election Commission's Spring 2025 Violation Report, violation 95 lists the following message:

"The candidate[, Jamie Lincoln,] utilized a banner as means to solicit votes in a video posted on social media. The caption states "vote for a senator who is willing to banner in 9 degree weather", making the banner a clearly essential part of the message of the video being used to solicit votes. This banner is absent from the candidate[']s expense form."

In response to this submission, the Election Commissioner refers us to violation 94, which is a previous submission that discusses the same incident. The EC decided this situation did not warrant a violation, explaining:

"The provided evidence shows the candidate campaigning for herself using electronic media which is not regulated by the commission. The provided image, when viewed outside of the context of electronic media, does not constitute a physical campaign violation as the candidate is physically, in-person campaigning for the Pritzlaff-Villarreal ticket. The candidate uses electronic media to solicit votes for herself in the provided images, not by physically campaigning with the banner."

During oral arguments, Election Commissioner Edalur confirmed that the banner in question was expensed by the Pritzlaff-Villareal ticket. The Court

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upholds the EC’s decision for violation 95, as the banner was accounted for in Student Body President candidate Riley Pritzlaff and Student Body Vice President candidate Ezra Villareal’s finance form.

Concerning violations 20 and 21, the Plurality affirms the decision of the Election Commissioner citing an insufficient degree of evidence linking a transaction from “The Goodbull Ticket” towards *Salami The Aggie’s* two-hundred dollar giveaway. Additionally, the aforementioned giveaway from *Salami the Aggie* in no way is associated with the “The Goodbull Ticket” in the evidence, so there is no reasonable way the Plurality could overturn the Election Commissioner’s original decision.

Concerning violations 23, 97, and 98, the Plurality affirms the decision of the Election Commissioner. In each of these violations, the Election Commission (EC) received a video from “The Goodbull Ticket” Instagram that depicted many candidates from the ticket as well as *Salami The Aggie* promoting the ticket in the Memorial Student Center. The Student Government Association Code (“S.G.A.C”) defines campaigning as “the active solicitation of votes” (V S.G.A.C. §601.5(1) (a)¹) with the active solicitation of votes being defined as when candidates or supporters, “in person, ask an individual for their vote or support” (V S.G.A.C. §601.5(1) (a)(1)²).

The petitioner attempted to argue that the Instagram video was proof of campaigning in the Memorial Student Center, which is “off limits to campaigning ”(V S.G.A.C.§601.5(2) (d)³), rather than simply electronic campaigning, which the EC “shall not regulate” (V S.G.A.C.§601.5(3) (a)⁴). The video provided did not depict any candidates or supporters actively asking an individual for their vote or support in person. Thus, the Plurality cannot side with the petitioner on this issue. Though, the Plurality would like

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

³ Ibid

⁴ Ibid

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to address the issue concerning the definition of campaigning that was brought to its attention multiple times during oral arguments. The Plurality believes the current definition to be dangerously broad and difficult to reasonably interpret. Thus, the Plurality advises the Student Senate to revise the definition of campaigning found in the S.G.A.C. in order to provide clearer guidelines to students, the Election Commission, and the Court on what is to be considered campaigning.

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,

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“The image does not show a monetary transaction nor does it show any candidate physically providing Salami the Aggie with money. There is no evidence a financial transaction was made. The evidence is outside of the commission’s jurisdiction provided by the regulations.”

Given the evidence that the Election Commission had at the time of their decision being made, the Plurality recognizes that the EC’s decision making, using their standard of common sense and reasonability, was correct. However, the Court was presented with new evidence that the EC was not privy to when the violation was being considered. 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.” along with a complete list of all candidates that he endorsed.

Concerning the Court's ability to hear new evidence in elections cases, III S.G.A.C. §003.6(3) establishes

“Evidence is relevant and admissible, unless provided otherwise under these rules or the S.G.A.C, if it has any tendency to make a fact more or less probable than it would be without the evidence, and the fact is of consequence in determining the action.”

This standard ensures the evidence admitted before the Court contributes meaningfully to the resolution of the matter at hand and prevents the introduction of prejudicial material.

In addition, III S.G.A.C. §003.6 instructs that these rules should be construed to promote fairness, eliminate unjustifiable expense and delay, and advance the development of evidence law. The admission of new evidence must, therefore, be balanced against these considerations. While relevant evidence should generally be admitted to facilitate a just determination, this Court retains the discretion to exclude evidence if its probative value is substantially outweighed by prejudice or potential confusion of the issues.

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Furthermore, III S.G.A.C. §003.6(4) states

“The Court may exclude relevant evidence if its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, undue delay, wasting time, or needlessly presenting cumulative evidence.”

This rule reinforces the Court’s obligation to ensure that proceedings remain focused and efficient while preventing the introduction of evidence that may distort the fair resolution of a hearing.

Applying these principles, the Court will assess new evidence on a case-by-case basis, ensuring that any evidence admitted meets the relevancy standard and serves the overarching goal of cognizing the truth while upholding the integrity of the judicial process.

The Plurality’s opinion holds that the Court has the right to hear relevant new evidence. The S.G.A.C. explicitly mentions procedures for both receiving evidence packets (distinct from the evidence packets originally received by the Election Commissioner) and hearing witnesses during a case. The S.G.A.C.’s explicit provisions for (1) witness testimony and (2) new evidence packets directly demonstrate the drafter’s intent to affirm the Court’s authority to consider such materials when deciding a case. The formal outlining of these procedures confirms that the Court retains an inherent power to expand the factual record when relevant.

The Plurality’s reasoning aligns with this analogy: if someone cannot see the sun directly, they can still rationally conclude it exists by observing the daylight that illuminates the world around them. This person does not need to see the sun itself to know its existence. The Plurality holds that while not explicitly stated in the S.G.A.C., the multiple protocols listed to receive new

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evidence serve as a rational proof for the court's power to authorize the inclusion of any emerging material and relevant evidence.

The Court's authority to admit new evidence is a structural necessity tethered to the foundation of the S.G.A.C.'s design. Just as daylight presupposes the sun, the S.G.A.C.'s new evidence mechanisms presuppose a right to hear new evidence. To deny this would be to deny the S.G.A.C.'s true intention and purpose.

Furthermore, the Court has previously utilized evidence not available to the Election Commission. In *Coppinger v. Election Commissioner Ramos*, the Court utilized evidence that proved a violation report submitted to the Election Commission was done outside of the 24 hour time period in which it was necessary to do so. This evidence was not available to the Election Commission when making their decision and was not accepted by the election commissioner when brought to his attention. This is just one of multiple examples showing that the court regularly utilizes new evidence in elections cases and works to further affirm that the court is not strictly bound to the evidence that the Election Commission utilizes when making decisions concerning election violations.

Vice Chief Justice Nandwani and Associate Justice Bagley assert that the Plurality has incorrectly interpreted the Court's ability to "review" the Election Commissioner's "interpretation" of the Election Regulations. They believe that the Plurality has overstepped the threshold of "review" by taking new evidence under consideration. The Plurality respects this opinion but is of the distinct belief that, **while the Court is bound to its ability to review the decision of the Election Commission, it is not restricted to review the decision of the Election Commission given the same exact facts that they were given in making their ruling.** Given, the evidence utilized is submitted to the Court in accordance with the Judicial Court Bylaws.

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Accordingly, the Plurality affirms that the admission of new evidence shall be governed by *Rule 3*'s test for relevance in III S.G.A.C. §003.6(3), and any determination of admissibility will be made in the light of the fairness and efficiency principles provided in III S.G.A.C. §003.6. Furthermore, *Rule 4* in III S.G.A.C. §003.6(4) provides an additional safeguard against the misuse of relevant evidence by allowing the Court to exclude evidence when its prejudicial effects outweigh its probative value. This approach guarantees that all evidence considered by the Court directly contributes to the just resolution of conflict within the Judicial Court.

Therefore, it is the opinion of the Plurality that, while this evidence was not available to the election commission when issuing their decision, since it was submitted within the 72 hour period of discovery, the Court may take it under consideration.

Using the aforementioned standard of common sense and reasonability, the Plurality finds that *Salami the Aggie* was compensated for his endorsement to "The Goodbull Ticket". Thus, the Plurality recommends that the Election Commissioner's decision in violation 103 be overturned.

In her concurring opinion, Associate Justice Whitcomb addresses an issue she sees surrounding the definition of the word "ticket" and its lack of definition or guidelines in the S.G.A.C. The Plurality agrees with Associate Justice Whitcomb in her statements concerning the opportunity for Senate to address this lack of parameters for "tickets". However, the Plurality believes that the evidence provided to us and the S.G.A.C's parameters surrounding supporters gives us the ability to hold students on the "Goodbull Ticket" accountable.

Supporters are defined in V S.G.A.C. §601.5(1)(b)⁵ as "anyone who (including but not limited to), speaks as a delegate of the candidate, holds banners,

⁵ 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).

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works on financial reports, or distributes campaign materials.” Moreover, V S.G.A.C. §601.5(1)(b)⁶ 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.” It is clear to the Plurality that candidates, when participating in “tickets”, are all acting as co-supporters of one another. Thus, all candidates of the “GoodBull Ticket” must be held accountable for no member of the “ticket” expensing the endorsement of *Salami the Aggie*. The Plurality opinion feels confident in assessing which students are members of “The GoodBull Ticket” due to the complete list of names provided to us in both the petitioner’s and respondent’s evidence.

Finally, the Plurality must address what type of violation Riley Prtizlaff, Ezra Villarreal, and “The GoodBull Ticket” should be assessed. V S.G.A.C. §601.6(3) (a)(1)(iii) states that Tier 1 violations include, but are not limited to, “obstructions of the free and fair nature of voting”.

The interpretation of this piece of the S.G.A.C. is the point in which the Plurality opinion and the concurring opinion of Chief Justice Leffingwell diverge. The fundamental disagreement our two opinions are attempting to address surrounds our respective interpretations of what is and is not “obstruction of the free and fair nature of voting”. The plurality recognizes that financial violations not constituting a Tier 1 violation would warrant a Tier 2 violation. However, the Plurality believes that violation 103 constitutes a Tier 1 violation under the “obstructions of the free and fair nature of voting” standard.

While the Plurality appreciates and respects the thoughts of the concurring opinion, the Plurality would be doing the student body a great disservice if the Plurality failed to point out multiple areas in her argument that the Plurality sees as cause for deep concern.

⁶ Ibid

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The Plurality believes that if the S.G.A.C. were interpreted as the concurring opinion would see fit, it would set a dangerous precedent and would open the door for candidates to abuse our election regulations in the years to come.

The Plurality is of the belief that the threshold for whether a financial violation impedes on the “free and fair nature of voting” is if the financial violation misleads the beliefs of students at any point during the election process. Whether accidental or intentional, students were misled into believing that *Salami the Aggie* genuinely supported “The Goodbull Ticket” and its candidate’s platform due to the Ticket’s failure to disclose their payment for his endorsement on their finance forms. The Plurality is of the belief that a lower threshold than this would allow our students to be taken advantage of and manipulated by candidates without adequate repercussions being imposed.

Concerning the Concurring’s argument that choosing between assessing a major and minor violation in this case could lead any financial violation be seen as obstructing the “free and fair nature of voting”, this opinion is of the belief that violations concerning endorsements by individuals have the unique ability to do so.

Endorsements have the distinct capability to mislead students into believing that a candidate has the genuine support of an endorser rather than a financially incentivized one. Other financial violations concerning tangible materials do not have the ability to do so. For example, someone mistakenly appraising or failing to appraise a tangible material on their finance forms should not be interpreted as misleading the student body into believing anything about the candidate, their supporters, or their opponents that is untrue. It is simply a financial error that should be corrected with a Tier 2 violation.

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A campaign sign does not pretend to have independent thought or agency; it is merely a tool for visibility. However, a person endorsing a candidate carries weight because it suggests an independent judgment based on the candidate's merits. When that endorsement is financially motivated but undisclosed, the beliefs of voters are actively misled. The distinction here is critical in that financial violations regarding material campaign resources affect exposure, but undisclosed payment for endorsements affects voter perception and decision-making.

If the Court were to utilize the Concurring's outcome, candidates would be allowed to pay any individual to endorse their campaign and not expense it on their finance forms while only being issued a Tier 2 violation. This would allow the beliefs of our student body to be misled and manipulated, as they were in this case, into believing that an endorser is supporting a candidate due to their genuine belief in the candidate's platform rather than due to a monetary incentive.

The Concurring's outcome would also allow candidates to pay endorsers exorbitant amounts of money, not expense these transactions by leaving them off their finance forms, and, if caught, simply receive a Tier 2 violation. This presents candidates with a loophole to avoid going over budget for high priced endorsements by allowing them to willingly receive the small fee a Tier 2 violation imposes.

This clearly exhibits that failing to classify the violation at hand as a Tier 1 violation would also work to create an unequal playing field. The purpose of the financial forms is not only to track expenditures but to ensure that no candidate gains an unfair advantage through financial influence that goes undisclosed. If some candidates follow proper reporting procedures while others strategically conceal paid endorsers and only risk a warning or minor violation, then the Court has created a system where deception is incentivised.

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The importance of this dangerous precedent must be addressed. If candidates realize they can simply accept a minor violation, future races will be flooded with hidden financial influence. This would tilt elections in favor of those with financial resources rather than those with genuine student support. Such an outcome is wholly incompatible with the principles of a free and fair election.

This Court has a responsibility to protect students under equal justice. By not acknowledging the severity of actions that mislead the beliefs of the student body during elections, the Court would be neglecting this responsibility. **While the Concurring opinion believes that they are being restrained in their decision, it is the belief of the Plurality that her interpretation of the S.G.A.C. actually exhibits immoderacy in terms of what abuse of Election Regulations the Court will permit.**

Thus, the Plurality cannot, in good conscience, assert that the violators should be issued anything less severe than a Tier 1 violation due to their distinct obstruction of the free and fair nature of voting.

The Court's right to review and overturn or uphold the Election Commission's interpretation of the S.G.A.C that is granted us in the S.G.A.C grant us the ability to order the Election Commissioner to levee this violation.

Riley Prtizlaff, Ezra Villarreal, Ahwrey Scarpinato, Analucia Vargas, Ashlyn Pool, Auva Oghatiyan, Brayden Pennington, Bria Glaser, Brooke Barber, Brooke Becker, Chidi Ukakwe, Hailey Garcia, Hayden Hawley, Humzah Ahmad, Jackson Steele, Jamie Lincoln, Jasper Shaw, Kate Wilkins, Leigha Hall, Paris Sanchez, Sydney Middleton, Vanessa Flores, Zia Barton, Grant Atkinson, Shreya Patwardan, Camila Vivanco, Adelaide Edgington, Ava Kotsen, Bri Burnside, Clay Conn, Lindsey Alvarez, Mary Claire Hughes, Trevor Von Wupperfeld, Jonah Williams, Karsen Council, Brendan Hurt, Trevor Chelser, Ananya Bhawsinka, Antonio Gordo, Caleb Wells, JoJo Owens, Khoa Ly, Reyna Romero, Varsha Veliveti, Jayme Faith Hacker,

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Chandler Vernon, Jack Yoast, Jaylen Richards, Killian Netherton, Leo Reyes, Pranay Indurti, Vicky Duno, Wesley Polkuda, Angie Hess, Cord Carter, Isabel Westlake, Lauren Maynard, Robert Hargrove, and Sydney Roberts (or the entirety of “The Goodbull Ticket”) would be assessed a Tier 1, Major Violation that would include a 15% fine to each of their budgets if this opinion was that of the majority. However, seeing as this decision is simply the Plurality, it cannot be enforced. Thus, the Election Commissioner’s decision on violation 103 is overturned but no penalty can be applied to these candidates by the Court.

It is so ordered.

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SIGNATURES OF THE JUSTICES

No. 77-03



Emma Kate Dalton, Associate Justice



Chloe Kim, Associate Justice



William Rehfeld, Associate Justice