

IN THE STUDENT SUPREME COURT)	
)	
Action No. 08 SSC 005)	
)	
Ronald F. Bilbao)	
PLAINTIFF)	
)	
versus)	[ANSWER]
)	
Ryan Morgan, Board of Elections)	
DEFENDANT)	

Answer

1 Jurisdiction

Deny the allegation.

1.1

S.G.C. VI § 403(I)[1]{c} does not refer to the rights of the disqualified candidates to appeal. Defendant believes the Plaintiff is referring to S.G.C. VI § 403(I)[2]{c}, which provides for the disqualified candidate’s right to appeal said disqualification to the Student Supreme Court.

1.2

Punitive Decision 08-BE-031 does not disqualify the Plaintiff under S.G.C. VI § 403(I)[2] but, under S.G.C. VI § 403(I)[1], Automatic Disqualification.

1.3

Automatic Disqualification does not provide for the disqualified [potential] candidate’s right to sue.

1.4

Plaintiff fails to demonstrate the jurisdiction of the Student Supreme Court over this matter.

2 Standing

Deny the allegation.

2.1

S.G.C. VI § 403(I)[1]{c} does not refer to the rights of the disqualified candidates to appeal. Defendant believes the Plaintiff is referring to S.G.C. VI § 403(I)[2]{c}, which provides for the disqualified candidate's right to appeal said disqualification to the Student Supreme Court.

2.2

Punitive Decision 08-BE-031 does not disqualify the Plaintiff under S.G.C. VI § 403(I)[2] but, under S.G.C. VI § 403(I)[1], Automatic Disqualification.

2.3

Automatic Disqualification does not provide for the disqualified [potential] candidate's right to sue.

2.4

Plaintiff fails to demonstrate the standing to bring an election action.

3 Necessary Defendants

Admit the allegation.

4 Relief

4.1

Subsections (1)-(7) refer to the procedures for Other Disqualification, S.G.C. VI § 403(I)[2] however, Punitive Decision 08-BE-031 does not disqualify the Plaintiff under S.G.C. VI § 403(I)[2] but, under S.G.C. VI § 403(I)[1], Automatic Disqualification.

4.2

Allegations brought forth by the Plaintiff do not apply to Punitive Decision 08-BE-031.

5 Demand for Judgement

5.1

The Plaintiff fails to demonstrate jurisdiction of this court over Punitive Decision 08-BE-031.

5.2

The Plaintiff fails to demonstrate standing to appeal Punitive Decision 08-BE-031.

5.3

The Plaintiff fails to demonstrate wrongdoing on the part of the Defendant in enactment of Punitive Decision 08-BE-031.

5.4

The Defendant asks Punitive Decision 08-BE-031 is upheld.

Ryan Morgan, Defendant
The Board of Elections
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Filed this the 22nd day of February, 2009, at 10:00 p.m.