

IN THE SUPREME COURT)
)
 Action No. _____)
)
 Emily Danforth)
 Graduate Student)
)
 PLAINTIFF)
)
 versus)
)
 Jasmin Jones)
 Student Body President)
)
 And Peter Gillooly)
 Chairperson of the Board of Elections)
)
 DEFENDANTS)

COMPLAINT

I. Jurisdiction

The Student Supreme Court has jurisdiction over this matter on the basis of Title III, Section 401(A) of the Student Code. This section states that the Student Supreme Court retains the authority to adjudicate controversies arising from acts of the executive branch of Student Government and the Board of Elections. The Plaintiff alleges that the Student Body President and Board of Elections have neglected their codified responsibilities to establish and hold a special election in a timely manner.

II. Standing

The Plaintiff has been a duly registered, fee-paying graduate student in the College of Arts and Sciences since August 2007. According to Title VI, Section 504(A) and Title II, Section 113(D), the Plaintiff has therefore been an eligible voter in District 8 of Student Congress since August 2007. The Plaintiff claims standing based on Title III, Sections 408(A) and 409(B).

III. Necessary Defendants

The alleged violations of law were committed by the Student Body President and the Board of Elections. According to Title III, Section 510(B)(3), the Board of Elections Chairperson is to be named the defendant in any complaint lodged against the Board.

IV. Relief

One of the five seats in District 8 of Student Congress has been vacant since the 91st Congress was inaugurated on April 7, 2009. Neither the Student Body President nor the Board of Elections have established or held a special election to fill this vacant seat.

The Plaintiff seeks relief from these violations committed by the Student Body President and Board of Elections on the following basis:

Violation of Title 1, Article 1, Section 1(E) of the Student Code. The Constitution explicitly states that any vacant seat in Student Congress shall be filled through a special election that is held within 30 days of the seat becoming vacant. For the vacant seat in District 8, this 30-day period has expired and no special election has been held.

Violation of Title IV, Section 201(J) of the Student Code. The Student Code clearly specifies that the Student Body President is responsible for setting the date of a special election to fill a vacant seat in Student Congress. With respect to the vacant seat in District 8, the Student Body President has not yet established a date for a special election to fill the seat.

Violation of Title VI, Section 302(A) of the Student Code. The Student Code also indicates that the Board of Elections is charged with administering all laws governing elections, including those pertaining to special elections. The Board of Elections has failed to ensure that the requirements for special elections outlined in Title 1, Article 1, Section 1(E) and Title IV, Section 201(J) have been properly upheld with regard to the vacant seat in District 8.

V. Demand for Judgement

The Plaintiff respectfully asks the Student Supreme Court to order the Student Body President and the Board of Elections to set and conduct a special election to fill the vacant seat in District 8 of Student Congress in a timely manner.

I do affirm that I have read in full the foregoing complaint and that the allegations contained therein are true to the best of my knowledge and belief.

Respectfully submitted,

PLAINTIFF

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Filed this the 8th day of October, 2009, at 9:30am.