

IN THE SUPREME COURT)	
)	
Action No. 08 SSC 001)	
)	
Matt Wohlford)	
PLAINTIFF)	
)	
versus)	[MOTION]
)	
Ryan Morgan, Board of Elections)	
DEFENDANT)	

1 Motion To Dismiss

1.1

Pursuant to Section 523(A), Title III, a party may file a motion to dismiss the claim based on failures of the opposing party to comply with the requirements of this Title or any Sections or provisions under its authority.

1.2

The Plaintiff alleges he has standing based on Section 409(B), Title III; which guarantees standing to any student directly and adversely affected by a regulation, ruling, or determination of the Board of Elections.

1.3

The original Complaint in part reads:

4. The Plaintiff alleges that 08-BE-010 contains multiple instances of internal inconsistency, and that the Board of Elections overstepped its authority by rendering certain interpretations of the election laws which substantively change the Student Code a power reserved to the Student Congress alone.

34. Because 08-BE-010 is internally inconsistent it cannot be strictly adhered to by candidates or campaign workers.

35. Campaigns, even when diligent, are therefore exposed to unavoidable violations of election laws. 08-BE-010 fails its stated purpose to "preempt confusion and avoid unnecessary sanctions against potential candidates of all upcoming elections of the 2008-2009 school year."

1.4

The Plaintiff does not allege any direct and adverse effects on his person and therefore does not have standing to bring action against the Board of Elections pursuant to Section 409(B), Title III.

2 Order Sought

The Defendant asks the Court to dismiss Plaintiff's claim.

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Filed this the 31st day of October, 2008, at 03:30 a.m.