

Supreme Court of Florida State

Opinion

The petition for a writ of certiorari is DENIED.

The court is allowed under its Rules of Procedure¹ to deny certiorari to an appeal of a lower bodies decision as long as it published an opinion justifying the denial. The justification for this denial follows.

Vitality appeals the decision of the Supervisor of Elections and the Elections Commission that the actions by Ignite on January 14th, 2015 and January 27th did not constitute violations of the elections code statute 715.7D. It is the opinion of the court that the outcome of the decision of both the Supervisor of Elections and the Elections Commission, who heard the specific facts on the issue in the complaint by both Vitality and Ignite, was proper and do not wish to disturb the outcome.

The Elections Commission applied an even broader definition of 715.7D (the “calling the action to vote” section) than this Court laid out in its most recent Advisory Opinion² and reached the conclusion after hearing both sides fully that the alleged violations were in fact not violations of the elections code. The Court feels that the right outcome on the matter was reached by both bodies below and therefore DENIES the petition of the writ of certiorari.

¹ RULE 5. APPELLATE JURISDICTION HEARINGS
(a) WHEN AVAILABLE

The Court can hear appeals of decisions from all lower bodies over which it has jurisdiction, pursuant to the Florida State University Constitution and Statutes. To appeal a lower bodies decision, a request for certiorari must be submitted to the Court within 24 hours. **The Court reserves the right to deny certiorari as long as an opinion justifying the court's denial is submitted.** The court has 5 days from the submission of the notice for appeal to decide if it will grant or deny certiorari. The Court has 14 days from the submission of the notice to schedule the trial

² Advisory Opinion: Spring 2015-02