

IN THE STUDENT SUPREME COURT IN
AND FOR THE FLORIDA STATE
UNIVERSITY

JOHN E. WALKER et al,

Plaintiff,

v.

THE UNITE PARTY,

Defendant,

C.J. Donnelly Delivers the Opinion of the Court.

PROCEDURAL HISTORY

The Supreme Court assumed jurisdiction over the current case from the Elections Commission.

JURISDICTION

The Court has jurisdiction over the current case under Florida State University Student Constitution Article 4 Section 3 Subsection c(2).

ISSUE

Mr. Walker, Independent Candidate for Student Body President, contests the validity of the Student Body Elections along with several other independent candidates (Plaintiffs).

Plaintiffs claim that the following alleged facts gave The Unite Party (Defendant) a significant advantage:

1. Defendant used rooms that were reserved under Student Government Association to conduct multiple days

of interviews to fill their elections slate.

2. Defendant participated in limited campaigning a few weeks prior to the election, outside the permitted campaigning times.
3. Defendant posted three signs (A-Frame campaign signs) outside of the posting area designated under Florida State's posting policies.
4. Defendant handed out flyers outside of the permitted area for handing out flyers.
5. Defendant used campaign materials without 24-hour approval.

HOLDING

The Court finds that these alleged advantages are so minor that they would have had no significant change in the election. The Elections were fair and the voters were capable of making an informed decision without being unfairly swayed.

REASONING

The Court allowed Mr. Walker to make his arguments on each of his five allegations.

To Plaintiff's first point, this Court found no electoral advantage. The meetings could just as easily could have been held at another location, such as Starbucks or someone's house without any change in efficacy. This Court finds it unlikely that even a fraction of a percent of voters knew about this issue.

This Court also finds that an advantage does not exist pertaining to the second allegation. The alleged campaigning in this situation consists of several social media posts. This Court then looks to see how significant this advantage is. Defendant posted several times with biographies of their candidates and event updates. At the time of the posts

Defendant had roughly (estimation) 500 followers on social media at the time. Many of these followers were likely already Unite Party members or strongly considering voting for the Unite Party.

Even if the Court believed that Mr. Walker or the other Candidates would have received these votes, however, that would not be enough to turn the election. Plaintiff and the other independent candidates received roughly 25% of the vote. The Unite Party Candidates received roughly 75% of the same vote in the pertinent election. The election turnout was about 4,000 voters and this Court determines that 500 votes is simply not significant enough to warrant a special election in this case. (500=12.5%).

On the third alleged significant advantage, this Court finds the idea that these signs affected the outcome of the election in any way is ridiculous. The signs were posted a few feet from where they were supposed to be and would not have been seen by any additional people had they been placed across the sidewalks (Landis Green) or 100 yards back (the sign in front of the Starbucks/Wellness Center).

On the fourth alleged significant advantage, this Court finds this to be nearly equally ridiculous. Only one Unite Party member was identified to be handing out these flyers and he was, again, a few feet from the location he was allowed to be handing out flyers. This Court received video and photo evidence of this Unite Party member handing out two or three flyers. Even if this could be considered an advantage, minuscule nature of any purported advantage cannot be overstated.

On the fifth alleged significant advantage, this Court finds that an advantage may exist.

However, the Court also finds that this advantage is, again, miniscule. The Supervisor of Elections testified that she had given permission for the Unite Party to use the materials in question. The materials would have been approved and the Unite Party received only a few hours of benefits that could not be construed to have changed the course of the Election.

Mr. Walker cited an opinion by Dr. Coburn, in which Dr. Coburn affirmed a special election after a party was disqualified and the candidate with the second amount of votes had only received 25%.

This case is easily distinguishable. In the current case, we have the complete opposite facts:

1. No party is disqualified.
2. The winner of the election won in a landslide.

The only purpose of a special election this year would be if the Unite Party had been disqualified and Mr. Walker was next in line.

The Court finds absolutely no reason to burden the University or Student Body with a special election. Further, there does not appear to be any basis in the Student Body Statutes for a special election to be called.

The contest of the election is dismissed. The Election Commission shall meet to certify the election after appeals of Mr. Walker are exhausted.