

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

JOHN E. WALKER

Case No. 2018-11

Plaintiff

v.

FLORIDA STATE UNIVERSITY  
ELECTIONS COMMISSION

Defendant

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*Per Curiam.*

**ORDER OF DENIAL FOR INJUNCTION**

**Jurisdiction**

Pursuant to Article IV, Section 3(C)(4), of the Student Body Constitution, this Court has jurisdiction to “issue writs of mandamus, prohibition, and quo warranto when a Student Body officer is named as a respondent, or such other writs necessary and proper to complete exercise of its jurisdiction.”

**Factual and Procedural Background**

On March 28, 2018 a Florida State University Student, John E. Walker, petitioned this Court for an Injunction to enjoin the inauguration of all elected officials to be inaugurated at the Spring Inauguration to be held March 28, 2018, at 6 p.m., and seemingly in the alternative, Stacey Pierre, and Brandon Brown, Student Body President- and Vice-President-Elect, respectively. Walker asserts no student shall be inaugurated whose election is being contested. *See* Section 713.2, Student Body Statutes (2018) (SBS).

**Holding**

We deny the request for injunction.

**Reasoning**

To prevail in a request for injunctive relief, a Plaintiff must plead and show: (1) substantial likelihood of irreparable harm, (2) no adequate remedy at law (i.e. monetary damages), (3) substantial likelihood of success on the merits (a.k.a., “clear right to relief”), and (4) the threat of injury without the injunction outweighs any possible harm with the injunction. Here, Walker has not challenged any specific “candidate’s” election as defined in section 713.2(A), SBS. Accordingly, there is no irreparable harm which can be suffered, since he only appeals the decisions of Dr. Hecht. Found at <http://sga.fsu.edu/Reporter/Appeals-Related-to-Spring-2018-Student-Government-Association-Election.pdf>. These appeals are principally that the Unite Party

should be levied greater fines, that the Unite Party should have been required to pay those fines before the exhaustion of their appellate rights, and that the same should have been found in violation of Expense Statement reporting, and posting time-frame requirements. Since there has been no appeal of the election of any particular “candidate,” he is not irreparably harmed by the inauguration of the candidates.

In the alternative, the occasionally used “fifth prong” of the test for injunctive relief is not met. Specifically, the public interest would be disserved by the injunction, since the voting public at Florida State University elected Pierre and Brown with a seventy-five percent consensus.

**Conclusion**

Since Walker did not appeal the election of any specific “candidate,” he is not harmed by the inauguration of any candidate duly elected by the Student Body. In the alternative, the occasionally used “fifth prong” of the test for injunctive relief is not met. Specifically, the public interest would be disserved by the injunction, since the voting public at Florida State University elected Pierre and Brown with a seventy-five percent consensus.

The Request for Injunction is hereby DENIED.

DONE AND ORDERED, this the 28<sup>th</sup> Day of March, 2018, Tallahassee, Florida.