

**TEXAS STATE UNIVERSITY**  
**STUDENT GOVERNMENT – SUPREME COURT**

*Notice of Complaint*

*(Your Name)*

*(Student Government Title, if you have one)*

Complainant

vs.

*(Name of Person You're Accusing)*

*(Their Student Government Title)*

Respondent

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**A Complaint to the Supreme Court of the Texas State University Student Government**

TO THE JUSTICES OF THE SUPREME COURT:

**STATEMENT OF COMPLAINT;** On September 8, 2014, the Student Government Senate adopted S.S.R. 2014-2015.2. After a failed motion to table and a failed motion to send to committee, there was a motion to call the question. There was a second to this motion with no objection. The Vice President then took the vote by roll-call. There were 13 "ayes," 8 "nays," and 5 "abstains." In the chamber's haste, the Vice President incorrectly determined that the piece of legislation had passed. However, with 13 ayes, and 13 combined other votes, the piece of legislation was split 13-13. The Vice President did not vote to break the tie and create a majority. I have confirmed all of these numbers with the Senate Clerk, Peyton Smith, who verified them to me to be accurate and true. Therefore, the Vice President acted unconstitutionally in determining that this piece of legislation had passed.

**PURSUANCE;** This is a complaint in which the Supreme Court has original and exclusive jurisdiction in accordance with Article V, Section 2 of the Texas State University Student Government Constitution.

**STANDING;** This complaint is filed in reference to a violation of the Student Government Constitution – Article III. Section 4, which reads in its entirety:

*“Any action by the Senate must have attained at least a majority vote of the Senate to pass. The Senate may prescribe a higher threshold as it deems necessary.”*

**CAUSE OF ACTION;** The official Student Senate voting records documents the tie vote of 13 nays and 13 ayes, as a result the constitutionally required minimum of a majority acceptance was not met. In fact, the constitution provides the Vice President the final vote in the instances of ties

**Commented [CD1]:** Answer the basic questions of Who, What, When and Where. In this section provide a paragraph explaining what you believe to be the illegal act which occurred, include specific people, dates and actions.

**Commented [CD2]:** Cite the specific section of the constitution under which you are filing this complaint.

**Commented [CD3]:** Cite which specific section of the Constitution or Code has been violated, provide specific citation and text to strengthen your complaint.

within the Senate. As a result of the Vice Presidents illegal certification of passage the Senates intent was ignored and its powers circumvented.

**REQUEST FOR RELIEF;** I beseech the Supreme Court to find that S.S.R. 2014-2015.2 is unconstitutional, unlawful, and invalid due to it not having received a majority vote by the Senate. I further implore the court to find these de jure University Committee appointments unconstitutional and that any actions by these appointees in an official capacity for a University Committee does not have the proper legal support of Student Government.

**Commented [CD4]:** Explain why this violation is bad. Answer the questions: how it has affected the organization or people? Has this affected you personally, and how? Does this damage the democratic process? Does it violate a core value of the organization?

**Commented [CD5]:** What do you want the Supreme Court to do to remedy this situation. Be specific and precise.