

# Texas State University Student Government Supreme Court

## Syllabus

Carter Lawson vs Abby Myers

Complaints No: 06-098-: 186, 195, 208, & 212

Opinion No: 25-05

Complaints received – 19<sup>th</sup>, 2025. Argued – March 20<sup>th</sup>, 2025. Opinion Issued – March 21<sup>st</sup>, 2025.

The Court received four complaints (compiled into this case) from Mr. Carter Lawson (referred to as petitioner) alleging that Abby Myers (referred to as defendant) had violated Campaigning regulations as set forth by the Student Government Election Code (referred to as S.G.E.C). The complaints alleged:

- 1- “Candidate Abby Myers was campaigning early by getting a crowd to scream ‘Abby for President’ at a TXST basketball game, and, as the most recent basketball game was on the 6<sup>th</sup> of March, this occurred before the campaign period.”
- 2- “Candidate Abby Myers campaigned early by soliciting interest and getting [an] organization to give her an endorsement for her campaign by organizing a crowd to shout ‘Abby for President’ at a TXST basketball game.”
- 3- “Candidate Abby [Myers] posted a message in the Texas State Speech and Debate GroupMe mentioning that she is a candidate and asking members to check out the Instagram page for her alliance to see if she can earn their vote. This action violates Article IV, Section 2, as detailed on pg. 51 of the SG Code of Laws 2024.”
- 4- “The Bobcats First Alliance has a direct link to vote in the election available on their Instagram page. This action violates Article IV, section 4 as detailed on page 51 of the SG Code of Laws 2024.”

The Court convened a hearing on this matter on March 20<sup>th</sup>, 2025. We analyzed the presented arguments from the petitioner and the defense, the submitted evidence, our cross examination, and the Code of Laws to make our determination on this matter.

The Court holds:

- 1- For Complaints 1 and 2, candidate Abby Myers is guilty of violating campaigning regulations as found in the Code.
- 2- Complaints 1 and 2 are compiled into 1 act of violating the regulations, not two separate counts. This single violation is classified as a Category B violation.
- 3- For Complaints 3 and 4, candidate Abby Myers is not guilty of violating campaigning regulations as found in the Code.

- 4- The Abby Myers campaign is suspended for 6 hours on Monday, the 24<sup>th</sup> of March, from 8 am to 2 pm. The candidate must not actively campaign in this time. This suspension does not apply to the Bobcats First Alliance. A list of actions allowed and not allowed under this ruling are found in Section IV-B of the opinion below.

A detailed opinion on how the court reached these determinations is found below. This is particularly important for the defendant regarding the suspension of her campaign. Since we are in an active campaigning period, the activities that must not be done are listed in the opinion.

Chief Justice Hanzala delivered the majority opinion for a unanimous court, in which Justices Nguyen and Downey joined. Justices Karki and Hernandez did not take part in this decision.

# Texas State University Student Government Supreme Court

Majority Opinion  
Carter Lawson vs Abby Myers  
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Chief Justice Muhammad Hanzala delivered the majority opinion of the Court.

On March 19<sup>th</sup>, the Court received 4 complaints from Mr. Carter Lawson alleging that Miss Abby Myers has violated the Student Government Code of Laws. These complaints were specific to the Election Code as established in the Code of Laws (pgs. 41-57, Student Government Code of Laws). The court accepted these complaints and convened a hearing on March 20<sup>th</sup>, 2025. The petitioner, Carter Lawson, represented himself and called no witnesses. The defendant, Abby Myers, did the same.

We use various provisions in the Code to write this opinion, and where things are not directly mentioned there, it is the job of the Court to interpret and decide on those provisions. This has been well established in Opinion #25-04, 25-03, and 25-01.

In addition, the court must also decide based on what it deems likely occurred (see Opinion #25-03).

## **I – Number of alleged violations.**

The first thing the court looked at is whether all 4 alleged complaints would be 4 different violations. We hold that complaints 1 and 2 are the same alleged violation. Both those allegations are derived from Miss Myers using the Hellcats to yell “Abby for President” at a basketball game. Since both the complaints are about the same event, at the same place, using the same group, the same number of students, for the same duration of time, we hold them to be a singular violation. Any alleged campaigning in this event was done to the same people.

The Code specifically allows for endorsements. See pg. 42, Article II, S.G.E.C:

*“Endorsement or Endorsing refer to any form of communication expressing support for a candidate...”*

Because the code allows for endorsement, the mere action of Hellcats endorsing Miss Myers is not against the code. Instead, it is the fact that this was done prior to the designated campaign period.

The definition of campaigning in the code is (pg. 41, Article II, S.G.E.C):

*“... statements, literature, activities, or deliberate uses or distribution of material of any kind including electronic or virtual, that have or are intended to have the effect of soliciting votes, support, or interest for a candidate, alliance, or elective office. Campaigning must only occur during the official campaign period, as defined in the code.”*

Therefore, we hold it to be a single potential violation of the code.

## **II – Finding of Guilt**

### **A**

For the first complaint (complaints 1 and 2 combined into one), we analyze whether it constitutes as campaigning or not. Since the petitioner established – and the defense conceded – that the act happened before the designated campaigning period, then it would be a violation of the Election Code if it is indeed considered campaigning.

The specific act in dispute is that candidate Abby Myers attended a basketball game and had a group of students – specifically from the organization called Hellcats – yell “Abby for President.” This was recorded electronically and posted as a part of a video showing that Hellcats had endorsed Miss Myers as a presidential candidate. The actual posting of the video occurred during the designated campaign period and is not considered a violation.

The court has been tasked with deciding whether the initial filming of the video was a campaign violation. For this, we analyze the definition of campaigning (see section I of this opinion) and assess whether the action falls under any of those actions.

When a group of students yelled “Abby for President,” the defense attempts to establish that it does not constitute as campaigning. However, the definition of campaigning includes *“statements... activities... that have or are intended to have the effect of soliciting votes, support, or interest for a candidate...”*. The court holds that doing so did solicit interest in Miss Myers as a candidate.

The defense argued that this sort of action was allowed as per our Advisory Opinion #25-01. We disagree. In that opinion, we held that before the designated campaign period has started, *“a candidate is allowed to ask a group to film a promotional video that will be posted during the campaign time”* (see section III-A of Opinion 25-01). However, in the same section, the opinion also states that the video must not be used *“to solicit votes, support, or interest”* in themselves as a candidate, before the designated period has started. Therefore, while candidates were allowed to ask a group to film a promotional video, they could not have campaigned during the filming of

this video. While we concede that a group could mean anything, the opinion clearly stated that whatever group and filming procedure that candidates used, it must not be an act of campaigning if it was filmed before the campaigning period.

We hold that is likely that when the students of that group shouted “Abby for President” to film that video, they automatically gained an interest in Abby as a presidential candidate. That constitutes as campaigning under the Code. This happened before the designated campaign period.

Therefore, we hold the defendant to be in violation of Campaigning regulations as found in the Code.

## **B**

The third complaint is regarding a message that the defendant sent in the Group Me of Texas State Speech and Debate. The defendant introduced herself as a candidate and asked the group members to follow her on Instagram. The petitioner sees it as a violation of the following section (Pg. 51, Section 2, Article IV, Chapter 101, S.G.E.C):

*“No candidate may utilize any facilities, equipment, or services which receives university funding and are not available to the general student body for use during campaigning. This includes student organization office, club resources, residence hall work rooms, administration officed and any other location that does not allow open access to all students.”*

The Texas State Speech and Debate group is partially funded by the University. However, the court does not find using a Group Me affiliated with the group to be a “*facility, equipment, or service not available to the general student body.*” We also do not consider a Group Me to be a student organization office or a club resource. This Group Me is accessible to all students, and anyone can join it by clicking on the link. This link is publicly available on Instagram of the group. It is open for anyone to join and communicate in.

Therefore, we do not consider it to be a university funded facility or service not accessible to the general student body for use during campaigning. The defendant is not guilty of a campaign violation regarding this complaint.

## **C**

The final complaint is about a link posted by the defendant’s alliance in their Instagram bio. It is a link that takes people to the voting page for the election. The petitioner alleges that it is a violation of pg. 51, section 4, Article IV, Chapter 101, S.G.E.C which states:

*“Wireless, electronic or related devices used for voting or influence of voting purposes may not be utilized.”*

The petitioner conceded that this was an ambiguous part of the code, and that he would request the court to interpret the scope of this clause while determining guilt or innocence. The defense agreed.

We interpret this clause to mean that if the university was using physical devices to conduct voting, then the candidates are forbidden to utilize those in their campaigns. This is obvious to us with the use of the word “*wireless*”. Wireless in general refers to physical devices, not digital links. If the legislature intended to include digital link as part of this clause, they would have added the word digital in it. There is also no distinction made there between wireless and electronic. It states “*Wireless, electronic....devices used for voting.*”

Therefore, we hold this clause to apply to physical devices used for voting. The university has moved all voting to a virtual and digital platform, and these are not utilized anymore. We do not consider this provision to include digital links provided on social media.

Our opinion #25-02 also ruled the act of reminding and encouraging people to vote as campaigning. Adding a link in bio would be considered as that, so it is explicitly permitted during the campaigning window.

The defendant is not guilty of violating the Code in regard to this complaint.

### **III – Classification of Offense**

Because we have held that the defense is guilty of violating Campaign regulations for the first complaint, we must now determine this offense’s classification.

Miss Myer’s action constitutes as campaigning and was done so before the designated campaign period. Pg 51, Section 2, Article IV, Chapter 101, S.G.E.C states:

*“Public, printed, electronic, verbal or any other display of campaigning shall be prohibited until two weeks prior to the last day of voting.”*

Section 6 of the same article classifies a violation of this provision to be a Class B offense. Therefore, Miss Myer’s is guilty of 1 class B offense.

### **IV – Punishment**

#### **A**

Section 10, Article VI, Chapter 101, S.G.E.C. determines punishments for more than 2 class B offenses. However, the code does not say anything about a 1 class B offense. As established in section I of this opinion, and in our previous opinion, the Court has discretion to decide on matters not specifically mentioned in the Code.

We hold 1 class B offense to have the same punishment range as those mentioned in section 9 of the same article for 3 or more class C offenses. This “*may include, suspension from campaigning up to 12 hours, removal of publicity materials completely from those areas affected by any*

*violation, the Supreme Court may choose other punishments of the same general scope as stated in this section... ”*

The court has a range of up to 12 hours of suspension for this offense. Because the offense was localized to a single event, did not include widespread campaigning, was focused only on Hellcats as a group, and the video recorded was not used to campaign until after the designated period, the Court does not deem it appropriate to suspend Miss Myers for the full 12 hours.

We have decided that a fair and appropriate punishment is a suspension of 6 hours. A regular basketball game takes about 2-3 hours. We are suspending her for 6 hours to negate any potential unfair advantage that her campaign might have gained by this early campaign event.

## **B**

The court is cognizant of the fact that Miss Myers is in an alliance. Because this offense is pertaining to specifically her as a candidate, we will not implement any punishment that may negatively affect the other candidates of the alliance, as they have not done anything wrong as far as this case is concerned.

Therefore, for the duration of 6 hours, beginning at 8 am on Monday (the 24<sup>th</sup>) and ending at 2pm on the same day:

- 1- The Myers campaign (including her agents) is banned from any physical or social media campaigning.
- 2- Any posts already posted by Miss Myers on social media may stay, but no additional posts may be made during this time.
- 3- The alliance may continue to campaign but must not promote Miss Myers for this duration. Campaigning for the rest of the members is allowed.
- 4- Any physical campaign material (e.g. yard signs, posters, etc.) that promotes Miss Myers alone must be removed for the duration of this suspension. As mentioned earlier, we must practice extreme caution to not impact the campaign of any other candidate affiliated with her as they have nothing to do with this case. Therefore, any alliance signs that include more than just Miss Myers name can stay.

***It is so ordered...***