

# **Texas State University Student Government Supreme Court**

## **Syllabus**

**Emma Stampley vs Abby Myers**

**Complaint No: 06-102-254**

**Opinion Number: 25-06**

Complaints received – March 25<sup>th</sup>, 2025. Argued – March 28<sup>th</sup>, 2025. Syllabus Issued – March 30<sup>th</sup>, 2025. Opinion Issued – April 4<sup>th</sup>, 2025.

The Court received a complaint from Emma Stampley (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- Abby Myers began campaigning before the designated campaign period. She had reached out to two organizations in mid-February to announce and inquire to share her campaign at one of their meetings.

The Court convened a hearing on this matter on March 28<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- Miss Myers is guilty of violating the campaign regulations as set forth in the Election Code.
- 2- Miss Myer's violation is classified as a Class B violation.
- 3- Post campaigning window, there is no appropriate remedy available to the Court other than disqualification. Miss Myer's will not be disqualified for this violation.

A detailed opinion on how the court reached these determinations will be issued at a later date. This is in accordance with policy changes that the Court has incorporated a timely election certification.

Chief Justice Hanzala delivered the opinion of the Court. No other Justice took part in the decision of this case.

## **Texas State University Student Government Supreme Court**

Majority Opinion  
Emma Stampley vs Abby Myers  
Complaint No: 06-102-254  
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Chief Justice Muhammad Hanzala delivered the majority opinion of the court.

The Supreme Court received a complaint from Emma Stampley that Abby Myers had violated the campaigning regulations as set by the Code. We accepted the complaint and convened a hearing on March 28<sup>th</sup>, 2025.

The complaint alleged that Miss Myers had contacted two sororities (Alpha Delta Pi and Gamma Phi Beta) before the designated campaigning window. We received emails confirming this interaction from the Vice President of Alpha Delta Pi and President of Gamma Phi Beta. The petitioner also submitted screenshots of these text messages.

According to pg 46, Article I, Chapter 101, of the Student Government Election Code:

*“If after the two days, but before the deadline to issue a Notice of Complaint, the Supreme Court cannot reach quorum, the Chair of the Supreme Court will have sole jurisdiction to hear and decide the case so long as the Student Government Staff Co-Advisor accents with the decision before the publication of the ruling.”*

In accordance with this provision, because the Court could not reach quorum, Chief Justice Muhammad Hanzala presided this case as a sole justice.

### **I – Finding of Guilt**

This was a straightforward case for the Court. The screenshots presented to the court clearly show Miss Myers campaigning to the sororities. In one of the text messages, she states, “My name is Abby Myers, I am running for Student Government President.” This message was sent on February 18<sup>th</sup>. In another message, she states, “My name is Abby Myers, I am running for Student Government Office.” This message was sent on February 21<sup>st</sup>.

In accordance with pg 41, Section 3, Article IV, Chapter 101 of the S.G.E.C., the designated campaigning period was set from 8am March 17<sup>th</sup> to 5pm March 26<sup>th</sup>. These messages were clearly sent well before that.

The messages are also considered campaigning as per the code. Pg 41, article II, of the S.G.E.C defines campaigning as:

*“Campaigning refer to statements, literature, activities, or deliberate uses or distribution of materials 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 this code.”*

These messages clearly solicited interest and support in Miss Myers as a candidate. They were also sent before the designated campaigning period. Therefore, the court finds Miss Myers guilty of violating the campaigning regulations as set forth in the code.

## **II – Classification of Offense**

Since we find the defendant guilty, we then move on to classifying the offense. The defendant is guilty of violating section 3, article IV, Chapter 101, S.G.E.C. Pursuant to pg. 51, Section 6, of the same article, it is a class B offense. This is also in accordance with the precedent set by our Opinions 25-03 and 25-05. There is no reason for us to overturn that precedent. We hereby hold Miss Myers convicted of a Class B offense.

While the petitioner argued for this to be considered two violations, our precedents in 25-03 and 25-05 lead us to reject that argument.

## **III – Punishment**

By the time this case was brought forward to the court and a hearing was conducted, the campaigning window had already ended. At this point, the only remedy available to us is disqualification. However, pg 53, Section 12, Article VI, Chapter 101, S.G.E.C. states:

*“The Supreme Court should only disqualify individual candidates when there is proof of collusion for gross violations as well as actions that prohibit equitable access or disenfranchise any student at any time and even so should disqualify candidates only in the event of multiple violations of the Election Code, primarily of Class B and A offenses.”*

The court must be very cautious before disqualifying individuals. While we do reserve the right to disqualify candidates, we must apply it only when there are egregious offenses committed that directly impact the result of the election. We must remember that we are an unelected branch of Student Government and should practice extreme caution before taking away the votes of the student body and disqualifying candidates.

While we understand that holding someone guilty and not punishing them can seem puzzling, it is not the job of the court to legislate from the bench. The legislature must codify tools and punishments other than disqualification for offenses decided after the campaigning period. Until then, the only remedy we have at this point is disqualification.

This offense, while the petitioner advocated for it to be, is nowhere near being egregious enough to warrant disqualification. Therefore, Miss Myers will not be disqualified from this election.

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