

**Texas State University
Student Government
Supreme Court**

Syllabus

Aidan Moorman vs Carolena Estrada and Abby Myers
Opinion Number: #25-07

Complaint received – March 26th. Argued – March 30th, 2025. Syllabus Issued – March 30th, 2025. Opinion Issued – April 4th, 2025

The Court received a complaint from Mr. Aidan Moorman (referred to as petitioner) alleging that Ms. Carolena Estrada (referred to as defendant) had violated Campaigning regulations as set forth by the Student Government Election Code (referred to as S.G.E.C) and the memorandum issued by the Court on March 26th, 2025. The complaint alleged:

- 1- “Carolena Estrada (a registered campaign agent for the Abby Myers campaign) reposted an Instagram post from the Bobcat First Alliance page. This post was about her work as an agent for the campaign. This was allegedly reposted on Miss Estrada’s story after the campaign period had ended.”

The Court convened a hearing on this matter on March 30th, 2025. We analyzed the presented arguments from the petitioner and the defense, the submitted evidence, our own fact findings, and the Code of Laws to make our determination on this matter.

The Court holds:

- 1- Ms. Carolena Estrada and Ms. Abby Myers are guilty of violating the Student Government Election Code, but not the memorandum issued by the Court on March 26th, 2025.
- 2- This violation is classified as a Category C violation.
- 3- Post campaigning window, there is no appropriate remedy available to the Court other than disqualification. Ms. Abby Myers 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 for a timely election certification.

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

**Texas State University
Student Government
Supreme Court**

Majority Opinion
Aidan Moorman vs Carolena Estrada and Abby Myers
Opinion No: 25-07

Justice Vincent Nguyen delivered the majority opinion of the Court.

On March 26th, the Court received a complaint from Mr. Aidan Moorman alleging that Ms. Carolena Estrada has violated the Student Government Code of Laws. This complaint was specific to the Election Code as established in the Code of Laws (pgs. 41-57, Student Government Code of Laws). The Court accepted this complaint and convened a hearing on March 30th, 2025. The petitioner, Mr. Aidan Moorman, represented himself and called no witnesses. The defendant, Ms. Carolena Estrada, was not present at the hearing and elected Mr. Kaden Farrington to represent her. Mr. Kaden Farrington called upon Ms. Abby Myers as a witness.

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 on prior Opinions.

In addition to the evidence the petitioner submitted with their complaint, the Court requested supplementary evidence during the hearing. As dictated by the S.G.E.C, the Court retains the power to request additional evidence and conduct our own fact findings during the hearing.

See pg. 48, Article I, Chapter 101, S.G.E.C.:

“The Supreme Court may compel any candidate, worker, agent, or member of the Student Government to appear before the Board and/or to provide documentation as necessary for each case...”

Our opinion is indicative of what we consider most likely have occurred, that actions by Ms. Carolena Estrada most likely solicited interest and support of Abby Myers as a candidate which constituted as campaigning activity after the campaign period.

I – Finding of Guilt

A

The Court must first determine if the reposted material by the defendant did in fact occur after the campaign period and/or during the voting period. At the request of the Court, the petitioner submitted evidence of a screenshot of the time receipt for when the repost was made. The time receipt showed the screenshot was on March 26th at 7:53 pm and exactly 17 seconds after the repost was made.

The petitioner alleged that the repost was made 2 hours and 53 minutes after the end of the campaign period. He argued that this action by the defendant is in violation of both the Code and the issued memorandum on March 26th at 2:29 pm. The petitioner calls for three Class A violations as the memorandum described the punishment for campaigning during the voting period.

Mr. Kaden Farrington, representing the defendant, informed the Court that the defendant was instructed by Ms. Abby Myers to immediately remove the repost. Mr. Kaden Farrington then called Ms. Abby Myers as a witness. Ms. Abby Myers acknowledged her role as a candidate and her responsibilities to oversee the actions of her campaign agents. She also stated that she understands that the actions of her campaign agents are extension of her own. She provided evidence to the Court of direct messages with Ms. Carolena Estrada informing her to remove the repost with a time stamp of 7:53 pm. Ms. Carolena Estrada apologized for reposting and stated that the repost “was up for less than a minute.” Mr. Kaden Farrington argued that since the repost was immediately removed, it is not a violation of campaigning during the voting period.

Mr. Kaden Farrington continued his argument with reference to pg. 49, Section 1, Article II, S.G.E.C.:

“Filing for the Spring General Election shall begin on the first-class day of the spring semester and end on the last-class day of February at 5:00 p.m.

Campaigning for the Spring General Election shall begin the first Monday following the end of Spring Break and end the Wednesday of the following week.”

He acknowledges in his argument that the Court has issued a memorandum specifying that the campaign period ends March 26th, 2025, at 5:00pm. However, Mr. Kaden Farrington argued that due to the choice of specificity of time and/or date in the Code can lead to confusion, and is therefore a mitigating factor in the case, and that the complaint should be dismissed entirely. Additionally, he addressed that the defendant did not have access to her phone to be notified of the memorandum when it was issued earlier that day.

Chief Justice Muhammad Hanzala, asked Mr. Kaden Farrington to refer to the Code as follows:

See pg. 44, Article IV – General Regulations, S.G.E.C.:

“UNSPECIFIED SITUATIONS. The Supreme Court has the power to regulate, administer, and take other actions that are expressly authorized or implied in this Title to provide direction and oversight of election-related issues that are not directly codified in herein...”

Chief Justice Hanzala questioned Mr. Kaden Farrington about his interpretation of this section in reference to the Court’s jurisdiction to provide clarity to sections of the Code. As well as the acknowledgment form that each candidate was required to sign during the Rules Reading Seminar.

Mr. Kaden Farrington argued that by setting a time limit of 5:00 pm, either at the Rules Reading Seminar or by the issued memorandum, the Court made an overreach of power when interpreting the referenced section of the Code. He states that all decisions of the Court are bound by the Code, so when the Code does not specify the time, such as 5:00 pm, it is otherwise to be assumed that the deadline is 11:59 pm for the given day.

To address this portion of the complaint, the Court must elaborate upon how the candidates have been informed of the timelines and deadlines of the election. The Court issued a timeline for both the campaigning period and voting period established by the Election Operating Memorandum of Prospective Candidates – effective January 15th, 2025. All candidates were required to attend a minimum of one of the three available Rules Reading Seminars, that overviewed both the Code and Operating Memorandum, prior to the campaigning period. At said seminars, the Court addressed sections of the Constitution and the Code of Laws that provides jurisdiction over the election. At the end of the seminar, candidates were required to sign and submit an acknowledgement form that they understood the Election Code to its entirety and would be cognizant of all Supreme Court Opinions. Additionally, a memorandum, on March 26th at 2:29 pm, was sent to all candidates. The memorandum was an email reminder that the campaigning period will end at 5:00 pm that day, therefore all campaigning activity must cease at 5:00 pm that day. The timelines provided for the candidates at both the Rules Reading Seminar and in the memorandum are as follows:

Campaigning Period Timeline:

- Start: 08:00 am, March 17, 2025
- End: 05:00 pm, March 26, 2025

Voting Period Timeline:

- Start: 08:00 am, March 27, 2025
- End: 08:00 pm, March 28, 2025

The Court understands that the Code requires further elaboration. As specified in the Code (pg. 44, Article IV – General Regulations, S.G.E.C), we retain the power to provide detailed Opinions on sections that may be unclear. We have provided the means to request detailed Opinions to candidates, student government officials, and students alike for unclear situations as such. All rules dictated by the Code, and our Opinions are expected to be understood and adhered to. The acknowledgement form that all candidates were required to sign included the following provision:

“I acknowledge the following provision:

Article IV, Section 7 of the SGE: “Ignorance of the Election Code will not be an acceptable defense in response to any offense committed in any election under this code; either by the candidates themselves, their agents or workers, or the election regulatory bodies, as defined by this code.”

The Court does not find ignorance of the Code nor of our Opinions a reason to not adhere to the rules sanctioned upon the candidates and their agents. It is an expectation that the candidates will inform their agents to follow the Code and our Opinions. The agents are extensions of the candidates they represent. The Court refers to the following section of the Code detailing the regulations regarding campaign agents as follows:

See pg. 44, Article IV – General Regulations, S.G.E.C.:

“CANDIDATE REFERENCES INCLUDE ALL CAMPAIGN AGENTS AND WORKERS. References to candidates will be construed to apply to their agents and workers as well...”

See pg. 45, Article IV – General Regulations, S.G.E.C.:

“RESPONSIBILITIES. Candidates, agents, or workers for any campaign will be responsible for the regulations relevant to their election, as defined by this election code.”

The Court holds Ms. Carolena Estrada and Ms. Abby Myers guilty of campaigning past the campaign period and in violation of the Code. Since the repost was removed prior to the beginning of the voting period, we hold Ms. Carolena Estrada and Ms. Abby Myers not guilty of campaigning during the voting period. Therefore, we do not find Ms. Carolena Estrada and Ms. Abby Myers in violation of the memorandum to constitute a violation of three Class A's.

B

The Court must determine if the reposted material by the defendant was in fact campaign material and/or campaigning. The petitioner submitted evidence, prior to the hearing, of a screenshot of the repost made on the Instagram story of Ms. Carolena Estrada. The repost, described as follows, was of a picture of Ms. Carolena Estrada and the appreciation for her work as a campaign agent for the Presidential candidate, Ms. Abby Myers. The repost included a direct link to the Bobcats First Alliance page in addition to “Myers Markovic” signage tagged on the picture.

The petitioner alleged that due to the link to the Bobcats First Alliance page and the “Myers Markovic” signage, this constitutes as campaign material and campaigning. Additionally, as a campaign agent, the actions of Ms. Carolena Estrada are thereby an extension of the candidate, Ms. Abby Myers.

Mr. Kaden Farrington, representing the defendant, argued that although the repost included access to the alliance page, and had “Myers Markovic” signage, the intent of the repost was a means to exemplify her work as a campaign agent – not to solicit interest in any campaign. As aforementioned, Mr. Kaden Farrington informed the Court that the defendant was instructed by Ms. Abby Myers to immediately remove the repost. Mr. Kaden Farrington then called Ms. Abby Myers as a witness. Ms. Abby Myers acknowledged her role as a candidate and her responsibilities to oversee the actions of her campaign agents. She also stated that she understands that the actions of her campaign agents are extension of her own. She provided evidence to the Court of direct messages with Ms. Carolena Estrada informing her to remove the repost with a time stamp of 7:53 pm. Ms. Carolena Estrada apologized for reposting and stated that the repost “was up for less than a minute.”

To determine the nature of the repost, the Court referred to the definition of “campaigning” and “campaign materials” as provided in the Code as follows:

See pg. 41, Article II – Definitions, S.G.E.C.:

“CAMPAIGN” and “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.”

See pg. 42, Article II – Definitions, S.G.E.C.:

“CAMPAIGN MATERIALS” refers to all materials and literature of any kind, including electronic or virtual, concerning any candidate that has or is intended to have the effect of soliciting votes, support, or interest for a candidate or elective office.”

As aforementioned, the Court referred to the following section of the Code detailing the regulations regarding campaign agents as follows:

See pg. 44, Article IV – General Regulations, S.G.E.C.:

“CANDIDATE REFERENCES INCLUDE ALL CAMPAIGN AGENTS AND WORKERS. References to candidates will be construed to apply to their agents and workers as well...”

See pg. 45, Article IV – General Regulations, S.G.E.C.:

“RESPONSIBILITIES. Candidates, agents, or workers for any campaign will be responsible for the regulations relevant to their election, as defined by this election code.”

Although the repost was not intended to solicit interest for a candidate or alliance, the Court finds that due to the link to the Bobcats First Alliance page and the “Myers Markovic” signage, the repost made by Ms. Carolena Estrada still has the effect of soliciting interest for a candidate. Ms. Carolena Estrada is also a registered campaign agent of Ms. Abby Myers. Therefore, the repost is indeed campaign material and campaigning on behalf of the candidate, Ms. Abby Myers.

The Court holds a unanimous opinion that Ms. Carolena Estrada and Ms. Abby Myers are guilty of violating the Code for campaigning via campaign material after the campaign period deadline.

II – Classification of Offense

The Court finds this violation as a Class C offense and will address the several mitigating factors that have led to this decision. Our decisions are determined by the likelihood of what may have occurred.

See pg. 48, Section h, Decisions, Article I, Chapter 101, S.G.E.C.:

“Decisions will be made based on a preponderance of the evidence. A preponderance of the evidence decision is based on what is most likely to have occurred and the greater weight of evidence submitted”

By evidence and witness testimony, the Court emphasizes the duration that the repost remained on Ms. Carolena Estrada’s Instagram story. We recognize the immediate action taken by Ms. Abby Myers to rectify the violation. Within one minute of the repost, she took action to have the repost removed. The Court finds that the interest elicited from the repost is extremely limited. However, even if a minimum of one student was capable of viewing this repost before it was removed, the repost still elicited interest in the defendants’ campaign.

Due to these mitigating factors, we do not constitute the violation to be greater than a Class C offense.

III – Punishment

The Court recognizes that Ms. Carolena Estrada as a registered agent, and therefore an extension of Ms. Abby Myers’ campaign. Due to this, the Class C offense is against Ms. Abby Myers.

The complaint was filed after the campaigning window, and there is no appropriate remedy available to the Court other than disqualification. Ms. Abby Myers will not be disqualified for this violation and has been issued a warning. We do not find Class C offenses grounds to disqualify any candidate.

It is so ordered...