

Texas State University Student Government Supreme Court

Dakota Autrey vs Jordan Williams & Abby Myers
Complaint No: 06-103-792
Opinion No: 25-12
Dismissal of complaint

Complaint received – March 26th, 2025.

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

We received a complaint from petitioner Dakota Autrey that defendant Jordan Williams and Abby Myers had slandered him and violated the ethical standards set by the Student Government Code of Laws.

Pg 57. Section III, Article I, S.G. Code of Ethics, S.G. Code of Laws states:

“All members of Student Government are bound to this document to act ethically and nondiscriminatory to any person(s) on or off campus and not engage in any form of libel or slander based on race, sex, economic class, social standing, sexuality, or private affiliation upon their confirmation as a member.”

The petitioner submitted a lengthy brief on the alleged violations of this ethical code. In our previous opinion (see opinion 25-11, Anonymous vs Jordan Hunter) we have established that, for us to take up a case as a potential violation of the Code of Ethics, *“a petitioner must submit evidence that the statements made by a defendant violate one of these provisions.”* We hold the same standard for this case.

For the court to conduct a hearing on any matter of slander, the nature of the statements must be based on *“race, sex, economic class, social standing, sexuality, or private affiliation.”* As explained in opinion 25-11, we *“cannot exercise broad discretion on determining the fine line between free speech and slander”* and that if *“the legislature intends us to do the opposite, then that must be passed as a law by the legislature.”*

We will reiterate the same precedent here in this opinion. We can only make a determination on slander if, and only if, the slander may be based on one of the categories mentioned above.

This case stems from an incident that occurred prior to the statements made by the defendants. That background is necessary in context of this case. However, we reiterate that we do not form

any opinion on this incident, and this incident did not have any effect on our decision for this complaint.

For this election, the defendant was part of the bobcat first alliance, which also had Abby Myers and Nikola Markovic as its presidential and vice-presidential ticket respectively. Student Government held a debate between the Presidential and Vice-Presidential candidates on Monday, March 24th, 2025. A few hours before the debate, a picture of the petitioner surfaced online. In that picture, the petitioner was dressed up as a law enforcement officer and had a sign that had “ICE” written on it. This generated online backlash, upon which, the Bobcat First alliance dropped the petitioner from its alliance and issued a statement. The petitioner has submitted this statement as evidence of the alleged slander.

The statement, amongst other things, mentioned the petitioner by name. The alliance said that “we are aware of the photo featuring [their] former Senatorial candidate, Dakota Autrey [the petitioner], which has been circulating on social media. After careful consideration, we have decided to no longer align ourselves with [the petitioner]. The values expressed in that video are not reflective of the principles we stand for, nor the values we seek to champion..... we hope our decision to part ways with [the petitioner] is a clear reflection of our commitment to rejecting hateful, ignorant, or divisive rhetoric.”

The other piece of evidence we received is a post made on reddit by Nikola Markovic. Similarly, Mr. Markovic’s statement was critical of the petitioner’s actions. Mr. Markovic found “[the petitioner’s] actions incredibly distasteful and disrespectful to members of our community... the hate inducing post and its lack of empathy does not in any way reflect [Mr. Markovic’s] push for the recognition and representation of diverse voices in our community.”

In response to all of this, there was a lot of online discourse over this matter. However, the petitioner has only submitted the statements above as evidence. In the statement of complaint, petitioner alleges “false statements, slander, and defamation of [his] name.” He also mentioned the statements made at the debate and in public, such as “don’t vote for a racist, vote for Jordan.”

While we do understand the backlash that this may have caused for the petitioner, none of the statements have implied slander based on “*race, sex, economic class, social standing, sexuality, or private affiliation.*” Just as the petitioner is within his right to post whatever he wants on social media – if it doesn’t violate one of those categories – the defendants are within their right to critique as they see fit – if it doesn’t violate one of these categories. The court does not have the power to deem free speech outside of those categories as slander (see opinion 25-11). There seems to be no indication that any statement presented to us violates any such category.

We reiterate that this does not mean we find the statements made against Mr. Autrey acceptable, specially if, as the petitioner alleges, they may have caused “an immense amount of unjust backlash, hate, and threats.” Unfortunately, the court is powerless in making a ruling on these statements unless they violate one of the categories mentioned in the code (see Opinion 25-11).

The petitioner is more than welcome to seek remedies outside the court. But we cannot accept this case before us. As established in our opinion 25-11, cases that do not imply a violation of one of those categories are outside the jurisdiction of the court. As we expressed in that opinion:

“The 5 members of the court cannot exercise broad discretion on determining the fine line between free speech and slander. In fact, people who have received extensive training in this matter may be the only ones able to do so. Therefore, the court should not take up matters requiring that determination unless they are explicitly based on the categories set out in the code of laws. If the legislature intends us to do the opposite, then that must be passed as a law by the legislature. We will not intervene to make that determination unless the people – through legislation passed by their elected representatives – want us to tread this fine line.”

For us to take up this case, we needed evidence that this violated one of the categories mentioned in the code of ethics. Since it didn't, it is outside our jurisdiction to decide on this matter.

Pg 46, Dismissal of Complaints, Article I, Chapter 101, of the S.G.E.C. states:

“The Supreme Court may only dismiss a complaint if:

(a) The complaint violates the statute of limitations.

(b) The complaint fails to state a cause of action for which relief may be granted.

(c) The complaint is deemed as being outside the board's jurisdiction.

(d) The complaint is clearly not a violation of the Election Code, because the action is expressly permitted by the S.G.C. or previous Court rulings.”

Making determination on speech outside those categories explicitly mentioned in the Code of Ethics is outside our jurisdiction. Pursuant to section (c), the complaint is dismissed.

It is so ordered...