ASUCI Judicial Board

Catherine Kloesel,

v.

Anteaters for Anteaters.

Ruling

Dated: April 23, 2020

Abundis, C.J., delivered the opinion of the Board, in which Gandall K., Gerald Q., Naqvi K. and Bunda J. joined. Anayat T., took no part in the consideration or decision of the case.

Chief Justice Abundis delivered the unanimous opinion of the Judicial Board,

The petitioner's elections complaint alleges that the slate Anteaters for Anteaters began campaigning prior to the declaration of a slate. The petitioners argue that such campaigning violated the rules established in a previous version of the ASUCI Elections Code. The Judicial Board holds that the referenced code is no longer in effect and no other code is in effect that provides a timeline for campaigning and so no punitive measures shall be taken against Candidate Knight.

I.

As stipulated in other election complaint rulings emerging from the current elections season, the Judicial Board finds that there are no Election Codes currently binding the ASUCI elections.[1]

Given that there are no elections codes in effect other that RONR, then it is only upon prohibited behavior banned or regulated in RONR that could result in punitive action to be taken for the behavior alleged by the petitioners. The Judicial Board determines that there is no timeline designated for campaigning, and so the actions of the slate Anteaters for Anteaters are not found punishable by the Judicial Board.

II.

As described in *Dang v. Mendez,* in cases such as these, where legal confusion due to the fault of the ASUCI government has misled students, students may not be punishable. As such, because it was ASUCI's fault in the lack of clarity of which Election Code was being enforced, the slate Anteaters for Anteaters is not subject to punishment.

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The Judicial Board rules as follows, upon the recommendation of the Elections Commissioner:

Anteaters for Anteaters, the subject of the submitted Elections Complaint is not to be punished for campaigning prior to their declaration of a slate.

It is so ordered.

[1] See *Dang v. Mendez*.

Michelle Abundis
Chief Justice

Quincy Gerald
Vice Chief Justice

Kulsoom Naqvi
Associate Justice

Kimo Gandall
Associate Justice

Jeremy Bunda
Associate Justice