

IN THE STUDENT JUDICIARY
FOR THE UNIVERSITY OF ALABAMA

No. 23-001

XZARRIA PETERSON;

CANDIDATE, STUDENT GOVERNMENT ASSOCIATION:

Appellant,

versus

ANSLEY STAMPER;

CHAIRPERSON, ELECTIONS BOARD; ELECTIONS BOARD et al;

Appellee,

Election Appeal for Judicial Review

OPINION

CHIEF JUSTICE ELECT MORTHLAND delivered the Opinion of the Court, which was joined in full by the Panel of Justices present on the case.

I

Let it be known that the Judicial process regarding Elections Appeals differs slightly from those cases seen on a regular basis by the Court regarding other matters. In standard Judicial Appeals, the Court would hear a case between a Complainant and a Defendant. However, Elections Appeals differ slightly in that the Court serves as an appellate body to hear matters that have previously been adjudicated by the Elections Board. The Court's review of information pertaining to No. 23-001 was result of a previously rendered decision of the Elections Board that the Appellant viewed as unfavorable—thereby appealing the matter to the Judiciary.

II

The Elections Board, in such ruling, awarded the Appellant eighteen points for two major election code violations concerning:

- 1) Elections Fraud and
- 2) Campaign Ethics.

These points were awarded for ‘fraudulent and unethical’ actions in the Appellant’s campaign GroupMe, ‘Progress with Peterson,’ where ‘messages sent by candidate Peterson encourage[d] manipulation and actions contradictory to the Capstone Creed and Student Elections Manual.’ With eighteen points against the campaign, the Appellant was disqualified from the Spring 2023 General Election.

In their case, the Appellee cites Campaign Ethics Violation XIX.D.1 concerning Elections Fraud and clarifies that the addition of the Campaign Ethics Violation XIX.D.2 concerning Campaign Ethics was a technical error. Nonetheless, they maintain that the Elections Board reserves the right to consider any major violation of the Election Code for disqualification of a campaign.

Stipulated facts from the Appellant argue both an undue process of being found in violation for XIX.D.2 concerning Campaign Ethics when the original campaign report only referenced XIX.D.1 concerning Elections Fraud and an insufficiency of evidence for qualifying ‘intentional interference with the direct outcome of the election.’

The Appellant claims that messages sent in their campaign GroupMe were not, in nature, regarding ‘the coercion [of] votes before, during and after the election as well as the act of directly and deliberately tampering with/interfering with the elections/voting process,’ as outlined in section XIII of the Elections Manual: ELECTION FRAUD.

III

After reviewing the submitted arguments of the case, the Court found that the Appellant was not in violation of Campaign Ethics Violation XIX.D.1 concerning Elections Fraud, as the reported messages did not mention nor concern, in spirit, voting matters. However, the Court also found that the Appellant could be considered in violation of Campaign Ethics Violation XIX.D.2 concerning Campaign Ethics, as the reported messages are not ethically appropriate nor in accordance with the Code of Student Conduct, outlined in section XII of the Elections Manual: CAMPAIGN ETHICS.

It is the advice of the Court that Appeal No. 23-001 therefore be sent back to the Elections Board for reconsideration of the facts, particularly concerning citations of the case violations.

ORDERS

IT IS HEREBY ORDERED: That the Elections Board reconsider the facts and cited violations of Appeal No. 23-001.

It is so ordered,



Abilene Morthland,

Chief Justice Elect, Student Government Association