



Associated Student Government Judiciary
General Complaint-1 Concurring Opinion

February 17th, 2020

Associate Justice Brandon Turner authoring for a concurrence in-part and a dissent in-part to where the Majority rules (7-0).

I. Introduction

Reference Section I of the ASGJ GC-1 Majority Opinion authored by Associate Justice Michael Spendio.

II. Facts of the Case

Reference Section II of the ASGJ GC-1 Majority Opinion authored by Associate Justice Michael Spendio.

III. Discussion

Reference Section III of the ASGJ GC-1 Majority Opinion authored by Associate Justice Michael Spendio.

IV. Conclusion

Following the conclusion of the ASGJ's discussion on General Complaint-1, filed by Daniel Webster against Senator Levi Brown for the allegations outlined in *Section II* of the Majority Opinion, I have come to a secondary yet similar conclusion to my judicial colleagues. As referenced in *Section IV & V* of the Majority Opinion, the ASGJ ruled that Senator Levi Brown did not commit violation of the entitled statutes listed in the filed complaint and response brief. Furthermore, the ASGJ ruled that this judicial body does not have the standing to hear/deliberate/rule on the Petitioner's 1 complaint, on the basis that the Internal Senate Election for the Chair of Senate does not fall under the category of "any ASG election" as outlined in the ASG Code.

As outlined in *Section III* of the Majority Opinion, it was discussed by my colleagues on the bench that they hold a belief that a violation did, in fact, occur, but that in the absence of ASGJ jurisdiction over this complaint, the bench could not interfere with interactions revolving around the aforementioned in-house election. It is the belief of this concurrence and dissent, with the evidence submitted with the complaint, as well as the response brief, that in no way, shape, or form was it clear to me that a violation occurred, even assuming that the ASGJ has jurisdiction over the complaint. It is in my view that a response to a question, accompanied by a hypothetical nature, not including language similar to the 'Eight Magic Words' as outlined in *Buckley v. Valeo* (424 U.S. 1), does not constitute the act of campaigning, an attempt to influence a voter's judgment, or entice votes. As is such, no violation occurred on any grounds.

V. Decision

Reference Section V of the ASGJ GC-1 Majority Opinion authored by Associate Justice Michael Spendio.

THESE ARE THE GROUNDS UPON WHICH I JOIN THE JUDGMENT OF THE COURT

Authored by Associate Justice Brandon Turner _____