**TEMPLATE 2**

IN THE

**Baylor University Student Court**

ELIZABETH DOE,

*Petitioner*

*v.*

BAYLOR UNIVERSITY ELECTORAL COMMISSION,

*Respondent*

**On Petition for Writ of Certiorari**

**to the**

**Baylor University Electoral Commission**

**RESPONSE TO PETITION FOR REVIEW**

Joseph Leland 555-455-2032

 *Electoral Commissioner*

Jack Dawson 555-773-3347

 *Advocate for Respondent*

TEMPLATE 2

**TABLE OF CONTENTS**

RESPONSE TO:

**TABLE OF AUTHORITIES……………………………………………………(PAGE #)**

**QUESTIONS PRESENTED……………………………………………………(PAGE #)**

**RELEVANT FACTS……………………………………………………………...(PAGE #)**

**PRIOR DECISION……………………………………………………………….(PAGE #)**

**RELIEF SOUGHT………………………………………………………………..(PAGE #)**

**ARGUMENT FOR REVIEW…………………………………………………...(PAGE #)**

TEMPLATE 2

**RESPONSE TO TABLE OF AUTHORITIES**

***COURT PRECEDENT***

*SMITH v ELECTORAL COMMISSION (2001)*

The Respondent accepts the Petitioner’s application of this case.

*GELLER v ELECTORAL COMMISSION (2013)*

The Respondent challenges the Petitioner’s application of this case. The Student Elections in this case have been postponed pending the decision of the Court. While the interpretation of the Petitioner is correct, the case is not applicable.

(addition) *TESS v JACOBS (2016)*

The Court established that the Electoral Code in place at the time the Election process begins is authoritative in hearing, even if the Code has since changed.

***BAYLOR UNIVERSITY*** ***STUDENT BODY CONSTITUTION***

The Respondent acknowledges the referenced clauses of the Constitution and adds none.

***BAYLOR UNIVERSITY ELECTORAL CODE***

The Respondent acknowledges the referenced clauses of the Code and adds none.

TEMPLATE 2

**RESPONSE TO QUESTIONS PRESENTED**

*I.*

 *The Respondent denies any error in refusing to accept the Petitioner’s Candidate Form.*

*II.*

 *The Respondent asserts that a “commonly known” nickname is one which is reasonably inferred from the full name; such as “Drew” from “Andrew”.*

TEMPLATE 2

**RESPONSE TO RELEVANT FACTS**

*The Respondent accepts the summary of relevant facts as presented by the Petitioner, and adds:* The nickname of “Lisa” was not recognized as a nickname for “Elizabeth” by a majority of Electoral Commission. The majority of the Electoral Commission knew Elizabeth Doe prior to the submission of her Candidacy Form and were not aware that she was called “Lisa”

TEMPLATE 2

**RESPONSE TO PRIOR DECISION**

 The Respondent recognizes the prior decision as illustrated by the Petitioner.

TEMPLATE 2

**RESPONSE TO RELIEF SOUGHT**

*In the event that the Court overturns the prior decision, the Respondent finds the relief sought by the Petitioner:* impractical. There are several stages of Candidacy that Ms. Doe has already missed since her application was not accepted. While it would be possible to reinstate these stages, it would be extremely cumbersome to both the Electoral Commission and the candidates.

TEMPLATE 2

**RESPONSE TO ARGUMENTS FOR REVIEW**

 The Respondent does not challenge the fact that the Court can review this matter.

 The Respondent challenges the assertion that the Court should review this matter. The Electoral Code and the Constitution both give the Electoral Commission the authority to interpret the Electoral Code; the Court therefore should deny review, and in so doing affirm the interpretation of the Commission in this matter.

*Respectfully Submitted,*

Joseph Leland 555-455-2032

 *Electoral Commissioner*

Jack Dawson 555-773-3347

 *Advocate for Respondent*