

No. _____

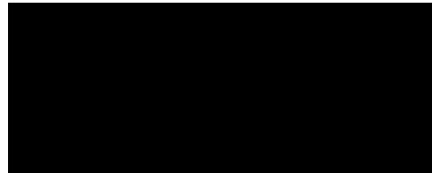
In The
Judicial Board

of the
Undergraduate Students Association
of
UCLA

Rafael Sands
v.
Election Board

P E T I T I O N F O R C O N S I D E R A T I O N

Petitioner Name: Rafael
Sands



Date May 16, 2018

Respondent Name:
Election Board
Address: 519 Kerckhoff Hall

Phone: n/a
Email: info@usacelectionboard.com

Signatures (official use only):

Chief Justice

Clerk

PART I: JURISDICTION

Specify under which articles of the USA Constitution this Petition for Hearing is filed

Article VI., Section B., Clause 3:

The Judicial Board shall serve as the board of appeals to decisions of The Elections Board.

PART II: VIOLATIONS

Enumeration of Violations

Petitioner's account of the violation(s)

On May 10, 2018, the Judicial Board issued an official order in response to the case *Ramneek Hazrah et al. v. USAC Election Board*. In that order, the Judicial Board asked that the USAC Election Board “further investigate claims of Election Code violations as detailed in #C61, C62, C64, and C66-S2018 **ONLY IF** evidence provided at the hearing or any new information Election Board received by 11:59PM on May 11, 2018 is relevant to the allegations in those complaints.”

In its response to this order, the Election Board reopened an investigation on case #C59-S2018. On May 15th, the Election Board released an updated Notice of Finding for case C-59 stating:

“Upon reopening of Notice of Finding Case No. #59, there was no new evidence submitted that addressed the events witnessed by the filer. Based on this, the only basis of a reinvestigation of this sanction was the reconsideration of the filer’s testimony.”

The Election Board then proceeded to issue a new finding on case #C59-S2018 that USAC candidates Bella Martin and Victoria Solkovits “engaged in voter coercion,” based on a new definition of voter coercion that it self-defined during its reinvestigation.

The Election Board violated the USAC Judicial Board order in several ways.

Firstly, the Election Board did not have the authority to reinvestigate case #C59-2018 given that

it did not receive any new evidence relevant to this case.

Secondly, the reinterpretation of testimony provided by the candidate Bella Martin does not constitute new evidence to this case.

Furthermore, the Election Board's decision to re-define for its own purposes the definition of the word "coercion" as it applies to case #C59-2018 does not constitute new evidence and is not a valid basis of reinvestigation.

PART III: RAMIFICATIONS

Alleged effects of the violation(s)

The USAC Election Board's decision to produce a new outcome for case #C59-2018 prevented the USA Council from installing new members of the Council on Tuesday, May 14th.

The Election Board did not have the authority to reinvestigate case #C59-2018 and therefore did not have the authority to issue a new finding in that case.

PART IV: REMEDY SOUGHT

The Election Board must withdraw its second finding in case #C59-2018. The only finding of violation of the USAC Election Code that may be permitted, given that no new evidence was submitted or used as required by the USAC Judicial Board, was the original finding of invasion of privacy.

PART V: INFORMATION

Petitioner: Rafael Sands

SID: [REDACTED]

Counsel: Nicolette Shamsian

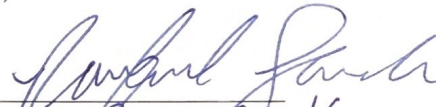
SID: [REDACTED]

PART VI: STATEMENT OF AUTHENTICITY

By signing below, I hereby attest that the above information is true to the best of my knowledge. Furthermore, I have read and understand the Judicial Board Procedure (Rules).


Respectfully submitted,

DATED: 5/16/18


Name Rafael Sands
Petitioner

DATED:

5/16/18


Name Nicolette Shamsian
Counsel for
Petitioner