

Memo

University of Nevada, Reno
E-Mail: chiefjustice@asun.unr.edu

To: Attorney General Merrill
From: Judicial Council
Date: 4/17/12
Re: Appeal Elections Violations

Mr. Link has filed an appeal to the charge filed against him on March 28, 2012. The original charge notified the Council that Mr. Link had signs posted around the Davidson Math and Science Building after the Mandatory Clean-up day; the Council charged him with a twenty-five dollar for failure to clean up this last sign. After notifying Mr. Link of the ordered fine, he proceeded to appeal this charge against him on April 13, 2012. In his appeal, Mr. Link provided evidence documenting that one of his signs had been moved during the campaign without his knowledge and that he tried to contact the elections commission with instructions on how to proceed. In the evidence provided there was no communication back from the elections commission to Mr. Link.

The Judicial Council believes that this proactive stance that Mr. Link took in regards to locating his campaign material prior to the Clean-up day excuses him from failing to remove this material. Mr. Link acted appropriately in asking what he should do about his missing sign, it is simply an issue of bad timing that the sign was found after the Clean-up day. The Judicial Council rescinds its ruling of fining Mr. Link twenty-five dollars for this violation, in whole. The Council has decided that the evidence provided is sufficient for a defense of the charge and must therefore be taken into consideration of the totality of the circumstances.

The Council reverses its previous decision on this matter.

Respectfully

Justice Dimitrov, joined with Chief Justice Ellis, Justice Weaver and Justice Stegall.
Associated Students of the University of Nevada