

Per Curiam

**THE ALL-CAMPUS JUDICIAL COUNCIL OF THE
UNIVERSITY OF ROCHESTER STUDENTS' ASSOCIATION**

Tom Hayes, Speaker of the Senate

Petition For Appeal

JOE CALA *v.* SENATE ELECTIONS COMMITTEE

[October 9, 2004]

PER CURIAM

Tom Hayes, Speaker of the Senate, petitions to appeal the decision in *Joe Cala v. Senate Elections Committee* (2004), arguing that the Council did not have sufficiently convincing evidence to reach the conclusions upon which the holding in *Cala* was based. While the Council finds little new argument or information in the petition, it will *briefly* address several points argued therein.

The Petition for Appeal asserts that the Council acted upon the “unproven claim by the Petitioner [Joe Cala]” that Mr. Cala was in fact the third highest vote-getter in the Spring 2004 elections, and continues, arguing that Mr. Cala did not provide evidence to support this claim. At face value, denying the validity of Mr. Cala’s claim seems to be curious grounds for an appeal, as neither of the Senate’s representatives denied this claim during the hearing.

The Council will also remind the Appellant that the documents provided by both parties included the e-mail correspondence between Mr. Cala and the Elections Committee Chair, wherein *the Senate’s own representative* wrote “we acknowledged a violation of the bylaws because Joe Cala, the third most vote-getter in the Spring 2004 election, is being denied the seat after it was vacated by Nat Powell.”¹ The Council chose to accept this documentation, as well the statements made under the Honesty Statement by Mr. Cala affirming his claim, as sufficient to establish Mr. Cala’s status as the third highest vote-getter in the Spring 2004 election.

While the Council understands the Appellant’s concern that the decision invites frivolous judicial action by other students who might claim to have been similarly wronged, we do not agree with the logic that we would have no choice but to award such action. We have in no way bound ourselves with the decision in this case. To present a valid appeal, another student would have to come forward with evidence at least as convincing as that presented here. The Council retains its right to not hear cases it does not consider to be well-founded.

As the Council can find little argument in this appeal which does not repeat or contradict information presented during the hearing, certiorari is denied.

¹ Alex Pearlman, Elections Committee Chair, to Joe Cala, e-mail. September 24, 2004.