

*In Res Complaint – 20123291(ESB 2012)*

The Election Supervisory Board has received your complaint and reviewed its potential on their merits. As such the Board has elected to dismiss the aforementioned complaint on the grounds of Title II Article IV clause 4.02 of the election code.

Title II Article IV clause 4.02 reads as follows:

*4.02 The Election Board may dismiss a complaint if:*

*(a) The complaint was not filed within a reasonable amount of time;*

*(b) The complaint fails to state a cause of action for which relief may be granted.*

We find the evidence and claim that it warrants to be found wanting in regard to the explicit nature of early campaigning. The election code (Title II Article VIII clause 8.03) allows for the recruitment of campaign team members and nothing presented thus far clearly attests to the contrary.

Moreover, the Board believes that the grounds for dismissal in regard to timeliness are twofold. First, the submission of this complaint was not perceived to have been done “within a reasonable amount of time” considering that it was held until the last day of the election. Secondly, because of the unfortunate timing this complaint is not effectively actionable.

In weighing out the potential of this complaint, the Board looked to similar charges and their corresponding punishments. None of these punishments would be appropriate in the current situation because a moratorium and/or fine within the last six hours of an election would, in all intents and purposes, be moot.