

**SUPREME COURT OF STUDENT GOVERNMENT AT TEXAS STATE
UNIVERSITY**

No. 01-08

Cody DeSalvo, Student

v.

Andrew Florence, Student Body Vice President

ON APPLICATION FOR INJUNCTION

Syllabus

Issued February 26, 2021

An application for Injunction Relief was submitted by Mr. Cody DeSalvo, hereafter referred to as the Complainant, due to Mr. Andrew Florence, hereafter referred to as the Respondent, allegedly violating Article IV, Section 7(c) of the Student Government Constitution after declaring the Senate meeting was over and bringing back the Senate to discuss and vote on the legislation name “a Resolution to uphold the Initial Overturning of the Impeachment of Connor Clegg” without giving three days’ notice before issuing a special or emergency meeting of the Senate as Mr. DeSalvo is a member of the public and did not get adequate notice of the special or emergency meeting of the Senate to hear discussing on this resolution. The Complainant filed a complaint with the Supreme Court and is requesting temporary relief related to the complaint as follows:

1. The Court issue an Injunction on the “passage” of a Resolution to uphold the Initial Overturning of the Impeachment of Connor Clegg.

The request for Injunction Relief was received by Chief Justice William Frank Cadoree and referred by him to the whole Supreme Court for consideration.

Held: The Court grants temporarily relief by ordering a temporary stop of the passage of a Resolution to uphold the Initial Overturning of the Impeachment of Connor Clegg.

Opinion

Injunctions are instruments used by this Court to stop actions that may cause a person imminent or immediate harm in their dealings with Student Government.¹

Consistent with this standard, several questions related to the passage of this resolution and the Student Government Constitution were brought forward by the Justices. This Court finds actionable issues on each of these topics. These concerns all sufficiently meet or exceed what should reasonably be required for the issuance of an injunction.

In reviewing the request for relief, the Court has determined that the request could be a potential harm to the organization and the Complainant is to temporarily stop the passage of the resolution, since if it was not for Mr. DeSalvo's special status as a former Senator he would have not been aware of the extra-meeting that took place after the Vice President adjourned the meeting.

Justice WOSNIG delivered the Majority Opinion of the Court in which Justices GUILHAS, and MALCOM joined. Chief Justice FRANK CADOREE dissented.

¹ S.G.C. Title VII, Chapter 200, Article VII, Section 2(c)

Order

The Court orders a temporary delay in the passage of the Resolution to uphold the Initial Overturning of the Impeachment of Connor Clegg. This means the Resolution cannot become law, placed on the agenda as a veto overturn if the Student Body President decides to veto the bill for March 1. Additionally, a motion to recall the legislation to be reheard cannot be called or considered on March 1.

A request to grant an injunction on the “passage” of a Resolution to uphold the Initial Overturning of the Impeachment of Connor Clegg, is granted.

The Court has tentatively scheduled a hearing on this topic for Wednesday, March 3, 2021, at 5:00 p.m.

It is so ordered...