

As Written By Justice Ethan Moore

JUDICIAL PANEL
UNDERGRADUATE STUDENT GOVERNMENT
THE OHIO STATE UNIVERSITY

Amjad Almuti

Plaintiff

v.

Daizhon Cox & Michael Ward

Defendants

19 February 2025

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In the matter of *Almuti v. Cox & Ward*, the plaintiffs allege that the defendants violated *Article IV, Section D, Subsection b, Article II, Section A, Subsection b.i.v, Article II, Section B, Subsection x, and Article I, Section B* of the Undergraduate Student Government Election Bylaws as well as sections 4, 17, and 18 of the Digital Petition Guidelines

Election Bylaws

IV.D.b

“Candidates may not knowingly falsify any documents submitted to the Judicial Panel at any time or falsely testify/present false evidence in a Judicial Panel proceeding. This is a Type V bylaw.”

II.B.iv

“Candidates, teams, and slates may not overtly act to gain votes, or solicit for votes before the approved campaigning season begins.”

II.B.x

“Campaigning shall begin on the seventh Sunday of Spring semester at 8:00 pm.”

Digital Petition Guidelines, Section 4

“Digital petition forms for candidates must display the following information: Candidate Name(s), Position sought, Circulator Name(s), Slate (if applicable).”

Digital Petition Guidelines, Section 17

“Circulators must be registered undergraduate students at The Ohio State University.”

Digital Petition Guidelines, Section 18

“No petitioner or circulator shall allow any undergraduate student to sign any name other than their own to all petitions.”

Held: The Judicial Panel finds that the defendants are in violation of *Article IV, Section D, Subsection b* of the Undergraduate Student Government Election Bylaws. However, for *Article II, Section A, Subsection b.i.v and Article II, Section B, Subsection x* of the Undergraduate Student Government Election Bylaws, the Judicial Panel cannot rule at this time because these bylaws were improperly cited in the complainant’s briefing. Additionally, for *Article I, Section B*

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of the Undergraduate Student Government Election Bylaws and Sections 4, 17, and 18 of the Digital Petition Guidelines, the Judicial Panel is unable to issue a ruling due to an inability to verify the accuracy of circulators listed in the submitted petition.

In this case, the Judicial Panel was only able to rule on one of the alleged bylaw infractions: *Article IV, Section D, Subsection b*. While there may be similar sections in the Undergraduate Student Government Election Bylaws, neither *Article II, Section A, Subsection b.i.v* nor *Article II, Section B, Subsection x* is found in the current bylaws. This improper citation prevents us from making a ruling.

The allegations regarding *Article I, Section B* of the Undergraduate Student Government Election Bylaws and Sections 4, 17, and 18 of the Digital Petition Guidelines require us to verify whether the proper circulator was listed on petition signatures, which we are unable to do. While it is argued that Michael Ward, who is not listed as an official circulator, collected signatures for Daizhon Cox, we have no way of determining which signatures, if any, were collected by Mr. Ward and subsequently listed under a different circulator.

The Judicial Panel, whose opinions are listed below, ruled that Daizhon Cox and Michael Ward are in violation of *Article IV, Section D, Subsection b* of the Undergraduate Student Government Election Bylaws by a margin of four to one. We have found that they knowingly falsified documents submitted to the Judicial Panel after circulator Daizhon Cox allowed an anonymous undergraduate student to act as an unofficial circulator on his behalf while still having students list him as the circulator for her.

In a screenshot of their personal direct messages on Instagram, an anonymous student shows Mr. Cox reached out to them in order to ask if they could sign his petition. After they replied, “Lolll how many more signatures do you still need?” Mr. Cox replied, “As many as possible would you be willing to sign and help?” The anonymous student then replied that “I might not be able to help but if I hear of people interested I can send it to them or ask them to sign” and “Should I tell them to put you as circulator?,” to which Mr. Cox replied, “Yes please.”

The Judicial Panel considers any individual seeking to circulate a campaign petition to gather signatures as a circulator. Mr. Cox made it clear that he wanted the anonymous user to help circulate his petition to collect signatures for his campaign, thereby intending for them to act as a circulator. While they stated that they might not be able to help, they also said that if they heard of anyone interested, they would send the petition or ask them to sign. This indicates that the anonymous user agreed to potentially act as a circulator.

After agreeing to this role, they asked whether they should instruct the recipients of the petition to list Mr. Cox as the circulator, to which he responded affirmatively. In summary, he enlisted someone to act as a circulator and then directed them to tell petition recipients to list him as the circulator instead. Since Mr. Cox was not the circulator in that instance, he knowingly instructed

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an unofficial circulator to falsify documents by having petition recipients list him as the circulator.

Mr. Cox and his counsel were unable to demonstrate that they did not commit a violation of *Article IV, Section D, Subsection b* of the Undergraduate Student Government Election Bylaws, which is a Type V bylaw. Therefore, they are subject to the punishment that accompanies this violation. According to the Undergraduate Student Government Election Bylaws, “*violating any Type V bylaw has a minimum penalty of disqualification.*” Consequently, the Judicial Panel rules that defendants Daizhon Cox and Michael Ward must be disqualified from the election for President and Vice President of the Undergraduate Student Government at The Ohio State University.

Dissenting Opinion as written by Justice Sean O’Brien:

I respectfully dissent from the majority’s decision to disqualify defendants Daizhon Cox and Michael Ward on the alleged violation of Article IV, Section D, Subsection b of the Undergraduate Student Government Election Bylaws.

The majority opinion appears to rest its conclusion on the presumption that instructing an unofficial circulator to attribute signatures to Mr. Cox unequivocally meets the threshold for “knowingly falsifying” documents. In an environment where informal communications can be easily misconstrued, the standard for proving willful falsification should be applied with heightened caution.

The imposition of a disqualification penalty, as mandated by a Type V bylaw, is an extreme remedy that carries significant ramifications for the electoral process. Disqualification under these circumstances deprives the candidates of their opportunity to contest an election. Furthermore, this may undermine the broader principles of fairness in adjudicating electoral disputes. A procedural error and lack of understanding of the rules, as I believe happened in this case, should not automatically trigger the harshest possible sanction, particularly when the evidence does not irrefutably establish an intent to deceive the Judicial Panel.

In addition to these reasons, we rule with the standard of beyond a reasonable doubt. This leads me to rule not guilty on the alleged violation of Article IV, Section D, Subsection b of the Undergraduate Student Government Election Bylaws. I do not believe that it was proven without a reasonable doubt that Dasion Cox “knowingly falsified” election documents.

For the reasons provided, I dissent from the majority’s ruling that Mr. Cox and Mr. Ward knowingly falsified documents violating Article IV, Section D, Subsection b. I am convinced that

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the evidentiary record falls short of conclusively demonstrating that the defendant's actions were committed with the deliberate intent necessary to merit disqualification.

It is so ordered.

Signed: The Judicial Panel

Majority:

Chief Justice Ethan Moore (Presiding)

Justice Emily Doucette

Justice Judith Vega

Justice Ryan Buchko

Dissenting:

Justice Sean O'Brien