

UNIVERSITY OF KENTUCKY
STUDENT GOVERNMENT ASSOCIATION SUPREME
COURT

Case No. 3-Spring-2018

ROSS BOGGESS, CLAIMANT

v.

MICHAEL HAMILTON and NOOR ALI, RESPONDENTS

[February 26, 2018]

CHIEF JUSTICE TREVOR NICHOLS delivered the opinion of the Court in which JUSTICE GENTRY COLLINS, JUSTICE MARK BUTLER, JUSTICE ARAYO SOKAN, JUSTICE BRADLEY STRAIT, and JUSTICE JAKE BARTLETT joined.

CHIEF JUSTICE TREVOR NICHOLS writing for the unanimous court.

Mr. Ross Boggess brings this claim before the Court upon the Elections Investigator's prior finding of no cause. Specifically, Mr. Boggess alleges that a tent set up by the Hamilton Ali ticket was in a no campaigning zone on February 21 and 22, and was within twenty-five (25) feet of a polling location. However, Mr. Boggess has presented no evidence that shows the tent at the subject of this dispute was in violation of Section IV of the Election Procedures and Rules Act of 2010 (the "Elections Act").

At the hearing on this matter, Mr. Boggess focused his argument on campaign expenditure disclosure requirements, and alleged that the Hamilton Ali ticket omitted the cost of the tent on their campaign expenditure submission.

Mr. Hamilton admits that the tent was not disclosed on the campaign expenditure form. However, Mr. Hamilton provided that the tent was only used as a result of unexpected rain in the forecast.

Despite Mr. Hamilton's nondisclosure, and upon review of campaign expenses, this Court finds that that the fair market value of the tent in question, when added to the Hamilton

Ali expense sheet, does not create a violation of the Elections Act. Moreover, this Court finds Mr. Hamilton's use of the tent reasonable under the circumstances.

Finding no violation, this Court dismisses Mr. Boggess' claim with prejudice.

It is so ordered.