

**THE SUPREME COURT OF THE WICHITA STATE
UNIVERSITY STUDENT GOVERNMENT**

In the matter of the Illegality of Senate Reapportionment Act

Case no. 66-010

1 FEBRUARY 2024

Chief Justice Wetta, on behalf of a unanimous Court, issues the following interim order in response to the appeal submitted to the Court by Vishnu Avva on January 25, 2024. *This order is an informal and emergency response to the formal request of the appeal provided to the Court.* A comprehensive opinion on this matter will be provided at a later date.

On January 25, 2024, the Supreme Court received a memorandum from Vishnu Avva, an Association member, regarding the constitutionality of the Senate Reapportionment Act. Avva contends that the Act violates Article IX of the Constitution and Article IX, Chapter 9, Section 1, Clause 3 of the bylaws, and seeks the following relief:

1. Declare passage of the Senate Seat Reapportionment Act illegal due to failure to achieve the required 7% turnout; AND
2. Declare the Elections Commission cannot adopt and enact the Senate Seat Reapportionment Act; AND
3. Clarify which body has jurisdiction over election appeals directly relating to the constitutionality of such elections, be it the Elections Commission or Supreme Court; AND
4. Request the Elections Commission place the Senate Seate Reapportionment Act on the 2024 General Election ballot.

On January 30, 2024, the Court convened a formal hearing to allow Vishnu Avva to present his argument in support of his initial appeal. Additionally, arguments made in negation of the appeal were heard from another Association member, Senator Jay Thompson, and a public testimony was delivered by Senator Andrew Bobbitt. Following the hearing, the Court engaged in an hour and a half of deliberation and debate before unanimously voting on the following requests.

The Court provides the following concise reasoning for each request:

Request #1: The Court denies the request to declare the passage of the Senate Reapportionment Act illegal. The Act, as passed, does not contravene the constitutional provisions outlined in Article IX of the Constitution. Specifically, the

requirement for a 7% turnout is interpreted to apply solely to special elections initiated by petition, a condition not met in this instance.


Request #2: Given the Court's ruling in the first request that the special election results comply with the Constitution, it is evident that the Elections Commission retains the authority to adopt and enact the Senate Reapportionment Act.

Request #3: The Supreme Court holds jurisdiction over election appeals concerning the constitutionality of such elections, as per Article IV, Section 4 of the Constitution.

Request #4: The Court denies the request, as the Court does not hold authority to request the Elections Commission to place items on the General Election ballot.

The Court hereby lifts injunction order 66-009 concerning the certification of the Reapportionment Act election results announced on January 24, 2024.

It is so ordered.

Submitted By: 
Chief Justice Maureen Wetta, on behalf of a unanimous Court
Justice David Ozinga, Senior Associate Justice
Justice Olga Lesnik, Associate Justice
Justice Lesly Hernandez, Associate Justice
Justice Lee Frank, Associate Justice
Justice AJ Jones, Associate Justice