



Student Court

Associated Students of the University of New Mexico

Hagengruber v Matanis

Cause No. 201502

Chief Justice Cordova delivered the opinion of the Court, in which Justice Saastamoinen, Justice Clarke, Justice Fouts, and Justice Barany joined.

[March 27, 2015]

On the 20th of March, 2015, this Court received an official Notice of Summary of Complaint filed by ASUNM Vice President Jenna Hagengruber against Senator Bryce Matanis. The Complaint stated that Sen. Matanis had failed to attend to his senatorial duties numerous times this semester, culminating in the receipt of four demerits. The first demerit was issued on February 18th, the second and third on March 4th, and the fourth on March 19th of 2015.

The Law Book, in Article X, § 4, cl. C. states, “The culmination of the actions by a senator to receive four (4) demerits will be considered ‘willful neglect of office’ and shall be subject to the procedures outlined in Article V, Disciplinary Action, of the ASUNM Constitution.” Following the procedural requirements, this Court provided Sen. Matanis with an Answer form to be completed in response to the Complaint. On this form, Sen. Matanis was warned that, if he failed to “file and serve an Answer or Responsive Motion within the three (3) day period, a default judgment may be entered against you for the money or other relief demanded in the Complaint.” Sen. Matanis was notified on March 23rd of the Complaint and was therefore given until the 26th to respond. Having failed to provide an Answer or Responsive Motion, this Court has issued a default judgment against the defendant. In a unanimous vote, the five justices of this Court have decided to consider Sen. Matanis in willful neglect of his office.

Article V of the ASUNM Constitution states that the available disciplinary actions are removal from office, suspension, or mandatory mediation. Article V, § C, cl. 4 states, “In the case of removal from office a four-fifths (4/5) vote of the seated Justices is required.” This Court has found that Sen. Matanis has shirked his senatorial duties for the past two months and his failure to respond to the Complaint indicates either an inability or an unwillingness to carry out his duties in the future. As such, this Court has unanimously decided to remove Sen. Matanis from office.

It is so ordered

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.