

The Daily Tar Heel

COURT RULES IN CASES

ORDERS RESULTS OF DISTRICT 2 ELECTION TO BE RELEASED, UPHOLDS NOV. 1 AS NEXT ELECTION DATE

BY BRIAN HUDSON, UNIVERSITY EDITOR
After almost a week of limbo, plans for how to deal with widespread voting irregularities during Tuesday's special congressional election were laid out by the Student Supreme Court on Sunday.

The court ruled unanimously that another election will be held Nov. 1 to fill vacant seats in Student Congress.

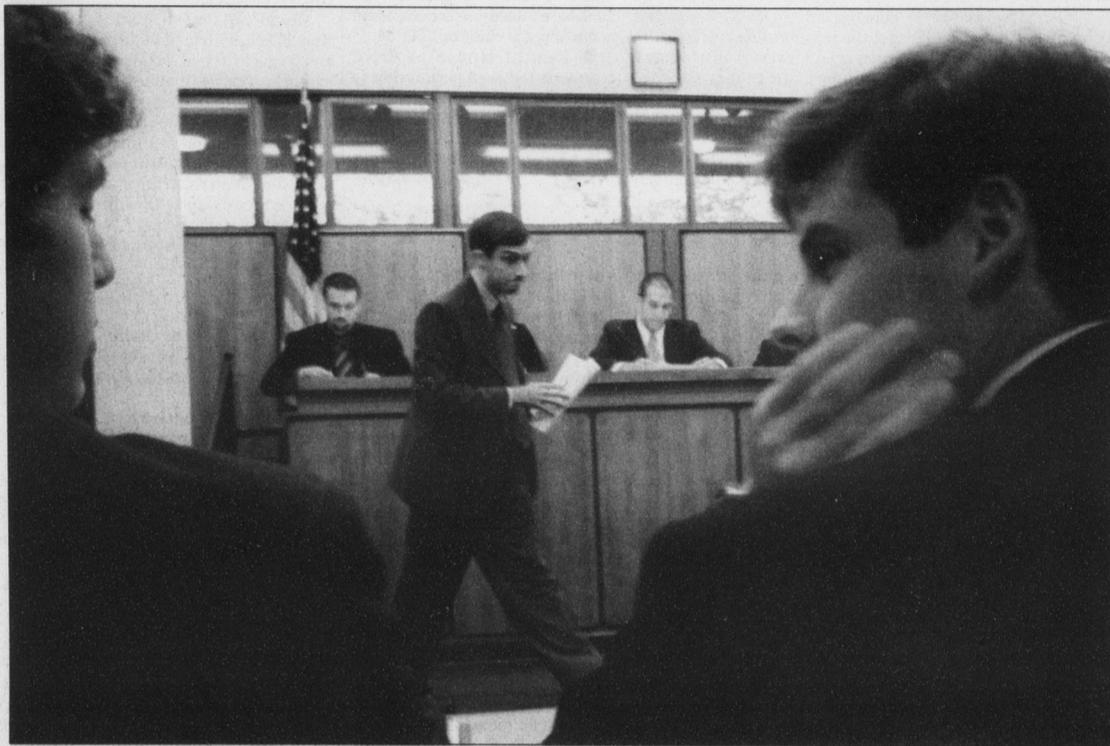
The court also ordered the UNC Board of Elections to release the District 2 election results, which were certified pending the receipt of candidates' financial statements.

Junior Nicete Moodie was elected for the seat with 65 votes out of a total of 187.

The ruling upheld most of the decisions made last week by the board — decisions that were called into question by three separate formal complaints from the Black Student Movement, The Daily Tar Heel and two candidates.

The complaints alleged that the board breached the Student Code both when it decided to certify and seal the results for District 2, which is composed of mid-campus dorms, and when it decided to remove from the re-election ballot one of the seats in District 3, which represents South Campus dorms, Odum Village and student family housing at Baity Hill.

SEE HEARINGS, PAGE 6



Student Attorney General Matt McDowell (center), distributes a copy of the defense's statement at the outset of The Daily Tar Heel v. UNC Board of Elections case heard by the Student Supreme Court on Sunday as BOE Vice Chairman Jim Brewer (left) and BOE Chairman Nick Mosley (right) confer.

DTH here to fight for its readership

Many of you might be surprised to see today's dominant stories revolve around The Daily Tar Heel filing grievances in the Student Supreme Court against the UNC Board of Elections.

Some of you may have charted the progress during Fall Break, thinking to yourself, "Why would a newspaper sue a student group?"

"Isn't that overstepping a newspaper's bounds?" The answer might be a little of yes and no, but at the beginning of the year I promised you one core thing among many others: We are here for you, the readers and members of this university community.

If something doesn't smell quite right, we'll sniff it out for you.

If someone violates the public's trust, we'll be the first to call them on it. The last time we had a lawsuit heard was 1998. The opponent was



RYAN TUCK
EDITOR IN CHIEF

the Honor Court, which the editors at the time felt was violating the public's right to know — the most important ideal in our industry.

Essentially, a violation of the public's right to information is the driving force behind our conflict with the Board of Elections.

I don't want to go too much into the case (For one, there are articles with the requisite information lying next to this), but we discover

SEE FIGHTING BACK, PAGE 6

BOE, FARLEY ACTIONS STILL LEAVE QUESTIONS

BY LINDSAY MICHEL AND JENNY RUBY
ASSISTANT UNIVERSITY EDITORS

In light of recent controversy surrounding Tuesday's special campus elections, some students are questioning select student leaders' abilities to carry out their duties properly.

A letter issued the morning of the elections by seven student leaders, including members of Student Congress, claims that Speaker Luke Farley overstepped his bounds when he decided to include a second seat in the District 3 election without openly informing the general public — concerns that were addressed in Sunday's Student Supreme Court hearing.

"I question the motives and further desire an investigation," Representative Elizabeth Freeman said. "I can be a little skeptical as to his motives and if he's

SEE CONCERN, PAGE 6



Student Supreme Court Justice Kelly Short (left) and Chief Justice Drew Erteschik hear one of the three arguments laid out before the court in Sunday's hearings.

U.S. death toll nears 2,000

Might spur scrutiny of Iraq conflict

BY MATTHEW BOWLES
STAFF WRITER

As American military casualties in Iraq approach 2,000, a milestone likely to raise national attention about the ongoing conflict, the future of U.S. involvement could be questioned further.

The deaths of three Marines, including one from Greensboro, killed by an explosion near Nasser Wa Salaam, were announced by the U.S. Department of Defense Friday. The official total as of that day was 1,983, but officials haven't

publicly confirmed other deaths from the weekend.

The figure reported by Antiwar.com, however, is slightly higher, at 1,996 casualties since the beginning of the war in March 2003.

The number of total casualties is high, but reflective of the United States' involvement in the conflict, said Thomas Alan Schwartz, professor of history at Vanderbilt University.

"It's the most significant American engagement since the Vietnam War," he said.

Though public support for the Iraq war probably will decline with the news of nearly 2,000 casualties, he said extensive policy changes should not be expected.

Rodger Payne, a political science professor at the University of Louisville, said the casualty report probably will serve to reinforce some opinions that already have been shifting, rather than sparking a dramatic change.

Other events, such as the reinvigorated peace movement with Cindy Sheehan and critical comments from Republican senators,

SEE DEATH TOLL, PAGE 6

Candidates turn eyes to downtown

BY TED STRONG
CITY EDITOR

When Hillsborough tries to sell itself as a town, one of the biggest assets the colonial hamlet has to flaunt is its historic downtown, replete with red brick, historical markers and an old court house.

How exactly to nurture a downtown that many candidates say has been doing well through the last few years might impact the two elections facing Hillsborough this fall: town board and mayor.

Candidates have said that the downtown is a key component of Hillsborough's economy and a treasure for the community.

Many also have said that the



Tuesday: How candidates plan to stabilize or reduce the relatively high water rates in Hillsborough

town already is operating a relatively vibrant center that needs only to be fostered further.

"There's a lot of businesses that have come in and there's a lot that have closed up, but that's business America," Mayor Joe Phelps said.

"I think it's actually been functioning quite well," he added.

But board challenger Paul Newton called the downtown a "diamond in the rough" and has

said that the area could bloom with proper handling.

Candidates have said that in order to manage the downtown properly, officials need to not only plan for the future, but also to help the businesses already in place.

And leaders said the key to that relationship is cooperation between stakeholders.

Board incumbent Mike Gering has proposed that merchants band together in order to pool their abilities and know-how.

Tom Stevens, a candidate for mayor, has said that the town

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CLARIFICATION

Due to a reporting error, Tuesday's front page story, "Edwards Rocks UNC" states that the UNC chapter of Student Poverty Reduction Outreach hosted a kick-off event. SPROUT aided Opportunity Rocks in hosting the event. The Daily Tar Heel apologizes for the error.

online | dailytarheel.com

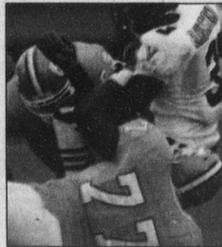
WHEN'S CLASS? City schools likely will eliminate zero period and lunch classes

TWO BIRDS, ONE STONE N.C. brass agree to give \$1 million to Learn and Earn

MULTIMEDIA Visit the Blue Fusion section for images from the N.C. State Fair

arts | page 2

FROM 'HEAD TO HEART' Director Tim Kirkman debuted his film, "Loggerheads," Friday in Chapel Hill making it the second Sundance-nominated movie open in town this year.



sports | page 12

MAKING A STAND The Tar Heels defensive unit only gave up a field goal and made a key interception late in Saturday's game to seal a 7-5 win against Virginia.

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