

In the Supreme Court of the State of Oregon

Paul Smith, and 23 other unnamed “Smackdown” Participants Relators v. Rand Simmons, Commissioner of the “Smackdown” Defendant v. Derek Simmons Adverse Party	Petition for Peremptory or Alternative Writ of Mandamus S_____
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I

Relators are all participants in the annual festival of basketball in which they enjoy college basketball, curse their brackets, and most importantly Smack Derek Down (hereinafter, the “Smackdown”).

Relator Paul Smith has personally been smacking Derek down for almost 15 years and is one the co-founders of basketball’s most important celebration, St. James Day.¹²³

¹ Let’s face it, relator Paul Smith is the most important co-founder of St. James Day.

II

Defendant, Rand Simmons, is the Commissioner of the Smackdown. He is also, allegedly, the older brother of Adverse Party, Derek Simmons.⁴

III

Adverse Party Derek Simmons plays a unique role in this proceeding. He is both necessary, yet loathed. He is indispensable, yet superfluous. For, you see, without Adverse Party, the Smackdown would merely be a “smackdown.”⁵

IV

The overarching premise, theme, goal, foundation, principle, source, underpinning, wellspring, basis, ground, and hypothesis of the Smackdown is that Adverse Party cannot—no, must not—win.

V

Therefore, relators pray this court to issue a peremptory or alternative writ of mandamus directing defendant, the Commissioner of the

² As noted on stjamesday.com, St. James Day may or may not be affiliated with the Smackdown.

³ Hell yes I cut put multiple footnotes back to back in a court pleading.

⁴ He’s also been known by many other names, pseudonyms, aka’s, fka’s, and wtf’s.

⁵ That’s right; it would just be lower case, because we wouldn’t know who the hell we’re smacking down.

Smackdown, to do that which the law compels him to do. In particular, this court should direct defendant to:

- Utilize his inherent powers as commissioner to change the scoring system *nunc pro tunc* March 17, 2015, to such a system where Adverse Party does not win.⁶
- Utilize his inherent powers as older sibling of Adverse Power to give Adverse Party wedgies and wet willies until he concedes defeat.
- Award bonus points to anyone not named “Derek Simmons.”
- Allow an untimely entry by someone who just happens to have correctly picked every game so far.⁷
- Declare this year’s Smackdown null and void because the Final Four is being held in Indiana.⁸
- Just arbitrarily declare someone—anyone—other than Adverse Party is the winner.

VI

⁶ For instance, perhaps giving negative points for anyone picking Kentucky to win the whole thing. I mean, come on! How much creativity does it take to pick Kentucky, folks. Try taking Northern Iowa to the Final Four if you want a little adventure in your life.

⁷ Relator, Paul Smith, for instance, happens to have such a bracket ready for submission.

⁸ ‘Nuff said.

Jurisdiction is proper in this court because Adverse Party is known to roam these parts. And, St. James Day is—or should be—an Oregon Corporation.

VII

Mandamus is a proper remedy because relators have no other adequate, speedy, or appropriate remedy in the ordinary course of law.⁹

VIII

Relators respectfully request that this petition be forwarded directly to the chambers of Big Guy, J. Justice Big Guy is familiar with the work ethic, character, basketball knowledge, and all-around humanity of both Relator Paul Smith and Adverse Party, and he will most assuredly make the right decision.¹⁰

Respectfully Submitted,

Paul Smith
Relator

⁹ Goodness knows, relator has attempted to think of any other course of action (lawful or not) to put a stop to this travesty. This court may be the last resort.

¹⁰ Plus, Big Guy, J., has been heard roaming the halls of the Supreme Court of Oregon saying: “I should have never hired that Senior Clerk in 2000; just imagine what I could have made of myself if I’d just stuck with Pablo. I’d be on the friggin’ U.S. Supreme Court by now.”