

**Miscellaneous Docket Sheet**

Commonwealth Court of Pennsylvania

**Docket Number: 93 MD 2016****Page 1 of 4****February 19, 2018****CAPTION**

In Re: Nomination Petition of  
 Donnell Lamar Jones as candidate for  
 the Democratic Nomination for  
 Representative in the General Assembly  
 for the 195th Legislative District

Petition of: Nathaniel Millhouse and Gregory Brown

**CASE INFORMATION**

Initiating Document: Objection to Nominating Petition

Case Status: Closed

Case Processing Status: March 16, 2016 Completed

Journal Number:

Case Category: Election

Case Type(s): Objection to Nomination Papers

**CONSOLIDATED CASES****RELATED CASES****COUNSEL INFORMATION****Petitioner Millhouse, Nathaniel**

Pro Se: No

IFP Status:

Attorney: Gibbs, Charles Matthew

Address: 100 South Broad Street Ste 1218  
Philadelphia, PA 19103

Phone No: (215) 462-3330

Fax No: (267) 423-4592

**Petitioner Brown, Gregory**

Pro Se: No

IFP Status:

Attorney: Gibbs, Charles Matthew

Law Firm: Green, Schafle &amp; Gibbs, LLC

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23324 S Broad St  
Philadelphia, PA 19145

Phone No: (215) 495-9084

Fax No:

**Other Kotula, Kathleen**

Pro Se: Yes

IFP Status:

Pro Se: Kotula, Kathleen

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**Miscellaneous Docket Sheet**

Commonwealth Court of Pennsylvania

Docket Number: 93 MD 2016

Page 2 of 4

February 19, 2018

**COUNSEL INFORMATION**

**Respondent** Jones, Donnell Lamar  
**Pro Se:** Yes  
**IFP Status:**  
**Pro Se:** Donnell Lamar Jones  
**Address:** 5938 Loretto Avenue  
 Philadelphia, PA 19149  
**Phone No:** (267) 324-1276 **Fax No:**

**FEE INFORMATION**

| Fee Dt     | Fee Name                        | Fee Amt | Receipt Dt | Receipt No        | Receipt Amt |
|------------|---------------------------------|---------|------------|-------------------|-------------|
| 02/22/2016 | Miscellaneous Docket Filing Fee | 65.50   | 02/22/2016 | 2016-CMW-H-000426 | 65.50       |

**AGENCY/TRIAL COURT INFORMATION**

**Court Below:**  
**County:** **Division:**  
**Order Appealed From:** **Judicial District:**  
**Documents Received:** February 22, 2016 **Notice of Appeal Filed:**  
**Order Type:**  
**OTN(s):**  
**Lower Ct Docket No(s):**  
**Lower Ct Judge(s):**

**ORIGINAL RECORD CONTENT**

| Original Record Item | Filed Date | Content Description |
|----------------------|------------|---------------------|
|----------------------|------------|---------------------|

**Date of Remand of Record:****BRIEFING SCHEDULE**

None

None

**DOCKET ENTRY**

| Filed Date   | Docket Entry / Filer   | Representing                           | Participant Type         | Exit Date |
|--|--|--|--------------------------|-----------|
| <b>February 22, 2016</b>   | Objection to Nominating Petition<br>Millhouse, Nathaniel<br>Brown, Gregory       |  | Petitioner<br>Petitioner |           |
| <b>February 23, 2016</b>   | Certificate of Service Filed<br>Gibbs, Charles Matthew<br>Gibbs, Charles Matthew | Millhouse, Nathaniel<br>Brown, Gregory | Petitioner<br>Petitioner |           |
| Document Name: Pet. to Set Aside Nom. Pet. served upon Secretary of Cmwlth. via hand delivery. |  |  |                          |           |

## Miscellaneous Docket Sheet

Commonwealth Court of Pennsylvania

Docket Number: 93 MD 2016

Page 3 of 4

February 19, 2018



## DOCKET ENTRY

| Filed Date        | Docket Entry / Filer      | Representing | Participant Type | Exit Date  |
|-------------------|---------------------------|--------------|------------------|------------|
| February 24, 2016 | Order Filed<br>Per Curiam |              |                  | 02/24/2016 |

Document Name: SCHEDULING AND CASE MANAGEMENT ORDER:

Comment: Upon consideration of the petition to set aside nomination petition: 1. IT IS HEREBY ORDERED:

A. Hearing on the petition to set aside nomination petition is scheduled for Thursday, March 10, 2016, at 9:30 a.m., in Courtroom Number 1, The Widener Building, 1339 Chestnut Street, One South Penn Square, Philadelphia, Pennsylvania. Objectors are directed to secure the services of a court stenographer for the hearing. Failure of Objectors to secure the services of a court stenographer

may result in the dismissal of this matter. B. If signature lines are challenged, Objectors shall secure, by request or subpoena, the presence of a Statewide Uniform Registry of Electors (SURE) system operator at the hearing. C. A pre-trial conference may be scheduled at any time after March 2, 2016. D. No later than 5:00 p.m., Wednesday, March 2, 2016, Objectors shall personally serve a copy of this order, a copy of the petition to set aside nomination petitions (if the petition to set aside has not previously been served) and,

if signature line challenges are at issue, one digital media device (CD or USB Flash Drive) containing the objections in spreadsheet format and a key to the codes used in the spreadsheet, on Donnell Lamar Jones, Candidate, or an adult member of Candidate's family. Objectors shall file a proof of service with the Chief Clerk promptly thereafter. E. Objectors shall personally or by registered mail serve a copy of this order on the Secretary of the Commonwealth and promptly thereafter file a proof of service with the Chief Clerk.

F. At the time of hearing, Objectors shall offer proof of timely service of the petition to set aside on the Secretary of the Commonwealth. G. All counsel are under a continuing obligation and are hereby ordered to serve a copy of this order upon all nrepresented parties, if any, and upon all counsel entering an appearance subsequent to the entry of this order. 2. It is FURTHER ORDERED: A. Objectors shall file a list of all witnesses to be called at the hearing and the curriculum vitae and expert reports of all expert witnesses. Any witness not identified shall be precluded from testifying except for good cause shown. B. Candidate shall file a list of all witnesses to be called at the hearing and the curriculum vitae and expert reports of all expert witnesses. Any witness not identified shall be precluded from testifying except for good cause shown. 3. If signature line challenges are at issue, it is FURTHER ORDERED:

A. Objectors shall immediately arrange to meet with Candidate or Candidate's representative and, if appropriate, with a SURE system operator, to review before the hearing each and every challenged signature line. identifies: B. Objectors and Candidate shall file a stipulation of the parties that (a) the total number of completed signature lines submitted; (b) the total number of uncontested signature lines submitted; (c) the total number of signature lines challenged; (d) each and every signature line to which

is an objection, identified by page number and line number, and the basis for the objection; (e) each and every signature line to be stricken as invalid or for which an objection is to be withdrawn, identified by page number and line number, if the parties can reach such a stipulation. C. Candidate shall file a list of all signature lines, identified by page number and line number, that are facially defective and that Candidate intends to rehabilitate. Candidate shall also state the maimer in which Candidate intends to rehabilitate the signature lines. 4. Objectors and Candidate may each file a memorandwn of law in support of their respective positions by the time and date specified in paragraph 5 of this order. No further memoranda will be permitted unless ordered by the Court. 5. Unless otherwise ordered, all filings required or permitted by paragraphs 2, 3 and 4 of this order shall be filed no later than 12:00 o'clock noon on March 9, 2016 with the Chief Clerk at the Pennsylvania Judicial Center, Suite 2100, 601 Commonwealth Avenue, P.O. Box 69185, Harrisburg, PA 17106-9185. Parties may file via PACFile (the Pennsylvania appellate court electronic filing system) but may NOT file by facsimile or e-mail without express prior pennission from the Court. 6. Failure to comply with any provision of this order may preclude the noncompliant party from entering any evidence, and may result in the imposition of monetary sanctions.

## Miscellaneous Docket Sheet

Docket Number: 93 MD 2016

Page 4 of 4

February 19, 2018



## DOCKET ENTRY

| Filed Date            | Docket Entry / Filer  | Representing         | Participant Type | Exit Date  |
|-----------------------|---|----------------------|------------------|------------|
| <b>March 2, 2016</b>  | Affidavit Filed   |                      |                  |            |
|                       | Gibbs, Charles Matthew  | Brown, Gregory       | Petitioner       |            |
|                       | Gibbs, Charles Matthew  | Millhouse, Nathaniel | Petitioner       |            |
|                       | Document Name: Affidavit of Service Filed   |                      |                  |            |
| <b>March 16, 2016</b> | Nom Pet Set/Aside Gr.<br>Friedman, Rochelle S.  |                      |                  | 03/16/2016 |
|                       | Document Name: Memorandum Opinion and Order (5pgs)  |                      |                  |            |
|                       | Comment: AND NOW, this 16th day of March, 2016, this court hereby grants the petition of Nathaniel Millhouse and Gregory Brown to set aside the nomination petition of Donnell Lamar Jones as a candidate for the Democratic nomination for Representative in the General Assembly for the 195th Legislative District. This court directs that the Secretary of the Commonwealth shall not certify the name of Donnell Lamar Jones for the April 26, 2016, primary election ballot as a candidate for the Democratic nomination for Representative in the General Assembly for the 195th Legislative District. Each party shall bear its own costs. |                      |                  |            |
| <b>April 6, 2016</b>  | Transcript Filed<br>Court Reporter  |                      |                  |            |
|                       | Document Name: Challenge of a Nomination Officiant Hearing  |                      |                  |            |

## DISPOSITION INFORMATION

|                       |  |                     |                       |
|-----------------------|--|---------------------|-----------------------|
| Final Disposition:    | Yes  |                     |                       |
| Related Journal No:   |  | Judgment Date:      |                       |
| Category:             | Disposed Before Decision   | Disposition Author: | Friedman, Rochelle S. |
| Disposition:          | Nom Pet Set/Aside Gr.  | Disposition Date:   | March 16, 2016        |
| Disposition Comment:  | AND NOW, this 16th day of March, 2016, this court hereby grants the petition of Nathaniel Millhouse and Gregory Brown to set aside the nomination petition of Donnell Lamar Jones as a candidate for the Democratic nomination for Representative in the General Assembly for the 195th Legislative District. This court directs that the Secretary of the Commonwealth shall not certify the name of Donnell Lamar Jones for the April 26, 2016, primary election ballot as a candidate for the Democratic nomination for Representative in the General Assembly for the 195th Legislative District. Each party shall bear its own costs. |                     |                       |
| Dispositional Filing: | <b>Memorandum Opinion</b>  | Filing Author:      |                       |
| Filed Date:           | 3/16/2016 12:00:00AM   |                     |                       |