

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 28 WAP 2024

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April 24, 2026

CAPTION

Center for Coalfield Justice, Washington Branch NAACP, Bruce Jacobs, Jeffrey Marks, June Devaughn Hython, Erika Worobec, Sandra Macioce, Kenneth Elliott, and David Dean

v.

Washington County Board of Elections, Republican National Committee and Republican Party of Pennsylvania

Appeal of: Republican National Committee and Republican Party of Pennsylvania

CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Closed

Journal Number: J-95-2024 October 11, 2024

Case Category: Election Case Type(s): Election

CONSOLIDATED CASES

RELATED CASES

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SUPREME COURT INFORMATION

Appeal From: the Order of the Commonwealth Court at No. 1172 CD 2024, entered on September 24, 2024, affirming Order of the Washington County Court of Common Pleas at No. 2024-3953, entered on August 27, 2024.

Probable Jurisdiction Noted: Docketed Date: October 5, 2024
 Allocatur/Miscellaneous Granted: October 5, 2024 Allocatur/Miscellaneous Docket No.: 259 WAL 2024
 Allocatur/Miscellaneous Grant Order: AND NOW, this 5th day of October, 2024, the Petition for Allowance of Appeal is GRANTED. The issues, rephrased for clarity and brevity, are:

(1) Whether the Commonwealth Court erred in holding the mail-in ballot return policy implemented by the Washington County Board of Elections resulted in violations of electors' procedural due process rights.

(2) Whether the Commonwealth Court erred in affirming the trial court's injunction and order directing the board to (1) "notify any elector whose mailin packet is segregated for a disqualifying error, so the voter has an opportunity to challenge (not cure) the alleged defects"; (2) "input the accurate status of the mail-in packet in the SURE system and provide the status to the elector if requested"; and (3) "properly document in the poll books that the elector has not 'voted' when an elector's mail-in packet is segregated for a disqualifying defect in accordance with 25 P.S. §3150.16 (which will allow the elector the opportunity to cast a provisional ballot) and choose the most appropriate selection in the SURE system to reflect as such." Opinion and Order, Ctr. for Coalfield Justice v. Washington Cty. Bd. of Elections, No. 2024-3953, at 4 (C.P. Washington, Aug. 23, 2024).

Petitioners' brief shall be filed on or before October 9, 2024 at 12:00 p.m. Respondents and any amici shall file their briefs on or before October 11, 2024 at 12:00 p.m. No reply brief will be permitted. This matter will be submitted on the briefs without oral argument.

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
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INTERMEDIATE APPELLATE COURT INFORMATION

Court Name:	Commonwealth	Docket Number:	1172 CD 2024
Date of Order:	September 24, 2024	Rearg/Recon Disp Date:	
		Rearg/Recon Disposition:	
Judge(s):	Cohn Jubelirer, Renee Wojcik, Michael H. Dumas, Lori A.		
Intermediate Appellate Court Action:	Affirmed		
Referring Court:			

AGENCY/TRIAL COURT INFORMATION

Court Below:	Washington County Court of Common Pleas		
County:	Washington	Division:	Washington County Civil Division
Date of Agency/Trial Court Order:	August 23, 2024		
Docket Number:	2024-3953		
Judge(s):	Neuman, Brandon P.	OTN:	
Order Type:	Order		

ORIGINAL RECORD CONTENT

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ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Original Record	October 07, 2024	
Record Remittal:	October 16, 2025	

BRIEFING SCHEDULE

Amicus Curiae		Appellee	
AFT Pennsylvania, et al		Center for Coalfield Justice, et al.	
Brief		Brief	
Due:	Filed: October 11, 2024	Due: October 11, 2024	Filed: October 11, 2024
Bryan Cutler, et al		Washington County Board of Elections	
Brief		Brief	
Due:	Filed: October 10, 2024	Due: October 11, 2024	Filed:
County Commissioners, et al			
Brief			
Due:	Filed: October 11, 2024		
Democratic National Committee			
Brief			
Due: October 11, 2024	Filed: October 11, 2024		
Pennsylvania Democratic Party			
Brief			
Due: October 11, 2024	Filed: October 11, 2024		
Pennsylvania Department of State			
Brief			
Due: October 11, 2024	Filed: October 11, 2024		
Philadelphia County Board of Elections			
Brief			
Due:	Filed: October 11, 2024		
Schmidt, Secretary AI			
Brief			
Due: October 11, 2024	Filed: October 11, 2024		
Appellant			
Republican National Committee			
Brief			
Due: October 9, 2024	Filed: October 9, 2024		
Reproduced Record			
Due: October 9, 2024	Filed:		
Republican Party of Pennsylvania			
Brief			



BRIEFING SCHEDULE

Appellant**Republican Party of Pennsylvania****Brief**

Due: October 9, 2024

Filed: October 9, 2024

Reproduced Record

Due: October 9, 2024

Filed:

SESSION INFORMATION

Journal Number: J-95-2024
 Listed/Submitted Date: October 11, 2024
 Consideration Type: Submit on Briefs Supreme

DISPOSITION INFORMATION

Related Journal No: Judgment Date: September 26, 2025

Category: Decided Disposition Author: Dougherty, Kevin M.

Disposition: Vacated/Affirmed Disposition Date: September 26, 2025

Dispositional Filing: **Majority Opinion** Author: Dougherty, Kevin M.

Filed Date: September 26, 2025

Justice: Todd, Debra Vote: Joins

Justice: Donohue, Christine Vote: Joins

Justice: McCaffery, Daniel D. Vote: Joins

Dispositional Filing: **Dissenting Opinion** Author: Mundy, Sallie U.

Filed Date: September 26, 2025

Dispositional Filing: **Dissenting Opinion** Author: Brobson, P. Kevin

Filed Date: September 26, 2025

Justice: Wecht, David N. Vote: Joins

Justice: Mundy, Sallie U. Vote: Joins

DOCKET ENTRY

Filed Date Docket Entry / Representing Participant Type Filed By

October 5, 2024 Allocatur Granted

Per Curiam

Comments:

AND NOW, this 5th day of October, 2024, the Petition for Allowance of Appeal is GRANTED. The issues, rephrased for clarity and brevity, are:

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
	(1) Whether the Commonwealth Court erred in holding the mail-in ballot return policy implemented by the Washington County Board of Elections resulted in violations of electors' procedural due process rights.		
	(2) Whether the Commonwealth Court erred in affirming the trial court's injunction and order directing the board to (1) "notify any elector whose mailin packet is segregated for a disqualifying error, so the voter has an opportunity to challenge (not cure) the alleged defects"; (2) "input the accurate status of the mail-in packet in the SURE system and provide the status to the elector if requested"; and (3) "properly document in the poll books that the elector has not 'voted' when an elector's mail-in packet is segregated for a disqualifying defect in accordance with 25 P.S. §3150.16 (which will allow the elector the opportunity to cast a provisional ballot) and choose the most appropriate selection in the SURE system to reflect as such." Opinion and Order, Ctr. for Coalfield Justice v. Washington Cty. Bd. of Elections, No. 2024-3953, at 4 (C.P. Washington, Aug. 23, 2024).		
Petitioners' brief shall be filed on or before October 9, 2024 at 12:00 p.m. Respondents and any amici shall file their briefs on or before October 11, 2024 at 12:00 p.m. No reply brief will be permitted. This matter will be submitted on the briefs without oral argument.			
October 7, 2024	Commonwealth Court Record Received		Commonwealth Court of Pennsylvania
October 9, 2024	Appellant's Brief	Appellant	Republican Party of Pennsylvania
		Appellant	Republican National Committee
October 10, 2024	Amicus Brief of Bryan Cutler, Kim Ward & Joe Pittman In Support of Appellants	Amicus Curiae	Bryan Cutler, et al
October 11, 2024	Amicus Brief of County Commissioners In Support of Appellees	Amicus Curiae	County Commissioners, et al
October 11, 2024	Amicus Brief fo Sec. Al Schmidt & PA Department of State	Amicus Curiae	Schmidt, Secretary Al
		Amicus Curiae	Pennsylvania Department of State
October 11, 2024	Amicus Brief of the DNC & The PA Democartic Party In Support of Appellees	Amicus Curiae	Pennsylvania Democratic Party
		Amicus Curiae	Democratic National Committee
October 11, 2024	Appellee's Brief	Appellee	Center for Coalfield Justice, et al.
October 11, 2024	Amicus Brief of AFT PA & The PA Alliance for Retired Americans in Support of Appellees	Amicus Curiae	AFT Pennsylvania, et al
October 11, 2024	Amicus Brief of Philadelphia County Board of Elections	Amicus Curiae	Philadelphia County Board of Elections
October 18, 2024	Application to be Admitted Pro Hac Vice(Uzoma N. Nkwonta)		
	AFT Pennsylvania, et al	Amicus Curiae	Alerasool, Omeed



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 18, 2024	Application to be Admitted Pro Hac Vice(Justin Baxenberg) AFT Pennsylvania, et al	Amicus Curiae	Alerasool, Omeed
October 18, 2024	Application to be Admitted Pro Hac Vice(Richard A. Medina) AFT Pennsylvania, et al	Amicus Curiae	Alerasool, Omeed
October 21, 2024	Order Granting Application to be Admitted Pro Hac Vice(Baxenberg)		Gorman, Kaitlin A.
Comments: AND NOW, this 21st day of October, 2024, the application for the admission pro hac vice of Attorney Justin Baxenberg is hereby GRANTED.			
October 21, 2024	Order Granting Application to be Admitted Pro Hac Vice(Richard Medina)		Gorman, Kaitlin A.
Comments: AND NOW, this 21st day of October, 2024, the application for the admission pro hac vice of Attorney Richard A. Medina is hereby GRANTED.			
October 21, 2024	Order Granting Application to be Admitted Pro Hac Vice		Gorman, Kaitlin A.
Comments: AND NOW, this 21st day of October, 2024, the application for the admission pro hac vice of Attorney Uzoma N. Nkwonta is hereby GRANTED.			
October 21, 2024	Order Exited		Office of the Prothonotary
October 21, 2024	Application to be Admitted Pro Hac Vice(John M. Gore) Republican Party of Pennsylvania Republican National Committee	Appellant Appellant	Gallagher, Kathleen A. Gallagher, Kathleen A.
October 22, 2024	Order Granting Application to be Admitted Pro Hac Vice(John M. Gore)		Ceraso, Betsy
Comments: AND NOW, this 22nd day of October, 2024, the application for the admission pro hac vice of John M. Gore, Esq. is GRANTED.			
October 22, 2024	Order Exited		Office of the Prothonotary
October 25, 2024	Application to be Admitted Pro Hac Vice(E. Stewart Crosland) Republican Party of Pennsylvania Republican National Committee	Appellant Appellant	Gallagher, Kathleen A. Gallagher, Kathleen A.
October 25, 2024	Order Granting Application to be Admitted Pro Hac Vice(E. Stewart Crosland)		Ceraso, Betsy
October 25, 2024	Order Exited		Office of the Prothonotary



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
September 26, 2025	Affirmed/Vacated		Dougherty, Kevin M.
<p>Comments:</p> <p>Thus, we affirm the lower courts' decisions, except to the extent they suggest electors must be allowed to challenge canvassing and computation decisions pursuant to 25 P.S. §3157 before the canvass occurs. For that reason, and because an accurate SURE code entry will effectuate notice, we vacate the portion of the trial court's order requiring the Board "to notify any elector whose mail-in packet is segregated for a disqualifying error, so the voter has an opportunity to challenge (not cure) the alleged defects." Trial Court Op. and Order, 8/23/24, at 4. The injunction and order otherwise remain intact.</p> <p>Jurisdiction relinquished.</p> <p>Chief Justice Todd and Justices Donohue and McCaffery join the opinion. Justice Mundy files a dissenting opinion. Justice Brobson files a dissenting opinion in which Justices Wecht and Mundy join.</p>			
September 26, 2025	Judgment Entered		Office of the Prothonotary
October 16, 2025	Remitted		Office of the Prothonotary
October 28, 2025	Acknowledgement of Record Remittal		Washington County Civil Division

CROSS COURT ACTIONS

Docket Number: 1172 CD 2024
Docket Number: 259 WAL 2024