

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 28 WAP 2024

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June 11, 2025

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: Active

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

Case Category: Election Case Type(s): Election

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Attorney:	Gallagher, Kathleen A.		
	The Gallagher Firm, LLC		
Address:	The Gallagher Firm LLC		
	436 Seventh Ave 31st Fl		
	Pittsburgh, PA 15219		
Phone No:	(412) 308-5512		
Receive Mail:	Yes		
Receive EMail:	Yes	Email:	
Representing:	Republican National Committee, Appellant		
Pro Se:	No		
IFP Status:			
Representing:	Republican Party of Pennsylvania, Appellant		
Pro Se:	No		
IFP Status:			

Attorney:	Breth, Thomas E.		
	Dillon, McCandless, King, Coulter & Graham, LLP		
Address:	Dillon Mccandless King Coulter & Graham Llp		
	128 W Cunningham St		
	Butler, PA 16001-5742		
Phone No:	(724) 283-2200		
Receive Mail:	Yes		
Receive EMail:	Yes	Email:	
Representing:	Republican National Committee, Appellant		
Pro Se:	No		
IFP Status:			
Representing:	Republican Party of Pennsylvania, Appellant		
Pro Se:	No		
IFP Status:			

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COUNSEL INFORMATION

Attorney: Crosland, E. Stewart
Pro Hac Vice

Address: Jones Day
51 Lousiana Avenue, N.W.
Washington, DC 20001

Phone No: (202) 879-3939

Receive Mail: Yes

Representing: Republican National Committee, Appellant

Pro Se: No

IFP Status:

Representing: Republican Party of Pennsylvania, Appellant

Pro Se: No

IFP Status:

Attorney: Gore, John M.
Pro Hac Vice
Jones Day

Address: 51 Louisianna Avenue, N.W.
Washington, DC 20001

Phone No: (202) 879-3939

Receive Mail: Yes

Representing: Republican National Committee, Appellant

Pro Se: No

IFP Status:

Representing: Republican Party of Pennsylvania, Appellant

Pro Se: No

IFP Status:

Attorney: King, Thomas W., III
Dillon, McCandless, King, Coulter & Graham, LLP

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128 W Cunningham St
Butler, PA 16001-5742

Phone No: (724) 283-2200

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Republican National Committee, Appellant

Pro Se: No

IFP Status:

Representing: Republican Party of Pennsylvania, Appellant

Pro Se: No

IFP Status:

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COUNSEL INFORMATION

Attorney: Berardinelli, David John
 DeForest Koscelnik & Berardinelli
 Address: Koppers Building, 30th Floor
 436 Seventh Avenue
 Pittsburgh, PA 15219
 Phone No: (412) 227-3135
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Washington County Board of Elections, Appellee
 Pro Se: No
 IFP Status:

Attorney: Walczak, Witold J.
 American Civil Liberties Union of Pennsylvania
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 Philadelphia, PA 19102
 Phone No: (215) 592-1513 x:138
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: Black, Martin Jay
 Dechert LLP
 Address: 2929 Arch St
 Philadelphia, PA 19104-2808
 Phone No: (215) 994-2664
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: De Palma, Claudia
 Public Interest Law Center (The)
 Address: 1500 JFK Blvd, Suite 802
 Philadelphia, PA 19102
 Phone No: (267) 546-1313
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

Attorney: Edwards, Jeffrey Scott
 Dechert LLP
 Address: 2929 Arch St
 Philadelphia, PA 19104-2808
 Phone No: (215) 994-2104
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: McKenzie, Mary M.
 Public Interest Law Center (The)
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 1500 Jfk Blvd Ste 802
 Philadelphia, PA 19102
 Phone No: (267) 546-1319
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: Merken, Christopher James Rogers
 Dechert LLP
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 Philadelphia, PA 19104
 Phone No: (215) 994-2380
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: Reilly, Luke Michael
 Dechert LLP
 Address: 2929 Arch St
 Philadelphia, PA 19104
 Phone No: (215) 994-2194
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

Attorney: Schneider, Marian Karen
 ACLU of Pennsylvania, Pittsburgh
 Address: Po Box 60173
 Philadelphia, PA 19102
 Phone No: (610) 420-0632
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: Steiker-Ginzberg, Kate Ilana
 ACLU of Pennsylvania
 Address: Po Box 60173
 Philadelphia, PA 19102
 Phone No: (917) 444-6803
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Center for Coalfield Justice, et al., Appellee
 Pro Se: No
 IFP Status:

Attorney: Bonin, Adam Craig
 The Law Office of Adam C. Bonin
 Address: 105 Cambridge Way
 Harleysville, PA 19438
 Phone No: (267) 242-5014
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: AFT Pennsylvania, et al, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Khan, Joseph Jamil
 Curtin & Heefner LLP
 Address: 2005 S Easton Rd
 Doylestown, PA 18901
 Phone No: (215) 736-2521
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: County Commissioners, et al, Amicus Curiae
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

Attorney:	Levine, Clifford B.	
	Dentons Cohen & Grigsby	
Address:	Dentons Cohen & Grigsby P.c.	
	625 Liberty Ave 5th Fl	
	Pittsburgh, PA 15222-3152	
Phone No:	(412) 297-4998	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Democratic National Committee, Amicus Curiae	
Pro Se:	No	
IFP Status:		
Representing:	Pennsylvania Democratic Party, Amicus Curiae	
Pro Se:	No	
IFP Status:		

Attorney:	Pfautz, Michael Wu-Kung	
	Philadelphia Law Department	
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	1515 Arch St Fl 15	
	Philadelphia, PA 19102	
Phone No:	(215) 683-5233	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Philadelphia County Board of Elections, Amicus Curiae	
Pro Se:	No	
IFP Status:		

Attorney:	Thomson, Aimee Diane	
	Pennsylvania Governor's Office of General Counsel	
Address:	1650 Arch St Ste 2500	
	Mailbox 24	
	Philadelphia, PA 19103	
Phone No:	(223) 234-4986	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Pennsylvania Department of State, Amicus Curiae	
Pro Se:	No	
IFP Status:		
Representing:	Schmidt, Secretary AI, Amicus Curiae	
Pro Se:	No	
IFP Status:		

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COUNSEL INFORMATION

Attorney: Wallen, Zachary Michael
 Chalmers, Adams, Backer & Kaufman, LLC
 Address: Chalmers Adams Backer & Kaufman LLC
 301 S Hills Village Dr Ste LI200420
 Pittsburgh, PA 15241
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Bryan Cutler, et al, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Alerasool, Omeed
 Elias Law Group
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 Washington, DC 20001
 Phone No: (202) 734-7536
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: AFT Pennsylvania, et al, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Baxenberg, Justin
 Pro Hac Vice
 Elias Law Group, LLP
 Address: 250 Massachusetts Avenue NW
 Suite 400
 Washington, DC 20001
 Receive Mail: Yes
 Representing: AFT Pennsylvania, et al, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Medina, Richard Alexander
 Pro Hac Vice
 Elias Law Group LLP
 Address: 250 Massachusetts Ave NW Ste 400
 Washington, DC 20001
 Receive Mail: Yes
 Representing: AFT Pennsylvania, et al, Amicus Curiae
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

Attorney: Nkwonta, Uzoma N.
Pro Hac Vice
Elias Law Group LLP
Address: 250 Massachusetts Avenue NW
Suite 400
Washington, DC 20001
Receive Mail: Yes
Representing: AFT Pennsylvania, et al, Amicus Curiae
Pro Se: No
IFP Status:

SUPREME COURT INFORMATION

Appeal From: the Order of the Commonwealth Court at No. 1172 CD 2024, entered on September 24, 2024, Affirming the Lower Court 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

Original Record Item	Filed Date	Content/Description
Original Record	October 07, 2024	

Record Remittal:

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	

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BRIEFING SCHEDULE

Amicus Curiae**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**

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

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:

(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

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
(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 Appellant	Republican Party of Pennsylvania 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 Amicus Curiae	Schmidt, Secretary Al Pennsylvania Department of State
October 11, 2024	Amicus Brief of the DNC & The PA Democartic Party In Support of Appellees	Amicus Curiae Amicus Curiae	Pennsylvania Democratic Party 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
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

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
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	Appellant	Gallagher, Kathleen A.
	Republican National Committee	Appellant	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	Appellant	Gallagher, Kathleen A.
	Republican National Committee	Appellant	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

CROSS COURT ACTIONS

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