

Supreme Court of Pennsylvania



Miscellaneous Docket Sheet

Docket Number: 11 MM 2022

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June 2, 2025

CAPTION

Kerry Benninghoff, individually, and as Majority Leader of the Pennsylvania House of Representatives, Petitioner
v.

2021 Legislative Reapportionment Commission, Respondent

CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Closed

Journal Number:

Case Category: Administrative Agency

Case Type(s): Redistricting

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason	Type
14 MM 2022 Same Issue(s) Boscola, L., Pet. v. 2021 Legislative Reapp Comm	Related
16 MM 2022 Same Issue(s) Roe, E., Pet. v. 2021 Legislative Reapp Comm	Related
17 MM 2022 Same Issue(s) Donagi, R, et al, Pets, v 2021 Legislative Reap Com	Related
18 MM 2022 Same Issue(s) Ingram, G, et al, Pets v 2021 Legislative Reap Com	Related
4 WM 2022 Same Issue(s) Covert, et al, Pets v. 2021 Legislative Reapp Comm	Related
7 WM 2022 Similar Issues Koger, T., Pet. v. 2021 Legislative Reapp Comm.	Related
11 WM 2022 Same Issue(s) Hutz, J., Pet. v. 2021 Legislative Reapp Comm	Related
12 WM 2022 Same Issue(s) Kress, E., Pet v. 2021 Legislative Reapp Comm	Related

COUNSEL INFORMATION

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COUNSEL INFORMATION

Representing: Benninghoff, Kerry, Petitioner
 Pro Se: No
 IFP Status:

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 Pro Se: No
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COUNSEL INFORMATION

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Pro Hac Vice

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Receive Mail: Yes
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Representing: McClinton, Joanna E., Intervenor - Respondent
Pro Se: No
IFP Status:

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Pro Se: No
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Receive EMail: Yes Email:
Representing: McClinton, Joanna E., Intervenor - Respondent
Pro Se: No
IFP Status:

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COUNSEL INFORMATION

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 Pro Se: No
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 Representing: McClinton, Joanna E., Intervenor - Respondent
 Pro Se: No
 IFP Status:

Attorney: Byer, Robert L.
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: 2021 Legislative Reapportionment Commission, Respondent
 Pro Se: No
 IFP Status:

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 Phone No: (215) 496-7042
 Receive Mail: Yes
 Representing: Leigh M. Chapman, Acting Secretary of the Comm. & Jessica Mathis, Director of Elections,
 Respondent
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

Attorney:	Enerson, Caleb Curtis
	PA Office of Attorney General
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Representing:	Leigh M. Chapman, Acting Secretary of the Comm. & Jessica Mathis, Director of Elections, Respondent
Pro Se:	No
IFP Status:	
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Representing:	Leigh M. Chapman, Acting Secretary of the Comm. & Jessica Mathis, Director of Elections, Respondent
Pro Se:	No
IFP Status:	
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Representing:	Leigh M. Chapman, Acting Secretary of the Comm. & Jessica Mathis, Director of Elections, Respondent
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IFP Status:	
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Pro Se:	No
IFP Status:	

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COUNSEL INFORMATION

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 Pro Se: No
 IFP Status:

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 Pro Se: No
 IFP Status:

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 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 Pro Se: No
 IFP Status:

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 Representing: Alvarado, Cynthia, Amicus Curiae
 Pro Se: No
 IFP Status:
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 Pro Se: No
 IFP Status:
 Representing: Thompson, John, Amicus Curiae
 Pro Se: No
 IFP Status:

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 IFP Status:

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COUNSEL INFORMATION

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 Pro Se: No
 IFP Status:

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 Representing: Fair Districts PA, Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Committee of Seventy, Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The League of Women Voters of Pennsylvania, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Levine, Clifford B.
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 Receive Mail: Yes
 Representing: Costa, Senator Jay, Amicus Curiae
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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Pro Se: No

IFP Status:

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Pro Se: No

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Pro Se: No

IFP Status:

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Pro Se: No

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IFP Status:

Representing: NAACP Pennsylvania State Conference, Amicus Curiae

Pro Se: No

IFP Status:

Representing: Thompson, John, Amicus Curiae

Pro Se: No

IFP Status:

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 Pro Se: No
 IFP Status:
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 Pro Se: No
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 Representing: Alvarado, Cynthia, Amicus Curiae
 Pro Se: No
 IFP Status:
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 Pro Se: No
 IFP Status:
 Representing: Thompson, John, Amicus Curiae
 Pro Se: No
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 Representing: Pennsylvania Voice, Amicus Curiae
 Pro Se: No
 IFP Status:

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FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
02/17/2022	Petition for Review	90.25	02/17/2022	2022-SUP-M-000440	90.25

AGENCY/TRIAL COURT INFORMATION

Court Below: Legislative Reapportionment Commission
 County: Division: Legislative Reapportionment Commission
 Date of Agency/Trial Court Order: February 4, 2022
 Docket Number: 2021 Legislative Reapportionment Con
 Judge(s): OTN:
 Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Agency Record	February 17, 2022	Filed at No. 4 WM 2022

Record Remittal:

BRIEFING SCHEDULE

Amicus Curiae**Alvarado, Cynthia****Brief**

Due: March 11, 2022 Filed: March 11, 2022

Concerned Citizens for Democracy**Brief**

Due: March 11, 2022 Filed: March 7, 2022

Costa, Senator Jay**Brief**

Due: March 11, 2022 Filed: March 11, 2022

Fair Districts PA**Brief**

Due: March 11, 2022 Filed: March 11, 2022

LatinoJustice PRLDEF**Brief**

Due: March 11, 2022 Filed: March 11, 2022

Make the Road Pennsylvania**Brief**

Due: March 11, 2022 Filed: March 11, 2022

NAACP Pennsylvania State Conference**Brief**

Due: March 11, 2022 Filed: March 11, 2022

Intervenor - Respondent**McClinton, Joanna E.****Brief**

Due: March 11, 2022 Filed: March 11, 2022

Respondent**2021 Legislative Reapportionment Commission****Brief**

Due: March 11, 2022 Filed: March 11, 2022

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BRIEFING SCHEDULE

Amicus Curiae**Pennsylvania Voice****Brief**

Due: March 11, 2022

Filed: March 11, 2022

The Committee of Seventy**Brief**

Due: March 11, 2022

Filed: March 11, 2022

**The County Commissioners Association of
Pennsylvania****Brief**

Due: March 7, 2022

Filed: March 7, 2022

The League of Women Voters of Pennsylvania**Brief**

Due: March 11, 2022

Filed: March 11, 2022

Thompson, John**Brief**

Due: March 11, 2022

Filed: March 11, 2022

Petitioner**Benninghoff, Kerry****Brief**

Due: March 7, 2022

Filed: March 7, 2022

DISPOSITION INFORMATION

Related Journal No:		Judgment Date:	March 16, 2022
Category:	Decided	Disposition Author:	Per Curiam
Disposition:	Order Denying Petition for Review	Disposition Date:	March 16, 2022
Dispositional Filing:	Order	Author:	Per Curiam
Filed Date:	March 16, 2022		

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 17, 2022	Petition for Review	Petitioner	Benninghoff, Kerry
February 17, 2022	Application for Emergency Relief Directed to the 2022 Elections	Petitioner	Benninghoff, Kerry

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 17, 2022	Praecipe for Appearance 2021 Legislative Reapportionment Commission	Respondent	Mintz, Leah Ariel
February 17, 2022	No. 569 Judicial Administration Docket - Order dated February 17, 2022 Supreme Court of Pennsylvania		
February 17, 2022	Electronically Filed at No. 4 WM 2022		Legislative Reapportionment Commission
February 23, 2022	Answer to Application for Emergency Relief Directed to the 2022 Elections	Respondent	2021 Legislative Reapportionment Commission
February 23, 2022	Answer to Application for Emergency Relief Directed to the 2022 Elections	Respondent	Leigh M. Chapman, Acting Secretary of the Comm. & Jessica Mathis, Director of Elections
February 25, 2022	Order Denying Application for Emergency Relief Directed to the 2022 Elections Per Curiam		
Comments: AND NOW, this 25th day of February, 2022, the Application for Emergency Relief is DENIED.			
February 25, 2022	Order Exited		Office of the Prothonotary
March 4, 2022	Application to Amend the Court's February 17, 2022 Order to Allow for Reply Briefs and Oral Argument	Petitioner	Benninghoff, Kerry
March 4, 2022	Notice of Intervention	Intervenor - Respondent	McClinton, Joanna E.
March 4, 2022	Motion for Admission Pro Hac Vice of Robert J. Tucker, Esq. Benninghoff, Kerry	Petitioner	Duffy, Jeffry William
March 4, 2022	Motion for Admission Pro Hac Vice of Patrick T. Lewis, Esq. Benninghoff, Kerry	Petitioner	Duffy, Jeffry William
March 4, 2022	No Answer Letter to Motions for Admission Pro Hac Vice	Respondent	2021 Legislative Reapportionment Commission
March 7, 2022	Answer to App. to Amend the Court's Feb. 17, 2022 Order to Allow for Reply Briefs and Oral Argument	Respondent	2021 Legislative Reapportionment Commission

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 7, 2022	Order Granting Application to be Admitted Pro Hac Vice		Dreibelbis, Amy
Comments: AND NOW, this 7th day of March, 2022, the Applications to be Admitted Pro Hac Vice of Robert J. Tucker, Esquire, and Patrick T. Lewis, Esquire, are hereby granted.			
March 7, 2022	Order Exited		Office of the Prothonotary
March 7, 2022	No Answer Letter to Motions for Admissions Pro Hac Vice	Respondent	Leigh M. Chapman, Acting Secretary of the Comm. & Jessica Mathis, Director of Elections
March 7, 2022	Brief of Amicus Curiae Concerned Citizens for Democracy in Response to the Pet. for Review	Amicus Curiae	Concerned Citizens for Democracy
March 7, 2022	Amicus Curiae Brief of The County Commissioners Association of Pennsylvania	Amicus Curiae	The County Commissioners Association of Pennsylvania
March 7, 2022	Petitioner's Brief	Petitioner	Benninghoff, Kerry
March 8, 2022	Answer to the App. to Amend the Court's Feb. 17, 2022 Order to Allow for Reply Briefs and Oral Argum	Respondent	Leigh M. Chapman, Acting Secretary of the Comm. & Jessica Mathis, Director of Elections
March 8, 2022	Answer in Opposition to Application to Amend the Court's February 17, 2022 Order	Intervenor - Respondent	McClinton, Joanna E.
March 9, 2022	Order Denying Applic to Amend the Court's 2-17-2022 Order to Allow for Reply Briefs & Oral Argument		Per Curiam
Comments: AND NOW, this 9th day of March, 2022, the Application to Amend the Court's February 17, 2022 Order to Allow for Reply Briefs and Oral Argument is DENIED.			
Justice Brobson notes his dissent.			
March 9, 2022	Order Exited		Office of the Prothonotary
March 9, 2022	Petitioner's Application for Order Limiting Briefing by Intervenor Joanna E. McClinton	Petitioner	Benninghoff, Kerry

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 10, 2022	No Answer Letter to Petitioner's Application for Order Limiting Briefing by Intervenor	Respondent	Leigh M. Chapman, Acting Secretary of the Comm. & Jessica Mathis, Director of Elections
March 10, 2022	Answer to Petitioner's Application for Order Limiting Briefing by Intervenor Joanna E. McClinton	Intervenor - Respondent	McClinton, Joanna E.
March 10, 2022	Answer to Petitioner's Application for Order Limiting Briefing by Intervenor Joanna E. McClinton	Respondent	2021 Legislative Reapportionment Commission
March 11, 2022	Intervenor McClinton Answer to Petition for Review	Intervenor - Respondent	McClinton, Joanna E.
March 11, 2022	Amicus Brief of LatinoJustice PRLDEF & Make the Road PA	Amicus Curiae Amicus Curiae	LatinoJustice PRLDEF Make the Road Pennsylvania
March 11, 2022	Intervenor McClinton Brief	Intervenor - Respondent	McClinton, Joanna E.
March 11, 2022	Brief of Amicus Curiae League of Women Voters, et al	Amicus Curiae Amicus Curiae Amicus Curiae	The League of Women Voters of Pennsylvania Fair Districts PA The Committee of Seventy
March 11, 2022	Brief of Amicus Curiae NAACP, et al	Amicus Curiae Amicus Curiae Amicus Curiae	NAACP Pennsylvania State Conference Thompson, John Alvarado, Cynthia
March 11, 2022	Brief of Amicus Curiae Pennsylvania Voice	Amicus Curiae	Pennsylvania Voice
March 11, 2022	Brief of Amicus Curiae Senator Jay Costa	Amicus Curiae	Costa, Senator Jay
March 11, 2022	LRC Respondent Brief	Respondent	2021 Legislative Reapportionment Commission
March 11, 2022	LRC Answer to Petition for Review	Respondent	2021 Legislative Reapportionment Commission

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 11, 2022	Application for Order Striking the Newly Submitted Expert Report (in McClinton Brief)	Petitioner	Benninghoff, Kerry
Comments: "Application for Order Striking the New Submitted Expert Reports Relief Upon by Respondent Commission and Intervenor/Respondent McClinton"			
March 14, 2022	No Answer Letter to Application for Order Striking the Newly Submitted Expert Report (in McClinton B	Respondent	Leigh M. Chapman, Acting Secretary of the Comm. & Jessica Mathis, Director of Elections
March 14, 2022	Answer to Application for Order Striking the Newly Submitted Expert Report (in McClinton Brief)	Respondent	2021 Legislative Reapportionment Commission
March 14, 2022	Answer to Application for Order Striking the Newly Submitted Expert Report (in McClinton Brief)	Intervenor - Respondent	McClinton, Joanna E.
March 16, 2022	Order Regarding Petition for Review		Per Curiam
Comments: PER CURIAM			

AND NOW, this 16th day of March, 2022, upon consideration of the above-captioned legislative reapportionment appeals filed pursuant to PA. CONST. art. II, § 17(d) (indicating that "[a]ny aggrieved person may file an appeal from the final plan [of the 2021 Pennsylvania Legislative Reapportionment Commission] directly to the Supreme Court"), this Court finds that the Final Reapportionment Plan of the Pennsylvania Legislative Reapportionment Commission filed on February 4, 2022, is in compliance with the mandates of the Pennsylvania Constitution and the United States Constitution and is not contrary to law, and, therefore, shall have the force of law. See PA. CONST. art. II, § 17(d) & (e) (specifying that "[i]f the appellant establishes that the final plan is contrary to law, the Supreme Court shall issue an order remanding the plan to the commission" and that "[w]hen the Supreme Court has finally decided an appeal...the reapportionment plan shall have the force of law..."). Further, it is hereby ordered that said Plan shall be used in all forthcoming elections to the General Assembly until the next constitutionally-mandated reapportionment shall be approved.

All outstanding motions filed in the above-captioned matters are hereby DISMISSED.

This Court's February 23, 2022 Order, at Judicial Administration Docket No. 569, which temporarily suspended the General Primary Election calendar relative to elections for seats in the General Assembly, is VACATED. Our adjustment to that calendar is resolved by separate order at that docket number and entered today.

Jurisdiction relinquished.

March 16, 2022	Order Exited		Office of the Prothonotary
March 31, 2022	Reconsideration Time Expired/Case Closed		Office of the Prothonotary

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
June 8, 2022	Notice of Extension of Time Granted		Clerk of the U.S. Supreme Court
July 18, 2022	Petition for Writ of Certiorari		Clerk of the U.S. Supreme Court
October 31, 2022	Petition for Writ of Certiorari Denied - U.S. Supreme Court Appeal		Clerk of the U.S. Supreme Court