

Supreme Court of Pennsylvania



Miscellaneous Docket Sheet

Docket Number: 4 WM 2022

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April 26, 2024

CAPTION

Ryan Covert, Darlene J. Covert, and Erik Hulick, Petitioners

v.

2021 Pennsylvania 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 |
|---|---------|
| 11 MM 2022 | Related |
| Same Issue(s) | |
| Benninghoff, K, Pet v. 2021 Legislative Reapp Comm | |
| 14 MM 2022 | Related |
| Same Issue(s) | |
| Boscola, L., Pet. v. 2021 Legislative Reapp Comm | |
| 16 MM 2022 | Related |
| Same Issue(s) | |
| Roe, E., Pet. v. 2021 Legislative Reapp Comm | |
| 17 MM 2022 | Related |
| Same Issue(s) | |
| Donagi, R, et al, Pets, v 2021 Legislative Reap Com | |
| 18 MM 2022 | Related |
| Same Issue(s) | |
| Ingram, G, et al, Pets v 2021 Legislative Reap Com | |
| 7 WM 2022 | Related |
| Similar Issues | |
| Koger, T., Pet. v. 2021 Legislative Reapp Comm. | |
| 11 WM 2022 | Related |
| Same Issue(s) | |
| Hutz, J., Pet. v. 2021 Legislative Reapp Comm | |
| 12 WM 2022 | Related |
| Same Issue(s) | |
| Kress, E., Pet v. 2021 Legislative Reapp Comm | |

COUNSEL INFORMATION

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COUNSEL INFORMATION

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 Representing: Covert, Darlene J., Petitioner
 Pro Se: No
 IFP Status:
 Representing: Covert, Ryan, Petitioner
 Pro Se: No
 IFP Status:
 Representing: Hulick, Erik, Petitioner
 Pro Se: No
 IFP Status:

Attorney: Brier, Daniel Thomas
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 Pro Se: No
 IFP Status:

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

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 Receive Mail: Yes
 Representing: 2021 Pennsylvania Legislative Reapportionment Commission, Respondent
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 Duane Morris, LLP
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 Representing: 2021 Pennsylvania Legislative Reapportionment Commission, Respondent
 Pro Se: No
 IFP Status:

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 Receive Mail: Yes
 Representing: Bureau of Elections, Participant
 Pro Se: No
 IFP Status:

Attorney: Shapiro, Joshua D.
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 Representing: Office of the Attorney General, Participant
 Pro Se: No
 IFP Status:

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 Allentown, PA 18104
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 Pro Se: Holt, Amanda E., Amicus Curiae
 Pro Se: Yes
 IFP Status:

Attorney: Hull, Kandice Kerwin
 McNees Wallace & Nurick LLC
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 Phone No: (717) 232-8000
 Receive Mail: Yes
 Representing: County Commissioners Association of Pennsylvania, Amicus Curiae
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 625 Liberty Ave; 5th floor
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 Receive EMail: Yes Email:
 Representing: Costa, Senator Jay, Amicus Curiae
 Pro Se: No
 IFP Status:

FEE INFORMATION

| Fee Dt | Fee Name | Fee Amt | Receipt Dt | Receipt No | Receipt Amt |
|------------|---------------------|---------|------------|-------------------|-------------|
| 02/15/2022 | Petition for Review | 90.25 | 02/15/2022 | 2022-SUP-W-000293 | 90.25 |

AGENCY/TRIAL COURT INFORMATION

Court Below:
 County: Division:
 Date of Agency/Trial Court Order:
 Docket Number:
 Judge(s): OTN:
 Order Type:

ORIGINAL RECORD CONTENT

| Original Record Item | Filed Date | Content/Description |
|----------------------|-------------------|---------------------|
| Agency Record | February 23, 2022 | |
| Testimony | February 24, 2022 | |
| Testimony | March 03, 2022 | |
| Agency Record | March 04, 2022 | |
| Testimony | March 04, 2022 | |
| Testimony | March 05, 2022 | |

Record Remittal:

BRIEFING SCHEDULE

| | |
|--|---|
| Amicus Curiae County Commissioners Association of Pennsylvania Brief Due: Filed: March 7, 2022 | Intervenor - Respondent McClinton, Joanna E. Brief Due: March 11, 2022 Filed: March 11, 2022 |
| Holt, Amanda E. Brief Petitioner Covert, Darlene J. Brief | Respondent 2021 Pennsylvania Legislative Reapportionment Commission Brief Due: March 11, 2022 Filed: March 11, 2022 |

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BRIEFING SCHEDULE

Petitioner

Covert, Darlene J.

Brief

Due: March 7, 2022

Filed: March 7, 2022

Covert, Ryan

Brief

Due: March 7, 2022

Filed: March 7, 2022

Hulick, Erik

Brief

Due: March 7, 2022

Filed: March 7, 2022

DISPOSITION INFORMATION

Related Journal No:

Judgment Date:

Category:

Decided

Disposition Author:

Per Curiam

Disposition:

Order Denying Petition for Review

Disposition Date:

March 16, 2022

Dispositional Filing:

Author:

Filed Date:

DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|--------------------------|---|------------------|--|
| February 15, 2022 | Petition for Review | | |
| | | Petitioner | Covert, Ryan |
| | | Petitioner | Hulick, Erik |
| | | Petitioner | Covert, Darlene J. |
| February 15, 2022 | Amended Certificate of Service | | |
| | Covert, Ryan | Petitioner | Gilliland-Vanasdale, Jennifer L. |
| | Hulick, Erik | Petitioner | Gilliland-Vanasdale, Jennifer L. |
| | Covert, Darlene J. | Petitioner | Gilliland-Vanasdale, Jennifer L. |
| February 17, 2022 | Praecipe for Appearance | | |
| | 2021 Pennsylvania 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 23, 2022 | Agency Record Received | | |
| | | | Legislative Reapportionment Commission |

Comments:

Record Index Tabs 1-38k and 39-43

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DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|---|--|--|--|
| February 24, 2022 | Agency Transcripts of Testimony | | Legislative Reapportionment Commission |
| Comments: Transcripts of Testimony Vol. I - XVII (pages 1-1021, plus exhibits) | | | |
| March 3, 2022 | Agency Transcripts of Testimony | | Legislative Reapportionment Commission |
| Comments: Transcripts of Testimony Vol XVIII-XXII (pages 1022-1464, plus exhibits) | | | |
| March 3, 2022 | Application for Oral Argument and Other Relief in Response to 2/17/22 and 2/23/22 Orders of Court | Petitioner Petitioner Petitioner | Covert, Ryan Hulick, Erik Covert, Darlene J. |
| March 4, 2022 | Supplemental Application for Oral Argument and Other Relief | Petitioner Petitioner Petitioner | Covert, Ryan Hulick, Erik Covert, Darlene J. |
| March 4, 2022 | Answer to Application for Relief | Respondent | 2021 Pennsylvania Legislative Reapportionment Commission |
| March 4, 2022 | Agency Record Received | | Legislative Reapportionment Commission |
| Comments: Report of Mark A. Nordenberg, Chair of the 2021 Pennsylvania Legislative Reapportionment Commission, Regarding the Commission's Final Plan | | | |
| March 4, 2022 | Notice of Intervention | Intervenor - Respondent | McClinton, Joanna E. |
| March 4, 2022 | Order Denying Application for Relief | | Per Curiam |
| Comments: AND NOW, this 4th day of March, 2022, the Application for Oral Argument and Other Relief and the Supplemental Application for Oral Argument and Other Relief are DENIED. | | | |
| March 4, 2022 | Order Exited | | Office of the Prothonotary |
| March 4, 2022 | Agency Transcripts of Testimony | | Legislative Reapportionment Commission |
| Comments: Transcripts of Testimony Vol XXIII (pages 1465-1582, plus exhibits) | | | |

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| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|--|--|--|--|
| March 5, 2022 | Agency Transcripts of Testimony | | Legislative Reapportionment Commission |
| Comments: Transcripts of Testimony Vol. XXIV-XXV (pages 1582-1795, plus exhibits) | | | |
| March 7, 2022 | Amended Petition for Review | Petitioner Petitioner Petitioner | Covert, Ryan Hulick, Erik Covert, Darlene J. |
| March 7, 2022 | Amicus Curiae Brief | Amicus Curiae | County Commissioners Association of Pennsylvania |
| March 7, 2022 | Petitioner's Brief | Petitioner Petitioner Petitioner | Covert, Ryan Hulick, Erik Covert, Darlene J. |
| March 10, 2022 | Application for Leave to File Brief Nunc Pro Tunc | Amicus Curiae | Holt, Amanda E. |
| March 11, 2022 | Answer to Petition for Review | Intervenor - Respondent | McClinton, Joanna E. |
| March 11, 2022 | Intervenor - Respondent's Brief | Intervenor - Respondent | McClinton, Joanna E. |
| March 11, 2022 | Answer to Petition for Review | Respondent | 2021 Pennsylvania Legislative Reapportionment Commission |
| March 11, 2022 | Respondent's Brief | Respondent | 2021 Pennsylvania Legislative Reapportionment Commission |
| March 11, 2022 | Answer to Application for Leave to File Amicus Brief Nunc Pro Tunc | Petitioner Petitioner Petitioner | Covert, Ryan Hulick, Erik Covert, Darlene J. |
| March 11, 2022 | No Answer Letter to Application for Leave to File Amicus Brief Nunc Pro Tunc | Intervenor - Respondent | McClinton, Joanna E. |
| March 11, 2022 | No Answer Letter to Application for Leave to File Amicus Brief Nunc Pro Tunc | Respondent | 2021 Pennsylvania Legislative Reapportionment Commission |
| March 11, 2022 | Amicus Curiae Brief | Amicus Curiae | Costa, Senator Jay |

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DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|---|--|--|--|
| March 14, 2022 | Application to Deny Senator Costa Amicus Participation & to Strike Consolidated Answer of Intervenor | Petitioner Petitioner Petitioner | Covert, Ryan Hulick, Erik Covert, Darlene J. |
| March 16, 2022 | Answer to Application for Relief | Respondent | 2021 Pennsylvania Legislative Reapportionment Commission |
| March 16, 2022 | Answer to Application for Relief | Amicus Curiae | Costa, Senator Jay |
| March 16, 2022 | Answer to Application for Relief | Intervenor - Respondent | McClinton, Joanna E. |
| March 16, 2022 | Supplemental Answer from LRC in Opposition | Respondent | 2021 Pennsylvania Legislative Reapportionment Commission |
| March 16, 2022 | Application for Relief | Petitioner Petitioner Petitioner | Covert, Ryan Hulick, Erik Covert, Darlene J. |
| March 16, 2022 | Order Regarding Petition for Review | | Per Curiam |
| Comments: 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 |
| April 4, 2022 | Reconsideration Time Expired/Case Closed | | Office of the Prothonotary |