

Supreme Court of Pennsylvania



Miscellaneous Docket Sheet

Docket Number: 127 MM 2012

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July 27, 2017

CAPTION

State Representative John P. Sabatina, Jr. for the 174th Legislative District and State Representative Thomas R. Caltagirone for the 127th Legislative District, Petitioners

v.

2011 Legislative Reapportionment Commission, Respondent

CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Closed

Journal Number: J-104-2012 September 13, 2012

Case Category: Administrative Agency Case Type(s): Redistricting

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason	Type
126 MM 2012 Court Order	Consolidated
128 MM 2012 Court Order	Consolidated
129 MM 2012 Court Order	Consolidated
130 MM 2012 Court Order	Consolidated
131 MM 2012 Court Order	Consolidated
132 MM 2012 Court Order	Consolidated
133 MM 2012 Court Order	Consolidated
134 MM 2012 Court Order	Consolidated
39 WM 2012 Court Order	Consolidated
40 WM 2012 Court Order	Consolidated
41 WM 2012 Court Order	Consolidated
42 WM 2012 Court Order	Consolidated

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 IFP Status:

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FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
07/05/2012	Petition for Review	73.50	07/05/2012	2012-SUP-M-000869	73.50

AGENCY/TRIAL COURT INFORMATION

Court Below: Legislative Reapportionment Commission
 County: Division: Legislative Reapportionment Commission
 Date of Agency/Trial Court Order: June 8, 2012
 Order Type: Order
 OTN(s):
 Lower Ct Docket No(s): 174th Legislative District 127th Legislative District
 Lower Ct Judge(s):

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
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Record Remittal:

BRIEFING SCHEDULE



BRIEFING SCHEDULE

Petitioner		Respondent	
John P. Sabatina, Jr. & Thomas R. Caltagirone		2011 Legislative Reapportionment Commission	
Brief		Brief	
Due: August 6, 2012	Filed: August 1, 2012	Due: August 20, 2012	Filed: August 20, 2012
Reproduced Record		Respondent Amicus Curiae	
Due: August 6, 2012		Filed: August 1, 2012	
		Michael Turzai, as a Member of the 2011 PA	
		Legislative Reapportionment Commission	
		Brief	
		Due: August 20, 2012	Filed: August 20, 2012
		Senator Dominic Pileggi	
		Brief	
		Due: August 20, 2012	Filed: August 20, 2012

SESSION INFORMATION

Journal Number: J-104-2012
 Listed/Submitted Date: September 13, 2012
 Consideration Type: Oral Argument Supreme Ct.

DISPOSITION INFORMATION

Related Journal No: J-104-2012 Judgment Date: May 8, 2013
 Category: Decided Disposition Author: Castille, Ronald D.
 Disposition: Appeal Dismissed Disposition Date: May 8, 2013
 Dispositional Filing: Author:
 Filed Date:

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
July 5, 2012	Petition for Review	Petitioner	John P. Sabatina, Jr. & Thomas R. Caltagirone
July 10, 2012	Order Regarding Answer/No Answer Letter, Petitioner's Briefs, Consolidation and Argument		Bizzoso, Irene M.

Comments:

AND NOW, this 10th day of July, 2012, the above referenced matters are hereby consolidated for purposes of pleading, briefing and argument.

A consolidated answer or no answer letter to the petitions for review is due by 1 P.M. Monday, July 23, 2012. Any prior directives regarding time frame for filing an answer is/are hereby rescinded.

Petitioners' briefs are to be received by the Supreme Court of Pennsylvania Prothonotary's Office by 1:00 p.m. on Monday, August 6, 2012. If hand delivered, briefs may be filed at the nearest Supreme Court Prothonotary's Office. Service of said briefs shall be made via personal service or e-mail as agreed to by the parties.

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
	Respondent's consolidate brief is due on or before 1:00 p.m. Monday, August 20, 2012, under the same filing and service constraints as aforementioned. Due to the nature of these appeals and the constricted time frame, no applications for extensions of time will be entertained.		
	Oral argument will be scheduled during the September argument session in Philadelphia, by separate order.		
July 10, 2012	Order Exited		Office of the Prothonotary
July 19, 2012	Agency Record Received		Legislative Reapportionment Commission
July 23, 2012	Answer to Petition for Review	Respondent	2011 Legislative Reapportionment Commission
August 1, 2012	Petitioner's Brief	Petitioner	John P. Sabatina, Jr. & Thomas R. Caltagirone
August 1, 2012	Reproduced Record	Petitioner	John P. Sabatina, Jr. & Thomas R. Caltagirone
August 6, 2012	Order Regarding Oral Argument		Bizzoso, Irene M.
	Comments: AND NOW, this 6th day of August, 2012, this matter is hereby listed as case #6 for argument session commencing at 9:30 a.m., Thursday, September 13, 2012, in Philadelphia, PA. Petition and Respondent will be allotted up to five (5) minutes per side to present their argument.		
August 6, 2012	Order Exited		Office of the Prothonotary
August 6, 2012	Motion for Leave to File a Brief in Excess of the Page Limit Set Forth by Pa.R.A.P. 2135	Respondent	2011 Legislative Reapportionment Commission
August 6, 2012	Order Granting Motion for Leave to File Brief in Excess of Page Limitation		Vaskov, John A.
	Comments: AND NOW, this 6th day of August, 2012, the Motion for Leave to File Brief in Excess of Page Limitation is granted, the Respondent's Brief not to exceed 110 pages.		
August 6, 2012	Order Exited		Office of the Prothonotary
August 13, 2012	Acknowledgement of Argument Notice		
	2011 Legislative Reapportionment Commission	Respondent	Del Sole, Joseph A.
	2011 Legislative Reapportionment Commission	Respondent	Stickman, William Shaw, IV



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
August 13, 2012	Acknowledgement of Argument Notice John P. Sabatina, Jr. & Thomas R. Caltagirone	Petitioner	Stretton, Samuel C.
August 20, 2012	Respondent's Brief	Respondent	2011 Legislative Reapportionment Commission
August 20, 2012	Respondent Amicus Curiae's Brief	Respondent Amicus Curiae	Michael Turzai, as a Member of the 2011 PA Legislative Reapportionment Commission
August 20, 2012	Petition of Amicus Curiae Turzai for Leave to Participate in Oral Argument	Respondent Amicus Curiae	Michael Turzai, as a Member of the 2011 PA Legislative Reapportionment Commission
August 20, 2012	Respondent Amicus Curiae's Brief	Respondent Amicus Curiae	Senator Dominic Pileggi
August 22, 2012	No Answer Letter to Petition of Amicus Curiae Turzai for Leave to Participate in Oral Argument	Respondent	2011 Legislative Reapportionment Commission
August 28, 2012	Order Denying Petition of Amicus Curiae Turzai for Leave to Participate in Oral Argument		Per Curiam
Comments: AND NOW, this 28th day of August, 2012, the Petition of Amicus Curiae Michael Turzai as a Member of the 2011 Pennsylvania Legislative Reapportionment Commission for Leave to Participate in Oral Argument is DENIED. See Pa.R.A.P. 531(b).			
August 28, 2012	Order Exited		Office of the Prothonotary
September 11, 2012	Praeceptum for Appearance 2011 Legislative Reapportionment Commission	Respondent	Cavanaugh, Patrick Kennedy
September 13, 2012	Argued		Supreme Court of Pennsylvania



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
May 8, 2013	Appeal Dismissed		Castille, Ronald D.

Comments:

The matter has been ably briefed, both by concerned citizens and the LRC. For the reasons we have articulated above, we reaffirm Holt I as against the various challenges made to the decision; and we further determine that, as against the specific challenges presented in these various appeals, the LRC, in crafting the 2012 Final Plan, sufficiently heeded this Court's admonition that it "could have easily achieved a substantially greater fidelity to all of the mandates in Article II, Section 16" than it did in its unconstitutional 2011 Final Plan. See Holt I, 38 A.3d at 718. Moreover, we hold that the appellants have not demonstrated that the 2012 Final Plan is contrary to law. We therefore conclude that the LRC has utilized the population data of the 2010 census to create a redistricting map that complies with the Pennsylvania Constitution, which shall hereby have the force of law, beginning with the 2014 election cycle. The appeals are dismissed.

Jurisdiction relinquished.

Former Justice Orié Melvin did not participate in the consideration or decision of these appeals.

Messrs. Justice Eakin and Baer, Madame Justice Todd and Mr. Justice McCaffery join the opinion.

Mr. Justice Saylor files a concurring opinion.

May 8, 2013	Judgment Entered		Office of the Prothonotary
May 30, 2013	Reconsideration Time Expired/Case Closed		Office of the Prothonotary

Comments:

Notification sent to the Legislative Reapportionment Commission

6-4-13 - Received receipt acknowledgment from the Reapportionment Commission.