



CAPTION

Richard Lattanzi, Mayor of the City of Clairton and Richard Ford, Councilman in the City of Clairton, Petitioners

v.

2011 Legislative Reapportionment Commission, Respondent

CASE INFORMATION

Initiating Document: Petition for Review

Case Status: Closed

Journal Number: J-106-2012 September 10, 2012

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

CONSOLIDATED CASES

RELATED CASES

| Docket No / Reason | Type |
|----------------------------|--------------|
| 126 MM 2012 Court Order | Consolidated |
| 127 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 |
| 42 WM 2012 Court Order | Consolidated |

COUNSEL INFORMATION

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 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

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 IFP Status:

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 Representing: Attorney General's Office, Participant
 Pro Se: No
 IFP Status:

FEE INFORMATION

| Fee Dt | Fee Name | Fee Amt | Receipt Dt | Receipt No | Receipt Amt |
|------------|---------------------|---------|------------|-------------------|-------------|
| 07/09/2012 | Petition for Review | 73.50 | 07/09/2012 | 2012-SUP-W-001505 | 73.50 |

AGENCY/TRIAL COURT INFORMATION

Court Below: Legislative Reapportionment Commission
 County: Division: Legislative Reapportionment Commission
 Date of Agency/Trial Court Order:
 Order Type:
 OTN(s):
 Lower Ct Docket No(s): Allegheny County
 Lower Ct Judge(s):

ORIGINAL RECORD CONTENT

| Original Record Item | Filed Date | Content/Description |
|----------------------|------------|---------------------|
|----------------------|------------|---------------------|

Record Remittal:

BRIEFING SCHEDULE

| Petitioner | | Respondent | |
|--|-----------------------|--|------------------------|
| Richard Lattanzi and Richard Ford | | 2011 Legislative Reapportionment Commission | |
| Brief | | Brief | |
| Due: August 6, 2012 | Filed: August 7, 2012 | Due: August 20, 2012 | Filed: August 20, 2012 |
| Reproduced Record | | Respondent Amicus Curiae | |
| Due: August 6, 2012 | Filed: | Michael Turzai, as a Member of the 2011 PA | |
| | | Legislative Reapportionment Commission | |



BRIEFING SCHEDULE

Respondent Amicus Curiae

**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-106-2012
Listed/Submitted Date: September 10, 2012
Consideration Type: Submit on Briefs Supreme

DISPOSITION INFORMATION

| | | | |
|-----------------------|---------------------------|---------------------|---|
| Related Journal No: | | Judgment Date: | May 8, 2013 |
| Category: | Decided | Disposition Author: | Castille, Ronald D. |
| Disposition: | Appeal Dismissed | Disposition Date: | May 8, 2013 |
| Dispositional Filing: | Majority Opinion | Author: | |
| Filed Date: | May 8, 2013 | | |
| Justice: | Eakin, J. Michael | Vote: | Joins |
| Justice: | Baer, Max | Vote: | Joins |
| Justice: | Todd, Debra | Vote: | Joins |
| Justice: | McCaffery, Seamus P. | Vote: | Joins |
| Justice: | Orie Melvin, Joan | Vote: | Did Not Participate in Consid/Decision of Case |
| Dispositional Filing: | Concurring Opinion | Author: | Saylor, Thomas G. |
| Filed Date: | May 8, 2013 | | |

DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|---------------------|-----------------------------|------------------|-----------------------------------|
| July 9, 2012 | Petition for Review | Petitioner | Richard Lattanzi and Richard Ford |

Supreme Court of Pennsylvania



Miscellaneous Docket Sheet

Docket Number: 41 WM 2012

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October 23, 2017

DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|---|---|------------------|---|
| 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. | | | |
| 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 |
| July 23, 2012 | Praecepte for Appearance 2011 Legislative Reapportionment Commission | Respondent | Stickman, William Shaw, IV |
| 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 #8 for argument session commencing at 9:30 a.m., Thursday, September 13, 2012, in Philadelphia, PA. Petitioners 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 |



DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|--|---|--------------------------|---|
| August 7, 2012 | Notice of Joinder in Brief at 39 WM 2012 | Petitioner | Richard Lattanzi and Richard Ford |
| August 9, 2012 | Acknowledgement of Argument Notice | Respondent | 2011 Legislative Reapportionment Commission |
| Comments: Joseph A., Del Sole, Esq. | | | |
| August 9, 2012 | Acknowledgement of Argument Notice | Respondent | 2011 Legislative Reapportionment Commission |
| Comments: William S. Stickman, Esq | | | |
| 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 23, 2012 | Acknowledgement of Argument Notice | Respondent | 2011 Legislative Reapportionment Commission |
| Comments: Charles E. O'Connor, Esq. | | | |
| August 27, 2012 | Notice of Non-Participation | Participant | Attorney General's Office |



DOCKET ENTRY

| Filed Date | Docket Entry / Representing | Participant Type | Filed By |
|---------------------------|---|------------------|-------------------------------|
| August 28, 2012 | Order Denying Petition of Amicus Curiae Turzai for Leave to Participate in Oral Argument | | Per Curiam |
| August 28, 2012 | Order Exited | | Office of the Prothonotary |
| September 10, 2012 | Submitted on Brief | | Supreme Court of Pennsylvania |
| September 11, 2012 | Praecepte for Appearance 2011 Legislative Reapportionment Commission | Respondent | Cavanaugh, Patrick Kennedy |
| May 8, 2013 | Appeal Dismissed | | Castille, Ronald D. |

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).

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.

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|---------------------|---|--|----------------------------|
| 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.