Filed 2/20/2024 11:14:00 AM Commonwealth Court of Pennsylvania 72 MD 2024

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE NOMINATION PETITION OF	:	ELECTION MATTER
DASHA PRUETT	•	
AS REPUBLICAN CANDIDATE FOR	:	
CONGRESS FOR THE 5 TH CONGRESSIONA	L:	
DISTRICT IN PENNSYLVANIA	:	

ORDER

AND NOW, this _____ day of _____, 2024, it is hereby ORDERED

that the Nominating Petitions and Papers of Dasha Pruett as a Candidate for Congress in the 5th

Congressional District be and hereby are stricken and dismissed, and

FURTHER ORDERED

that the name of respondent Dasha Pruett not appear on the ballot for the April 23, 2024

Primary Election for the Republican Party candidate for Congress in the 5th Congressional District.

BY THE COURT

J,

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE NOMINATION PETITION OF : DASHA PRUETT : AS REPUBLICAN CANDIDATE FOR : CONGRESS FOR THE 5TH CONGRESSIONAL : DISTRICT IN PENNSYLVANIA :

ELECTION MATTER

PETITION TO SET ASIDE NOMINATION PETITION

The Petitioners, by and through their counsel, respectfully aver that:

1. The Petitioners, Robert Jordan, Linda Giannini, and Theresa Flanagan Murtagh are duly qualified electors who reside in the same Congressional District and party as the Candidate.

2. One Petitioner, Robert Jordan, who resides at 101 Oakdale Road, Swarthmore, PA 19081, is a duly registered and enrolled Republican elector and a duly qualified elector who votes and resides in the 5th Congressional District of Pennsylvania.

3. One Petitioner, Linda Giannini, who resides at 411 North Middletown Road, Media, PA is a duly registered and enrolled Republican elector and a duly qualified elector who votes and resides in the 5th Congressional District of Pennsylvania.

4. One Petitioner, Theresa Flanagan Murtagh, who resides at 178 Dam View Road, Media, PA 19063, is a duly registered and enrolled Republican elector and a duly qualified elector who votes and resides in the 5th Congressional District of Pennsylvania.

5. The Respondent, who purportedly resides at 1122 Childs Avenue, Drexel Hill, Pennsylvania, is the above referenced Republican Candidate for Congress for the 5th Congressional District in Pennsylvania.

6. On or before February 13, 2024, the above Candidate filed Nomination Petitions with the Department of State.

7. For the reasons set forth in greater detail in the attached spreadsheet, marked as "Exhibit A", the Candidate's Nomination Petition fails to contain the required number of properly ascribed signatures.

8. The candidate has submitted 1159 signature lines; 204 of these lines are challenged and believed to be invalid for various reasons as outlined in "Exhibit A."

9. The Nomination Petition therefore fails to conform to the requirements of the Election Code, 25 P.S. §2867 et seq., and must be set aside and the Candidate's name not be placed on, or stricken from, the ballot.

10. Section 977 of the Election Code, 25 P.S. §2937, provides that a court shall set aside nomination petitions that are defective.

11. Because the Candidate has failed to submit the required 1,000 valid signatures, her nomination petitions must be set aside, and the Candidate's name not be placed on, or stricken from the ballot.

12. Petitioners respectfully reserve the right to add such additional objections as are appropriate at the time of hearing.

WHEREFORE, the Petitioners pray that this Honorable Court enter an Order:

1. Striking and setting aside the Nomination Petition of Dasha Pruett;

2. Declaring that Dasha Pruett does not have the requisite valid number of signatures as required under the Election Code to have her name placed on the ballot as a candidate for from the District in the Primary;

3. Sustaining the objections of the Petitioners to the Nomination Petition;

4. Directing the appropriate officers of the Commonwealth of Pennsylvania to strike and set aside the Nomination Petition of Dasha Pruett and further directing them not to place her name on the ballot for the April 23, 2024 Primary for the office of Representative in Congress from the District; and

5. Granting such other and further relief as this Court deems necessary and just.

Respectfully submitted,

By: /s/ Lindsey J. Conan, Esquire

Lindsey J. Conan, Esquire Lindsey@ConanLawOffices.com Attorney I.D. No. 205667 755 N. Monroe Street Media, Pennsylvania 19063 Telephone: (610) 565-6688 Facsimile: (610) 891-1645 Attorney for Petitioners

By: /s/ Meaghan R. Wagner, Esquire

Meaghan R. Wagner, Esquire Meaghan@wagneresq.com Attorney I.D. No. 203357 323 W. Front Street Media, Pennsylvania 19063 Telephone: (610) 931-1067 Attorney for Petitioners

Dated: 2/20/24

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE NOMINATION PETITION OF	:	ELECTION MATTER
DASHA PRUETT	:	
AS REPUBLICAN CANDIDATE FOR	:	
CONGRESS FOR THE 5 TH CONGRESSION	IAL:	
DISTRICT IN PENNSYLVANIA	:	

AFFIDAVIT OF SERVICE

I, Lindsey J. Conan, do hereby certify that I caused a true and correct copy of the foregoing Nomination Petition of Dasha Pruett as Republican Candidate for Congress for the 5th Congressional District, to be served upon the party indicated below, this 20th day of February, 2024, by First Class Mail at the following address:

> Mr. Albert Schmidt, Secretary of the Commonwealth Pennsylvania Department of State 302 North Office Building Harrisburg, PA 17120

> > By: <u>/s/ Lindsey J. Conan, Esquire</u> Lindsey J. Conan, Esquire

EXHIBIT A

T	A	В	С	D	E	F	G	н		L	К	L	М	N	0	P	Q	R	S	T	T
1		1	pleting spreads	sheet:			1		1				1		1		1				[
2			ach signature lir		hallenge	d as invali	d comple	te the info	ormation	indicated	for colu	ms A thro	ugh C.	1				1	1	- L	1
3			ate the ground o											te columr	n (columi	ns D thro	ugh R).				
4			n "Other" (colun												1						[
5	_		ot make any ma										-			-1	1 -	L	1	- 1	Ļ
6		5. See t	he Election Spre	adsheet D	irections	tab below	for deta	iled direct	ions and	l a legend	of the o	bjection c	odes.								
7													Grounds	for Objec	tion						1
8	Page	Line	County	NR	NRA	NRCP	NRD	NRDS	oc	ILL	LIO	DUP	IHA	N/I	PRI	DCS	SAC	Other	Describe Other	S/S	V/S
9	1		Delaware			x				-			1				-				
.0	1		Delaware		x			-	1 -									-			
1	1		Delaware		x				Î						1				-	Ì	
2	1	1	Delaware	x	x					1		1								· · · · -	-
.3	1	*	Delaware		x			Ì				f						-		-	-
4	1		Delaware		X	1		-									-	-			
15	1	-	Delaware		x		-	-								-					
6	1	-	Delaware	-		x								-				-			
17	1		Delaware			X	-				-				-						
.8	1		Delaware		-	X			-	-						1					-
9	1		Delaware			x								-		1		-			-
20	2	1	Delaware		x	^							1					-			+
1	2		Delaware		^	x			-	-		1									-
2	2		Delaware		-	x															-
3	2		Delaware		-	x										-					-
4	2	-	Delaware			X			1	-	-										
25						x				-						-	-				
26	2	-	Delaware		×	^				-					-	-					
27	2		Delaware Delaware		*		-									-					
	3	i			-	×															
8	3		Delaware			X	-	-			_		-				-			-	
9	3	-	Delaware	-		X		-			-	-				-	-			_	
0	3		Delaware			X	_	_		-	_	1						-			
1	3		Delaware			X	-			-								-			
2	3		Delaware			X	_	-			_				-		-		and the second s		
3	- 3		Delaware		_	X	-		-	-		-								1	
4	4		Delaware		X	-			-	-		_				-	-	-			-
5	4		Delaware			X	-								-						-
6	4	h	Delaware		_	X		_			-				-		-				1
7	6		Delaware			X															_
8	6	1	Delaware			X					-	-		-							
9	6		Delaware			_ X												_			
0	6	4	Delaware			X						-					-			_	
1	7		Delaware						ļ	-	-	X									
23	7		Delaware		Χ						-							-			
3	7		Delaware		X																
4 5	7		Delaware			X					-			_							
5	7	-	Delaware			Х															
6	7	25	Delaware			X										-			AT 10 March 10 M		
7	8		Delaware			X															
8	8	10	Delaware	X	X												1				
9	8	25	Delaware			X													_		
0	9	20	Delaware			X														_	1
1	9	21	Delaware			X													-		

	A	В	С	D	E	F	G	н		J	К	L	M	N	0	ГР	Q	R	S	Т	U
7							1 -	1 ····			<u> </u>	9 -		for Objec		-	. ~		· · · · · · · · · · · · · · · · · · ·		
	Page	Line	County	NR	NRA	NRCP	NRD	NRDS	oc	ILL	LIO	DUP	IHA	N/I	PRI	DCS	SAC	Other	Describe Other	S/S	V/S
52	9		6 Delaware		-	X		111100			LIC	001	-			000	5/10	other	Describe Other	5/5	v/3
53	9		7 Delaware		-	x		-				1	-					-		-	-
53						x			-			-	-	-				-			
54	10		7 Delaware	Y	V	^														-	
55 56	10		6 Delaware	X	X		-	1	-		-										_
56	10		7 Delaware	X	X					-	1		-	-			~				-
57	11		6 Delaware			X				-	+	_		-							-
58	11		0 Delaware			X						+				-	_				
59	12		9 Delaware		_	X			-	-	-			-		-					_
60	12		0 Delaware	X	X	_	_					-	1					-			1
61	13		6 Delaware		X	_	-														
62	14		3 Delaware				X	_					1			-					
63	15		1 Delaware								_	X									_
64	15		5 Delaware			X						_	-								
65	15		9 Delaware			X															
66	16		8 Delaware			X															
67	16	1	0 Delaware			X			-												
68	16	1	3 Delaware]		X													_		
69	16	2	3 Delaware			x										1 -					
70	17	1	7 Delaware	ĺ					1		X					1					
71	17	2				x						1						-			1
72	19	1				x															
73	19	2				x			-	-								†			-
74	20	1	7			X	1		1				-		1	-		-	1		
75	20	1			_	x					-							-		-	
76	21		1													x					
77	21		2				-	-		-		-				x				-	-
78	21		3				-								-	X	1	-			-
79	21		4			-					-				•	x	-				
80	21		*) 51				-					-			-	x					-
81	21		6		-	-										x		-			
82	21		7	-							-				-	-					
02	21		8							-						X					
83 84	21		9									-			-	X					-
04			-					-			-	-				X	-				-
85	21	1			-			-	-				-		-	X	-			_	-
86	21	1							-			-				X	-				
87	21	1	1													X	-				
88	21	1			-					-					-	X			A b app age of		-
89	21	1			-				-	-						X	-				
90	23		4 Delaware		-	X			-						-					-	
91 92	23		Delaware			х									-		-				_
92	24		8 Delaware	-		X	-														
93	24		9 Delaware			X	1														
94	25		1 Delaware				1			1		X									
95	26		2 Delaware			X			-												-
96	27		1 Delaware			X															
97	27		4 Delaware			Х															1
98	28		7 Delaware		1	X										-					-
99 100	28		8 Delaware	X	X						1				-				-		
100	28		3 Delaware		-	x					Ì				-	1	1		1		

	^	В	С	D	E	F	G	н		1 1	К	L	М	N	0	P	Q	R	S	T	U
	A	В	L		<u> </u>	1 -	0		<u> </u>	J	K		Grounds					N	3		
7	_							NADO	00	-	-					DCC	I CAC	1011		C IC	VIC
8	-	Line	County	NR	NRA	1	NRD	NRDS	OC	ILL	LIO	DUP	IHA	N/ł	PRI	DCS	SAC	Other	Describe Other	S/S	V/S
101	29		L Delaware	_		X									-	-					
102 103 104	29	1	2			Х									-						-
103	29	3	3			Х								1							
104	29		1		1	x		1	1												
105	30				2						Î	1			-	x				-	
105	30				· · · · · · · · · · ·	-						-				X					
105 106 107 108 109 110								-								x	-	-		-	-
107	30		1		_		-			_		-	-			-			-		
108	30												-	-		x					
109	30		5		_										-	x	_				
110	30	e	5	_												X					-
111	30	i 7	7													X					
112	30		3						1							X					
111 112 113	30															x					
114	30						1]		x					
114					-	-		-				-				x	-	-			
115 116	30			-			-	-					-				-			_	-
	30					-	-	-		-	-	-		-		X					
117	30								-	-		-				x	-			-	
118	30			-	-			-	1		-					X	_	_			
119	30	19	5		-	-			1							X					
120	30	16	5								1					X					
121	30								-		1					X			5		_
122	30				-						1					X		-	-		-
123	30			-				-								x					
123					-	-											1			_	-
124	30					-									-	X					
125 126	30			-			-			-	-	-				X	1				-
126	30		2		_	-				-	_					X		_		_	
127	30			_	_			_								x					_
128 129 130 131	30	24														X					
129	30	25														Х		1			
130	30												-			x		1			
131	30						1									x			-		-
122	30						-		1	-				-		X		-			-
132 133	30						-	-	-		-	-				x					
155						-		-						1			-	-			-
134 135 136	30						-			-				-		X					_
135	31			-		-										X					-
136	31	2		_											-	x					
137 138 139 140 141 142 143 144 145 146 147 148 149	31	3	5													X					
138	31	4	L .													x					
139	31					-		1	1		-					x					
140	31									1	-			1		X				1	
1/1	31				-			-					-			x					-
141	31			-					-					-						-	-
142	31	8		-			-	1			-			-		X					
143	31	9							-				_			x					
144	31							1		_						X					
145	31	11														X					
146	31															X X					
147	31							1							1	x					-
1/18	31					1		1		1			1	+		x					-
140	32					1	V						-	_			-				-
149	32	1	Delaware			1	X	1	1						-						5 m

	A	В	C	D	E	F	G	н	F 1	J	K	L	M	N	0	P	Q	R	S	Т	U
7								-				Specific	Grounds	for Objec	tion					-	
	ge	Line	County	NR	NRA	NRCP	NRD	NRDS	oc	ILL	LIO	DUP	IHA	N/I	PRI	DCS	SAC	Other	Describe Other	S/S	V/S
50	32		Delaware				x	1												-/-	1,0
51	32		Delaware				x	-					-		-					-	-
52	32		Delaware					+	X	-		-	-	-		-					
			Delaware			-			x	-	_		-		-	-	-			-	
53 54	32			V					^	-	-				1						
54	32		Delaware	X		N.		-												_	-
55	34		Delaware		-	X			-			-			-						
56	34		Delaware	-	-	X			-	-	-										
57	35		Delaware			X				-					-			-			-
58	36	1	Delaware		-					_						X	_		-	_	
59	37	1				-	_	_								Χ		_			-
60	37	2				F	-	-	-			-	_	-	-	X		-			
61	37	3				1		_		_						X		_			
62	37	4				_										X	-			-	
63	37	5			_	_				_	_					X	_				
64	37	6					_			_	_	_				X					
65	37	7														х					
66	38	20	Delaware	-		X															
67	38	21	Delaware		-	x						Ť.					1				
68	39	5	Delaware	X														1	-		1
69	39	10	Delaware			X				-								-			-
70	39		Delaware			x								~			-			1	•
71	41		Delaware			X	-									-					
72	41		Delaware		X			-			-	_		-					-	1000	
73	41		Delaware			x	-		-	-			-				-				-
74	42		Delaware		x			-	-			-					-				
75	44		Delaware		~	x								-	-	-				-	
76	47		Delaware			x										-					
77	F										V				-				-		-
78	48		Delaware								X	-		-	-						
/8	48		Delaware		-						X		-					-			-
79	48		Delaware		-	-	-				X			-						_	-
80	48		Delaware		1				_	**	X	-						-			
81	48		Delaware	_	1			_		_	X	_		_		-	_				1
82	48	6	Delaware					_			X					-	-				
83	50	1			X	-	-	_	-		-	-		_			_	X	Incorrect County Printed		
84	50	2		I					-	_	_				-		_	X	Incorrect County Printed		
85	50	3			X							_						Х	Incorrect County Printed		
86	50	4		_						_								X	Incorrect County Printed	at Top of F	Form
87 88	50	5																X	Incorrect County Printed		
88	50	6																x	Incorrect County Printed		
89	50	7				-												x	Incorrect County Printed		
89 90	50	8	-						x		-					-	-	x	Incorrect County Printed		
91	50	9							x									x	Incorrect County Printed		
91 92 93 94 95	50	10							x				1					X	Incorrect County Printed	at Top of F	Form
93	50	11	-			1	-		x				1			V		x	Incorrect County Printed	at Top of (Form
94	51		Delaware			x							1							A TOP OF P	J
95	51		Delaware			x	1		1	-	-							-			-
96	51		Delaware			X								-		-					
97 97 98	52		Delaware			x					-			-				-			
	52		Delaware		x	^	-							-	-						

	А	В	С	D	E	F	G	н		J	К	L	M	N	0	P	Q	R	S	Т	U
7							1.0					Specific	Grounds	for Obje	ction	() () () () () () () () () ()			÷		
8	Page	Line	County	NR	NRA	NRCP	NRD	NRDS	OC	ILL	LIO	DUP	IHA	N/I	PRI	DCS	SAC	Other	Describe Other	s/s	V/S
	54		7 Delaware		_	X		-													
200	54		8 Delaware			X															
199 200 201 202 203 203	54	1	8 Delaware			X															
202	55		6 Delaware			X	1.														
203	55	2	0 Delaware			х									-						
204	55	2	1 Delaware			X															
205 206	55	2	2 Delaware			X											_				
206	55	2	7 Delaware			Х															
	55	2	8 Delaware			X					-										
207 208 209 210 211 212 213	56		2 Delaware			X			_		_										
209	56		4 Delaware			X	_														
210	56		6 Delaware	X	X			-			_	_									
211	56		7 Delaware	х	X									_							-
212	56		8 Delaware		_	X						-									
213																					
214									_												
215					-																

Challenge Codes Key:

NR – Not Registered

NRA – Not Registered at Address

NRCP - Not Registered in Candidate's Party

NRD – Not Registered in District

NRDS – Not Registered on Date

Signed OC – Out of County

ILL – Illegible

LIO – Line Information Omitted

DUP – Duplicate

IHA – Line Information in Hand of Another

N/I – Nickname/Initial

PRI – Printed Signature

DCS – Defective Circulator Statement

SAC – Signed After Circulator's Statement Dated

Other – Any ground for objection not listed above