

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In re: Nomination Petition of Chris :
DeLuzio, Candidate for the Democratic :
Nomination for Representative in :
Congress in the 17th U.S. : No. 113 M.D. 2026
Congressional District of Pennsylvania, : Heard: March 25, 2026
Primary Election to be held :
May 19, 2026 :
Objection of: William Parker :

BEFORE: HONORABLE MICHAEL H. WOJCIK, Judge

OPINION NOT REPORTED

MEMORANDUM OPINION
BY JUDGE WOJCIK

FILED: April 1, 2026

This memorandum opinion follows in support of the Court’s March 25, 2026 order denying the Petition to Set Aside the Nomination Petition of Chris Deluzio (Petition to Set Aside and Candidate, respectively), Candidate for the Democratic Nomination for Representative in Congress in the 17th U.S. Congressional District of Pennsylvania, in the General Primary Election (Primary Election) to be held on May 19, 2026. *See* Commonwealth Court 3/25/26 Order (Wojcik, J.). The *pro se* Petition to Set Aside was filed by William Parker (Objector). As indicated in that order, the Court determined that Objector lacked the requisite standing to pursue his Petition to Set Aside and denied the same on that basis.

Relevant here, on February 12, 2026, this Court filed a memorandum and order excepting five incumbent members of Congress – including Candidate – from disclosing their residential address on any nomination petitions or candidate’s

affidavits. *See Dean, et al. v. Schmidt* (Pa. Cmwlth., No. 42 M.D. 2026, filed February 12, 2026) (*Dean*).¹ The order provided: “As there is no statutory or regulatory requirement that the residential address be listed on nomination petitions, [p]etitioners are permitted to list a campaign mailing address, including a post office box, instead of their residential addresses on their nomination petitions, and [the Department of State (Department)] shall not reject [p]etitioners’ nomination petitions on this basis.” *Id.* at 1-2.

The order further required the petitioners to file two copies of their candidate’s affidavits with the Department: one copy including the candidate’s unredacted residential address and the other copy including a redacted residential address. While the Court ordered the Department to post the redacted affidavits, the order clarified that the Department would not “post, make available for inspection, or otherwise divulge or provide access to the unredacted candidate’s affidavit without a court order.” *Dean* at 2. Nevertheless, the order clarified that, upon application to this Court and upon notifying the petitioners’ counsel, access to the unredacted affidavits could be granted upon good cause shown. *Id.* at 2-3.

On or before March 10, 2026, Candidate filed a Nomination Petition with the Secretary of the Commonwealth to appear on the Primary Election ballot for that office. On March 17, 2026, Objector filed the instant Petition to Set Aside

¹ *See also* our Internal Operating Procedure §321, 210 Pa. Code §69.321, which states:

Election law matters within the Court’s original jurisdiction (petitions for review in the nature of mandamus and objections to nomination petitions and papers) shall be under the direct supervision of the President Judge, the Prothonotary and the Chief Legal Counsel. The President Judge, to dispose of such cases, shall establish a special election Court schedule, assign Judges to hear cases or, when necessary, convene a special Court en banc or panel in accordance with Section 112(b).

alleging that Candidate's Nomination Petition is invalid because Candidate failed to state his residential address on the face of the Petition and in the candidate's affidavit attached thereto as required by Sections 907² and 910 of the Election Code.³

On March 18, 2026, this Court entered a Scheduling and Case Management Order (CMO)⁴ scheduling a hearing on the Petition to Set Aside for

² Act of June 3, 1937, P.L. 1333, 968, *as amended*, 25 P.S. §§2600-3591. 25 P.S. §2867. Section 907 states, in relevant part:

The . . . the names of all . . . candidates for party nominations . . . shall be printed upon the official primary ballots or ballot labels of a designated party, upon the filing of separate nomination petitions in their behalf, in form prescribed by the Secretary of the Commonwealth, signed by duly registered and enrolled members of such party who are qualified electors . . . of the political district . . . within which the nomination is to be made or election is to be held.

³ 25 P.S. §2870. Section 910 states, in pertinent part:

Each candidate . . . for the office of United States . . . Representative in Congress, shall file with his nomination petition his affidavit stating--(a) his residence, with street and number, if any, and his post-office address In the case of a candidate for nomination as President of the United States, it shall not be necessary for such candidate to file the affidavit required in this section to be filed by candidates, but the post-office address of such candidate shall be stated in such nomination petition.

⁴ As this Court has observed:

The purpose of scheduling and case management orders in election cases is to facilitate the proceedings in an expeditious and timely manner due to the extreme time limitations placed on election matters. That is why objectors are ordered to immediately arrange to meet with the candidate or his/her representative to reach a stipulation as to the number of signatures that are challenged and/or valid. In short, time is of the essence in election matters. As such, the Court expects compliance.

(Footnote continued on next page...)

March 25, 2026, at 10:00 a.m., and Objector and Candidate’s counsel (Counsel) convened at the appointed time.

We initially note that “in reviewing election issues, ‘we must consider the longstanding and overriding policy in our Commonwealth to protect the elective franchise,’ and that the Election Code must ‘be liberally construed to protect a candidate’s right to run for office and the voters’ right to elect the candidate of their choice.’” *In re Nomination Papers of James*, 944 A.2d 69, 72 (Pa. 2008) (citation omitted). The purpose of the Election Code is to protect, not defeat, a citizen’s vote. *Dayhoff v. Weaver*, 808 A.2d 1002, 1006 (Pa. Cmwlth. 2002).

However, “the policy of the liberal reading of the Election Code cannot be distorted to emasculate those requirements necessary to assure the probity of the process.” *In re Cianfrani*, 359 A.2d 383, 384 (Pa. 1976). The provisions of the Election Code relating to the form of nominating petitions and the accompanying affidavits are not mere technicalities but are necessary measures to prevent fraud and to preserve the integrity of the election process. *In re Nomination Petition of Farnese*, 17 A.3d 357, 372 (Pa. 2011). “It is not for us to legislate or by interpretation to add to legislation matters which the legislature saw fit not to include.” *Commonwealth ex rel. Fox v. Swing*, 186 A.2d 24, 27 (Pa. 1962).

Furthermore, “[a] party alleging defects in a nominating petition has the burden of proving such defects, as nomination petitions are presumed to be valid.” *In re Nomination Petition of Beyer*, 115 A.3d 835, 838 (Pa. 2015).⁵ This Court is

In re Nomination Petition of Ford, 994 A.2d 9, 12 n.3 (Pa. Cmwlth. 2010) overruled in part on other grounds by *In re Nomination Petition of Gales*, 54 A.3d 855, 860-61 (Pa. 2012).

⁵ See also Section 977 of the Election Code, which states, in relevant part: “All nomination petitions . . . received and filed within the periods limited by this act shall be deemed to be valid, unless, within seven days after the last day for filing said nomination petition . . . , a petition is **(Footnote continued on next page...)**”

“[e]ntrusted with the responsibility of protecting the Commonwealth’s compelling interest in preserving the integrity of the election process.” *In re Nomination Papers of Carlson*, 430 A.2d 1210, 1212 (Pa. Cmwlth.), *aff’d*, 430 A.2d 1155 (Pa. 1981). The Supreme Court may reverse our order concerning the validity of challenges to nomination petitions only if our findings of fact are not supported by substantial evidence, if we abused our discretion, or if we committed an error of law. *In re Nomination Petition of Beyer*, 115 A.3d at 838.

At the hearing, Counsel asserted that Objector lacked standing because he is not registered as an elector in Pennsylvania’s 17th Congressional District, *i.e.*, he is not registered in the district in which Candidate seeks office. Objector ultimately conceded that he is a registered elector in Pennsylvania’s **12th** U.S. Congressional District. Nevertheless, Objector maintained that he possesses standing to challenge Candidate’s Nomination Petition because he is also a registered elector in Allegheny County, or, alternatively, that a so-called public interest exception applies.

The Election Code itself is silent as it relates to the necessary standing required to pursue an objection petition under Section 977. In assessing an objector’s standing, then, we must apply traditional standing principles. *In re Pasquay*, 525 A.2d 13, 13-14 (Pa. Cmwlth. 1987). “The basic requirement for standing is that Appellant must demonstrate a ‘substantial interest’ in the outcome of the litigation. Substantial interest has been defined as: ‘[T]he individual’s interest must have substance—there must be some *discernible adverse effect to some interest*

presented to the court specifically setting forth the objections thereto, and praying that the said petition . . . be set aside.” 25 P.S. §2937; *see also id.* (“The office of the Prothonotary of the Commonwealth Court and the office of the Secretary of the Commonwealth . . . shall be open between the hours of eight-thirty o’clock A.M. and five o’clock P.M. . . . on the last day to file objections to nomination petitions.”).

other than the abstract interest of all citizens in having others comply with the law.” *Id.* (italics in original) (quoting *William Penn Parking Garage, Inc. v. City of Pittsburgh*, 346 A.2d 269, 282 (Pa. 1975)). To that end, we have opined:

There can be no question that every voting member of the citizenry of Pennsylvania maintains an interest in assuring Election Code compliance from *all* candidates for *all* elected offices within the state. ***The factor that elevates the general interest of each registered voter to one that is sufficiently substantial to confer standing to challenge a candidate's nomination petition is that voter's eligibility to participate in the election.***

In re Pasquay, 525 A.2d at 14 (emphasis added).

Relying on this precedent, our Supreme Court has concluded: “Thus, to have standing to challenge a nomination petition, one must be registered to vote in the district holding the primary election and be a member of the political party to which the nomination pertains.” *In re Samms*, 674 A.2d 240, 242 (Pa. 1996); *see also In re Doyle*, 304 A.3d 1091, 1119 (Pa. 2023).⁶ Thus, Objector, having conceded that he is not registered to vote in the district holding the primary election (Pennsylvania’s 17th U.S. Congressional District), does not possess standing to pursue his Petition to Set Aside against Candidate.⁷

⁶ Ironically, in a previous ballot access matter involving the present Objector, we concluded that the objectors therein possessed standing based on our Supreme Court’s holding in *Samms*. *See In re Parker*, 311 A.3d 1265, 1266 (Pa. Cmwlth.), *aff’d*, 311 A.3d 1008 (Pa. 2024).

⁷ Upon its review of the applicable standing principles, this Court discerned no such public interest exception to standing. The Court finds it likely that Objector mistakenly relied on the public interest exception to the *mootness* doctrine. *See Rendell v. Pennsylvania State Ethics Commission*, 983 A.2d 708, 719 (Pa. 2009). Even so, to the extent this Court erred in reaching this determination, we would nevertheless deny Objector’s Petition to Set Aside for the reasons stated in *In re Nomination Petition of Lee* (Pa. Cmwlth., No. 112 M.D. 2026, filed April 1, 2026).

Accordingly, the Court denied Objector's Petition to Set Aside and directed the Secretary of the Commonwealth to place Candidate's name on the May 19, 2026 Primary Election Ballot.

Michael H. Wojcik

MICHAEL H. WOJCIK, Judge