

**[J- 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 31- 2012]  
IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT**

AMANDA E. HOLT, ELAINE TOMLIN, LOUIS : No. 7 MM 2012  
NUDI, DIANE EDBRIL, DARIEL I. JAMIESON, :  
LORA LAVIN, JAMES YOEST, JEFFREY :  
MEYER, CHRISTOPHER H. FROMME, : Appeal from the Legislative  
TIMOTHY F. BURNETT, CHRIS HERTZOG, : Reapportionment Plan of the 2011  
GLEN ECKHART, and MARY FRANCES : Legislative Reapportionment  
BALLARD, : Commission, dated December 12, 2011

Petitioners

v.

2011 LEGISLATIVE REAPPORTIONMENT :  
COMMISSION, :

Respondent

SENATOR JAY COSTA, SENATOR : No. 1 WM 2012  
LAWRENCE M. FARNESE, JR., SENATOR :  
CHRISTINE M. TARTAGLIONE, SENATOR :  
SHIRLEY M. KITCHEN, SENATOR LEANNA : Appeal from the Legislative  
M. WASHINGTON, SENATOR MICHAEL J. : Reapportionment Plan of the 2011  
STACK, SENATOR VINCENT J. HUGHES, : Legislative Reapportionment  
SENATOR ANTHONY H. WILLIAMS, : Commission, dated December 12, 2011  
SENATOR JUDITH L. SCHWANK, :  
SENATOR JOHN T. YUDICHAK, SENATOR :  
DAYLIN LEACH, SENATOR LISA M. :  
BOSCOLA, SENATOR ANDREW E. :  
DINNIMAN, SENATOR JOHN P. BLAKE, :  
SENATOR RICHARD A. KASUNIC, :  
SENATOR JOHN N. WOZNIAK, SENATOR :  
JIM FERLO, SENATOR WAYNE D. :  
FONTANA, SENATOR JAMES R. :  
BREWSTER, and SENATOR TIMOTHY J. :  
SOLOBAY, :

Petitioners

v.

2011 LEGISLATIVE REAPPORTIONMENT :  
COMMISSION, :

Respondent :

MAYOR CAROLYN COMITTA, COUNCIL :  
PRESIDENT HOLLY BROWN, WILLIAM J. :  
SCOTT, JR., HERBERT A. SCHWABE, II, :  
JANE HEALD CLOSE, FLOYD ROBERT :  
BIELSKI, DAVID LALEIKE, E. BRIAN :  
ABBOTT, NATHANIEL SMITH, and W. :  
DONALD BRACELAND, :

No. 2 MM 2012  
Appeal from the Legislative  
Reapportionment Plan of the 2011  
Legislative Reapportionment  
Commission, dated December 12, 2011

Petitioners :

v. :

2011 LEGISLATIVE REAPPORTIONMENT :  
COMMISSION, :

Respondent :

MAYOR LEO SCODA and COUNCIL :  
PERSON JENNIFER MAYO, :

No. 3 MM 2012

Petitioners :

Appeal from the Legislative  
Reapportionment Plan of the 2011  
Legislative Reapportionment  
Commission, dated December 12, 2011

v. :

2011 LEGISLATIVE REAPPORTIONMENT :  
COMMISSION, :

Respondent :

THOMAS SCHIFFER, ALISON BAUSMAN, :  
RACHEL J. AMDUR, JOAN TARKA, :  
LAWRENCE W. ABEL, MARGARET G. :  
MORSHECK, LAWRENCE J. CHRZAN, :  
JULIA SCHULTZ and SHIRLEY RESNICK, :

No. 4 MM 2012  
Appeal from the Legislative  
Reapportionment Plan of the 2011  
Legislative Reapportionment

Petitioners	:	Commission, dated December 12, 2011
	:	
v.	:	
	:	
2011 LEGISLATIVE REAPPORTIONMENT	:	
COMMISSION,	:	
	:	
Respondent	:	
SEKELA COLES, CYNTHIA JACKSON and	:	No. 5 MM 2012
LEE TALIAFERRO,	:	
	:	
Petitioners	:	Appeal from the Legislative
	:	Reapportionment Plan of the 2011
	:	Legislative Reapportionment
v.	:	Commission, dated December 12, 2011
	:	
2011 LEGISLATIVE REAPPORTIONMENT	:	
COMMISSION,	:	
	:	
Respondent	:	
PATTY KIM,	:	No. 6 MM 2012
	:	
Petitioner	:	Appeal from the Legislative
	:	Reapportionment Plan of the 2011
v.	:	Legislative Reapportionment
	:	Commission, dated December 12, 2011
	:	
2011 LEGISLATIVE REAPPORTIONMENT	:	
COMMISSION,	:	
	:	
Respondent	:	
EDWARD J. BRADLEY, JR., PATRICK	:	No. 8 MM 2012
MCKENNA, JR., DOROTHY GALLAGHER,	:	
RICHARD H. LOWE, and JOHN F. "JACK"	:	
BYRNE,	:	Appeal from the Legislative
	:	Reapportionment Plan of the 2011
Petitioners	:	Legislative Reapportionment
	:	Commission, dated December 12, 2011
	:	



WILLIAM C. KORTZ, MICHELLE L. VEZZANI, :	No. 4 WM 2012
MICHAEL E. CHEREPKO, GREGORY :	
ERSENKO, JOYCE POPOVICH, JOHN :	
BEVEC, LISA BASHIOUM, and RICHARD :	Appeal from the Legislative
CHRISTOPHER,	Reapportionment Plan of the 2011
	Legislative Reapportionment
Petitioners	Commission, dated December 12, 2011
	:
	:
v.	:
	:
	:
2011 LEGISLATIVE REAPPORTIONMENT :	
COMMISSION,	
	:
	:
Respondent	:

**ORDER**

**PER CURIAM**

**DECIDED: January 25, 2012**

**AND NOW**, this 25th day of January, 2012, upon consideration of the petitions for review and briefs in these legislative redistricting appeals, and after entertaining oral argument on January 23, 2012, this Court finds that the final 2011 Legislative Reapportionment Plan is contrary to law. PA. CONST. art. II, § 17(d).<sup>1</sup> Accordingly, the final 2011 Legislative Reapportionment Plan is **REMANDED** to the 2011 Legislative Reapportionment Commission with a directive to reapportion the Commonwealth in a manner consistent with this Court’s Opinion, which will follow. Id.

The 2001 Legislative Reapportionment Plan, which this Court previously ordered to “be used in all forthcoming elections to the General Assembly until the next constitutionally mandated reapportionment shall be approved,” Albert v. 2001 Legislative Reapportionment Commission, 790 A.2d 989, 991 (Pa. 2002) (quoting *per curiam* order),

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<sup>1</sup> For administrative purposes only, we have designated the appeal in Holt v. 2011 Legislative Reapportionment Commission, 7 MM 2012 / J-7-2012, as the lead case.

shall remain in effect until a revised final 2011 Legislative Reapportionment Plan having the force of law is approved. PA. CONST. art. II, § 17(e).

All 2012 election dates shall remain the same, with the exception of the primary election calendar, which is adjusted as follows:

Thursday, January 26	First day to circulate nomination petitions
Thursday, February 16	Last day to file nomination petitions
Thursday, February 23	Last day to file objections to set aside nomination petitions
Monday, February 27	Last day that court may fix for hearings on objections to nomination petitions
Friday, March 2	Last day for court to finally determine objections to nomination petitions
Friday, March 2	Last day for withdrawal by candidates who filed nomination petitions

Any signatures on nomination petitions dated January 24 or January 25, 2012, shall be deemed valid as to timeliness, subject, however, to any other statutory challenge.

Jurisdiction is retained.

Mr. Justice Saylor files a dissenting statement, in which Mr. Justice Eakin and Madame Justice Orié Melvin join.