

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

***IN RE* NOMINATION PETITION OF : ELECTION MATTER
DASHA PRUETT :
AS REPUBLICAN CANDIDATE FOR :
CONGRESS FOR THE 5TH CONGRESSIONAL :
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.

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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

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Attorney for Petitioners

Dated: 2/20/24

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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: /s/ Lindsey J. Conan, Esquire
Lindsey J. Conan, Esquire

EXHIBIT A

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