





## PARTIES, JURISDICTION, AND VENUE

1. This Honorable Court has jurisdiction of this matter pursuant to 25 Pa. C.S. §§2913(a), 296-2937(2012) of the Pennsylvania Election Code.
2. Mr. Patterson purports to live at 408 West Walnut Lane, Apt. 2, Philadelphia, PA.
3. Petitioner, Toyna Bah is a duly qualified elector and is a registered Democrat in the 201st Legislative District, residing at 1456 West Chew Street, Philadelphia, PA 19141.
4. Petitioner, Dicie Gilmore, is a duly qualified elector and is a registered Democratic in the 201st Legislative District, residing at 4926 N. Smedley Street, Philadelphia, PA 19141.
5. Petitioner, Sherrie Cohen, is a duly qualified elector and is a registered Democratic in the 201st Legislative District, residing at 5635 N. 16<sup>th</sup> Street, Philadelphia, PA 19141.
6. Petitioners, as registered and enrolled electors of the Democratic Party in the 201st Legislative District, have a direct and substantial interest in the 2024 Primary Election and in the success of this Petition. See generally, In re Barlip, 59 Pa. Commw. Ct. 178, 181, 428 A.2d 1058 (1981).
7. On or about February 5, 2024, a Nomination Petition was filed with the Office of the Secretary of the Commonwealth, purporting to nominate JOHNNY L. PATTERSON as a Democratic Nominee for Representative in General Assembly for the 201st Legislative District. Supplemental pages to the Nomination Petition were filed on February 12, 2024. Collectively, these pages constitute the Nomination Petition.
8. Challenges to such nomination petitions may be filed by any qualified elector under 25 Pa. C.S. §2937, which governs the procedures for such challenges.

## **FACTUAL BACKGROUND**

9. To appear as a candidate on the 2024 primary election ballot, Mr. Patterson must present at least 300 valid signatures from Democratic, registered, and enrolled electors of the 201st Legislative District of the Commonwealth of Pennsylvania. See 25 Pa. C.S. §2911.

10. On or about February 5, 2024, Mr. Patterson filed a Nomination Petition (the “Nomination Petition”), with the Secretary of the Commonwealth seeking to have his name printed on the Primary Election Ballot (the “Ballot”) as a Democratic Candidate for the General Assembly’s 201st Legislative District. A supplemental petition was filed on February 12, 2024.

11. The Nomination Petition consists of 80 pages, number 1-80.

12. The Nomination Petition is accompanied by a Candidate’s Affidavit. A true and correct copy of the Candidate’s Affidavit is attached hereto as Exhibit “A.”

13. The Commonwealth of Pennsylvania's official form for Nomination Petition contains two sides and has spaces for 30 signers and are intended to be county-specific. The original Nomination Petition and Candidate's Affidavit remain in the custody of Secretary of the Commonwealth and are incorporated herein by reference.

14. Candidate also filed with the Secretary of State a Statement of Financial Interests form which is attached hereto as Exhibit “B.”

### **THE REQUIRED PROCESS TO QUALIFY AS A DEMOCRATIC CANDIDATE ON THE APRIL PRIMARY ELECTION BALLOT**

15. Section 908 of the Election Code, 26 Pa. C.S. §2868, lists the requirements for each signer of a Nomination Petition. Each signer must:

- a. Sign but one such petition for each office to be filled;
- b. Declare therein that he is registered and enrolled member of the party designed in such petition.

- c. Declare therein that he is a qualified elector of the county therein named, and in the case the nomination is not to be made or candidates are not to be electors of the State at large, of the political district therein named, in which the nomination is to be made or the election is to be held;
- d. Add his residence, given city, borough or township, with street and number, if any, and shall legibly print his name and add the date of signing, expressed in words or numbers. Provided, however, that if the said political district named in the petition lies within any city, borough, or township, or is coextensive with same, it shall not be necessary for any signer of the nomination petition to state therein the city, borough or township of his residence.

16. Pursuant to 25 Pa. C.S. §2911 of the Pennsylvania Election Code, Mr. Patterson was required to file a nomination petition with at least 300 signatures.

17. Additionally, Mr. Paterson is required to truthful aver in the Candidate's Affidavit that he is "eligible for said office."

18. Moreover, Mr. Patterson is required to file a SOFI with the Secretary of State and the Pennsylvania State Ethics Commission.

19. Therefore, unless Mr. Patterson fulfills all the requirements found in the Election Code and the State Ethics Act, the name of Mr. Patterson may not be printed as a candidate on the Primary Election Ballot.

**MR. PATTERSON FAILED TO FILE A SOFI WITH THE PENNSYLVANIA ETHICS COMMISSION**

20. The Pennsylvania Election Code, 25 Pa C.S. §§ 2600 et seq., (the "Election Code", herein cited only to Purdon's Statutes) and cases decided thereunder govern the matters covered by this Petition.

21. The Election Code sets forth the procedure by which a nomination petition may be set aside. See 25 Pa. C.S. §2937.

22. Pennsylvania law requires that “any candidate for a State-level public office shall file a statement of financial interests for the preceding calendar year with the commission on or before the last day for filing a petition to appear on the ballot for election. A copy of the statement of financial interests shall also be appended to such petition.” 65 Pa.C.S.A. § 1104 (b)(1).

23. A candidate’s failure to file the SOFI with the State Ethics Commission is a “fatal defect” which precludes the candidate from appearing on the ballot.

24. The failure to timely submit a SOFI to the appropriate authority is a fatal defect, not subject to correction, even if a copy was timely filed with the relevant board of elections. *See In Re: Guzzardi*, 99 A.2d 381, 386 (Pa. 2014). *See also, In re; Bah*, 215 A.3d 1029, 1031 (Pa.Cmwlth.2019).

25. Upon information and belief, Mr. Patterson has failed to file a SOFI for the 2023 year with the State Ethics Commission.

26. Pursuant to the Ethics Act, the Patterson must be stricken from the ballot.

**PATTERSON IS NOT ELIGIBLE TO SERVE AS THE REPRESENTATIVE IN THE  
201<sup>st</sup> LEGISLATIVE DISTRICT**

27. To be eligible to serve as a Representative in the House of Representatives, a candidate must resident in the respective district for one year before the Election. Pa. Const. Sec. 5.

28. As one of the many representations made under oath in a candidate’s affidavit, a candidate avers that he is qualified for the position which he is seeking.

29. The 2024 General Election will be held in the Commonwealth on November 5, 2024.



**VERIFICATION**

I, Dicie Gilmore, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

\_\_\_\_\_2/20/2024\_\_\_\_\_

DATE

\_\_\_\_\_/s/\_\_\_\_\_

Dicie Gilmore



**VERIFICATION**

I, Toyna Bah, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities).

\_\_\_\_\_2/20/2024\_\_\_\_\_

DATE

\_\_\_\_\_/s/\_\_\_\_\_

Toyna Bah

**MCMONAGLE PERRI  
MCHUGH, MISCHAK & DAVIS, P.C.**

By: Charles M. Gibbs, Esquire  
PA Attorney ID: 310023  
1845 Walnut Street, 19<sup>th</sup> Floor  
Philadelphia, PA 19103  
215-981-0999  
FAX: 215-981-0977

Attorneys For Petitioners

IN RE: NOMINATION PETITION OF  
JOHNNY L. PATTERSON as candidate for the  
Democratic Nomination for Representative in  
the General Assembly for the 201st Legislative  
District ,

Yolanda Mack and Gilbert  
Richardson, Petitioners.

:  
: COMMONWEALTH COURT OF  
: PENNSYLVANIA  
:  
: ELECTION MATTER  
:  
:  
: NO:  
:  
:  
:

**CERTIFICATE OF SERVICE**

I, Charles M. Gibbs, Esq. do hereby certify that on February 20, 2024, I caused a true and correct copy of the foregoing Petition to Set Aside the Nomination Petition of JOHNNY L. PATTERSON as a Candidate for the 12nd Legislative District via hand delivery upon:

The Secretary of the Commonwealth  
210 N. Office Building  
Harrisburg, PA 17120

Respectfully Submitted,

**MCMONAGLE PERRI  
MCHUGH, MISCHAK & DAVIS, P.C.**

BY: \_\_\_\_\_/s/\_\_\_\_\_  
Charles M. Gibbs, Esquire

Dated: February 20, 2024

**CANDIDATE'S  
AFFIDAVIT**

**PENNSYLVANIA DEPARTMENT OF STATE  
BUREAU OF ELECTIONS  
210 NORTH OFFICE BLDG.  
HARRISBURG, PA 17120**

OFFICE USE ONLY

2024000986



Name: Patterson, Johnny, J., II  
Last Name First Name Middle Name or Initial Suffix

Residential Address: 408 W. Walnut Lane  
Street Address

City: Philadelphia State: PA Zip Code: 19144

Municipality (City, Boro, or Township): Philadelphia Gender: F  M  NB

Mailing Address (if different from residential): \_\_\_\_\_  
Street Address

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Voting Precinct Name (including Ward & Division, if applicable): Lingelbach School 59th Ward 18th  
Divison

Office for which you are seeking nomination: REPRESENTATIVE IN THE GENERAL ASSEMBLY

District Number (if applicable): 201st Legislative District

Email address: jpattersonii@yahoo.com

Name as it is to appear on the Ballot: Johnny J. Patterson

**CANDIDATE AFFIDAVIT** - I do swear (or affirm) that my residence, my election district and the title of the office for which I desire to be a candidate are as specified above, that I am eligible for said office, that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that unless I am a candidate for Judge of a Court of Common Pleas, the Philadelphia Municipal Court or the office of school board in a district where that office is elective or the office of magisterial district judge, my name has not been presented as a candidate by nomination petitions of any other party for the same office; that if I am a candidate for any office of a political party I am a registered and enrolled member of such party; that if I am a candidate for Committee Delegate or Alternate Delegate to the National Convention the name of the candidate to whom I am committed is as indicated on my nomination petition and that my signature on the Delegate's Statement was affixed to each page of my nomination petition prior to circulation of same; that I am not a candidate for an office which I already hold, the term of which is not set to expire on the same year as the office subject to this affidavit.

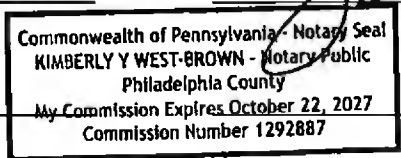
I swear (or affirm) to the above part(s) as required by the law(s) applicable to the office I am seeking.

Sworn to and subscribed before me this

5th day of February 2024  
Kimberly Y West-Brown  
Signature of Officer Administering Affirmation

J Patterson II  
Signature of Candidate

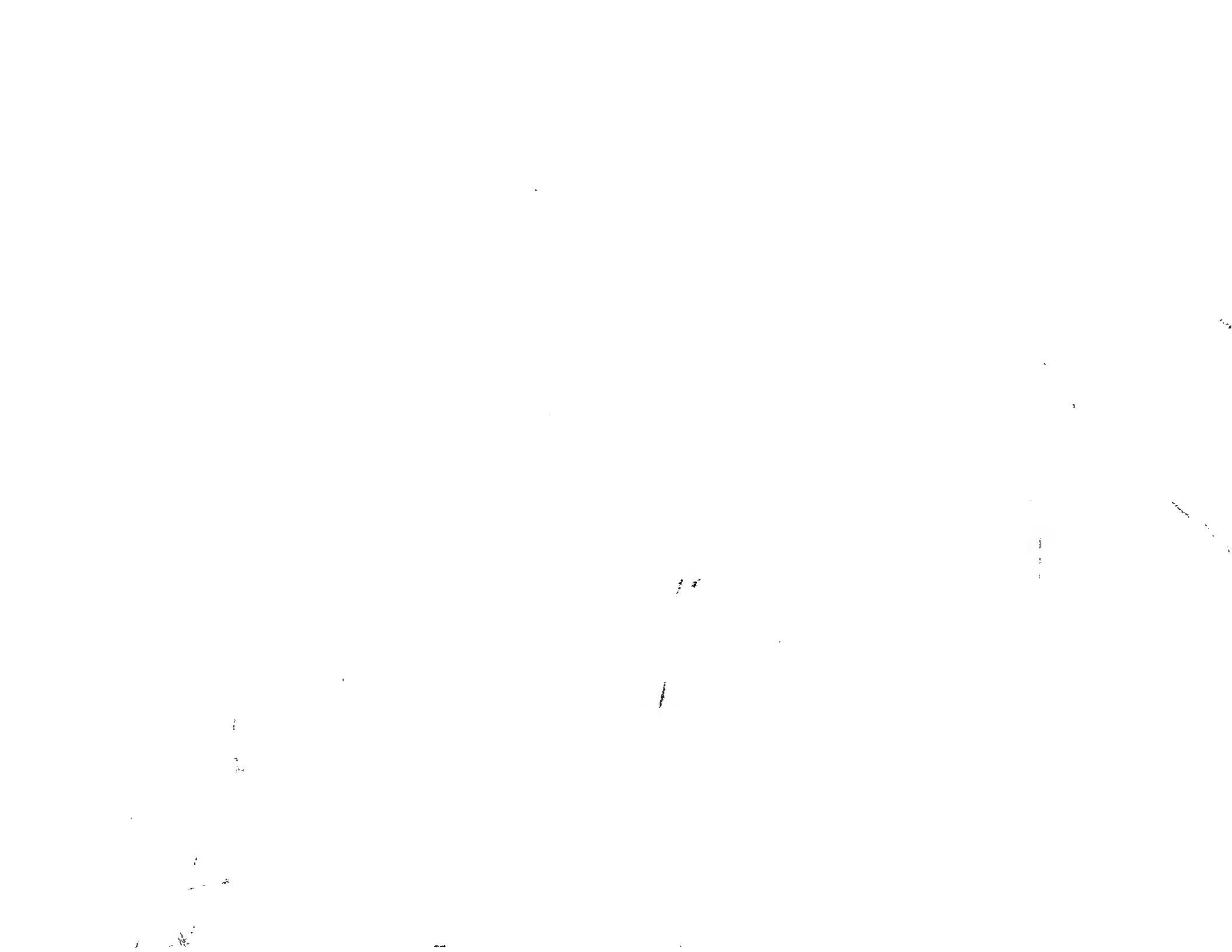
Notary Public  
Official Title



2139097644  
Telephone Number

My commission expires 10/22/2027

PHILADELPHIA  
County of Residence



**STATEMENT OF FINANCIAL INTERESTS**  
SEE INSTRUCTIONS FOR ADDITIONAL DETAILS

01 LAST NAME FIRST NAME MI SUFFIX

P	A	t	t	e	r	s	o	n	J	o	h	n	n	y	J	I	I
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

02 ADDRESS office (business or governmental) or home City State Zip Code Area Code Phone

408W.WalnutLane Philadelphia PA 19144 213 9097644

NOTE: IF YOU ARE INCLUDING ATTACHMENTS, DO NOT INCLUDE ANYTHING THAT BEARS YOUR SOCIAL SECURITY NUMBER OR FINANCIAL ACCOUNT NUMBERS.

03 STATUS Check applicable box or boxes, more than one box may be marked.

A  Candidate (including write-in) C  Public Official (Current) D  Public Employee (Current) E  Check this box if you are filing as a solicitor  Check this box if you are amending an original filing

B  Nominee C  Public Official (Former) D  Public Employee (Former)

04 PUBLIC OFFICE OR PUBLIC EMPLOYMENT (i.e. administrator, member, Commissioner, job title, etc.)  seeking  hold  held

A State Representative  seeking  hold  held

B

05 GOVERNMENTAL BODY in which you are/were an Official, Employee, Candidate or Nominee (e.g., dept, agency, authority, borough, board, commission, county, school district, twp, etc.)

A General Assembly

B

06 OCCUPATION OR PROFESSION (This may be the same as block 4) 07 YEAR SEE INSTRUCTIONS

Healthcare Executive Information in blocks 8-15 represents disclosure for the calendar year listed here: 2024

08 REAL ESTATE INTERESTS involved in transactions with the commonwealth, any of its agencies, or a political subdivision If NONE, check this box

09 CREDITORS TO WHOM IS OWED MORE THAN \$6,500 If NONE, check this box

Name: Department of Education Address: 400 Maryland Ave, SW Wahington, DC 20202 Interest Rate

10 DIRECT OR INDIRECT SOURCES OF INCOME OF \$1,300 OR MORE, including (but not limited to) all employment If NONE, check this box

Name: Genesis Administrative Services Address: 101 E. State Street Kennett Square 19348 (OFFICIAL USE ONLY)

11 GIFTS VALUED AT \$250 OR MORE IN THE AGGREGATE If NONE, check this box

Source of Gift Value of Gift

Address of Source of Gift Circumstances (including description) of Gift

12 TRANSPORTATION, LODGING OR HOSPITALITY WHERE ACTUAL EXPENSES EXCEEDED \$650 IN THE AGGREGATE If NONE, check this box

Source (Name and Address) Value

13 OFFICE, DIRECTORSHIP OR EMPLOYMENT IN ANY BUSINESS If NONE, check this box

Business Entity (Name and Address) Position Held (i.e., officer, director, employee, etc.)

14 FINANCIAL INTEREST IN ANY LEGAL ENTITY IN BUSINESS FOR PROFIT If NONE, check this box

Business (Name and Address) Interest Held (i.e., 5%, 10%, etc.)

15 BUSINESS INTERESTS TRANSFERRED TO IMMEDIATE FAMILY MEMBER If NONE, check this box

Business (Name and Address) Interest Held Relationship Date Transferred

Transferee (Name and Address)

The undersigned hereby affirms that the foregoing information is true and correct to the best of said person's knowledge, information and belief, said affirmation being made subject to the penalties prescribed by 18 Pa.C.S. § 904 (unsworn falsification to authorities) and the Public Official and Employee Ethics Act, 65 Pa.C.S. § 1109(b).

Signature: *[Signature]* Enter Current Date: 2/5/24

THIS FORM IS CONSIDERED DEFICIENT IF ANY BLOCK ABOVE IS NOT COMPLETED. MAKE A COPY FOR YOUR RECORDS. SIGN THE FORM USING CURRENT DATE. DO NOT BACK DATE SIGNATURE.

