

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: THE NOMINATION PETITIONS OF
BARRY J. LLEWELLYN AS A REPUBLICAN
CANDIDATE FOR STATE REPRESENTATIVE
IN THE 129TH LEGISLATIVE DISTRICT

: ELECTION MATTER
:
: DOCKET NO:
: _____ MD 2022

PETITION TO SET ASIDE NOMINATING PETITIONS
OF BARRY J. LLEWELLYN

AND NOW, comes Petitioner, Jennifer Brady, a duly registered and enrolled Republican elector of the Commonwealth of Pennsylvania who votes and resides in the 129th Legislative District seeking to set aside the Nominating Petitions and Papers of Barry J. Llewellyn and, in support thereof avers as follows:

- 1) Exclusive jurisdiction over the subject matter of this Petition is vested in the Commonwealth Court of Pennsylvania by the provisions of the **Pennsylvania Election Code, 25 P. S. § 2937**, and the provisions of the **Judicial Code, 42 Pa. C. S. A. § 764**.
- 2) Petitioner Jennifer Brady resides at 3321 Pequot Drive Reading, PA and is a duly registered and enrolled Republican elector of the Commonwealth of Pennsylvania who votes and resides in the 129th Legislative District. 19608
- 3) Respondent Barry J. Llewellyn, a candidate for State Representative in the 129th Legislative District who, as of March 28, 2022, allegedly resides at, 141 Crest Road Reading, Pennsylvania 19608 in the municipality of Sinking Spring.
- 4) On or about March 28, 2022, Nominating Petitions and Papers were filed with the Pennsylvania Department of State, Bureau of Elections, nominating Respondent, Barry J. Llewellyn, as a Republican candidate for State Representative in the 129th

Legislative District.

- 5) The Nominating Petitions and Papers are purported to consist of 18 petition pages and allegedly containing 344 lines of signatures of electors supporting the nomination of Barry J. Llewellyn, Respondent.
- 6) Three Hundred (300) valid signatures of qualified electors who reside within the 129th Legislative District are required by statute **25 P. S. § 2872.1 (14)** to support the Nominating Petitions and Papers of Barry J. Llewellyn in the Primary Election scheduled for May 17, 2022.
- 7) The Nominating Petitions and Papers of Respondent, Barry J. Llewellyn, are invalid and inadequate in that they contain less than the 300 valid signatures and because of various inadequacies and deficiencies as outlined in a spreadsheet attached hereto and incorporated as **Exhibit A**.
- 8) **Exhibit A** lists 117 challenges to the 344 lines in Barry J. Llewellyn's petitions.
- 9) In addition, objection to Circulator Statement on Page 16 for adding personal address to the line regarding County of Petition-Signers Residence.

WHEREFORE, Petitioner prays this Honorable Court to set aside the Nominating Petitions and Papers of Respondent, Barry J. Llewellyn, for failure to obtain the minimum number of valid signatures (300) for the office of State Representative and to order that his name not appear on the ballot for nomination as the Republican Party candidate for State Representative in the 129th Legislative District.

Respectfully submitted:

Jennifer Brady

Jennifer Brady

3321 Pequot Drive

Reading, PA 19608

bradyjennifer41@gmail.com

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**IN RE: THE NOMINATION PETITIONS OF
BARRY J. LLEWELLYN AS A REPUBLICAN
CANDIDATE FOR STATE REPRESENTATIVE
IN THE 129TH LEGISLATIVE DISTRICT**

**: ELECTION MATTER
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ORDER

AND NOW, this _____ day of _____, 2022, it is hereby **ORDERED**

THAT the Nominating Petitions and Papers of Barry J. Llewellyn as a Candidate for State Representative in the 129th Legislative District be and hereby are stricken and dismissed, and

FURTHER ORDERED

that the name of respondent Barry J. Llewellyn not appear on the ballot for the May 17, 2022 Primary Election for the Republican Party candidate for State Representative in the 129th State Legislative District.

BY THE COURT

J.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: THE NOMINATION PETITIONS OF
BARRY J. LLEWELLYN AS A REPUBLICAN
CANDIDATE FOR STATE REPRESENTATIVE
IN THE 129TH LEGISLATIVE DISTRICT

: ELECTION MATTER
:
: DOCKET NO:
: _____ MD 2022

CERTIFICATE OF SERVICE

I Jennifer Brady, do hereby certify that on April 4, 2022, I caused to be served a true and correct copy of the above captioned foregoing **PETITION TO SET ASIDE NOMINATING PETITIONS OF BARRY J. LLEWELLYN** upon the following:

BY HAND

Secretary of the Commonwealth
305 North Office Building
Harrisburg, PA 17120-0029

I also served by email:

Barry J. Llewellyn
bllewellyn@comcast.net

Date: 4/4/2022

Jennifer Brady

Jennifer Brady
3321 Pequot Drive
Reading, PA 19608
bradyjennifer41@gmail.com

EXHIBIT A

1. The objection petition shall specify objections to individual signature lines in nomination petitions and these shall be set forth in an EXCEL® or other similar spreadsheet format. Objector may use the downloadable spreadsheet provided on the Court's website at: <http://www.pacourts.us/courts/commonwealthcourt/>.
2. Spreadsheet columns shall include, for each challenged signature line on the nomination petition: page number, line number, county, and the reason or reasons for each challenge. The spreadsheet shall designate the grounds for objection using the following abbreviations (challenge codes key):

NR – Not Registered

NRA – Not Registered at Address

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

Other – Any ground for objection not listed above

SEE EXCEL SPREADSHEET FOLLOWING

Challenge Codes Key

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PRI – Printed Signature

Other – Any ground for objection not listed above

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	
1	Directions for completing spreadsheet:																					
2	1. For each signature line that is challenged as invalid complete the information indicated for columns A through C.																					
3	2. Indicate the ground or grounds that allegedly render the signature line invalid by inserting an "X" in the appropriate column (columns D through O).																					
4	3. When "Other" (column O) is used, specify the exact nature of the objection in the "Describe Other" cell (column P).																					
5	4. Do not make any marks in columns Q through T.																					
6	5. See the Election Spreadsheet Directions tab below for detailed directions and a legend of the objection codes.																					
7	Specific Grounds for Objection																					
8	Page	Line	County	NR	NRA	NRD	NRDS	OC	ILL	LIO	DUP	IHA	N/I	PRI	Other	Describe Other	S/S	V/S	S/CT	V/CT		
9		1	10 Berks												X							
10		1	13 Berks						X							X	Signature Illegible					
11		1	29 Berks						X													
12		2	3 Berks										X									
13		2	13 Berks										X									
14		2	18 Berks						X							X	Signature Illegible					
15		2	20 Berks													X	Signature and Name Differ					
16		3	5 Berks						X							X	ILL - City, Boro or Twp.					
17		3	7 Berks						X							X	Signature Illegible					
18		3	9 Berks										X			X	Signature Illegible					
19		3	11 Berks						X							X	Signature Illegible					
20		3	17 Berks									X										
21		3	18 Berks									X										
22		3	19 Berks									X										
23		3	20 Berks									X										
24		3	21 Berks									X										
25		4	1 Berks										X									
26		4	4 Berks						X							X	Signature Illegible					
27		4	6 Berks													X	Date Ambiguous					
28		4	7 Berks													X	Date Ambiguous					
29		4	8 Berks													X	Date Ambiguous					
30		4	9 Berks						X							X	Signature Illegible					
31		4	10 Berks						X							X	Signature Illegible					
32		4	11 Berks						X							X	Signature Illegible					
33		4	13 Berks												X							
34		4	14 Berks												X							
35		4	15 Berks							X			X			X	Date Not Complete					
36		4	21 Berks													X	Not Signed With Last Name					
37		4	29 Berks		X																	
38		5	3 Berks													X	Date Appears to be 3/26/22					

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
7	Specific Grounds for Objection																				
8	Page	Line	County	NR	NRA	NRD	NRDS	OC	ILL	LIO	DUP	IHA	N/I	PRI	Other	Describe Other	S/S	V/S	S/CT	V/CT	
39	5	4	Berks												X	Date Ambiguous					
40	5	5	Berks												X	Date Ambiguous					
41	5	6	Berks												X	Date Appears to be 3/25/22					
42	5	7	Berks												X	Date Unchronological					
43	5	8	Berks												X	Date Unchronological					
44	5	9	Berks												X	Date Unchronological					
45	5	10	Berks												X	Date Unchronological					
46	5	11	Berks												X	Date Unchronological					
47	5	12	Berks									X			X	IHA- See P.5 L.16 & P.6 L.9					
48	5	16	Berks									X			X	IHA- See P.5 L.12 & P.6 L.9					
49	5	17	Berks									X									
50	5	18	Berks									X									
51	5	21	Berks												X	ILL - City, Boro, or Twp.					
52	6	3	Berks						X						X	Signature Illegible					
53	6	5	Berks						X						X	Signature Illegible					
54	6	6	Berks									X									
55	6	7	Berks									X									
56	6	8	Berks						X						X	Signature Illegible					
57	6	9	Berks									X			X	IHA- See P.5 Lines 12 & 16					
58	6	12	Berks									X									
59	6	13	Berks									X									
60	7	3	Berks												X	ILL - City, Boro, or Twp.					
61	7	5	Berks									X									
62	7	6	Berks									X									
63	7	9	Berks										X	X							
64	7	15	Berks						X						X	Signature Illegible					
65	7	16	Berks	X																	
66	8	3	Berks						X						X	Signature Illegible					
67	8	4	Berks						X						X	Signature Illegible					
68	8	5	Berks						X						X	Signature Illegible					
69	8	6	Berks												X	Date Ambiguous					
70	8	7	Berks						X												
71	8	9	Berks						X												
72	8	10	Berks						X												
73	8	11	Berks						X												
74	8	13	Berks												X	Date Ambiguous					

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U
7	Specific Grounds for Objection																				
8	Page	Line	County	NR	NRA	NRD	NRDS	OC	ILL	LIO	DUP	IHA	N/I	PRI	Other	Describe Other	S/S	V/S	S/CT	V/CT	
75	8	14	Berks						X						X	Signature Illegible					
76	8	17	Berks									X									
77	8	18	Berks									X									
78	8	21	Berks										X								
79	8	23	Berks										X								
80	9	6	Berks												X	ILL - City, Boro, or Twp.					
81	9	10	Berks												X	Two Names/One Line					
82	9	16	Berks									X									
83	9	17	Berks									X									
84	9	18	Berks									X									
85	10	5	Berks												X	ILL - City, Boro, or Twp.					
86	10	7	Berks						X	X					X	Signature Illegible					
87	10	13	Berks						X						X	Signature Illegible					
88	10	15	Berks						X						X	Signature Illegible					
89	10	23	Berks						X						X	Signature Illegible					
90	10	26	Berks						X						X	Signature Illegible					
91	11	1	Berks			X															
92	11	2	Berks			X															
93	11	3	Berks			X															
94	11	4	Berks			X															
95	11	5	Berks			X															
96	11	6	Berks			X															
97	11	7	Berks												X	Full Name Missing					
98	11	8	Berks						X						X	Signature Illegible					
99	13	3	Berks										X								
100	14	1	Berks									X									
101	14	2	Berks									X									
102	14	3	Berks									X									
103	14	4	Berks									X									
104	14	7	Berks									X									
105	14	8	Berks									X	X								
106	14	9	Berks						X			X				Signature Illegible					
107	14	10	Berks						X			X				Signature Illegible					
108	14	12	Berks												X	Date Ambiguous					
109	15	12	Berks										X		X	Street Ambiguous					
110	15	13	Berks												X	Street Ambiguous					

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	
7	Specific Grounds for Objection																					
8	Page	Line	County	NR	NRA	NRD	NRDS	OC	ILL	LIO	DUP	IHA	N/I	PRI	Other	Describe Other	S/S	V/S	S/CT	V/CT		
64983																						
64984																						
64985																						
64986																						
64987																						
64988																						
64989																						
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64991																						
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65003																						
65004																						
65005																						
65006																						
65007	117	117	117	3		7	0	0	34	4	0	29	13	4	62		0	0	0	0	0	

ELECTION SPREADSHEET DIRECTIONS

By order of the Commonwealth Court of Pennsylvania, all Petitions to Set Aside Nomination Petitions or Papers (objection petitions) must be filed either in paper format (original and one copy) or by PACFile (the Pennsylvania appellate court electronic filing system). When individual elector signatures are challenged, the objection petition must be accompanied by a spreadsheet as specified in the Court's order and the directions below.

1. The objection petition shall specify the objections to individual signature lines in nomination petitions or papers and these shall be set forth in this spreadsheet .
2. Spreadsheet columns shall include, for each challenged signature line: page number, line number, county, and the reason or reasons for each objection. The spreadsheet shall designate the grounds for objection using the following abbreviations:

NR =	Not Registered
NRA =	Not Registered At Address
NRD =	Not Registered in District
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Ill =	Illegible
LIO =	Line Information Omitted
DUP =	Duplicate
IHA =	Line Information in Hand of Another
N/I =	Nickname/Initial
PRI =	Printed Signature
Other =	Any ground for objection not listed above (specify the exact nature of the objection in the "Describe Other" cell)

Note: This list of abbreviations for the various grounds to object to a signature is also referred to as the "challenge codes key."

3. The objection petition shall clearly state the number of signature lines challenged as well as the total number of completed signature lines on the face of the nomination petitions or papers.
4. Any other objections, e.g., to circulator affidavits, candidate affidavits, etc., must be clearly and separately stated in the objection petition.
5. If filing the objection petition in paper format:
 - a. Objector shall attach to the objection petition as an exhibit a printed copy of the spreadsheet printed on 8 ½ x 14 inch paper, with all grid lines showing and column headings appearing on each printed sheet, and a printed copy of the challenge codes key.
 - b. In addition, Objector shall file two separate digital media devices (CD or USB flash drive), each containing an electronic version of the spreadsheet and the challenge codes key. The electronic version of the spreadsheets on the each digital media

devices must be enabled for editing by the Court, and may **not** be read-only or password protected.

6. If filing the objection petition by PACFile:
 - a. Along with the electronically filed objection petition, Objector shall file as an exhibit an electronic (PDF) version of the spreadsheet with all grid lines showing and column headings appearing on each sheet, and an electronic (PDF) version of the challenge codes key.
 - b. **Within two days** of submission of filing the objection petition and spreadsheet, Objector shall submit to the Court two paper copies of the electronically filed objection petition and spreadsheet **and** two separate digital media devices (CD or USB flash drive), each containing an electronic version of the spreadsheet and the challenge codes key. The electronic version of the spreadsheet on the each digital media device must be enabled for editing by the Court, and may **not** be read-only or password protected.
7. Regardless of the method of filing, in addition to the usual service requirements Objector shall serve upon Candidate one digital media device containing a read-only electronic version of the spreadsheet and challenge codes key.

Revised 2-14-2020