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*Attorneys for Petitioners*

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**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

*IN RE*: NOMINATION PETITION/ :  
PAPERS OF SONIA M. CANGELO :  
AS REPUBLICAN CANDIDATE FOR :  
REPRESENTATIVE IN THE 63<sup>rd</sup> : No. \_\_\_\_ MD 2024  
LEGISLATIVE DISTRICT :  
: Election Matter

**PETITION TO SET ASIDE NOMINATION PETITION**

Petitioners, Ronald Over, Jill Over, and Richard McNaughton, by and through undersigned counsel, respectfully object to the nomination petition for Republican Representative of the 63<sup>rd</sup> Legislative District in the General Assembly Candidate, Sonia M. Cangelo, and in support, aver as follows:

1. The Petitioners, Ronald Over (526 Clark Road, Shippenville, PA 16254), Jill Over (526 Clark Road, Shippenville, PA 16254), and Richard McNaughton (410 Washington Street, Strattanville, PA 16258) (hereafter collectively “Petitioners”) are qualified electors and registered Republican voters in

the 63<sup>rd</sup> Legislative District of the Commonwealth of Pennsylvania, who have a direct and substantial interest in the 2024 primary election, and in obtaining compliance with the election laws by any candidate for whom they may vote. *In re Barlip*, 428 A.2d 1058, 1060 (Pa. Commw. Ct. 1981).

2. The Respondent is Sonia M. Cangelo (“Cangelo”), a Republican candidate for Representative in the General Assembly in the Commonwealth’s 63<sup>rd</sup> Legislative District.

3. On or about February 12, 2024, Cangelo filed a Nomination Petition with the Secretary of the Commonwealth seeking to have her name certified to the County Boards of Elections to be printed on the Primary Ballot of the Republican Party for the 2024 election for Representative in the General Assembly for the 63<sup>rd</sup> Legislative District.

4. The Nomination Petition purports to contain 308 signatures, addresses, and dates of signing of qualified, registered electors (the “Signers”) as well as supporting statements of the circulators signed pursuant to 18 Pa.C.S. § 4904.

5. As detailed below and within the attached Election Spreadsheet, Petitioners object to 38 signature lines within the Nomination Petition as illegible, defective for missing required line item information or using abbreviations, signed by voters who are not registered or are not registered Republican, or signed by voters

from outside the district or from outside the county listed on the form. *See* Election Spreadsheet attached hereto and marked as **Exhibit A**.

6. Because of these defects, or other irregularities in the signatures, addresses, and dates, the Nomination Petition contains insufficient valid signatures to qualify Cangelo for inclusion on the April Primary Election Ballot in the Commonwealth of Pennsylvania.

7. This Court has original jurisdiction over this matter pursuant to 42 P.S. § 764(2) and 25 P.S. § 2937.

8. The Pennsylvania Election Code, Act of June 3, 1937, P.L. 1333, 25 P.S. §§ 2600, et seq., (the “Election Code”) and cases decided thereunder, govern the matters covered by this Petition.

#### **Deficiencies of the Nomination Petition**

9. The Nomination Petition consists of 18 petition pages. The Commonwealth of Pennsylvania’s official petition form contains two sides and has spaces for 30 signatures. The official form is county specific. The original nomination petitions remain in the custody of the Secretary of the Commonwealth and are incorporated herein by reference.

10. Signers of Nomination Petitions shall sign one petition for each office to be filled and declare that they are a registered and enrolled member of the designated party in the petition. *See* 25 P.S. § 2868.

11. Signers shall declare that they are a qualified elector of the county and district named on the petition. *Id.*

12. Different petition sheets must be used for signers residing in different counties. 25 P.S. § 2869.

13. Signers must provide their address where they are duly registered and enrolled, giving city, borough or township, with street and number, if any. However, if the political district named in the petition lies wholly within any city, borough or township, or is coextensive with same, it is not necessary for the Signer to state the city, borough or township of his residence. 25 P.S. § 2868.

14. Signers shall legibly print their name and add the date of signing. *Id.*

15. Petitioners, their counsel, and/or volunteers who supported their efforts reviewed the signature lines of each page of the submitted Nomination Petition according to the criteria and categories set forth in this Court's July 19, 2023 Order and the Election Code. *See Notice and Order re: Objections to Nomination Petitions/Papers of Candidates for Statewide and State-Level Office*, 126 Misc. Dkt. No. 3 (July 19, 2023).

16. As set forth more fully in **Exhibit A**, Petitioners challenge 56 signature lines within Candidate Cangelo's Nomination Petition as invalid. Several signature lines are objected to for multiple reasons, but Petitioners' objections include:

a.) 6 Signers are not registered to vote;

- b.) 4 Signers were not registered and/or not registered at the address written on the Nomination Petition;
- c.) 7 Signers were not registered at the address written on the Nomination Petition;
- d.) 8 Signers are unaffiliated or are registered with a party other than the Republican Party;
- e.) 6 Signers are unaffiliated or are registered with a party other than the Republican and/or were not registered at the address written on the Nomination Petition;
- f.) 2 Signers were not registered and/or registered in a county different than the county listed on the Nomination Petition page;
- g.) 18 Signers had line information in the hand of another;
- h.) 5 Signers improperly used a nickname or initials;

*See Exhibit A.*

17. Candidates for nomination to the office of Representative in the General Assembly for the Republican Primary Ballot must present a petition containing at least 300 valid signatures of registered and enrolled members of the Republican party. 25 P.S. § 2872.1(14).

18. The challenged signature lines cannot be counted toward the requisite 300 to support nomination, and without them, Candidate Cangelo lacks the signatures required to qualify for the April 2024 Primary Election.

19. The Nomination Petition should, therefore, be set aside. *See* 25 P.S. § 2937.

**WHEREFORE**, the Petitioners pray that this Honorable Court enter an Order as follows:

1. Setting aside the Nomination Petition of Sonia M. Cangelo;
2. Declaring that Sonia M. Cangelo does not have the requisite valid number of signatures as required under the Election Code to have her name placed on the Ballot in the Primary Election to be held April 23, 2024;
3. Sustaining the objections of the Petitions to the Nomination Petition;
4. Directing the appropriate officers of the Commonwealth of Pennsylvania to strike and set aside the Nomination Petition of Sonia M. Cangelo;

**[Remainder of page intentionally left blank.]**

5. Ordering Sonia M. Cangelo and to make payment for the costs of these proceedings, including witness fees and such other reasonable costs and attorney's fees incurred by the Petitioners in bringing forth this Petition. *See* the Pennsylvania Election Code at 25 P.S. § 2937; and

6. Granting such other and further relief as this Court deems necessary and just.

Respectfully submitted:

By: /s/Ryan T. Gonder

Ryan T. Gonder

PA ID No. 321027

J. Andrew Crompton

PA ID No. 69227

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*Attorneys for Petitioners*

Dated: February 20, 2024

**CERTIFICATE OF SERVICE**

I, Ryan T. Gonder, hereby certify that on this date, I served a true and correct copy of the foregoing Petition to Set Aside Nomination Petition, upon the following parties:

PURSUANT TO NOTICE AND ORDER RE: OBJECTIONS TO NOMINATION  
PETITIONS/PAPERS OF CANDIDATES FOR STATEWIDE AND STATE-  
LEVEL OFFICE

Sonia M. Cangelo  
soniamcangelo@icloud.com

HAND DELIVERY VIA COURIER:

The Honorable Al Schmidt  
Secretary of the Commonwealth  
210 North Office Building  
Harrisburg, PA

Date: February 20, 2024

/s/Ryan T. Gonder  
Ryan T. Gonder



**CERTIFICATE OF COMPLIANCE**

I certify that this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

McNEES WALLACE & NURICK LLC

By: /s/Ryan T. Gonder

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*Attorneys for Petitioners*

Dated: February 20, 2024

# **Exhibit A**

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
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 R).																						
4	3. When "Other" (column R) is used, specify the exact nature of the objection in the "Describe Other" cell (column S).																						
5	4. Do not make any marks in columns T through W.																						
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	NRCP	NRD	NRDS	OC	ILL	LIO	DUP	IHA	N/I	PRI	DCS	SAC	Other	Describe Other	S/S	V/S	S/CT	V/CT
9		2	1 CLARION		X																		
10		2	3 CLARION										X										
11		2	4 CLARION										X										
12		2	5 CLARION										X										
13		2	6 CLARION										X										
14		2	7 CLARION										X										
15		2	8 CLARION										X										
16		2	9 CLARION										X										
17		2	10 CLARION										X										
18		2	11 CLARION										X										
19		2	12 CLARION										X										
20		2	13 CLARION										X										
21		2	14 CLARION										X										
22		3	15 CLARION										X										
23		3	16 CLARION										X										
24		3	17 CLARION										X										
25		3	18 CLARION										X										
26		3	19 CLARION										X										
27		3	20 CLARION										X										
28		2	2 CLARION		X																		
29		5	7 CLARION		X																		
30		7	7 CLARION		X																		
31		9	6 CLARION		X																		
32		11	1 CLARION	X																			
33		15	17 CLARION											X									
34		12	30 CLARION											X									
35		12	13 CLARION											X									
36		17	2 CLARION											X									
37		10	12 CLARION	X																			
38		10	17 CLARION		X																		
39		10	20 CLARION														X						
40		12	3 CLARION	X																			
41		12	16 CLARION														X						
42		12	17 CLARION		X												X						
43		13	2 CLARION														X						
44		13	4 CLARION														X						
45		15	23 CLARION	X																			
46		15	21 CLARION		X												X						
47		15	9 CLARION		X												X						
48		18	1 ARMSTRONG	X																			
49		5	12 CLARION	X	X																		
50		5	6 CLARION		X																		
51		5	9 CLARION											X									
52		6	3 CLARION	X	X																		
53		6	4 CLARION		X												X						
54		7	11 CLARION		X												X						

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W
7																							
8	Page	Line	County	NR	NRA	NRCP	NRD	NRDS	OC	ILL	LIO	DUP	IHA	N/I	PRI	DCS	SAC	Other	Describe Other	S/S	V/S	S/CT	V/CT
55	8	11	CLARION	X	X																		
56	8	14	CLARION			X																	
57	9	12	CLARION			X																	
58	9	13	CLARION	X																			
59	9	2	CLARION		X																		
60	9	3	CLARION	X																			
61	9	23	CLARION			X																	
62	9	28	CLARION	X	X																		
63	18	2	ARMSTRONG	X																			
64	14	1	ARMSTRONG			X																	

## 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 electronically, either by PACFile (the Pennsylvania appellate court electronic filing system) or by email to CommCourtFiling@pacourts.us. 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
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 (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 statements, 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 electronically:


- 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. **No changes may be made to the original spreadsheet filed electronically with the Court.**

Revised 7-19-2023

**VERIFICATION**

I, Ronald Over, verify that the statements contained in the foregoing Petition to Set Aside Nomination Petition are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/20/24

  
Ronald Over

**VERIFICATION**

I, Jill Over, verify that the statements contained in the foregoing Petition to Set Aside Nomination Petition are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: 2/20/24


Jill Over  
Jill Over



**VERIFICATION**

I, Richard McNaughton, verify that the statements contained in the foregoing Petition to Set Aside Nomination Petition are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 relating to unsworn falsification to authorities.

Date: 02-20-2024

  
Richard McNaughton

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Sonia M. Cangelo  
soniamcangelo@icloud.com

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The Honorable Al Schmidt  
Secretary of the Commonwealth  
210 North Office Building  
Harrisburg, PA

Date: February 20, 2024

/s/Ryan T. Gonder  
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