

[J-97-2020]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

MICHAEL CROSSEY, DWAYNE THOMAS,	:	No. 108 MM 2020
IRVIN WEINREICH, BRENDA WEINREICH,	:	
AND THE PENNSYLVANIA ALLIANCE	:	
FOR RETIRED AMERICANS,	:	
	:	
Petitioners	:	SUBMITTED: September 8, 2020
	:	
v.	:	
	:	
KATHY BOOCKVAR, SECRETARY OF	:	
THE COMMONWEALTH, AND JESSICA	:	
MATHIS, DIRECTOR OF THE BUREAU OF	:	
ELECTION SERVICES AND NOTARIES,	:	
	:	
Respondents	:	

CONCURRING AND DISSENTING STATEMENT

CHIEF JUSTICE SAYLOR

DECIDED: September 17, 2020

I would not dismiss the Petitioner’s request for extension of the deadline for receipt of mail-in ballots as moot. Instead, I would have employed this case as the vehicle to decide that issue on the evidentiary record developed before President Judge Leavitt in accordance with this Court’s assignment, and I would have resolved the matter based on the rationale set forth by Justice Donohue in her concurring and dissenting opinion in *Pennsylvania Democratic Party v. Boockvar*, 133 MM 2020.

In all other respects, I join the *per curiam* Order.

Justices Donohue and Mundy join this concurring and dissenting statement.