IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: THE NOMINATION PETITIONS OF : ELECTION MATTER
MATTHEW WAYMAN AS A REPUBLICAN :
CANDIDATE FOR STATE REPRESENTATIVE : DOCKET NO:
IN THE 110ᵀᴴ LEGISLATIVE DISTRICT : 82 MD 2024

PETITION TO SET ASIDE NOMINATING PETITIONS

AND NOW, come Petitioners, by their counsel, Lawrence M. Otter, Esquire,

and file the within Petition 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. One Petitioner is Joan Jenkins, who resides at 72 State St., Nicholson, PA

   18446 and is a duly registered and enrolled Republican elector of the

   Commonwealth of Pennsylvania who votes and resides in the 110ᵗʰ

   Legislative District.

3. One Petitioner is Julia Newman who resides at 111 Edwards St., Athens

   PA 18810 and is a duly registered and enrolled Republican elector of the

   Commonwealth of Pennsylvania who votes and resides in the 110th

   Legislative District.
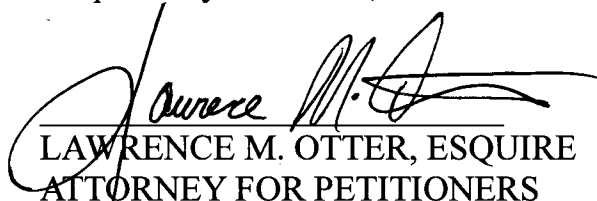
4. One Respondent is Matthew Wayman, a candidate for State Representative in 110th Legislative District who as of February 13, 2024, allegedly resides at 114 Hickory Dr, Athens Twp, PA

5. One Respondent is Al Schmidt, the Secretary of the Commonwealth, whose office is located at 305 North Office Building, Harrisburg, Pennsylvania.

6. On or about February 13, 2024, Nominating Petitions were filed with the Pennsylvania Department of State, Bureau of Elections, nominating Respondent, Bmatthew Wayman, as a Republican candidate for State Representative in the 110th Legislative District.

7. The nominating Petitions are purported to consist of 19 petition pages and allegedly containing 360 lines of signatures of electors supporting the nomination of Matthew Waymans, Respondent.

8. Three Hundred (300) valid signatures of qualified electors who reside within the 110th Legislative District are required by statute, **25 P. S. §2872.1 (14)** to support the Nominating Petitions of Matthew Wayman in the Primary Election scheduled for April 23, 2024.

9. The Nominating Petitions of Respondent Matthew Wayman are invalid and inadequate in that they contain less than 300 valid signatures and

because of various inadequacies and deficiencies as outlined in a spreadsheet attached hereto and incorporated as **Exhibit A.**

10.   Service upon the candidate was effectuated pursuant to the Order of this Court by the posting of this petition on the Commonwealth Court Docket.

WHEREFORE, Petitioner prays this Honorable Court to set aside the Nominating Petitions of Respondent Matthew Wayman, since he lacks 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 110th Legislative District.

Respectfully submitted,

LAWRENCE M. OTTER, ESQUIRE
ATTORNEY FOR PETITIONERS
PA ATTORNEY ID 31383
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Silverdale, PA 18962
267-261-2948
Email: larryotter@hotmail.com

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: THE NOMINATION PETITIONS OF   : ELECTION MATTER
MATTHEW WAYMAN AS A REPUBLICAN   :
CANDIDATE FOR STATE REPRESENTATIVE : DOCKET NO:
IN THE 110TH LEGISLATIVE DISTRICT   :   MD 2024

ORDER

AND NOW, this _____ day of _____, 2024, it is hereby

ORDERED that the Nominating Petitions of Matthew Wayman, as a Candidate

for State Representative in the 110th Legislative District be and hereby are stricken

and dismissed, and

FURTHER ORDERED

that the name of respondent Matthew Wayman not appear on the ballot for the

April 23, 2024 Primary Election for the Republican Party candidate for State

Representative in the 110th Legislative District.

BY THE COURT

4

J. _____

IN THE COMMONWEALTH COURT OF PENNSYLVANIA
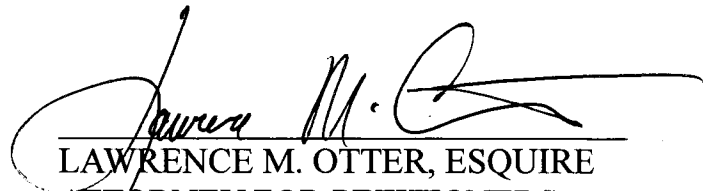
IN RE: THE NOMINATION PETITIONS OF   : ELECTION MATTER
MATTHEW WAYMAN AS A REPUBLICAN   :
CANDIDATE FOR STATE REPRESENTATIVE : DOCKET NO:
IN THE 110TH LEGISLATIVE DISTRICT   :   MD 2024

CERTIFICATE OF SERVICE

       Lawrence M. Otter, Esquire, counsel for Petitioner, hereby certifies that a true and correct copy of the within Petition with proposed order affixed thereto was duly served on February 20, 2024 upon the following:

BY HAND

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

LAWRENCE M. OTTER, ESQUIRE
ATTORNEY FOR PETITIONERS
PO BOX 575
SILVERDALE, PA 18962
267-261-2948

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Email: larryotter@hotmail.com

EXHIBIT A

The objection petition shall specify objections to individual signature lines in nomination petitions or papers 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/commonwealth-court/.

Spreadsheet columns shall include, for each challenged signature line on the nomination petition/paper: 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
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

SEE EXCEL SPREADSHEET FOLLOWING

Directions for completing spreadsheet:

1. For each signature line that is challenged complete the information indicated for columns A through C.
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).
3. When "Other" (column R) is used, specify the exact nature of the objection in the "Describe Other" cell (column S).
4. Do not make any marks in columns T through W.
5. See the Election Spreadsheet Directions tab below for detailed directions and a legend of the objection codes.

Specific Grounds for Objection

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
1	4	Bradford		X													X	Wrong Date Year				
1	16	Bradford		X													X	Wrong Date Year				
1	17	Bradford		X																		
1	18	Bradford		X																		
1	19	Bradford															X	Date out of order				
1	20	Bradford			X												X	Date out of order				
1	23	Bradford			X																	
1	30	Bradford											X									
2	1	Bradford			X																	
2	3	Bradford		X	X																	
2	6	Bradford		X	X																	
2	8	Bradford		X	X																	
2	9	Bradford																				
2	13	Bradford								X			X				X	Date missing				
2	14	Bradford			X																	
3	3	Bradford			X																	
3	4	Bradford			X					X												
3	6	Bradford			X												X	Crossed out				
3	7	Bradford		X	X																	
3	9	Bradford			X																	
3	10	Bradford			X					X												
3	11	Bradford								X												
4	4	Wyoming		X	X																	
4	8	Wyoming		X																		
4	14	Wyoming															X	Wrong date				
5	3	Bradford			X																	
5	17	Bradford		X	X																	
6	4	Bradford		X																		
6	5	Bradford															X	Date out of order				
6	6	Bradford		X													X	Date out of order				
6	9	Bradford		X	X																	
6	14	Bradford		X	X																	
6	22	Bradford											X									
7	5	Bradford			X																	
7	6	Bradford		X																		
7	17	Bradford		X	X												X	Date out of order				
7	18	Bradford															X	Date out of order				
7	21	Bradford							X													
8	6	Bradford		X	X												X	Date out of order				
8	10	Bradford		X	X																	
8	11	Bradford		X	X																	
9	6	Bradford		X	X																	
9	8	Bradford																				
9	12	Bradford			X																	
9	15	Bradford																				
9	16	Bradford			X																	
10	17	Bradford		X																		
11	2	Bradford		X																		

Specific Grounds for Objection

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
11	4	Bradford																				
11	5	Bradford	x																			
12	3	Bradford	x	x																		
12	20	Bradford	x	x																		
12	26	Bradford											x				x	Line crossed out				
12	30	Bradford								x							x	Line crossed out				
13	3	Bradford																				
13	9	Bradford			x																	
13	12	Bradford			x																	
13	16	Bradford			x																	
13	19	Bradford																				
13	20	Bradford													x							
13	24	Bradford			x									x								
13	30	Bradford																				
14	6	Bradford	x	x																		
14	7	Bradford	x	x																		
14	9	Bradford			x									x								
14	14	Bradford																				
14	15	Bradford		x																		
14	16	Bradford																				
14	23	Bradford												x	x		x	x	No signature				
14	24	Bradford																				
14	25	Bradford												x	x							
14	27	Bradford																				
15	1	Bradford	x	x																		
15	7	Bradford											x		x		x	x	Name spelled wrong				
15	13	Bradford			x																	
15	14	Bradford											x									
15	15	Bradford			x								x	x	x							
15	28	Bradford																				
15	29	Bradford																				
15	30	Bradford		x										x	x							
16	3	Bradford												x								
16	4	Bradford			x																	
18	7	Bradford									x											
18	9	Bradford		x																		
18	15	Bradford											x									
18	16	Bradford											x									
18	19	Bradford			x																	
19	19	Bradford			x								x									
19	1	Bradford			x						x		x									