IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: NOMINATION PETITIONS OF JOHN K. REBER, SR., AS A DELEGATE TO THE REPUBLICAN NATIONAL CONVENTION

NO.

:

: ELECTION CODE MATTER

PETITION OBJECTING TO NOMINATING PETITIONS OF JOHN K. REBER FOR DELEGATE TO THE 2024 REPUBLICAN NATIONAL CONVENTION PURSUANT TO 25 P.S. § 2937

Petitioners (sometimes referred to as "Objector(s)"), by and through their undersigned counsel, respectfully submits this Petition Objecting to the Nominating Petitions of John K.

Reber, Sr., for Delegate to the Republican National Convention Pursuant to 25 P.S. § 2937, along with the petitions subject to this objection and an Excel spreadsheet showing the signature lines objected to as required by the Order of this Honorable Court dated July 19, 2023.

I. PARTIES, JURISDICTION AND VENUE

- 1. Objector, Stanley A. Casacio, 624 Creek Lane, Flourtown, Montgomery County, PA 19031, is an adult individual, citizen, qualified Pennsylvania elector and registered Republican voter in Montgomery County and the 4th Congressional District of Pennsylvania who has a direct and substantial interest in the 2024 Primary Election and, therefore, in the success of this Petition. See generally, *In re Duncan*, 516 A.2d 776, 778 (Pa. Cmmw. 1982).
- 2. Objector, Barbara Soga, 215 Adams Road, Greenwich Township (Kutztown),
 Berks County, PA 18950, is an adult individual, citizen, qualified Pennsylvania elector and
 registered Republican voter in Berks County and the 4th Congressional District of Pennsylvania

who has a direct and substantial interest in the 2024 Primary Election and, therefore, in the success of this Petition. See generally, *In re Duncan*, 516 A.2d 776, 778 (Pa. Cmmw. 1982).

- 3. Respondent, John K. Reber, Sr., has filed nomination petitions seeking a ballot position for himself in the 2024 Republican primary to vie for election as a candidate for Delegate to the Republican National convention (the "Reber Petitions," true and correct copies of which are attached hereto as Exhibit 1).
- 4. Challenges to such nomination petitions may be filed by any qualified elector under 25 P.S. § 2937, which governs the procedures for such challenges. Both Objectors are qualified electors under 25 P.S. § 2937.
- 5. Pursuant to 42 P.S. § 764, the Commonwealth Court of Pennsylvania is the proper venue for a challenge to the nomination petitions of a candidate for a delegate to a national party convention.

II. FACTUAL AND LEGAL BACKGROUND

- 6. Petitioners hereby incorporate the foregoing averments as though set forth at length herein.
- 7. The office of Delegate to the Republican National Convention for the 4th Congressional District of Pennsylvania requires nominating petitions containing at least 250 valid signatures in compliance with 25 P.S. § 2872.1(29), number of signatures, and 25 P.S. § 2868, setting forth the requirements of signors of a Nomination Petitions.
- 8. On February 12, 2024, Respondent submitted to the PA BOE nominating petitions seeking to be nominated to the 2024 Republican primary ballot for the office of Delegate to the 2024 Republican National Convention for the 4th Congressional District of Pennsylvania, containing a total of 273 signatures, where 73 of those signatures did not comply

with 25 P.S. § 2868, leaving Respondent with only 200 potentially valid signatures, less than the 250 minimum required valid signatures.

9. Reber's nomination petitions contain 24 pages divided amongst 12 two-sided petition forms; the original Reber Nomination Petition and Candidate's affidavits remain in the custody of the Secretary of the Commonwealth and are incorporated herein by reference and are included as Exhibit 1-A. Exhibit 1 hereto are true and correct copies of said Reber Nomination Petition.

REBER DID NOT SUBMIT 250 VALID SIGNATURES ON HIS NOMINATING PETITIONS, ANDMUST BE REMOVED FROM THE BALLOT

- 10. Section 908 of the Election Code, 25 P.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 a registered and enrolled member of the party designated in such petition;
 - c. declare therein that he is a qualified elector of the county therein named, and in case the nomination is not to be made or candidates are not to be elected by the 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; and
 - d. add his residence, giving 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 a nomination petition to state therein the city, borough or township of his residence.
- 11. Having thoroughly reviewed the Petitions attached as Exhibits 1 and 1-A,

 Objectors assert that Reber has failed to meet the requirement of presenting 250 valid signatures

 of qualified Pennsylvania elector and registered Republican voters in the 4th Congression District

of Pennsylvania, covering most of Montgomery County and parts of Berks County, collected by circulators who themselves were not legally qualified to do so.

- 12. While Reber submitted 273 signatures, only 200 of those signatures appear to meet the legal requirements to be counted towards the 250 signatures required by statute for Reber to have his name placed on the ballot as a candidate for the office of Delegate to the 2024 Republican National Convention for the 4th Congressional District of Pennsylvania. Fully 73 of the signatures Reber collected are defective in at least one way, and often in multiple ways.
- 13. Exhibit 2 to this Petition is a spreadsheet prepared pursuant to this Court's July 13, 2023, Order in In re Objections to Nomination Petitions/Papers of Candidates for Statewide and State-level Office, No. 126 Misc. Dkt. No. 3, listing by line and number the specific signatures being objected to, applying the following codes:

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

Indisputably Defective Signatures

- 14. Many of the signatures gathered are defective on grounds that are easily assessed by the Court, being either facially defective or which can be confirmed through verification with the Commonwealth's SURE system. These signatures fall into one or more of the following categories:¹
- A. **Signer Not Registered**. Upon information and belief, the 14 signatures in Exhibit 2 with code NR represent signers who are not registered to vote or not registered to vote as Republicans and who thus are not qualified to sign nomination petitions pursuant to 25 P.S. § 2937 and must be stricken.
- B. **Not Registered at Address.** Upon information and belief, the 6 signatures in Exhibit 2 with code NRA represent signers who have been found to be registered Republicans in Montgomery or Berks Counties, as the case may be, but not at the address provided on the petition. Given that residence is not clearly provided by these voters, these signatures must be struck as invalid pursuant to 25 P.S. § 2937.
- C. **Not Registered in Candidate's Party.** Upon information and belief, the 20 signatures in Exhibit 2 with code NRCP represent signers who have been found not to be registered Republicans in Montgomery or Berks Counties. Given that these persons are not Republicans, they are ineligible to sign Republican nominating petitions and these signatures must be struck as invalid pursuant to 25 P.S. § 2937.
- D. **Not Registered in District.** Upon information and belief, the 32 signatures in Exhibit 2 with code NRD represent signers who have been found not to be registered Republicans in the district applicable to the office sought in the Reber Nominating petition. Given that these persons are not registered in the district applicable to the office sought, they are

¹ Most of the challenged signatures fall into more than one category of challenge as is shown on Exhibit 2, but the total number of challenged signatures is 73.

ineligible to sign the Reber Nominating Petitions and these signatures must be struck as invalid pursuant to 25 P.S. § 2937.

- E. **Not Registered on Date Signed.** Upon information and belief, the 13 signatures in Exhibit 2 with code NRDS represent signers who have been found not to be registered Republicans in the district applicable to the office sought in the Reber Nominating petition on the date they signed the petition. Given that these persons are not registered district applicable to the office sought on the date they signed the petition, they are ineligible to sign the Reber Nominating Petitions and these signatures must be struck as invalid pursuant to 25 P.S. § 2937.
- F. **Illegible Entry.** Upon information and belief, the 3 signatures in Exhibit 2 with code ILL represent signers whose signatures and/or identifying information is illegible on the Reber Nominating petition. Given that these persons' signatures and identifying information cannot be verified these signatures must be struck as invalid pursuant to 25 P.S. § 2937.
- G. **Duplicate Signatures.** Upon information and belief, the 2 signatures in Exhibit 2 with code DUP represent signers whose signatures are duplicates on the Reber Nominating petition. Given that these persons' signatures cannot be duplicates these signatures must be struck as invalid pursuant to 25 P.S. § 2937.
- H. Line Information in Hand of Another. Upon information and belief, the 4 signatures in Exhibit 2 with code IHA represent signers whose signatures and line information are in differing hands (line information in hand of another). Given that the signatures and line information cannot be in differing hands, these signatures must be struck as invalid pursuant to 25 P.S. § 2937.
- I. **Nickname/Initial.** Upon information and belief, the 2 signatures in Exhibit 2 with code N/I represent signers whose signatures and/or identifying information is either a nickname

or initial and not the elector's full name on the Reber Nominating petition. Given that these persons' using a nickname of initial instead of a full signature is inappropriate under the law, these signatures must be struck as invalid pursuant to 25 P.S. § 2937.

- 15. In all, 73 signatures must be stricken as invalid on all the aforementioned bases.
- 16. Having presented only 200 potentially valid signatures, and needing 250 valid signatures, Reber has not qualified under the terms of the Election Code to appear on the April 23, 2024, Republican Primary ballot as a candidate for the Delegate to the 2024 Republican National Convention.

RELIEF REQUESTED

17. Pursuant to 25 P.S. § 2937, Objectors:

A. Hereby object to the nomination petitions of JohnK. Reber, Sr.;

B. Are prepared to substantiate these objections via testimony and evidence at a

prompt hearing as mandated by 25 P.S. § 2937:

C. Asks this Court to set aside the Reber Nomination Petitions in accordance

with applicable law; and,

D. Asks this Court to remove Reber from the April 23, 2024, ballot as a

candidate for Delegate to the 2024 Republican National Convention.

WHEREFORE, it is respectfully requested that the Court enter an order consistent with

the foregoing request for relief and such other relief as the Cout deems just and equitable under

the circumstances.

Respectfully submitted:

LAW OFFICES OF ANDREW TEITELMAN P.C.

By: /s/ Andrew Teitelman

Andrew Teitelman PA ID # 43545

380 Red Lion Road, Ste. 103 Huntingdon Valley, PA 19006

Ph: (267) 255-6864 Fx: (215) 434-7491

Email: ateitelman@teitelaw.com

Attorney for Petitioners

Dated: February 20, 2024

CERTIFICATE OF SERVICE

I, Andrew Teitelman, Petitioners' counsel, hereby certify that a true, correct, and complete copy of the Petitioners' Petition Objecting to the Nominating Petitions of John K. Reber, Sr., pursuant to 25 P.S. § 2937, was served on the 20th day of February 2024, on the following, as set forth below:

Al Schmidt, Pennsylvania Secretary of State
Office of the Secretary
401 North Street, Rm 302
Harrisburg PA 17120
and
Bureau of Elections
401 North Street, Rm 210
Harrisburg, PA 17120
Email: RA-Elections@pa.gov
Via Email

Jonathan M. Marks, Deputy Secretary for Elections and Commissions
401 North Street, Rm 210
Harrisburg, PA 17120
Email: RA-Elections@pa.gov
Via Email

Kathleen Kotula, Esq.
Office of Chief Counsel – Pennsylvania Department of State
401 North Street, Rm 306
Harrisburg, PA 17120
Email: kkotula@pa.gov
Via Email

By: /s/ Andrew Teitelman
Andrew Teitelman
PA ID # 43545

380 Red Lion Road, Ste. 103 Huntingdon Valley, PA 19006

Ph: (267) 255-6864 Fx: (215) 434-7491

Email: ateitelman@teitelaw.com

Attorney for Petitioners

Dated: February 20, 2024

VERIFICATION

STANLEY A. CASACIO, a Petitioner, and the person authorized thereby to execute this verification, under penalty of law does hereby depose and say that he has read the foregoing Petition Objecting to the Nominating Petitions of John Reber for Delegate to the Republican National Convention Pursuant to 25 P.S. § 2937, and that the statements contained therein are true and correct to the best of his personal knowledge and belief.

This verification is made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

DATED: February 20, 2024

STANLEY A. CASACIO

VERIFICATION

BARBARA SOGA, a Petitioner, and the person authorized thereby to execute this verification, under penalty of law does hereby depose and say that she has read the foregoing Petition Objecting to the Nominating Petitions of John Reber for Delegate to the Republican National Convention Pursuant to 25 P.S. § 2937, and that the statements contained therein are true and correct to the best of her personal knowledge and belief.

This verification is made subject to the penalties of 18 Pa. C.S. 4904, relating to unsworn falsification to authorities.

DATED: February 20, 2024

BARBARA SOGA



Commonwealth of Pennsylvania SEPREMARY OF WELLTHAN art gra antabar DEPARTMENT OF STATE OFFICIAL USE ONLY no abala no ATTENTIONI A. This Petition may be used to submit for Nomination the Name of One Candidate for One Office Only. B. Please refer to the instruction page provided with this petition for detailed information about completion of NAME OF OFFICE: DELEGATE TO REPUBLICAN NATIONAL CONVENTION DISTRICT NUMBER: 4th Congressional District YEAR OF PRIMARY: 2024 CANDIDATE'S NAME(PRINT OR TYPE NAME): JOHN K REBER SR RESIDENTIAL STREET ADDRESS: 503 Guidin Road CITY, BOROUGH OR TWP .: Maidencteek Township OCCUPATION: Retired Chief of Police PARTY OF SIGNERS: Republican COUNTY OF SIGNERS: BERKS 06 To the SECRETARY OF THE COMMONWEALTH: We, the undersigned, all of whom severally declare that we are qualified electors or the county and or the political Party set forth above, and have signed no petition inconsistent herewith, do hereby petition the Secretary registered and enrolled members of the Political Party set forth above, and Posidone are as set forth above, certified to the County Board of Elections of of the Commonwealth to have the candidate whose Name, Occupation and Residence are as set forth above, certified to the County Board of Elections of said County or Counties in said District, to be printed on the Official Primary Ballot of said Party, for the Year and Office set forth above. ADDRESS WHERE REGISTERED AND ENROLLED SIGNATURE OF ELECTOR: PRINTED NAME DATE OF OF ELECTOR City, Boro or Twp. SIGNING Sofia Blvd

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Commonwealth of Pennsylvania DEPARTMENT OF STATE 3. 海岸 C OFFICIAL USE ONLY Com Benedit of Tree. Mana She - ATTENTION! A. This Petition may be used to submit for Nomination the Name of One Candidate for One Office Only.

B. Please refer to the instruction page provided with this petition for detailed information about completion of this form. NAME OF OFFICE: DELEGATE TO REPUBLICAN NATIONAL CONVENTION 4th Congressional District DISTRICT NUMBER: YEAR OF PRIMARY: 2024 CANDIDATE'S NAME(PRINT OR TYPE NAME): JOHN K REBER SR RESIDENTIAL STREET ADDRESS: 503 Guldin Road CITY, BOROUGH OR TWP.: Maidencteek Township OCCUPATION: Retired Chief of Police COUNTY OF SIGNERS: BERKS 06 PARTY OF SIGNERS: Republican To the SECRETARY OF THE COMMONWEALTH: We, the undersigned, all of whom severally declare that we are qualified electors of the County and of the District set forth above, that we are registered and enrolled members of the Political Party set forth above, and have signed no petition inconsistent herewith, do hereby petition the Secretary of the Commonwealth to have the candidate whose Name, Occupation and Residence are as set forth above, certified to the County Board of Elections of said County or Counties in said District, to be printed on the Official Primary Ballot of said Party, for the Year and Office set forth above. ADDRESS WHERE REGISTERED AND ENROLLED SIGNATURE OF ELECTOR PRINTED NAME DATE OF OF ELECTOR House No. Street or Road City, Boro or Twp. SIGNING W. Pennitte Buchana Maidencook HANE UCLEER inh FA.114-16-CHARLO REJUERS 196 TUNELY 24 Maidenn Creck Faith Dr. 200 greroa

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Commonwealth of Pennsylvania معرية والمنافرة عزار لعط **新生物 新杂种场**。 DEPARTMENT OF STATE OFFICIAL USE ONLY with Jewill For ATTENTIONI-A. This Petition may be used to submit for Nomination the Name of One Candidate for One Office Only. B. Please refer to the instruction page provided with this petition for detailed information about completion of this form. NAME OF OFFICE: DELEGATE TO REPUBLICAN NATIONAL CONVENTION DISTRICT NUMBER: 4th Congressional District YEAR OF PRIMARY: 2024 CANDIDATE'S NAME(PRINT OR TYPE NAME): JOHN K REBER SR-RESIDENTIAL STREET ADDRESS: -- 503 Guldin Road --CITY, BOROUGH OR TWP .: Maidencteek Township OCCUPATION: Retired Chief of Police COUNTY OF SIGNERS: BERKS 06 PARTY OF SIGNERS: "Republican" To the SECRETARY OF THE COMMONWEALTH: We, the undersigned, all of whom severally declare that we are qualified electors of the County and of the District set forth above, that we are registered and enrolled members of the Political Party set forth above, and have signed no petition inconsistent herewith, do hereby petition the Secretary of the Commonwealth to have the candidate whose Name, Occupation and Residence are as set forth above, certified to the County Board of Elections of said County or Counties in said District, to be printed on the Official Primary Ballot of said Party, for the Year and Office set forth above. ADDRESS WHERE REGISTERED AND ENROLLED SIGNATURE OF ELECTOR PRINTED NAME DATE OF OF ELECTOR Street or Road House No. City, Boro or Twp. SIGNING 283 Part of the Wattifffiank Organization to market 10.

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Commonwealth of Pennsylvania

A. This Petition may be used to submit for Nomination the Name of One Candidate for One Office Only B. Please refer to the instruction page provided with this petition for detailed information about completion of

NAME OF OFFICE: DELEGATE TO REPUBLICAN NATIONAL CONVENTION

DISTRICT NUMBER: 4th Congressional District

YEAR OF PRIMARY: 2024

CANDIDATE'S NAME(PRINT OR TYPE NAME): JOHN K REBER SR

RESIDENTIAL STREET ADDRESS: 503 Guidin Road CITY, BOROUGH OR TWP .: Maidencteek Township

OCCUPATION: Retired Chief of Police

COUNTY OF SIGNERS:

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To the SECRETARY OF THE COMMONWEALTH:

We; the undersigned, all of whom severally declare that we are qualified electors of the County and of the District set forth above, that we are registered and enrolled members of the Political Party set forth above, and have signed no petition inconsistent herewith, do hereby petition the Secretary of the Commonwealth to have the candidate whose Name, Occupation and Residence are as set forth above, certified to the County Board of Elections of said County or Counties in said District, to be printed on the Official Primary Ballot of said Party, for the Year and Office set forth above.

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EXHIBIT 2

Filed 2/20/2024 2:36:00 PM Commonwealth Court of Pennsylvania 92 MD 2024

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