

IN THE MATTER OF THE

IN THE COMMONWEALTH COURT

NOMINATION PETITION OF

OF PENNSYLVANIA

TOM CONNOLLY, A/K/A

THOMAS J. CONNOLLY, JR.

No. M.D. 2022 (ELECTION LAW)

For the Office of Member of Pennsylvania Democratic State Committee Dauphin County District 22

ORDER

And Now, this ____ day of April, 2022, it is ordered that the Nomination Petition of Tom Connolly for the Office of Member of Pennsylvania Democratic State

Committee Dauphin County District 22 is stricken and dismissed.

It is further ordered that the name of respondent Tom Connolly not appear on the ballot of the Democratic Party for the May 17, 2022 General Primary for the Office of Member of Pennsylvania Democratic State Committee Dauphin County District 22.

Member of Pennsylvania Democratic State Committee Dauphin County District 22
BY THE COURT
, J.

IN THE MATTER OF THE

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NOMINATION PETITION OF

OF PENNSYLVANIA

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TOM CONNOLLY, A/K/A

THOMAS J. CONNOLLY, JR.

No. ____ M.D. 2022 (ELECTION LAW)

For the Office of Member of Pennsylvania Democratic State Committee Dauphin County District 22

PETITION TO SET ASIDE NOMINATION PETITION

The Petitioner, Bernadette M Obringer, by her attorney, Karen M. Balaban, respectfully represents that:

1. The Commonwealth Court has original jurisdiction pursuant to 42 Pa.C.S.A. § 764.

- 2. The petitioner is Bernadette M Obringer, an adult individual who resides and is registered to vote at 356 Spruce Street, Steelton, Dauphin County, PA ("Petitioner").
- 3. Petitioner is a qualified elector in Dauphin County District 22 and is a registered and enrolled member of the Democratic Party in Steelton Borough 2nd Ward.
- 4. On or about March 28, 2022, Tom Connolly ("Candidate") filed a nomination petition for Member of the Democratic State Committee, Dauphin County District 22 as a candidate on the Democratic Party ballot in the General Primary scheduled for Tuesday, May 17, 2022 ("nomination petition").
- 5. The nomination petition of Candidate is attached hereto as "Exhibit A" and is incorporated into this petition.
- 6. A spreadsheet identifying the nature of each objection to the nomination petition and the line and page of the nomination petition of each objection is attached as "Exhibit B" and is incorporated into this petition.

 Candidate's nomination petition should be set aside for failure to satisfy the requirements of the Election Code, Act of June 3, 1937, P.L. 1933, <u>as amended</u> (25 P.S. §2601 et seq.) as set forth below and in Exhibit B.

- 7. The grounds for the objections and their respective challenge code keys are found in Exhibit B. They are more fully explained as follows:
 - NR Not Registered to vote
 - NRA Not Registered to vote at the Address listed on the nomination petition
 - NRD Not Registered in Legislative District 104
 - NRDS Not Registered on Date the nomination petition was signed
 - OC Out of County: not registered in Dauphin County
 - ILL Illegible: cannot decipher the printed name or the signature to determine eligibility to sign the nomination petition, or signature's authenticity
 - LIO Line Information Omitted: some or all of required line information has not been listed
 - DUP Duplicate: signed another nomination petition for the same office or signed the nomination petition more than once
 - IHA Line Information in Hand of Another: someone other than purported elector, based upon the signature on the nomination petition, affixed all or some of the information on the same line in the nomination petition
 - N/I Nickname / Initial: not a diminutive of the elector's first name and an initial was not used as the first name on the voter registration records

- PRI Printed Signature: elector's voter registration card does not have a printed signature
- Other Any ground for objection not listed above.
- 8. Candidate's nomination petition consists of <u>10</u> pages containing <u>116</u> signatures. Not included is <u>page 7</u> line 8 which is crossed out. Judicial notice is requested that this line not be recognized in the signature count of names submitted. If not, it is challenged on the basis being crossed out / illegible and line information omitted.
- 9. Petitioner has challenged <u>36</u> signature lines. Candidate's nomination petition contains <u>116</u> signature lines. The number of valid signatures of registered and enrolled members of the Democratic Party in Dauphin County required for a nomination petition for Member of Democratic State Committee, Dauphin County District 22 is one hundred (100). **25 P.S. § 2872.1(23)**
- 10. The aforesaid objections to Candidate's nomination petition, if proven to be true, would result in the *striking* of *at least* seventeen (17) signatures leaving a total of no more than ninety-nine (99) valid signatures.
- 11. Candidate's nomination petition must be set aside because it does not contain at least one hundred (100) valid signatures of registered and enrolled members of the Democratic Party in Dauphin County District 22 required

for a nomination petition for the office of Member of Democratic State Committee,
Dauphin County District 22 to have Candidate's name placed on the Democratic
Party ballot in the May 17, 2022 General Primary.

WHEREFORE, Petitioner respectfully requests the Court to enter an Order:

- a. permitting Petitioner to amend its objections on alternative grounds to the signatures specifically challenged in this petition;
- b. finding that Candidate's nomination petition is defective under the provisions of 25 P.S. § 2937, or does not contain a sufficient number of genuine signatures of electors entitled to sign the same under the provisions of the Election Code, Act of June 3, 1937, P.L. 1933, as amended (25 P.S. §2601 et seq.), or was not filed by person(s) entitled to file the same;
- c. to set aside the Nomination Petition of Tom Connolly as a candidate for the nomination of the Democratic Party for the office of Member of Democratic State Committee, Dauphin County District 22, to be voted on at the May 17, 2022 General Primary, for failure to satisfy the requirements of the Election Code, 25 P.S. § 2601 et seq., as aforesaid;
- d. removing Candidate's name from the Democratic Party ballot for the May 17, 2022 General Primary;

- e. directing Candidate to pay the costs of the proceedings, including witness fees; and
- f. providing for such other relief and sanctions against the Candidate as the Court may deem appropriate.

Respectfully submitted by:

Kam M Balaka

Karen M. Balaban

Attorney ID No. 28160

Karen M. Balaban LLC

232 State Street

Harrisburg, PA 17101

(717) 232-3708

Attorney for Bernadette M Obringer

Petitioner

KMBalaban & Balaban LLC. cc

ATTENTIONI

A. This Petition may be used to submit for Nomination the Name of One Candidate for One Office Only.

B. Complete all Blank Spaces Prior to Circulation.

C. Provide a District only if the Candidate must run in a Senatorial District or a District defined by Party Rules.

D. Please refer to the instruction page provided with this petition for detailed information about completion of this form.

NAME OF OFFICE: MEMBER OF DEMOCRATIC STATE COMMITTEE

DISTRICT NUMBER: Dauphin County (District 22)

(Complete only if the Candidate must run in a Senatorial District or a District defined by Party Rules.)

YEAR OF PRIMARY: 2022

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CANDIDATE'S NAME (PRINT OR TYPE NAME): Tom Connolly

OCCUPATION: Retired

RESIDENTIAL STREET ADDRESS: 345 N. Harrisburg St.

CITY, BOROUGH OR TWP.: Swatara Township

COUNTY OF SIGNERS: DAUPHIN 22

PARTY OF SIGNERS: Democratic

OFFICIAL USE ONLY

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 political 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 Primary Ballot of said Party, for the Year and Office set forth above.

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Commonwealth of Pennsylvania

DEPARTMENT OF STATE

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OFFICIAL USE ONLY

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DISTRICT NUMBER:

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OCCUPATION: Retired

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DISTRICT NUMBER: Dauphin County (District 22)

(Complete only if the Candidate must run in a Senatorial District or a District defined by Party Rules.)

YEAR OF PRIMARY: 2022

CANDIDATE'S NAME (PRINT OR TYPE NAME): Tom Connolly

OCCUPATION: Retired

RESIDENTIAL STREET ADDRESS: 345 N. Harrisburg St.

CITY, BOROUGH OR TWP.: Swatara Township

COUNTY OF SIGNERS: DAUPHIN 22

PARTY OF SIGNERS: Democratic

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Jennifer Tange	1004	Minne St	Steeton	3-26-2
Atalas Rows-Lackette	139	Brighton	Stee Itun	3-24-2
Earlh: Haves	103	S.Z/ 37	Hanishee	3/21/3
Navay Harris	143	52151	harrishar e	3-75
Janet Konkk	23	5 2157	Harri Soura	3-28-7
DONALD KONKE	23	8.215	Harrisburg	2/29/3
MARY HEARN	2107	Market		2/28/2
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Robert Pannell.	2319	Valley	Harrisburg	3-28-2
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BE-SC(12/19) DAUPHIN 22

Department of State





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		SWATARA TWP.	Zip Code	17113		







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OCCUPATION: Retired

RESIDENTIAL STREET ADDRESS: 345 N. Harrisburg St.

CITY, BOROUGH OR TWP.: Swatara Township

COUNTY OF SIGNERS: DAUPHIN 22

PARTY OF SIGNERS: Democratic

OFFICIAL USE ONLY

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	OF ELECTOR	House No.	Street or Road	City, Boro or Twp.	DATE OF SIGNING
1. Can M Bulux	Carol M Buskirk	6908	fox Hullel	West Honoran	326/22
2. Mackey and	Machenekanuck	1156	Calwart	Hummelstown	3/26/22
3. Rongates	Rongotos	1006	La pertion	- KAR	3-26-25
Shirlay in yates	Shinley M. Yates	1006	Lakewood Dr.	LowerParton	3/26/2
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DSBE-SC(12/19) DAUPHIN 22



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	I state the information set forth here to the penalties of 18 Pa.C.S. § 4904 (e, information and b	elief, and that this stateme	nt is made
2 Printe	y of Petition-Signers' Residence ed Name of Circulator ture of Circulator er and Street of Circulator	Sayphin Sayphin	0		• •	
l	Borough or Twp. Cours Ports	4 0 , 0	Zip Code(7111	-	







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Dauphin County (District 22)

(Complete only if the Candidate must run in a Senatorial District or a District defined by Party Rules.)

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6.		Schun Brant Ben	4027	Gree JS	SusqueLence	3/21/2
1. Lu	cinca C. Gov	Hecende E. L	2426	Brown	Susputhmon	
E SA	enda Green	Rhon da Green	18	SIPHS	HOQ 14-Count	2/2/2
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Meri	et Grace Najors	MERRY-GRACE MAJORS	2317	MARKETST	HARRISBURG	3/27/22						
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		OF ELECTOR	House No.	Street or Road	City, Boro or Twp.	DATE OF SIGNING				
1. Gla	ng C Sansone	ELENY C SANSON	330	WOODBINE	HB6	3/27/22				
2.	- Mm	Heather Monroe	660	Boas St	Harrisburg	3/27/22				
3. /hr	Hufe	Anten Croyer	(09	Somet	Hulrston	347				
4. M	whal John	Michael Johns	438	Cumba la	Hba	3/2/2				
5.	rec 6	MELLON (BAPT)	900	NUCH-	1BG	3/28/22				
6. 1 xx	nein & Judzu	Kenneth Trazie	250Co	N5Th5T	HBG PA	3/28/22				
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B. L. X	15 HATCHER	Ene Hall	PHIL	MARKE	1186	3.28.2				
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3. VIC-	or Steele	Victor Steele		preface	HBG	3/28/22				
4.	your ON	MARIHERDES	1813	Bellerar	Hla	3/22/				
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state that I am a qualified elector of the ormination petition; that my residence is a hereof; that their respective residences a nowledge and belief, the signers are qualitation, and that they are resident outlier. I state the information set forth hereof	is set forth below, that the sights re correctly stated therein; that ea lifted electors, duly registered and in the County specified in number the strue and correct to the best series is true and correct to the best series.	ich signed on the enrotted member one below. st of my knowle	e date set opposite hi ers of the political par dge, information and	s or her name; that to the ty and of the political dis	e best of my trict designate				
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2.	Juny Jaroh	chres Murch	1701	3415 8	HXXX bury	3-28
3.	Danchra Reic'	Sandra Feich	1545	LibertySt	Herrisburg	3-28
4.	Deborah White	DeboRAH White	501	Meldy	Harrisbuga	3-28
5.	Sirbria Clark	Shabria Ciare	11020	Combideri	11/1343	3-25
6.	Janet Grhz	fenet 85	324	1013 185t	Housburg	2 28
7.	Tonya Pullard	Tonya Pollard	86le	NITHST	HB6	3-28
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9.	Milhoela Stoon	I Ribballe Strom	123	N 13th	HM	3-28
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		OF ELECTOR	House No.	Street or Road	City, Boro or Twp.	DATE OF SIGNING
1.	Deggy a. Serve	, Reggy A. Ceru	2920	PARTS: Po	Harristan	3/19/22
2.	Tild Singerd	LyDIA Gimerich	6490	CONWARD	Lowerlandon	3-19-2
3.	De 1	Davernaus-1	2204	Chelton	HBU	2-15-21
4.	Contact Carlos	Jama H. Sark	2095	Raloigh	April Lab	3-19-22
\$C	Specific Braber Des	Locato Barber Joe	34	N. Sunnit	Horasbacs	3-19-27
6.	Bridge M Shiting	Bridget M. Whitley	1525	N. Fronts	Harrishing	3-19-22
7. 1	de Toodra	Cole Goodman	200	Mary .	Harrisburg	3/19/22
8. 2	Disaber O. Suh	51 isabet. Suiba	l I	SIVOTPACT	SWATOLO	3/10/22
9. (Jane Mary	CLAUDE PHIPPS	2307	SEO-HEARD ST	HartosSupp	5/18/22
10.	July Purdle	Jay Purdy	4731	Duke St	Lower Boton	J-19-22
11.	This bennett	PHQUIS BENNOT	902	Ametalie	Sustain	3-19-22
12.	1 At we be therefor	MILE Weiteraunt	267	crescent	Derry twp.	3/19/22
13.	Sur Elmn	Sug & THOMPSON	9310	LUGALS	Harmont	3.30.32
14.	I desult to down	RUSSELW. GOOD MAN	4728	MAPLE SHADE DR	SUSQUEHANNA	3/20/22
	DSBE-SC(12/19) DAUPHIN 22	Department of State			Page Si	de 1

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	Jogce M Laure	Joyce M. DAVIS	4728	MAPLE SHADE DR.	Susquetanna Jourship	3/20/2022
8.	ennews Nun	Florencia Schley	404	RIO Walnut St	Harrisburg	3/27/22
7. /	200	Florencia Schley Capad Singh	4221	BRUHALAS	Utarnanc	3/27/2012
<u>s</u> S	hch.	Shavonnia Certur-Johnson	231	State St.	Harrisburg	31242022
9.		Awas Suttan	6502	Plousman Riose	Hanabuy	3127/21
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12/	ans Dans	James Dhivson	1032	Sider	H136	3/22
23.	Loss Bus	Dava Graves	807	N/18thst	Humsaug	3/27/22
24.	Wohnand Ser	Mohamed Sala	372	Market	Harryburg	03/27/22
/- 25.		Hamid Saleh	83	Eisenhaur	Hamsburg	03/27/2
28.	omer Amer	omer Amer	1	eglenn rd		03/27/2
27.	V~~	Danie Vitage	4/81	king beroge	Harrisburg	3/27/24
28.	Jarhannel	Forhandhines	694	cumberto	Horrisbar	903/27
	Valery Santos	Nariene Santo	2421	derrys	Hacrisbur	3-27
,	unu	More Huma	407	Diehi RY)	Harriscares	3,27
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Furthe	er, I state the information set forth her ct to the penalties of 18 Pa.C.S. § 4904	rein is true and correct to the best of the lest of th	of my knowled authorities).	ge, information and	belief, and that this staten	nent is made
ł	unty of Petition-Signers' Residence	$\overline{}$		·		
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EXHIBIT B - Challenge Code Key

Spreadsheet columns include, for each challenged signature line: page number, line number, county, and the reason or reasons for each challenge.

The spreadsheet columns designate the reason(s) for challenge by using objection used in each column are the following abbreviations, with their designation listed after the equal sign.

NR = Not Registered

NRD= Not Registered in District

NRDS = Not Registered on Date Signed

NRA = Not Registered at address

OC = Out of County

III = Illegible

LIO = Line Information Omitted

DUP = Duplicate

IHA = Line Information in Hand of Another

N/I = Nickname/Initial

PRI = Printed Signature

DCA = Defective Circulator Affidavit

SAC = Signed After Circulator's Affidavit Dated

Other = Any ground for objection not listed above

VERIFICATION

I, Bernadette M Obringer, affirm that the statements set forth in the foregoing Petition to Set Aside Nomination Petition are true and correct to the best of my knowledge, information and belief. This Verification is made subject to the penalties prescribed under 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Date: April _____, 2022

Bernadette M Obringer

Bernadette M Obringer

IN THE MATTER OF THE

IN THE COMMONWEALTH COURT

NOMINATION PETITION OF

OF PENNSYLVANIA

TOM CONNOLLY, A/K/A

THOMAS J. CONNOLLY, JR.

No. ____ M.D. 2022 (**ELECTION LAW**)

For the Office of Member of Pennsylvania Democratic State Committee Dauphin County District 22

PROOF OF SERVICE

I hereby certify that a true and correct copy of the within Petition to Set Aside

Nomination Petition with attachments and a proposed order was duly served as follows:

Service in person:

Secretary of the Commonwealth 302 North Office Building 401 North Street Harrisburg, PA 17120

Phone: (717) 787-6458

I further certify that notice of the filing of the objection petition was served upon the Candidate, Thomas J. Connollly, Jr., by email to SWATARA2@AOL.COM

<u>Nasen</u> M Balakan Karen M. Balaban (717) 232-3708

Attorney Registration #28160

232 State Street Harrisburg, PA 17101

Attorney for Bernadette M Obringer Petitioner