

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Nomination Petition of Davina :
Dukes as Democratic Candidate for :
State Representative from the 190th :
Legislative District :
: :
Objections of: Duane Vargas and : No. 166 M.D. 2022
Lucious Wilder : Heard: April 7, 2022

BEFORE: HONORABLE CHRISTINE FIZZANO CANNON, Judge

OPINION NOT REPORTED

MEMORANDUM OPINION
BY JUDGE FIZZANO CANNON

FILED: April 8, 2022

Before the Court is the Petition to Set Aside Nominating Petition (Petition) of Duane Vargas and Lucious Wilder (Objectors) seeking to set aside the nominating petitions of Davina Dukes (Candidate) for the Democratic nomination for State Representative from the 190th Legislative District, which Objectors allege contain numerous invalid voter signatures.

To qualify for a major party ballot for Representative in the General Assembly, a prospective candidate must present a nominating petition containing at least 300 valid signatures of registered and enrolled members of the proper party. *See* 25 P.S. § 2872.1(14). The Court conducted a hearing on April 7, 2022, at which the parties stipulated that Candidate’s nominating petitions contained less than the

requisite 300 valid signatures to place Candidate on the ballot for May 17, 2022 primary election.¹

For these reasons, we grant the Petition.

s/Christine Fizzano Cannon

CHRISTINE FIZZANO CANNON, Judge

¹ At the hearing, the parties stipulated to proper service of the Petition upon Candidate and the Secretary of the Commonwealth. *See* Section 977 of the Election Code, 25 P.S. § 2937; *see also In re: Objections to Nominating Petitions for Pennsylvania General Assembly and State Party Committees – General Primary Election 2022* (Pa. Cmwlth., No. 126 Misc. Dkt. No. 3), Notice and Order. The parties further stipulated that Objectors have standing to object.

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ORDER

AND NOW, this 8th day of April, 2022, the Petition to Set Aside Nominating Petition of Duane Vargas and Lucious Wilder is GRANTED.

The Secretary of the Commonwealth of Pennsylvania (Secretary) shall not include the name of Davina Dukes as a Democratic Candidate for the office of State Representative for the 190th Legislative District for the May 17, 2022 general primary election.

The Prothonotary shall notify the parties hereto and their counsel of this order and shall also certify a copy hereof to the Secretary forthwith.

s/Christine Fizzano Cannon

CHRISTINE FIZZANO CANNON, Judge