

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

***In Re* Nomination Petition of : Election Matter**
Ehab AKKARY :
As Republican Candidate :
for the 30th State House District :

PETITION TO SET ASIDE NOMINATION PETITION

Petitioner Janis Kapadia, by and through counsel, respectfully avers as follows:

1. The Petitioner is a duly qualified elector registered as a Republican in the 30th State House District.

2. The Respondent is the above referenced Republican Candidate for the State House in the 30th State House District.

3. On or before March 10, 2026, the Candidate filed a Candidate Affidavit and Nomination Petitions with the Department of State. A copy of his Candidate Affidavit is attached as Exhibit A.

4. Because the Candidate does not meet the constitutional four-year residency requirement, his candidate affidavit is false and he is ineligible to have his name be placed on the ballot. *See* Pa. Constitution Art. II, § 5 (emphasis added):

Senators shall be at least 25 years of age and Representatives 21 years of age. **They shall have been citizens and inhabitants of the State four years**, and inhabitants of their respective districts one year next before their election (unless absent on the public business of the United States or of this State), and shall reside in their respective districts during their terms of service.

5. As the Supreme Court of Pennsylvania confirmed in In re Nom. Pet. of Prendergast, 673 A.2d 324 (Pa. 1996), it is the immediate four years before the November 3, 2026 general election which are pertinent to this inquiry, and with good reason:

We agree with the Commonwealth Court that interpreting Article II, Section 5 as requiring a four year state residency immediately preceding the election is consistent with the clear intent of the Constitutional provision: to ensure that candidates for the Pennsylvania General Assembly have some minimum attachment to, and understanding about, the Commonwealth and the district which they wish to represent. If Appellant's interpretation were adopted, an individual who resided in the Commonwealth for four years during any period of his life could return to Pennsylvania and qualify for office in only one year. We do not believe that this is what the framers of the Constitution intended by this provision.

Id. at 327.

6. It is bedrock Pennsylvania law that residency is not merely a matter of stated intent, but “physical presence at the new residence plus intent to make that new residence the principal home” must be demonstrated to prove a change of residency. In re Nom. Pet. of Huff, 334 A.3d 232 (Pa. 2025).

7. Upon information and belief, to the extent Respondent has ever established residency in Pennsylvania at all, it was not before he moved to Pennsylvania in approximately September 2024.

8. Respondent did not register to vote in Pennsylvania until September 2024.

9. Indeed, Respondent’s Statement of Financial Interests confirms that he solely received income in 2025 from a Morgantown, West Virginia surgical center located over an hour and a half from his purported Pennsylvania residence. Said West Virginia address is also the address attached to his various medical licenses.

10. Based on this and other evidence, Petitioner avers that the Respondent did not establish residency in Pennsylvania before November 3, 2022, as required by the Pennsylvania Constitution.

11. Section 977 of the Election Code, 25 P.S. §2937, provides that a court shall set aside nomination petitions which are defective. In this case, the Respondent submitted a false candidate affidavit which invalidates his candidacy.

12. Petitioner respectfully reserves the right to add such additional objections as are appropriate at the time of hearing.

WHEREFORE, Petitioner requests that this Court enter an order directing the Secretary of the Commonwealth to remove Respondent's name from the May 19, 2026 primary ballot.

Respectfully submitted,

By:  _____

Adam C. Bonin, Esq.

adam@boninlaw.com

Attorney I.D. No. 80929

The Law Office of Adam C. Bonin

121 S. Broad Street, Suite 400

Philadelphia, Pennsylvania 19107

Telephone: (267) 242-5014

Facsimile: (215) 827-5300

Attorney for Petitioner

Dated: March 16, 2026

**CANDIDATE'S
AFFIDAVIT**

**PENNSYLVANIA DEPARTMENT OF STATE
BUREAU OF ELECTIONS**
210 NORTH OFFICE BLDG.
HARRISBURG, PA 17120

OFFICE USE ONLY

2026001534



Name: Akkary, Ehab, _____, _____
Last Name First Name Middle Name or Initial Suffix

Residential Address: 10475 Grubbs Rd
Street Address

City: Wexford State: PA Zip Code: 15090

Municipality (City, Boro, or Township): McCandless Gender: F M NB

Mailing Address (if different from residential): _____
Street Address

City: _____ State: _____ Zip Code: _____

Voting Precinct Name (including Ward & Division, if applicable): McCandless 11

Office for which you are seeking nomination: REPRESENTATIVE IN THE GENERAL ASSEMBLY

District Number (if applicable): 30th Legislative District

Email address: team@dra4pa.com

Name as it is to appear on the Ballot: Ehab Akkary

CANDIDATE AFFIDAVIT - I do swear (or affirm) that my residence, my election district and the title of the office for which I desire to be a candidate are as specified above, that I am eligible for said office, that I will not knowingly violate any election law or any law regulating and limiting nomination and election expenses, and prohibiting corrupt practices in connection therewith; that I am aware of the provisions of Section 1626 of the Pennsylvania Election Code requiring pre-election and post-election reporting of campaign contributions and expenditures; that unless I am a candidate for Judge of a Court of Common Pleas, the Philadelphia Municipal Court or the office of school board in a district where that office is elective or the office of magisterial district judge, my name has not been presented as a candidate by nomination petitions of any other party for the same office; that if I am a candidate for any office of a political party I am a registered and enrolled member of such party; that if I am a candidate for Committee Delegate or Alternate Delegate to the National Convention the name of the candidate to whom I am committed is as indicated on my nomination petition and that my signature on the Delegate's Statement was affixed to each page of my nomination petition prior to circulation of same; that I am not a candidate for an office which I already hold, the term of which is not set to expire on the same year as the office subject to this affidavit.

Sworn to and subscribed before me this

I swear (or affirm) to the above part(s) as required by the law(s) applicable to the office I am seeking.

8 day of March 2026

Signature of Officer Administering Affirmation

Notary Public

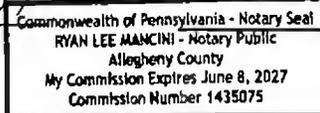
Official Title

Signature of Candidate

412-912-5452

Telephone Number

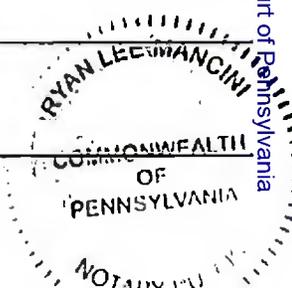
My commission expires 6/8/2027



**See Attached
Documents**

ALLEGHENY

County of Residence



Received 03/16/2026 09:20 AM Commonwealth Court of Pennsylvania

PENNSYLVANIA VERIFICATION ON OATH OR AFFIRMATION

State of Pennsylvania

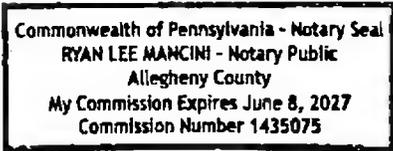
County of Allegheny

Signed and sworn to (or affirmed) before me on

March 8th 26 by _____
Date

[Signature]
Name of Individual Making Statement No. 1

N/A EM
Name of Individual Making Statement No. 2



[Signature]
Signature of Notarial Officer

Ryan Mancini
Printed Name of Notarial Officer

Title of Office: Notary Public

Place Official Stamp/Notary Seal Above

My Commission Expires: 6/8/2027

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Candidate's Affidavit

Document Date: 3/8/2026 Number of Pages: 1

Signer(s) Other Than Named Above: only Fhab Affair

VERIFICATION

I, Janis Kapadia, hereby state that the facts above set forth are true and correct to the best of my knowledge, information and belief, and that I expect to be able to prove the same at a hearing held in this matter. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.

Janis Kapadia
Signature

03/12/26
Date

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In Re: Nom. Pet Ehad Akkary; Obj: Janis Kapadia : New Case
:
:

PROOF OF SERVICE

I hereby certify that this 16th day of March, 2026, I have served the attached document(s) to the persons on the date(s) and in the manner(s) stated below, which service satisfies the requirements of Pa.R.A.P. 121:

Service

Served: Akkary, Ehad
Service Method: Email
Email: team@dra4pa.com
Service Date: 3/16/2026
Address:
Phone: 412-912-5452
Representing: Respondent Akkary, Ehad

/s/ Adam Craig Bonin

(Signature of Person Serving)

Person Serving: Bonin, Adam Craig
Attorney Registration No: 080929
Law Firm:
Address: 121 S Broad St
Ste 400
Philadelphia, PA 19107
Representing: Petitioner Kapadia, Janis