

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In re: Nomination Petition of Harry :
Young Cochran, Candidate for the :
Republican Nomination for Senator :
in the General Assembly, 32nd : No. 134 M.D. 2026
Senatorial District, Primary Election :
to be held May 19, 2026 :
: :
Objections of: Ronald Aldom :

PER CURIAM

MEMORANDUM and ORDER

Before the Court is Ronald Aldom’s (Objector) Application for Special Relief in the Form of Leave to Effect Service *Nunc Pro Tunc* Pursuant to Pa.R.A.P. 1532. Specifically, Objector asks this Court to extend the seven-day deadline for Service of his Objection Petition on the Secretary of the Commonwealth as required by Section 977 of the Pennsylvania Election Code (Election Code)¹ based on a misunderstanding of an employee in his counsel’s office.

Section 977 of the Election Code states, in relevant part: “A copy of said [objection] petition shall, within said [seven-day] period, be served on the officer or board with whom said nomination petition or paper was filed.” 25 P.S. §2937 (emphasis added).² In addition, as this Court has observed:

¹ Act of June 3, 1937, P.L. 1333, *as amended*, 25 P.S. §2937.

² *See also id.* (“The office of the Prothonotary of the Commonwealth Court and the office of the Secretary of the Commonwealth . . . shall be open between the hours of eight-thirty o’clock **(Footnote continued on next page...)**”)

The Court recognizes that Objector bears the burden of proving proper service on the Secretary, and such evidence is to be presented at the beginning of the hearing on an objection petition.^{FN9}

^{FN9} Acceptable evidence includes sworn affidavits or certificates affirming service on the Secretary or a copy of the front or cover page of an objection petition that bears a time stamp from the Secretary. *In re Jabbour*, [944 A.2d 78, 79 (Pa.) 2008] (per curiam).

In re Broadhurst, 312 A.3d 410, 417-18 (Pa. Cmwlth. 2024).³

Indeed, as the Pennsylvania Supreme Court has observed:

The requirement that the official with whom the nomination petition was filed receive timely notice that a petition to set aside has been filed is not just excess statutory verbiage. Service of a petition to set aside a nomination petition upon the officer or board with whom a nomination petition has been filed within the time limit prescribed by [S]ection 977 of the Election Code is mandatory. Clearly, when the Legislature amended [S]ection 977 of the Election Code in 1974, to include the final sentence which prescribes the office hours for the Secretary of the Commonwealth on “the last day to file objections to nomination petitions,” 25 P.S. §2937, it did so to ensure that the Secretary would receive a copy of the petition to set aside within the time limits set forth in that section.^{FN4}

^{FN4} “Service” is defined as the *exhibition or delivery* of a legal document “to a person who is thereby officially notified of some action or proceeding in which he is concerned, and is thereby advised or warned of some action or step which he is commanded to take or to forbear.” BLACK’S LAW DICTIONARY (5th Ed.) (emphasis

A.M. and five o’clock P.M. . . . on the last day to file objections to nomination petitions.”) (emphasis added).

³ See Pa.R.A.P. 126(c)(1) (“A reported single-judge opinion in an election law matter filed after October 1, 2013, may be cited as binding precedent only in an election law matter.”).

added). It is *when* the document is delivered that it is said to have been served. *Id.*

Petition of Acosta, 578 A.2d 407, 409 (Pa. 1990) (emphasis in original).

In addition, as this Court has noted:

Our Supreme Court has interpreted [Section 977] as requiring service of the petition to set aside a nomination petition on the Secretary of the Commonwealth, as “the officer or board with whom said nomination petition or paper was filed,” within seven days. *In re Nominating Petition of Lee*, [578 A.2d 1277, 1278 (Pa.) 1990]; see also *In re Nomination Papers of American Labor Party*, [44 A.2d 48 (Pa.) 1945]. In *Lee*, this Court had permitted the review of an objection petition that was not timely filed with the Secretary, reasoning that the objection petition could not be dismissed because the signature challenges therein were valid and the candidate did not have a sufficient number of signatures to appear on the ballot. *Lee*, [578 A.2d at 1278]. The Supreme Court reversed and held that our opinion was “faulty” because service is “*mandatory*, and that no relief could be granted where the challenger failed to effect timely service on that officer or board in accordance with section 977 of the Election Code.” *Id.* The Supreme Court recently affirmed its holding in *Lee*, stating: “In *In re Lee*, we likewise concluded that objections which were timely filed in the Commonwealth Court, but untimely served on the Secretary, could not be considered.” *In re Nomination Papers of James*, [944 A.2d 69, 73 (Pa.) 2008] (emphasis added).

In re Boyd, 41 A.3d 920, 923 (Pa. Cmwlth.), *aff’d*, 42 A.3d 374 (Pa. 2012) (emphasis in original).

Moreover, as we explained in that case:

[O]ur Supreme Court’s holding in *In re Lee* controls and we cannot consider the Objection Petition. Further, because the Election Code provides that “[a]ll nomination petitions and papers received and filed within the periods limited by this act shall be deemed to be valid,” 25 P.S.

§2937, we find that the [c]andidate has submitted a sufficient number of valid signatures required for certification and that [he] may appear on the ballot as a candidate for State Representative. . . .

In re Boyd, 41 A.3d at 924. Accordingly, we issue the following:

ORDER

AND NOW, this 27th day of March, 2026, it is hereby **ORDERED**:

1. Objector Ronald Aldom’s Application for Special Relief in the Form of Leave to Effect Service *Nunc Pro Tunc* Pursuant to Pa.R.A.P. 1532 is hereby **DENIED**.

2. Based on the presumption of validity, the Nomination Petition of Harry Young Cochran as a Republican candidate for nomination to the office of Senator in the Pennsylvania General Assembly for the 32nd Senatorial District in the General Primary Election to be held on May 19, 2026, contains 500 valid signatures of qualified and enrolled electors as required by Section 912.1(13) of the Election Code;⁴ and the said Petition to Set Aside the said Nomination Petition of Harry Young Cochran is **DISMISSED**.

3. The hearing on the Objection Petition filed in the above-captioned matter that was fixed for Monday, March 30, 2026, at 10:00 a.m., in Courtroom Number 815, City-County Building, Pittsburgh, is hereby **CANCELLED**.

⁴ Added by the Act of December 12, 1984, P.L. 968, *as amended*, 25 P.S. §2872.1(13). Section 912.1(13) of the Election Code states: “Candidates for nomination of offices as listed below shall present a nominating petition containing at least as many valid signatures of registered and enrolled members of the proper party as listed below: . . . (13) Senator in the General Assembly: Five hundred.”

3. The Secretary of the Commonwealth of Pennsylvania is directed to **PLACE** the name of Harry Young Cochran as a Republican candidate for nomination to the office of Senator in the Pennsylvania General Assembly for the 32nd Senatorial District on the ballot in the General Primary Election of May 19, 2026.

4. Each party shall bear his, her, or their own costs.

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