

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In re: Nomination Petition of Wallace :
J. “Doc” Quinlan as Republican :
Candidate for the 172nd Legislative : No. 137 M.D. 2026
District : Heard: March 26, 2026
:
Objection of: Lisa Wade :

BEFORE: HONORABLE LORI A. DUMAS, Judge

OPINION NOT REPORTED

**MEMORANDUM OPINION BY
JUDGE DUMAS**

FILED: April 6, 2026

Objector Lisa Wade (Objector) filed a petition to set aside the nomination petition of Wallace J. “Doc” Quinlan (Candidate) as a Republican Candidate for the 172nd Legislative District, alleging that Candidate did not personally sign his statement of financial interests (SOFI) and that Candidate is deceased. We deny Candidate’s application to dismiss Objector’s petition and grant Objector’s petition.

I. BACKGROUND¹

On February 20, 2026, Candidate signed his candidate affidavit before a notary public. Ex. O-2. On March 5, 2026, Candidate’s printed name was signed on Candidate’s SOFI. Ex. O-3. Above the printed name is mostly illegible cursive script. *Id.* Candidate was hospitalized at some point prior to March 9, 2026. Notes of Testimony (N.T.), 3/26/26, at 33. Around March 10, 2026, Candidate’s nomination paperwork was filed with the Secretary of the Commonwealth. Candidate died on March 15, 2026. Pet. to Set Aside Nomination Pet., 3/17/26, ¶ 7; Candidate’s Pretrial

¹ Generally, substantial evidence of record must support our findings of fact. *In re Beyer*, 115 A.3d 835, 838 (Pa. 2014); *see generally* Act of June 3, 1937, P.L. 1333, *as amended*, 25 P.S. §§ 2600-3591 (Election Code). For convenience, we refer to Election Code sections “only by their Purdon’s citation[s].” *Herold v. Univ. of Pittsburgh*, 329 A.3d 1159, 1166 n.1 (Pa. 2025).

Statement, 3/25/26, at 1.

Objector filed her petition on March 17, 2026, and timely served the Secretary of the Commonwealth. This Court posted Objector’s petition on its webpage on March 17, 2026, which constitutes “service on the candidate.” Order, 1/22/26 (citation modified). On March 18, 2026, Candidate’s counsel filed an entry of appearance. On March 25, 2026, Candidate’s counsel filed an application to dismiss, which we detail below, and a pretrial statement.

This Court held an evidentiary hearing on March 26, 2026. A Statewide Uniform Registry of Electors (SURE) witness displayed Candidate’s voter registration signature for comparison. N.T. at 25. Vincent Fenerty, called by Candidate’s counsel, testified that he had no personal knowledge of who signed the SOFI. *Id.* at 34. Candidate’s counsel did not present any other witness or evidence regarding the SOFI signature.

Candidate’s counsel also introduced into evidence a declaration by Joseph Lynch, the director of election operations for the Philadelphia County Board of Elections. Ex. R-1. Lynch declared that the list of candidates must be finalized by April 17, 2026.

II. ISSUES

Candidate’s counsel moved to dismiss Objector’s petition for lack of service. Objector argues that Candidate did not sign the SOFI.

III. DISCUSSION²

A. Candidate’s Counsel’s Application to Dismiss

1. Arguments

In support, Candidate’s counsel relies on *Thompson v. Peck*, 181 A. 597

² In “reviewing election issues, we must consider the longstanding and overriding policy in our Commonwealth to protect the elective franchise, and that the Election Code must be liberally

(Pa. 1935), and its progeny to argue that a dead person cannot be a party to an action. App. to Dismiss, 3/25/26, at 1-2. Candidate’s counsel reasons that a proceeding “against a person who is deceased” is a “legal nullity, and the only recourse is to file a new action naming the decedent’s personal representative as the defendant.” *Id.* at 2 (citations omitted). Because the proceeding is a nullity and the deadline for objecting to a nomination petition expired on March 17, 2026, Candidate’s counsel argues that Objector cannot amend her objection petition to name Candidate’s personal representative. *Id.*

Objector countered at oral argument. She argues that this is akin to an *in rem* proceeding because the caption is styled “In re Nomination Petition,” which is directed at the petition itself. N.T. at 11. Objector reminds us that she seeks an order directing the Secretary of the Commonwealth to strike Candidate’s name from the ballot. *Id.* Objector reasons that because the Rules of Civil Procedure do not control Election Code proceedings, service was properly effectuated. *Id.* at 11-13.

Objector adds that because 25 P.S. § 2877 contemplates the death of a candidate during the nomination process and provides for substitution, the Election

construed to protect a candidate’s right to run for office and the voters’ right to elect the candidate of their choice.” *In re James*, 944 A.2d 69, 72 (Pa. 2008) (citation modified). “While our overriding concern at all times must be to be flexible in order to favor the right to vote, we must also strictly enforce all provisions to prevent fraud.” *Id.* (citation modified). Strict enforcement requires interpreting the Election Code and the Public Official and Employee Ethics Act, 65 Pa.C.S. §§ 1101-1113 (Ethics Act), which are questions of statutory interpretation. 1 Pa.C.S. §§ 1901-1999; *In re Paulmier*, 937 A.2d 364, 369 (Pa. 2007) (stating “these two statutes are *in pari materia*”). If a statute is ambiguous, then we may ascertain the General Assembly’s intent by presuming, *inter alia*, that the General Assembly did not intend an absurd result. 1 Pa.C.S. § 1922; *see Watson v. Witkin*, 22 A.2d 17, 22-24 (Pa. 1941) (discussing *Derringe v. Donovan*, 162 A. 439 (Pa. 1932), and applying statutory predecessor to 1 Pa.C.S. § 1922 to resolve a vacancy caused by the sitting mayor’s death 18 days before the primaries). Finally, “as a matter of statutory interpretation, although one is admonished to listen attentively to what a statute says; one must also listen attentively to what it does not say.” *Wunderly v. Saint Luke’s Hosp. of Bethlehem*, 345 A.3d 692, 701-02 (Pa. 2025) (citation modified).

Code does not treat death as voiding a nomination petition. *Id.* at 14-16. She observes that if Candidate had died after the close of the objection period, his name would remain on the ballot absent substitution. *Id.* at 16, 41. The timing of Candidate’s death within the window to file an objection petition, Objector argues, should not shield his nomination petition from judicial review. *Id.* at 12-13. Last, Objector argues that Candidate’s death negated the averments made in his candidate affidavit and SOFI such that he cannot take the oath of office or amend any deficiencies. *Id.* at 7.

2. Legal Standards³

“All nomination petitions . . . received and filed within the periods limited by this act shall be deemed to be valid, unless, within seven days after the last day for filing said nomination petition . . . , a petition is presented to the court specifically setting forth the objections thereto” 25 P.S. § 2937. Section 2937 requires that a “copy of said petition shall, within said period, be served on the officer or board with whom said nomination petition or paper was filed.” *Id.* Upon the filing of an objection petition, “the court shall make an order fixing a time for hearing . . . and specifying the time and manner of notice that shall be given to the candidate

³ Election Code “proceedings are wholly statutory and jurisdiction over the subject matter of an election contest petition must be found in the Pennsylvania Election Code or in some other statute incorporating the Pennsylvania Election Code by reference.” *Reese v. Cnty. Bd. of Elections of Lancaster Cnty.*, 308 A.2d 154, 158 (Pa. Cmwlth. 1973) (*en banc*) (citation omitted); *cf. also In re Wylie*, 86 A. 1018, 1019 (Pa. 1913) (“In no proper sense can an election contest be regarded in the nature of litigation between private parties, and the rule as to the interest a private litigant must have has no proper application to an election contest in which the public has an entirely different kind of an interest, although a vital one to the maintenance of good government.”); *Moock v. Conrad*, 26 A. 700, 701 (Pa. 1893) (“It is very clear, therefore, that a contested election is not a matter of private litigation between rival candidates for office, but an official inquiry, made at the instance and on behalf of the electors, for the purpose of ascertaining whether the returns made by the election officers correctly represent the votes cast.”).

or candidates named in the nomination petition or paper sought to be set aside.”⁴ *Id.* If the court finds that the nomination petition “is defective under” 25 P.S. § 2936, then “it shall be set aside.” *Id.* Section 2937 does not state that judgment is entered against the candidate.

Section 2937 also governs the manner of notice in a nomination petition challenge. Our Supreme Court examined whether this Court had the authority to continue a hearing on objections to a nomination petition beyond the statutory ten-day limit to permit another attempt at personal service after the first attempt failed. *In re Moore*, 291 A.2d 531 (Pa. 1972). The objectors timely challenged the candidate’s nomination petition, and this Court ordered personal service of the petition and notice of the hearing on the candidate or an adult member of his family. *Id.* at 532. The objectors, however, instead served an agent at the candidate’s law office. *Id.* The candidate’s counsel entered an appearance and challenged this attempt at personal service at a hearing. *Id.*

In response, this Court continued the hearing and amended its prior order to permit service on a person in charge of the candidate’s law office. *Id.* The candidate was personally served, and the candidate’s counsel again challenged jurisdiction, specifically the court’s power to amend its prior order. *Id.* at 533. This Court rejected the challenge and set aside the candidate’s petition, and the candidate appealed.⁵ *Id.*

⁴ The method of instituting an election contest has evolved. *See* Act of May 19, 1874, P.L. 208, § 18 (“Notice of the filing of the petition with a copy thereof shall be served upon the person whose right of office shall be contested, together with a rule to answer at the time fixed for hearing, which notice copy and rule shall be served such length of time before the day fixed for hearing, as the said court or judge shall require . . .”); *cf. also* Act of July 2, 1839, P.L. 519, § 154 (“Upon the petition . . . complaining of an undue election or false return of any such officer, the court shall appoint a suitable time for hearing such complaint, notice of which shall be given to the person returned, at least ten days before such hearing.”).

⁵ On appeal, the candidate argued that this Court lacked jurisdiction because the continued

Moore disagreed “that the court loses control over the time and manner of giving notice merely because personal service had not been effected by the time set for the hearing, or that a hearing could not be held after that time.” *Id.* at 534-35 (citation modified). When this Court has decided *how* to effect service on a candidate, we retain the ability to schedule and notice a hearing even beyond the statutory deadline. *See id.* “To hold that inability to perfect the initial service of process within the time allowed automatically circumvents all objections to a nomination petition by defeating the court’s jurisdiction would produce a far greater distortion of the legislative intent than to permit reasonable extensions of the ten day limit at the court’s discretion.” *Id.* at 535; *In re Wilson*, 728 A.2d 1025, 1028-29 & n.12 (Pa. Cmwlth. 1999) (explaining that service of the notice of the hearing was intended to notify the candidate and actual notice may excuse strict compliance with a court order setting the manner of service).⁶

This Court confirmed *Moore*’s authority to specify the method of service in *In re Broadhurst*, 312 A.3d 410 (Pa. Cmwlth. 2024) (Cohn Jubelirer, J.) (single-judge op.). In resolving proper service on the Secretary of the Commonwealth, *Broadhurst* pointed to the standing order authorizing service on

hearing was held beyond the statutory ten-day period. *Moore*, 291 A.2d at 533. *Moore* held that the statutory time requirements were directory and not mandatory, because the “scheduling of hearings” and the “specifying of the time and manner of notice” are exercises of “purely judicial functions.” *Id.* at 534 (citation modified) (explaining that the legislature cannot “constitutionally impose upon the courts mandatory duties pertaining to the exercise of the judicial function” including “hearing and decision of matters properly before the court” (citation modified)). Plainly, the term “shall” is “directory and not mandatory.” *Id.* (citation modified).

⁶ To be clear, service on the Secretary of the Commonwealth is mandatory under 25 P.S. § 2937. *In re Lee*, 578 A.2d 1277, 1278 (Pa. 1990); *In re Nomination Papers of Am. Lab. Party*, 44 A.2d 48, 50 (Pa. 1945). The General Assembly did not make service of the objection petition mandatory on the candidate. *See Wunderly*, 345 A.3d at 701-02. Only upon proper service of the petition on the Secretary could we examine a nomination petition, even if the parties had stipulated that the candidate had less than the required number of signatures. *Lee*, 578 A.2d at 1278.

candidates via website posting and distinguished that mechanism from the mandatory service on the Secretary. *Id.* at 417 (quoting *In re Blount*, 898 A.2d 1181, 1184 (Pa. Cmwlth. 2006) (Cohn Jubelirer, J.) (single-judge op.), for the proposition that the Court “has complete control to regulate the time and manner of giving notice and the fixing of hearings” (citation modified)).

Turning to this Court’s January 22, 2026 standing order, it provides that the “posting of an objection petition on the webpage shall constitute service on the candidate whose nomination petitions/papers have been challenged. All candidates are under a continuing obligation to check the webpage to determine if an objection petition has been filed to their nomination petitions/papers.” Order, 1/22/26 (citation modified). The standing order further provides that, upon the filing of an objection petition, this Court will issue a scheduling and case management order, and that the “posting of a scheduling and case management order on the webpage shall constitute service of the order on the objector and the candidate.” *Id.* (citation modified).

The purpose of requiring service of the notice fixing a hearing on the candidate has consistently been understood as ensuring an opportunity to prepare a defense. *See Blount*, 898 A.2d at 1185 (explaining that this Court’s “primary concern when issuing notices is that candidates, whose petitions are challenged, be quickly and surely notified” (citation modified)); *Wilson*, 728 A.2d at 1028-29 (same); *accord In re Morgan*, 428 A.2d 1055, 1058 (Pa. Cmwlth. 1981)). The candidate will then have “a full and fair opportunity, consistent with the requirements of due process, to prepare a defense in response to [the] objections to her nomination petition.” *Blount*, 898 A.2d at 1185; *Wilson*, 728 A.2d at 1028 (noting that although the candidate “did not personally appear at the hearing, his attorney did appear and was prepared to represent [the candidate’s] interests”); *see also In re McElhatton*, 729 A.2d 163, 167

(Pa. Cmwlth. 1999). These cases addressed service on living candidates.

Apparently, we have not addressed service of the notice of hearing on a deceased candidate in an Election Code proceeding. The Election Code, however, contains several provisions that address the death of a candidate after being nominated.

For example, when “a nomination petition has been duly filed for any primary . . . and thereafter, and before the day of the primary, the candidate named in said petition dies, the original signers of said petition, or the majority of them, may sign another petition proposing a new candidate for said office at any time prior to the printing of the ballots or ballot labels.” 25 P.S. § 2877; *see also id.* §§ 2882 (stating “[t]hat when a candidate for nomination shall have died before or on the day of the primary election and shall nevertheless receive a plurality of votes of his party electors cast for the office for which he sought nomination, then no candidate shall have been nominated for the office at such primary and a substituted nomination may be made in the manner hereinafter provided”), 2938.4 (providing that upon petition “in the case of the death of such candidate *by the treasurer of his political committee*, the court shall order the withdrawal of said candidate’s name for nomination or election, except upon a showing of special circumstances” (emphasis added)).⁷

Before substitution of a deceased candidate can occur, however, the candidate must have been duly nominated. *See In re Scroggin*, 237 A.3d 1006, 1022-23 (Pa. 2020) (resolving substitution of a living candidate); *Watson v. Witkin*, 22

⁷ *See also, e.g.*, 25 P.S. §§ 2939 (stating that vacancies “by reason of the death . . . of any candidate after nomination . . . may be filled by a substituted nomination”), 2940 (“In case of the death . . . of any candidate nominated by any political body . . . , the committee . . . may nominate a substitute”), 2941(b) (“Substituted nomination certificates to fill vacancies caused by the death of candidates nominated at primaries . . . shall be filed at the proper office at any time prior to the day on which the printing of ballots is started.”).

A.2d 17, 21 (Pa. 1941) (“Before there can be a ‘*substituted* nomination’ there must have been a nomination.” (emphasis in original)). To be duly nominated, a candidate must have fully complied with the Election Code and Ethics Act in running for office. *Scroggin*, 237 A.3d at 1022-23; *In re Paulmier*, 937 A.2d 364, 369 (Pa. 2007); see *In re De la Cruz*, 324 A.3d 632, 638 (Pa. Cmwlth.) (Leadbetter, J.) (single-judge op.) (stating “substitution is not allowed to cure a nomination paper that was defective when filed”), *aff’d*, 322 A.3d 883 (Pa. 2024) (*per curiam* order). In *Scroggin*, because the candidate had failed to fully comply by filing an original candidate’s affidavit with the Secretary of the Commonwealth, no substitution could occur. *Scroggin*, 237 A.3d at 1022-23.

If a duly nominated candidate dies and no substitution occurs, the candidate’s name remains on the ballot. *Shroyer v. Thomas*, 81 A.2d 435, 436 (Pa. 1951) (*per curiam*). In *Shroyer*, the candidate died three days before “the last day permitted by law for candidates to withdraw.” *Id.* The candidate’s death prevented him from exercising his statutory right to withdraw. His widow petitioned the county’s Board of Elections to withdraw his name, but the Board refused.

The plaintiffs then filed suit to compel the Board to omit the deceased candidate’s name from the ballot. They reasoned that “in the absence of express directions the legislature did not intend the name of a deceased candidate to remain on the ballot in the event there was no substitution.” *Id.* at 437. *Shroyer* rejected the argument because the Election Code expressly directed “that the candidate’s name shall remain on the ballot in the event of his death on or before the primary, unless there is a substitution made.” *Id.* *Shroyer*, however, did not involve a candidate’s death during the period within which to challenge a candidate’s nomination petition.⁸

⁸ Obviously, the *Shroyer* candidate was not served. Neither the parties nor the court suggested involving the candidate’s personal representative, if any. We note that the plaintiffs sued

When a deceased candidate’s name remains on the ballot, votes cast for that candidate have legal effect. Such votes “shall be regarded as expressions by the voters that they prefer the office to be declared temporarily vacant until it can be filled in the manner provided by law rather than that a person whom they voted against and who represents opposing policies should fill it for a full term.” *Derringe v. Donovan*, 162 A. 439, 441 (Pa. 1932) (validating the deceased candidate as winning the office even though the candidate died six days before the general election).⁹ The foregoing Election Code provisions and caselaw establish the framework for proceedings involving deceased candidates.

The Rules of Civil Procedure, however, do not apply to Election Code proceedings. *In re Johnson*, 502 A.2d 142 (Pa. 1985). “The sole and exclusive remedy for challenging a person’s right to run for political office in Pennsylvania is provided by” 25 P.S. § 2937. *Id.* at 144 (citation modified). *Johnson* resolved whether the verification requirements under Pa.R.Civ.P. 1024(a) applied to objection petitions. *Id.* at 145. “We disagree with the notion that this Rule or any other Rule of Civil Procedure is applicable to a challenge to a nomination petition or paper. The

the Board of Elections for relief, which bolsters the principle that in Election Code proceedings, the candidacy itself is at issue.

⁹ See *In re Primary Election, Held in Lackawanna Cnty. May 19, 1942*, 27 A.2d 189, 190 (Pa. 1942) (*per curiam*) (“If the candidate highest in their esteem and favor dies so soon before the primaries as to make it impossible or impracticable to substitute another candidate who commands the party’s approval, and the voters cast their ballots for the deceased candidate by a sufficient majority or plurality to indicate their rejection of his opponent or opponents, such a vote must be interpreted as an expression by the party voters that they prefer that no nomination be made at the primary rather than that a candidate unacceptable to them be declared their party’s nominee.”); see also *Baylor v. Cortes*, 982 A.2d 482, 483 (Pa. 2009) (Eakin, J., concurring) (noting candidate’s posthumous election); *Baylor v. Cortes* (Pa. Cmwlth., No. 15 M.D. 2019, filed Feb. 5, 2009) (Pellegrini, J.) (single-judge op.), slip op. at 2 (explaining that the candidate died before the general election “but remained on the ballot”); *Ryckman v. Crawford Cnty. Bd. of Elections* (Pa. Cmwlth., No. 472 C.D. 2018, filed Nov. 16, 2018), 2018 WL 6005779, at *4 n.8 (recognizing, in *dicta*, the continued vitality of *Derringe*).

overriding consideration embodied in [25 P.S. § 2937] is the expeditious resolution of objections to a prospective candidate’s filings.” *Id.* (citations omitted). “The filing of this objection [petition] merely gives notice of the complaint being registered. The mere offering of objections does not disturb the *candidacy* of the person against whom the objection is directed. The *candidacy* can only be terminated when the petition or paper is shown to be defective.” *Id.* (emphases added) (citation modified). “To encumber the election process . . . by incorporating the rules of civil procedure . . . would frustrate the carefully designed time frame established under the Code for the expeditious disposition of these objections.” *Id.*; *see generally In re Mayor of City of Altoona, Blair Cnty.*, 196 A.2d 371, 374 (Pa. 1964) (*Altoona*) (explaining that the Election Code should be construed “to prevent fraud and corruption” and ensure a “fair election” (citation modified)).

Thompson, for example, is a civil procedure case that addressed whether a civil trespass action commenced against a person who had already died constituted a valid proceeding. *Thompson* affirmed dismissal of the lawsuit, reasoning that “a dead man cannot be a party to an action and any such attempted proceeding is completely void and of no effect.” *Thompson*, 181 A. at 598 (citation modified).

3. Discussion

Here, a 25 P.S. § 2937 proceeding is an official inquiry into the validity of Candidate’s nomination petition, brought on behalf of the electorate. *See Reese v. Cnty. Bd. of Elections of Lancaster Cnty.*, 308 A.2d 154, 158 (Pa. Cmwlth. 1973) (*en banc*); *cf. Moock v. Conrad*, 26 A. 700, 701 (Pa. 1893); *In re Wylie*, 86 A. 1018, 1019 (Pa. 1913). Section 2937 provides for an order to set aside Candidate’s nomination petition if defective. 25 P.S. § 2937.

The Election Code treats a deceased candidate's nomination petition as legally operative. Multiple sections address the death of a candidate during the nomination process. *See, e.g.*, 25 P.S. §§ 2877, 2882, 2938.4; *In re Primary Election, Held in Lackawanna Cnty. May 19, 1942*, 27 A.2d 189, 190 (Pa. 1942) (*per curiam*). The General Assembly thus contemplated proceedings involving deceased candidates who cannot personally participate.

The caselaw confirms as much. *Shroyer* and *Derringe*, however, addressed candidates whose nominations had been validated, *i.e.*, cleared the objection period. *See Shroyer*, 81 A.2d at 436-37; *Derringe*, 162 A. at 441. Nevertheless, because the Election Code permits that *result, i.e.*, casting votes for a dead candidate, the Code must necessarily permit judicial review of a timely objection to a deceased candidate's nomination petition. A nomination petition remains subject to timely objection and judicial review regardless of the candidate's death. *See* 25 P.S. § 2937.

It follows that we must reject Candidate's counsel's reliance on *Thompson*. *Thompson* is a civil procedure case. As *Johnson* holds, civil procedure principles do not govern Election Code proceedings. *See Johnson*, 502 A.2d at 145.

Further, applying *Thompson* in an Election Code proceeding would mean that, notwithstanding a timely objection, a candidate's death during the seven-day objection period immunizes the nomination petition from judicial review. That result would hold even if the petition contained forged circulator affidavits or an insufficient number of genuine signatures, *i.e.*, material errors or defects that would invalidate the petition regardless of whether the candidate was deceased. Under Candidate's counsel's theory, a candidate who resided outside the legislative district could never be removed from the ballot if he died within the seven-day objection

period. These consequences underscore the tension between strict adherence to civil procedure principles governing service and the Election Code's framework for expeditious resolution of objections to nomination petitions. *See Johnson*, 502 A.2d at 145; *cf. De la Cruz*, 324 A.3d at 638 (explaining that substitution cannot cure a defective nomination). Section 2937 proceedings exist to protect the electorate's interest in the integrity of the ballot, and nothing in the Election Code suggests that a candidate's death extinguishes that interest. *See Altoona*, 196 A.2d at 374; *cf. Moock*, 26 A. at 701; *Wylie*, 86 A. at 1019.

Here, Candidate's counsel argues that the standing order cannot effectuate service on deceased Candidate. Under *Moore* and *Broadhurst*, however, this Court retains sole discretion over the time and manner of notice to Candidate. *See Moore*, 291 A.2d at 534-35; *Broadhurst*, 312 A.3d at 417. Our January 2026 standing order exercises that discretion by providing that posting an objection petition and notice of the hearing on the Court's webpage constitutes service on Candidate. Order, 1/22/26. It does not require personal service on Candidate.¹⁰

Further, the purpose of notice to the candidate is due process: ensuring the candidate is "quickly and surely notified" and affording an opportunity to defend. *See Blount*, 898 A.2d at 1185 (citation modified). Here, Candidate's counsel entered an appearance, filed a pretrial statement, moved to dismiss, and argued at the hearing. *See id.* As in *Wilson*, which stated service was adequate because the candidate's attorney appeared and represented the candidate's interests, the purpose of notice was satisfied. *See Wilson*, 728 A.2d at 1028-29. Indeed, if civil procedure rules governed, Candidate's counsel could not have entered an appearance until a

¹⁰ However, 25 P.S. § 2937 requires proper service on the Secretary of the Commonwealth before we can review a nomination petition, even if the nomination petition had less than the required number of qualified elector signatures. *See Lee*, 578 A.2d at 1278.

personal representative was appointed. *See Thompson*, 181 A. at 598.

In sum, under general principles, death ordinarily renders service on the decedent ineffective. *See id.* But as we have explained, civil procedure principles cannot strictly govern here. The Election Code contemplates proceedings involving deceased candidates and does not condition judicial review on the candidate's ability to receive personal service. *See, e.g., 25 P.S. §§ 2877, 2882, 2937, 2938.4.* Accordingly, we deny Candidate's counsel's application to dismiss.

B. Objector's Petition to Set Aside Candidate's Nomination Petition

Objector argues that Candidate did not personally sign the SOFI and that the nomination petition should be set aside for noncompliance with the Election Code. Pet. to Set Aside ¶¶ 6, 8. In support, Objector presented a SURE witness who displayed Candidate's voter registration signature for comparison with the signatures on the candidate affidavit and SOFI. *See N.T. at 23-24; Exs. O-2, O-3.* Both parties agreed that the cursive signature appearing on the SOFI is materially different from Candidate's known signatures. *See N.T. at 40-41, 43.* Fenerty, called by Candidate's counsel, testified that he had no personal knowledge of who signed the SOFI. *Id.* at 34. Candidate's counsel did not present any other witness or evidence regarding the SOFI signature.

Turning to the SOFI, the Ethics Act requires that all information disclosed on the statement "shall be signed under oath or equivalent affirmation." 65 Pa.C.S. § 1105. The Ethics Act "was intended by the Legislature to bar only those candidates from the ballot who fail to file statements of financial interests or who file them in an untimely manner." *Paulmier*, 937 A.2d at 371. Accordingly, "all defects related to the content of disclosures on a timely filed statement of financial interest are subject to timely amendment." *Id.*

This rule extends to signature defects. *Id.* at 370 (approving of *Smith v. Brown*, 590 A.2d 816 (Pa. Cmwlth. 1991), which permitted a candidate to reform a SOFI that lacked a signature). *Paulmier* thus permits a candidate to amend the SOFI to correct the defect, so long as the candidate filed the statement in good faith. *Id.* at 371 (holding that the Ethics Act “does not bar any candidate from the ballot if he or she files in a timely manner, even if there are defects on the face of the form, so long as that candidate subsequently amends the form to correct the defect and comes into compliance with the Act in a timely manner”). The objector bears the burden of proving bad faith. *In re Sautner*, 338 A.3d 211, 217 (Pa. Cmwlth. 2025).

Here, upon examination, the signature on the SOFI bears no resemblance to Candidate’s known signatures.¹¹ Based on the record, including the parties’ agreement that the SOFI signature differs and the absence of any testimony and evidence explaining the discrepancy, we find that Objector established that the SOFI was not signed by Candidate. Despite the unexplained discrepancy, Candidate’s sole defense was that the proceeding is a nullity, which we have rejected.

Under *Paulmier*, the SOFI signature is an amendable defect. *See Paulmier*, 937 A.2d at 371. Further, Objector presented no affirmative evidence of Candidate’s bad faith, and in an ordinary case, the absence of bad faith would entitle Candidate to sign an amended SOFI and come into compliance. *See id.* This case is not ordinary: Candidate cannot testify or sign.

Paulmier presupposes a living candidate who can amend the signature defect. Good faith affords only the candidate an opportunity to amend. Even resolving any doubt about good faith in Candidate’s favor, that opportunity is


¹¹ We examined the signatures and find the differences to be substantial. We need not define a general standard for evaluating signature discrepancies on a SOFI, as the differences here are apparent on the face of the documents.

unavailable on this record.

On the unique facts of this record, we hold that a deceased candidate cannot amend a SOFI with a defective signature. *See Paulmier*, 937 A.2d at 371. Because the signature defect here cannot be corrected or otherwise excused on this sparse evidentiary record, we grant Objector’s petition.¹² Thus, we need not address Objector’s alternative argument that Candidate’s death independently mandates his removal from the ballot.

IV. CONCLUSION

For these reasons, we deny Candidate’s counsel’s application to dismiss Objector’s petition as a nullity and grant Objector’s petition to set aside Candidate’s nomination petition.



LORI A. DUMAS, Judge

¹² We recognize that our limited holding may be in tension with the policy of liberal construction favoring the elective franchise. *See James*, 944 A.2d at 72. We remain mindful that strict enforcement of all provisions is necessary “to prevent fraud.” *Id.* In most cases, these policies work in tandem: allowing amendment in good faith protects both the candidate’s right to run and the public’s right to an accurate SOFI. The Ethics Act’s oath requirement exists so that voters can rely on the integrity of the disclosed financial information.

But here, and on this record, that integrity cannot be assured. The SOFI contains a deficiency that no one can cure, and no mechanism exists to amend a SOFI on behalf of a deceased candidate. We acknowledge that the *Paulmier* framework produces a different outcome for a candidate who can amend. But when a candidate cannot amend, the public’s interest in the integrity of financial disclosure must prevail. Consider a candidate who is alive and able to amend the SOFI but refuses to do so. Under the Election Code, we would not permit that candidate to appear on the ballot. *Cf. Sautner*, 338 A.3d at 217, 219.

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In re: Nomination Petition of Wallace :
J. “Doc” Quinlan as Republican :
Candidate for the 172nd Legislative : No. 137 M.D. 2026
District :
: :
: :
Objection of: Lisa Wade :

ORDER

AND NOW, this 6th day of April, 2026, we GRANT the petition filed by Objector Lisa Wade, to set aside the nomination petition of Wallace J. “Doc” Quinlan as Republican Candidate for the 172nd Legislative District. We DENY Candidate’s application to dismiss Objector’s petition as a nullity.

The Secretary of the Commonwealth is directed to REMOVE Wallace J. “Doc” Quinlan as Republican Candidate for the 172nd Legislative District from the May 19, 2026 primary election ballot.

Objector shall bear the cost of the stenographer. Otherwise, each party shall bear their own costs.

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



LORIE A. DUMAS, Judge