

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

In re: Nomination Petition of Robyn :
Bird for the Republican Party :
Nomination for Representative in the :
General Assembly from the 177th :
Legislative District in the May 19, 2026 : No. 106 M.D. 2026
Primary Election : Heard: March 23, 2026
:
Objection of: Christina Marie Seeling :

BEFORE: HONORABLE LORI A. DUMAS, Judge

OPINION NOT REPORTED

**MEMORANDUM OPINION BY
JUDGE DUMAS**

FILED: April 6, 2026

Objector Christina Marie Seeling (Objector) filed a petition to set aside the nomination petition of Robyn Bird (Candidate) for the Republican Party nomination for Representative in the General Assembly from the 177th Legislative District (District), alleging that she fails to meet the state and district residency requirements under Article II, Section 5 of the Pennsylvania Constitution. Premised upon these failures, Objector further alleged that Candidate falsely attested to her eligibility for office with the intent to mislead the voters.

Following a hearing, and upon review of the evidence, we denied Objector's petition. *See* Order, 3/26/26. Although Objector presented well-reasoned concerns, we concluded that Objector's evidence was limited and insufficient to establish Candidate's genuine intent to abandon her domicile in the District, either during her residency abroad or during her more limited venture into another legislative district. Ultimately, Candidate's testimony was credible and the strongest evidence supporting her current candidacy. Based on the totality of the evidence

presented, we concluded that Candidate’s periods of transience did not extinguish her established domicile in the District.

We now offer this memorandum opinion to explain our decision.

I. BACKGROUND¹

It is undisputed that Candidate was domiciled with her mother at 3184 Livingston St., which is located in the District. Then, in January 2018, Candidate married Patrick Trijsburg² in Las Vegas, Nevada. Trijsburg is a Dutch naval officer. Although unclear from the record, at the time of their wedding, it appears that he was stationed in Sint Maarten.³

At first, the married couple did not cohabit. Candidate described their marriage as a “long distance relationship.” Hr’g Tr., 3/23/26, at 54. Trijsburg often travelled for work. Further, in 2018, Candidate’s mother suffered a stroke, and Candidate remained in the United States for months at a time to care for her. For these reasons, Candidate never actually moved to Sint Maarten.⁴ *Id.* at 59.

¹ Absent a specific citation, we derive this background from the evidence adduced at the hearing in this matter. *See generally* Hr’g Tr., 3/23/26. This background constitutes our findings of fact. Substantial evidence of record must support our findings of fact. *In re Beyer*, 115 A.3d 835, 838 (Pa. 2014). This Court, as factfinder, also renders credibility determinations, which may support our findings. *Id.* at 841; *Cnty. of Fulton v. Sec’y of Commonwealth*, 292 A.3d 974, 1044 (Pa. 2023). “Such a credibility determination may involve nothing more than the fact-finder’s on-the-spot, and oftentimes instinctive, determination that one witness is more credible than another. The basis for the conclusion that certain testimony has the ‘ring of truth,’ while other testimony does not, may be difficult or impossible to articulate—but that does not make such judgments invalid or unworthy of deference.” *Daniels v. Workers’ Comp. Appeal Bd. (Tristate Transp.)*, 828 A.2d 1043, 1053 (Pa. 2003). Unless specifically stated otherwise, we credit Candidate’s testimony and resolve any conflicts in her favor.

² The transcript identifies Candidate’s ex-husband as “Patrick Friesberg.” *See* Hr’g Tr. at 53, *but see* Ex. P2 (Unsworn Decl. of Pierre Langlois de Bazillac and attachs.) (indicating that Candidate was divorced from Patrick Trijsburg).

³ The transcript uses “St. Martin.” *See, e.g.*, Hr’g Tr. at 56.

⁴ Candidate clearly and credibly testified, “I never actually moved to [Sint Maarten]. I would only bring my stuff in suitcases” Hr’g Tr. at 59. Candidate further explained that she left all

At some point in 2019, Trijsburg accepted a four-year position in Belgium working for NATO. It appears that Trijsburg moved in September 2019; however, Candidate suggested that the move may have occurred earlier and recalled difficulty or delay completing his residency registration. *See* Hr’g Tr. at 59-60, 107; Exs. P-6 (picture from social media), P-7 (same).

After some discussion, Candidate decided to move to Belgium with Trijsburg. In October 2019, Candidate secured a foreign residency card issued by NATO. Candidate described her residency card as “special” but was unable to explain its significance, just that it was “very difficult to obtain.” Hr’g Tr. at 69; *see id.* at 109-10. Candidate moved to Belgium in January 2020.⁵ Immediately, Candidate secured a part-time job assisting elderly people, a job she retained throughout her time in Belgium. *Id.* at 52-53. While in Belgium, Candidate did not obtain a driver’s license; she did not register to vote, purchase or lease property, nor did she become involved in local civic activities. *Id.* at 113-14. In Candidate’s view, Belgium was not her home.⁶ *See id.* at 114.

At some point in 2020, Candidate returned to Philadelphia for a few her furniture, personal effects, and documents at the domicile. *Id.* at 103-04. She never purchased property or a vehicle, nor did she apply for a driver’s license. *Id.* at 105.

⁵ Objector introduced evidence that Candidate was issued a “special identity card” but was unable to explain her “precise immigration or status category to which [her] card corresponded.” Ex. P-2 at 3. It also appears from this evidence that the identity card was issued in October 2019 and that Candidate was registered at her Belgian address, Intweg 7, 8490 Jabbeke, as of January 8, 2020. *Id.*

⁶ Several additional facts support our finding that Candidate’s domicile remained in the District during her residency in Belgium. For example, in 2020, while residing in Belgium, Candidate nonetheless obtained her Pennsylvania driver’s license, which identifies her address as 3184 Livingston Street, and she registered to vote in the District. Hr’g Tr. at 117. Further, since registering, Candidate has consistently voted in the District. *Id.* at 44-45 (establishing that Candidate voted in November 2020, the primary of 2021, November 2022, November 2023, November 2024, and twice in 2025). In 2021, Candidate received her COVID-19 vaccinations in Philadelphia, around the corner from her domicile. *Id.* at 116-17. All her furniture and personal effects remained at Livingston Street. *Id.* at 117-18.

months. *See id.* at 63-65 (conceding that she did not know the exact date of her first return to the United States but describing her COVID-era flight in some detail). Thereafter, Candidate regularly returned from Belgium to her domicile in the District. In 2021, for example, Candidate returned on at least two occasions. *See* Exs. P-11, P-12.⁷ Although the exact dates and the duration of her trips varied, a similar pattern was repeated in 2022 and 2023. *See* Ex. P-13. In May 2024, Candidate returned from Belgium for the last time.⁸ *See id.*

Following her return from Belgium, Candidate resided at her domicile in the District. Initially unemployed, Candidate volunteered in the presidential campaign; the Pennsylvania GOP later hired her as a political coordinator for its northeast Philadelphia office. Following the election, in January 2025, Candidate accepted a job offer with the local firefighters and paramedics union (Local 22).⁹

In June 2025, Candidate signed an 18-month lease for an apartment in The Alcott, a building located at 416 Spring Garden Street, Philadelphia, in another legislative district.¹⁰ *See* Hr’g Tr. at 123; Ex. P-4 (Unsworn Decl. of Joanna

⁷ These exhibits were photographs posted on social media accounts and depict Candidate’s dog, Archie, on an airplane. *See* Exs. P-11, P-12. It is reasonably certain that the first photograph was taken some time in the spring. *See* Hr’g Tr. at 71-72 (Candidate explaining that her mother had gifted the dog to her on April 3, 2021). Objector also introduced Candidate’s international flight records, which included a flight from Brussels to Newark in November 2021. *See* Ex. P-13.

⁸ Candidate acknowledged that there had been problems with her marriage beginning in 2020. Hr’g Tr. at 56. She believes her divorce was finalized in May 2024. Objectors introduced evidence that the Belgian National Registry recorded Candidate’s civil status as divorced on July 2, 2024. *See* Ex. P-2 at 3. The discrepancy is insignificant and perhaps nothing more than a product of administrative delay. *Compare id.* at 3 (indicating the registry recorded Candidate’s return to Philadelphia as occurring in August 2024), *with* Ex. P-13 (documenting her return to the United States in May 2024). We credit Candidate’s testimony.

⁹ Her W-2 form from the GOP identified her address as 3184 Livingston Street. Hr’g Tr. at 119. Additionally, Candidate purchased a vehicle, which was registered and insured at this same address. *Id.* at 119-20. Candidate also provided this address to Local 22. *Id.* at 123.

¹⁰ A Statewide Uniform Registry of Electors (SURE) witness confirmed that this address is in the 175th Legislative District. Hr’g Tr. at 43.

Shikhvarg and attaches.) Candidate described her decision to sign the lease as “a whim.” Hr’g Tr. at 85, 123. According to Candidate, she had a disagreement with her mother, decided that she needed privacy, and found a place close to her employment at Local 22.¹¹ *See id.* at 84-85, 123-24.

Candidate never intended to make this apartment her home. *See id.* at 124 (explaining, *e.g.*, that Local 22 was moving to a new headquarters closer to her domicile). She used the apartment occasionally for its convenience but soon regretted her decision and “never fully moved in.” *Id.* at 87-88 (describing unauthorized smoking, loud music, and drug use), 125-26 (describing her sparse furnishings), 132-33 (complaining that her electricity bill was inflated because residents were required to set their thermostats to 65 degrees).¹² She sought to break her lease approximately 10 days later but was unsuccessful. *See id.* at 87-88; 124, 130-31; *see also* Ex. P-4 (defining substantial penalties if Candidate broke the lease). Ultimately, in January 2026, with the help of an attorney, she notified The Alcott that

¹¹ Candidate credibly explained her impulsive decision:

So honestly, it was on a whim. I just wanted some privacy. I wanted --- you know, my mom was asking me where I was going, what I was doing. A lot of times I have to stay out late for work events or do different things or work late. And you know, one day I just walked in and saw it was nice and just decided to get a place to have some privacy and to have some convenience for work.

Hr’g Tr. at 123-24; *see also id.* at 88 (“I didn’t really think fully through it.”).

¹² Objector introduced evidence that, in our view, corroborated Candidate’s testimony. *See, e.g.*, Exs. P-4 (a lease and utility statement that failed to demonstrate substantial usage or seemed to reflect fixed monthly charges regardless of use), P-16 (a series of photographs from social media, showing, *e.g.*, a mattress on the floor of an apartment with a small stool used as a nightstand); *see also* Objector’s Appl to Suppl R., 3/23/26, at Ex. A (documenting cable and internet access at The Alcott apartment as provided by the community). Candidate’s testimony was further corroborated by witness Vincent J. Fenerty, whom we found credible. *See* Hr’g Tr. at 139-41 (testifying that he picked Candidate up, dropped her off, and delivered campaign materials to Candidate’s domicile in the fall of 2025 but never to The Alcott), 144 (noting the presence of Candidate’s dog at her domicile and that Candidate had answered the door to her domicile in her pajamas).

she would terminate her lease early, approximately 7 months into her 18-month lease. Hr'g Tr. at 125, 130-31; Ex. P-4.

On March 5, 2026, Candidate filed her nomination petition, providing her address at 3184 Livingston Street in the District. Additionally, she filed an affidavit, providing the same address and attesting to her eligibility for office. On March 16, 2026, Objector filed her petition to set aside and timely served the Secretary of the Commonwealth. Following notice to the parties, we held a hearing on March 23, 2026, and denied Objector's petition by order issued March 26, 2026. Objector has filed a notice of appeal to the Pennsylvania Supreme Court.

II. ISSUES

Objector asserts that Candidate is ineligible because she fails the state and district residency requirements. *See* Pet. to Set Aside, 3/16/26, at 3-5. Further, according to Objector, Candidate intended to mislead the voters as to her eligibility. *See id.* at 5-6.

III. DISCUSSION¹³

The Pennsylvania Constitution requires that Representatives in the General Assembly meet a four-year state residency requirement and a one-year district residency requirement *prior* to their election. *In re Prendergast*, 673 A.2d 324, 326 (Pa. 1996) (addressing the state residency requirement); *In re Jordan*, 277 A.3d 519, 536 (Pa. 2022) (addressing the district residency requirement); Pa. Const.,

¹³ 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 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) (cleaned up). Nevertheless, “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.* (cleaned up). “A party alleging defects in a nominating petition has the burden of proving such defects, as nomination petitions are presumed to be valid.” *Beyer*, 115 A.3d at 838.

art. II, § 5.¹⁴ If a candidate cannot meet these residency requirements, the candidate is ineligible to serve, and the candidate’s nomination petition “shall be set aside.” *Jordan*, 277 A.3d at 530.

Further, the Pennsylvania Election Code (Code)¹⁵ requires a candidate running for such an office to file an affidavit stating, *inter alia*, her residence. 25 P.S. § 2870. If the candidate’s affidavit contains a material error or defect regarding, *e.g.*, a candidate’s residency, then we must set aside the candidate’s nomination petition. *In re Huff*, 334 A.3d 232, 246 (Pa. 2025) (discussing 25 P.S. §§ 2936-2937).

In this context, residency means domicile. *Id.* (citing *In re Lesker*, 105 A.2d 376, 380 (Pa. 1954)). Domicile is “the place at which an individual has fixed [her] family home and principal establishment for an indefinite period of time.” *Id.* at 247 (quoting *Prendergast*, 673 A.2d at 327-38). Once acquired, a candidate’s domicile “is presumed to continue . . . [and] can be retained without physical presence or residence” until it is proven that “a new domicile has been acquired.” *Id.* at 247-48. The burden of proving a change in domicile “rests upon whoever makes the allegation.” *Id.* at 247; *see In re Dorrance’s Est.*, 163 A. 303, 310 (Pa. 1932) (reasoning that to prove a new domicile necessarily encompasses proving the abandonment of the old domicile).

¹⁴ Article II section 5 provides:

Senators shall be at least twenty-five years of age and Representatives twenty-one 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.

Pa. Const, art. II, § 5.

¹⁵ Act of June 3, 1937, P.L. 1333, No. 320, *as amended*, 25 P.S. §§ 2600-3591. The Code provides section numbers that “are distinct from, but correspond to, the sections provided in Purdon’s Pennsylvania Statutes, which is an unofficial codification of Pennsylvania law.” *Herold v. Univ. of Pittsburgh*, 329 A.3d 1159, 1166 n.1 (Pa. 2025). For expediency, we refer to Code sections “only by their Purdon’s citation.” *Id.*

“A new domicile can be acquired only by physical presence at a new residence plus intent to make that new residence the principal home. Intent is the actual state of facts, not what one declares them to be.” *Huff*, 334 A.3d at 247-48 (cleaned up). There is no *per se* rule or single dispositive fact. In considering a candidate’s domicile, our Supreme Court has applied a totality of the circumstances test to discern a candidate’s physical presence and intent. *Id.* at 248; *see generally Prendergast; Lesker*. The factors to be considered include, *e.g.*, (1) “a candidate’s presence or absence at an address;” (2) “where the members of [her] household reside;” (3) “whether [she] rents or leases the property;” (4) “where [she] sleeps;” (5) “what belongings and personal effects [she] keeps at the address;” and (6) “whether [she] owns another home to which [she] is more permanently attached.”¹⁶ *Huff*, 334 A.3d at 249.

In this case, Objector bears the burden to prove that Candidate abandoned her domicile at 3184 Livingston Street and acquired a new one. *See Huff*, 334 A.3d at 247. This is no easy burden. *See Lesker*, 105 A.2d at 380 (equating the acquisition of a new domicile with “replanting an elm or maple”); *see also In re Stack*, 184 A.3d 591, 599 (Pa. Cmwlth. 2018) (“In sum, a candidate’s [domicile], reduced to its essence, is the habitation where one has put down roots, not a place where one has hoisted a flag of convenience.”) (cleaned up). Absent persuasive evidence that Candidate intended to set down new roots somewhere else, we are reluctant to deprive her of an established home. Such would be akin to uprooting the maple only to leave it unplanted.


¹⁶ The facts here do not neatly coincide with several of these factors. For example, Candidate has been domiciled in her family home, the home in which she was raised but has never owned or leased. To the extent Candidate has household members, they would include her mother and her dog, Archie. Even prior to her divorce, Candidate’s relationship with her ex-husband was “long-distance,” and they spent considerable time apart.

We did not find Objector's evidence persuasive. It is undisputed that Candidate was absent from her domicile repeatedly and for considerable periods of time. Nevertheless, her residence abroad in Sint Maarten and Belgium was necessarily impermanent, a by-product of her ex-husband's military service, and Candidate credibly testified that she never intended to remain in either place. As we set forth above in detail, her testimony is corroborated by numerous objective facts: she returned regularly, spending nearly as much time at home as she did abroad; and although living abroad, she obtained a Pennsylvania driver's license, voted in her District, received medical care in Philadelphia, and kept all her furniture and personal effects at her domicile.

Candidate's decision to sign a lease at The Alcott was slightly more persuasive in Objector's favor, but only because it was a decision she made on her own and free from her ex-husband's military obligations. Clearly, Candidate signed a lease, and she incurred charges for electricity, water, and access to the internet. Yet, Candidate's testimony and the attendant evidence support our finding that her decision was ill-conceived, *i.e.*, a "whim," and nothing more than a temporary venture that offered convenience to her place of employment but to which she lacked any attachment. For example, despite ready access to the furniture and other personal effects still at her domicile, Candidate never furnished this apartment, and she spent little time there except when her responsibilities at Local 22 made it sensible. She clearly regretted the decision and, after some difficulty, broke the lease with the help of counsel.

For these reasons, we declined to view her transience as evidence that she had abandoned her domicile; conversely, Objector presented no persuasive evidence that Candidate had acquired a new domicile. *See Huff; Pendergast; Stack;*

Lester. Further, finding Candidate’s testimony credible, we discerned no intent to mislead the voters. *See Huff.* Thus, we denied Objector’s petition.



LORI A. DUMAS, Judge