

IN THE COMMONWEALTH COURT

<i>In re Nomination Papers of</i>	:	
<i>Andrew Tupone as a Green Party</i>	:	Election Matter
<i>candidate for Congress in the</i>	:	No. _____ MD 2026
<i>7th Congressional District</i>	:	

OBJECTION TO NOMINATION PAPER

Joyce Moore, Louise Dillensnyder, and Susan Baranek (collectively,
“Objectors”), by and through undersigned counsel, respectfully aver:

1. This Court has jurisdiction in petitions to set aside nomination papers relating to candidates for Congress. See 25 P.S. §§ 2913(a), 2937.
2. Joyce Moore is a duly registered elector of the Seventh Congressional District, registered in Upper Milford Township, West District.
3. Louise Dillensnyder is a duly registered elector of the Seventh Congressional District, registered in Emmaus District 6.
4. Susan Baranek is a duly qualified registered elector of the Seventh Congressional District, registered in Upper Macungie District 2.

5. On July 29, 2026, Andrew Tupone or someone acting on his behalf caused to be filed nomination papers nominally on behalf of the Green Party seeking for Mr. Tupone to become its candidate for Congress from the Seventh Congressional District in the 2026 general election. The initial nomination paper filing was 561 pages and contained 9460 putative lines, including embedded blank lines. At that same time, Mr. Tupone filed a candidate's affidavit.
6. Andrew Tupone is not truly affiliated with the Green Party but is, in fact, a spoiler candidate to distract progressive voters with that party label in an effort to reelect Congressman Ryan Mackenzie. While this fact is not directly relevant to the outcome of this objection, it provides important framework for the irregularities associated with this nomination paper. Understanding that Mr. Tupone is a spoiler candidate seeking to sabotage an election, rather than a bona fide believer in the Green Party agenda, is relevant context to understand how a bunch of professional circulators from across the nation came into Pennsylvania and completely disregarded the provisions of the Election Code.
7. On August 3, 2026, Mr. Tupone or someone on his behalf filed a supplemental filing containing 76 additional pages which contained 1,126 additional putative lines, including embedded blank lines.

8. The original nomination paper is in the custody of the Department of State and will be presented to the Court at trial.¹
9. Political bodies seeking to nominate a candidates for Congress must file nomination papers with a number of lines equal to two percent of the turnout in a prior election in the district. *See* 25 P.S. § 2911(b).
10. The Department of State publishes such numbers for each election. This year, nomination papers seeking to nominate a candidate for the Seventh Congressional District must contain at least 4,074 valid lines.
 - a. The nomination petition submitted on behalf of Mr. Tupone contains 637 pages, containing 10,586 putatively completed lines, or parts thereof. Within that number are numerous lines omitted in whole or part, where lines appear later on the page. For example, on page 300, lines 1-20 are omitted as is line 22, and line 32 is effectively omitted as it contains a duplicate signature, and the remaining lines on the back side are completed; even though there are only 15 lines with information, that page is counted as 37 towards the number set forth in this paragraph and challenged as

¹ If either Court staff or the respondent desires a copy immediately, one can be transmitted electronically following a request to counsel, either directly or through the Prothonotary.

appropriate (and only 6 are unchallenged on individual line grounds, and the page is challenged in full).

A. Preambles that Were Incorrect or Blank When Circulated or Altered

11. When circulating a nomination paper, part of what each voter must be shown, and then must attest to, is a statement that the voter resides in the county listed – which requires the preamble of the petition page to be completed with a county name prior to circulation.
12. This information must be completed and shown to the signer prior to signing, so that voters can review that provision, amongst the other required information, prior to signature where the voter attests that they are a resident and registered voter of the “County ... designated below”.
13. The Seventh Congressional District contains all or part of four counties, but even where a full county is in the district, the geographic centers covered by the district spill into Berks, Bucks, Luzerne, and Schuylkill Counties, as well as the majority of Monroe County which is not located in the Seventh District.
14. In a few instances individual circulators completed certain pages before submitting them (but after the signers signed) and added incorrect information, such as circulating in non-existent or out of district counties

such as Allentown, ~~Allentown~~/Leiahhigh, Leigh, Bethlehem, North Am, or Bucks. All appear in the nomination paper.

15. The circulators also wrote Northampton as North Hampton, North hampton, north Hampton, N Hampton, Northhampton. Suffice to say, any of these errors would have been readily apparent to a resident of Northampton County that was actually shown the preamble instead of having it concealed and presented as something other than a candidate petition, as more fully discussed below.
16. There are extreme examples where multiple changes were made after signatures were gathered. For instance, on page 408, the county appears as ~~Bethlehem Lehigh~~ Northampton (with some sort of initial mark).
17. Preambles were altered on pages 116, 225, 408, 409, 421, 487, 620, and 633 after circulation commenced. This is in addition to those that were blank and completed later as more fully described above.
18. It appears that other pages were also altered and erased but the information supporting such allegation is unavailable until the original petitions are available for inspection. As such, all pages, except 301, 636, and 637 are challenged on that ground until the originals are available in advance of the hearing.

19. Because the preambles were not correctly and fully completed prior to circulation, pages 1-300 and 302-635 are subject to a page-specific and general objection.

B. Defective Circulator Statements

b. Each page of the nomination paper must be accompanied by a statement of the circulator signed under penalty of law. *See* 25 P.S. § 2911(d).

c. The relevant part of the statute reads:

Each sheet shall have appended thereto the statement of some person, not necessarily a signer, and not necessarily the same person on each sheet, setting forth, subject to the penalties of 18 Pa.C.S. § 4904 (relating to unsworn falsification to authorities)-- ... (2) the person's residence, giving city, borough or township with street and number, if any; (3) **that the signers signed with full knowledge of the contents of the nomination paper**; (4) that their respective residences are correctly stated therein; (5) that they all reside in the county named in the statement; (6) that each signed on the date set opposite his name; and (7) that, to the best of the person's knowledge and belief, the signers are qualified electors of the ... electoral district....

Id. (emphasis added).

d. The Tupone campaign imported a team of primarily out-of-state circulators into Pennsylvania to circulate his nomination petitions.

Upon information and belief this was done through the use of a

paid third-party vendor that has not yet been disclosed and were paid for with improper undisclosed funds.

- e. Many of the circulators with mass irregularities have been involved in past petition circulation efforts across the country, many of which have been challenged for similar irregularities as are seen here.
- f. These circulators also include multiple recent Republican candidates for office, Libertarian Party leaders, and at least one individual with a serious criminal record.
- g. For example, Colin McEvers allegedly circulated 78 pages of the nomination petition, containing approximately 1500 names.
 - i. Mr. McEvers is currently a Republican candidate for Delegate (the Maryland nomenclature for state representative) from District 32.
 - ii. Mr. McEvers is not a believer in what would consider a Green Party or a progressive agenda, at least judging by his website. His website includes the statement that “I’m not shy to say that, as a White man, I advocate for fellow White people who face hardship, hate, and aggression”. *See* <https://votemcevers.com/> (accessed August 10, 2026).

iii. He also clearly disavows the Green Party's environmental agenda as he posted "Maryland families should not be forced to bear skyrocketing energy costs because politicians want to grasp unrealistic environmental dreams." *Id.*

i. Alteration of Circulator Statements

20. Upon information and belief, with only minimal exceptions, all of the pages where the circulator statement was dated prior to July 27, 2026, were circulated with the county information in blank, and that detail was completed by the circulator, or someone else, after signatures were affixed and after the out-of-district circulators determined the county in which they had been working. Upon information and belief the same is true about some of the pages circulated after July 27.

- a. Numerous pages were altered by someone other than the circulator after the page was already signed. That fact is obvious from comparison of the writing and even the consistent had on multiple sets of circled initials.
- b. For example, page 506 reads ~~Hillsborough~~ (initial mark) ~~Lehigh~~ Northampton with the first two strike throughs and the initial mark in black ink, as is the remainder of the statement, and the corrected Northampton in blue ink and a clearly different writing. It also

obliterates the name of the initial circulator and replaces it with the name of the person who allegedly and illegibly signed it.

- c. It is clear that the circulators, or someone on their behalf, altered the circulator statements for pages 12-113, 115-228, 231-285, 287-294, 300, 312-484, 486-516, 522-552, and 554-635 of the nomination papers
- d. Each such page is also objected to because the corrections were corrected at a later date and the page was not resigned and dated with the corrected information, and/or made by someone other than the circulator themselves.
- e. While it is true that only the signature needs to be signed by the circulator, the circulator must sign a fully completed and accurate statement. It may not be later altered by anyone other than the circulator, or even by the circulator, without be subsequently re-signed.
- f. Although many of the amended circulator statements have the initials of the circulators circled, the handwriting is in most cases different and, in any event, cannot be compared to any bona fide samples in the SURE system.

- g. Upon information and belief, most – if not all – of these alterations were done by someone other than the initial circulator.
- h. Because the circulator statements were altered and not later re-signed, pages 12-113, 115-228, 231-285, 287-294, 300, 312-484, 486-516, 522-552, and 554-635 and each line thereon are each individually challenged to.
- i. This facial defect challenge extends to 597 of the 637 pages of the nomination paper,

iii. Leigh County on Pages 116, 117, and 118

36. Pages 116 and 117 are two pages circulated by the same circulator, Karen Burch. Page 118 was allegedly circulated by Maurice Butler.

37. On pages 116, circulated July 14-19 and allegedly signed by the circulator on July 19, the preamble was completed with “Leighton” and the statement with “Tuscola” county, which were then altered to strike the “ton” on the front page and replace the county name with “Leigh” in both spots.

38. Page 117 was circulated on July 19-20, and allegedly signed on July 20. There the preamble started as “Leigh” county (and so remained), but she made the same alteration from Tuscola to Leigh county on the statement allegedly on July 20.

39. Maurice Butler circulated page 118 on July 14, and allegedly signed it on July 16. He too initially signed it with a county out of state, but later corrected it to “Leigh”.

40. Leigh is not a county in Pennsylvania.

41. For the myriad issues related to both the preamble and the circulator statement, pages 116 – 118 and each line thereon are each individually objected to.

iv. False Circulator Addresses

42. A number of the circulators listed addresses at which they do not live and at which they cannot be reached to investigate or serve subpoenae to appear.

43. Objectors have undertaken investigation of many of the circulators and all but a few are not at the addresses identified as their residences on these petitions.

44. This irregularity allows the circulators to create or utilize fictional personae as neither the SURE system materials, signature matching, nor even subpoena powers, can be used when investigating alleged circulators who are not reachable at the addresses presented, making a mockery of their sworn commitment to subject themselves to the jurisdiction of this Court and to these proceedings.

45. For example, Zyvan Sobkowski of Jamestown, North Carolina, allegedly signed as the circulator for pages 266-278, 501-504, and 552 of the nomination paper listing an address in North Carolina. He lied about his address.

- a. On July 20, the day after he circulated and allegedly signed the petitions, he posted a video where he stated that he lived in Virginia and then corrected that to say he paid rent in Virginia and lives wherever he is working. *See* <http://tiktok.com/@xyzyven/video/7664754817935461646> (accessed August 10, 2026).
- b. In the comments he states that he was “while en route to my parents home in North Carolina” and “almost at my parents crib in Carolina.” *Id.*
- c. Nor can the Tupone campaign claim that Mr. Sobkowski on TikTok is not the same person as signed as a circulator. His ample “influencer” feed shows him to be a professional circulator who was in Harrisburg on July 16, New Jersey on July 19, and last week included him filming himself with petition circulators in Poland and posting that he has done petition circulation professionally for five years.

46. The pages so covered by this objection are pages 1-262, 266-300, 302-499, 501-579, 588-590, and 617-635, each page individually and collectively.

iv. Numerous Circulators Signed for Pages that They Did Not Circulate

47. Upon information and belief, the people who signed as circulators of pages did not circulate each and every page they signed, instead signing for some pages they signed and numerous pages circulated by others outside of their presence.

48. A similar argument applies to the alterations done to the petition pages, as more fully discussed above.

49. Because the nomination papers had every page of the papers have no ability to match the signature or registration information to the circulators or to use that information to investigate further, pages 1-262, 266-300, and 302-499, 501-579, 588-590, and 617 - 635 are each challenged in full.

iv. Incomplete or Otherwise Altered Statement

36. On page 103, the date of the circulator's statement was altered to make it be the last day of circulation, as is permissible under the Election Code rather than having been signed prior to circulation, which is irregular and invalidates the entire page. That page and each line thereon is so challenged.

37. On page 115, the circulator signature was obliterated and replaced with the signature of a different person, which is irregular. It also omits the alleged circulator's last name and address elements, all of which are required under the Election Code. That page and each line thereon is so challenged.
38. On pages 209-228, 478-484, and 547-49, each circulator's statement does not include the circulator's signature as is required by the Election Code, instead only utilizing the initials "MK". Those pages and each line thereon is so challenged.
39. On page 250, the circulator's statement does not include the circulator's last name as is required by the Election Code. That page and each line thereon is so challenged.
40. On pages 263-265 and 500, the circulator's statement does not include the circulator's full signature as is required by the Election Code, instead only utilizing the initials "RP". Those pages and each line thereon is so challenged..
41. On page 312, the circulator's affidavit was incorrectly completed and then was corrected without Court permission and on a different date and time. That page and each line thereon is so challenged.
42. On page 543, the circulator's statement does not contain a last name, and thus is invalid. The page and each line thereon is so challenged.

v. Person Who Signed Is Not Who Circulated

36. Objectors are without information to be able to determine whether the pages were circulated by each individual identified therein and because of the improper use of out-of-state circulators without sufficient disclosure, pages 1-300 and 302-635 are each challenged.

B. Signers Were Deceived About the Petition They Were Asked to Sign

37. Upon investigation, which is on-going, it appears that numerous signers were asked to sign petitions about against data centers and/or to reduce their electric bills. It appears that very few were told that it was actually a nomination paper for Andrew Tupone to run as a candidate of the Green Party (leaving aside the sham nature of his candidacy as a representative of the Green Party).

38. Upon information and belief, the standard script on which the circulators were trained and followed presented information that the paper was a petition about such other issues.

39. Upon information and belief, the pages were presented in a manner that did not reveal that it was a candidate nomination paper, nor were the nomination papers positioned such that the voter could easily inspect what was written on the page.

40. In many cases, the signer was not told that the page put before them was actually a nomination paper for Andrew Tupone to run as a candidate of the Green Party .
41. A significant number of individuals who signed the nomination paper did so under false pretenses. These individuals did not have the requisite knowledge of the details of the paper and their signatures are ineffective as signers.
42. And, because the voters did not have the requisite knowledge, every circulator signed by these circulators are false (and criminally so given the statutorily require invocation of penalties for false statement) and the entirety of each such page is also invalid.
43. This objection covers each page individually between page 1 and 300 and 302 and page 635 of the nomination paper and as to each circulator individually.²

C. Line-by-Line Challenges

44. In addition to the page-by-page challenges above, 3470 lines are challenged for the reasons set forth on the spreadsheet attached hereto as Exhibit A and

² Pages 301, 636 and 637 of the packet differ dramatically from the other pages. The counties were typed in prior to circulation and Mr. Tupone personally circulated the pages and, we believe after preliminary investigation, told the truth about the nature of the nomination paper, even if he deceptively posed as a bona fide member of the Green Party.

are objected to for those reasons. Such objections as to each line thereon are incorporated herein.

45. All other challenges as to each line objected to are reserved, to the greatest extent permitted by applicable law.

D. Summary and Prayer for Relief

Mr. Tupone and the “Green Party” did not file 4,074 valid lines, as more fully set forth below. The nomination papers, in fact, contain less than 100 valid lines, well short of the 4,074 required.

WHEREFORE, Petitioners pray this Honorable Court remove Mr. Tupone as a candidate for the 7th Congressional District and charge all costs of this proceeding, including that of any court reporter, jointly and severally, to Mr. Tupone and the five members of the committee identified on the nomination papers.

Date: August 10, 2026

/s/ Kevin Greenberg

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Page	Line	County	Specific Grounds for Objection																36.			
			NR	NRA	NRCP	NRD	NRDS	OC	ILL	LIO	DUP	IHA	N/I	PRI	DCS	SAC	Other	Describe Other	S/S	V/S	S/CT	V/CT
	1	4 Lehigh	X																			
	1	15 Lehigh		X																		
	1	17 Lehigh	X								X											
	2	5 Lehigh	X									X										
	2	7 Lehigh	X																			
	2	9 Lehigh	X								X	X				X	DATE ALTERED					
	2	10 Lehigh										X				X	DATE ALTERED					
	2	13 Lehigh	X																			
	2	17 Lehigh		X								X										
	3	4 Lehigh	X								X											
	3	10 Lehigh										X										
	3	12 Lehigh	X																			
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	4	20 Lehigh	X																			
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	6	6 Lehigh	X																			
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	6	14 Lehigh	X								X											
	7	1 Lehigh										X				X	DATE ALTERED					
	7	4 Lehigh	X								X											
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	7	10 Lehigh	X																			
	7	12 Lehigh	X																			
	7	13 Lehigh										X				X	DATE ALTERED					
	8	2 Lehigh										X	X									
	8	7 Lehigh									X											
	8	11 Lehigh	X								X											
	8	12 Lehigh	X																			
	8	16 Lehigh	X								X											

NRA =	Not Registered At Address
NRCP =	Not Registered in Candidate's Party
NRD =	Not Registered in District
NRDS =	Not Registered on Date Signed
OC =	Out of County
III =	Illegible
LIO =	Line Information Omitted
DUP =	Duplicate
IHA =	Line Information in Hand of Another
N/I =	Nickname/Initial
PRI =	Printed Signature
DCS =	Defective Circulator Statement
SAC =	Signed After Circulator's Statement Dated
Other =	Any ground for objection not listed above (specify the exact nature of the objection in the "Describe Other" cell)

Note: This list of abbreviations for the various grounds to object to a signature is also referred to as the "challenge codes key."