

**IN THE COMMONWEALTH COURT OF PENNSYLVANIA**

In Re: Nomination Petition of :  
Katherine A. Bohr as a Candidate :  
for the Republican Nomination :  
for the Office of State Representative : No. 162 M.D. 2022  
for the 173rd Legislative District : Heard: April 7-8, 2022  
:  
Objection of: Allison Kane :

**MEMORANDUM AND ORDER**

AND NOW, this 8th day of April, 2022, upon consideration of the petition to set aside nomination petition (Petition to Set Aside) filed by Objector Allison Kane (Objector) and the evidence received at the hearing on said Petition to Set Aside, **IT IS HEREBY ORDERED** that the nomination petition of Katherine Bohr (Candidate) as a candidate for the Republican nomination for the Office of State Representative for the 173rd Legislative District is **STRICKEN**.

Candidate timely filed a nomination petition as a candidate for the Republican nomination for State Representative for the 173rd Legislative District (the Nomination Petition). The required number of signatures on a nominating petition for this office is 300. 25 P.S. § 2872.1(14).<sup>1</sup> The Nomination Petition contains a total of 448 completed signature lines. Objector in her timely filed Petition to Set Aside challenged 227 signature lines on various grounds and challenged 5 pages of the Nomination Petition based on alleged deficiencies in the circulator statements.

This Court held a hearing on the Petition to Set Aside on April 7 and 8, 2022. At the hearing, Objector withdrew all of her circulator challenges and the

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<sup>1</sup> Pennsylvania Election Code, Act of June 3, 1937, P.L. 1333, No. 320, § 912.1, *as amended*, 25 P.S. § 2872.1.

parties stipulated that 90 of the signature lines on the Nomination Petition were not valid, leaving Candidate with a maximum of 358 signatures. The Court then proceeded to examine all of the signatures challenged by Objector that were still in dispute and receive evidence concerning the Philadelphia County voter registration records of those signers provided by a Statewide Uniform Registry of Electors (SURE) system operator.

Based on this examination and evidence, the Court struck 74 signatures as invalid.<sup>2</sup> The grounds on which each of these signatures was stricken were set forth by the Court on the record. With respect to almost all of these 74 signatures, the Court concluded that the signature was invalid because the voter registration records showed that the signature was not the voter's signature, because it was clear from the face of the Nomination Petition that the information that the voter is required to write on the petition was written by a person other than the voter or because the voter's name was printed with no signature and the SURE records showed that the voter had a non-printed signature. *See* 25 P.S. § 2868 ("Each signer of a nomination petition ... shall add his address where he is duly registered and enrolled ... with street and number, if any, and shall legibly print his name and add the date of signing, expressed in words or numbers"); *In re Nomination Petition of Silcox*, 674 A.2d 224, 225 (Pa. 1996); *In re Nomination Petitions of Scott*, 138 A.3d 687, 696-97 (Pa. Cmwlth. 2016). In addition, one signature was stricken as a duplicate of a signature by the same voter who signed another line of the Nomination

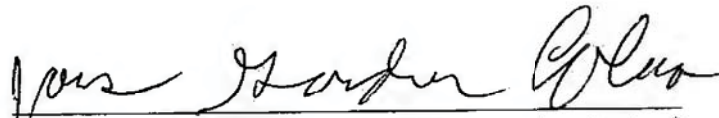
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<sup>2</sup> The 74 signatures that the Court struck were: Page 1, lines 6, 16, and 19; Page 2, lines 1, 6, 19, and 26; Page 3, lines 3 and 21; Page 4, lines 10 and 20; Page 5, lines 1, 3, 6, and 16; Page 6, line 10; Page 7, lines 5, 10, and 24; Page 8, lines 3, 4, 16, and 20; Page 9, lines 3, 6, 7, 13, and 14; Page 10, lines 4, 5, 16, 17, 18, and 21; Page 11, lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 17, 19, 20, and 23; Page 12, lines 13 and 14; Page 13, line 2; Page 14, lines 4 and 8; Page 16, lines 1, 3, 10, and 11; Page 17, lines 1, 6, and 11; Page 19, lines 1, 2, 3, 4, 5, 6, 8, and 9; Page 21, line 6; Page 22, line 4; and Page 24, line 4.

Petition, two signature lines were stricken because they contained only additional information from the preceding signature line and did not constitute a separate signature, one signature was stricken because the voter was not found on the SURE system, and two signatures were stricken on the grounds that the voter did not put down any information at all concerning the date of signing.

Because the Court struck 74 of the disputed signatures on the Nomination Petition as invalid, the Nomination Petition contains only 284 valid signatures. Accordingly, the Court finds that the Nomination Petition fails to contain the 300 valid signatures required for Candidate to appear on the ballot.

**IT IS THEREFORE FURTHER ORDERED** that the Secretary of the Commonwealth is directed to strike the name of Katherine Bohr from the ballot in the primary election to be held on May 17, 2022. The Chief Clerk of the Commonwealth Court is directed to send a copy of this Order to the Secretary of the Commonwealth.

  
JAMES GARDNER COLINS, Senior Judge\*

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\* Retired Senior Judge temporarily assigned to the Commonwealth Court.



**IN THE SUPREME COURT OF PENNSYLVANIA**

IN RE: TEMPORARY MODIFICATION : No. 571 Judicial Administration Docket  
OF THE RULES OF APPELLATE :  
PROCEDURE ARISING UNDER THE :  
PENNSYLVANIA ELECTION CODE :

**ORDER**

**PER CURIAM**

**AND NOW**, this 5<sup>th</sup> day of April, 2022, in order to expedite the appellate process regarding appeals from challenges to nomination petitions for **any and all** candidates running for office in the May 17, 2022 General Primary Election, Pa.R.A.P. 903(c)(1)(ii), providing for a ten-day appeal period from an order in any matter arising under the Pennsylvania Election Code, is **TEMPORARILY MODIFIED** to provide for a five-day appeal period.

Additionally, Pa.R.A.P. 107 is **TEMPORARILY SUSPENDED** to the extent it specifies that weekends and holidays are to be excluded from calculating the five-day appeal period.

In appeals arising under the Election Code that fall within this order, appellants shall file briefs within twenty-four hours after filing their notice of appeal and jurisdictional statement. Appellees' briefs are due within twenty-four hours of the filing of appellants' briefs. Further, Pa.R.A.P. 2113 (regarding reply briefs) is **TEMPORARILY SUSPENDED** in these matters; no reply briefs will be permitted.

Notices of appeal, jurisdictional statements, and briefs shall be filed electronically when counsel or the litigants have a PACFile account. Otherwise, counsel or the litigants shall contact the relevant filing office during normal business hours to make alternative arrangements to ensure that the filing office actually receives the submissions by the applicable deadline.

Pa.R.A.P. 1931(a) and (c) (regarding the deadline for transmittal of the record when complete) are **TEMPORARILY SUSPENDED** in these matters, and the record shall be transferred as soon as practicable. The lower court may transmit partially completed records in the interest of facilitating prompt resolution of any appeal in these matters.

Applications for reconsideration or reargument will not be entertained by this Court on election matters falling under this order.

Any court deciding a matter that arises under the Pennsylvania Election Code in relation to the May 17, 2022 General Primary Election shall append a copy of this order to its decision.

A True Copy Nicole Traini  
As Of 04/05/2022

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania