

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Sydney Hovis	:	
	:	
Petitioner	:	
	:	
v.	:	No. 431 M.D. 2022
	:	
Leigh M. Chapman, in her	:	
official capacity as Acting Secretary	:	
of the Commonwealth, and the	:	
Pennsylvania Department of State,	:	
Respondents	:	

STIPULATED ORDER OF COURT

NOW, August 30, 2022, upon consideration of the Petition for Review in the Nature of *Nunc Pro Tunc* Declaratory and Injunctive Relief and Application for Entry of Stipulated Order, and as stipulated by the parties, it is hereby ORDERED as follows:

1. Petitioner, Sydney Hovis, was a write-in candidate for the Democratic Party nomination for the 32nd Senatorial District, which includes all of Bedford County, all of Fayette County, all of Somerset County, and part of Westmoreland County. Petitioner garnered over 713 votes in the Democratic Primary for that office, which is over the minimum number of 500 signatures required on a nomination petition for the office of Senator in the General Assembly, 25 P.S. § 2872.1(13), and qualifies Petitioner for the Democratic party nomination for that office.

2. The filing fee for the office of Senator in the General Assembly is \$100.00. 25 P.S. § 2873(b.1). All candidates nominated for office must pay the filing fee for their office required under Section 913 of the Election Code, 25 P.S. §

2873, not later than eighty-five (85) days before the date of the general election. 25 P.S. § 2938.1. Given the November 8, 2022 date of the 2022 General Election, that statutory deadline was August 15, 2022.

3. Due to litigation the Acting Secretary brought against, *inter alia*, Fayette County regarding undated absentee and mail-in ballots in the 2022 General Primary Election, certification of the 2022 General Primary Election was delayed and did not take place until August 26, 2022.

4. Through no fault of her own, Petitioner is outside of the statutory deadline to pay the filing fee required by Section 913.

5. Accordingly, Petitioner shall file her required filing fee within two days of the Court's Order, along with an accompanying Statement of Financial Interest filed with the State Ethics Commission, also within two days of the Court's Order, to have her name appear on the ballot for the 2022 General Election as the Democratic Party candidate for the 32nd Senatorial District.

6. The Acting Secretary and the Department of State are required to accept such filing fee and to the extent Petitioner timely files her fee and Statement of Financial Interest, include her name on the certified ballot for all affected counties pursuant to 25 P.S. § 2621(c).

STIPULATED AND AGREED:

/s/ Charles A. Pascal, Jr.
Charles A. Pascal, Jr., Esq.
Pa.I.D. #90872

402 Grant Avenue
Leechburg, PA 15656
(724) 954-3770
attorney.pascal@gmail.com

Counsel for Petitioner

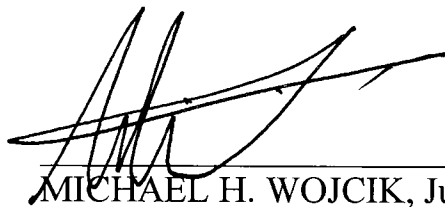
STIPULATED AND AGREED:

/s/ Kathleen A. Mullen
Kathleen A. Mullen (PA #84604)
*PENNSYLVANIA DEPARTMENT OF
STATE*
306 North Office Building
Harrisburg, PA 17120
717.783.0839 (Phone)
717.214.9899 (Fax)
kamullen@pa.gov

*Counsel for Respondents Leigh M.
Chapman, in her official capacity as
Acting Secretary of the Commonwealth
of Pennsylvania and the Department of
State*

SO ORDERED.

BY THE COURT:



MICHAEL H. WOJCIK, Judge