IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

MELISSA GASS, ASHLEY BENNETT, : AND ANDREW KOCH, INDIVIDUALLY : AND ON BEHALF OF ALL OTHERS : SIMILARLY SITUATED, :	No. 118 MM 2019
Petitioners	
V.	
52ND JUDICIAL DISTRICT, LEBANON COUNTY,	
Respondent :	

<u>ORDER</u>

PER CURIAM

AND NOW, this 21st day of October, 2019, in consideration of the Commonwealth Court's transfer of this matter on the basis of its determination that it lacked jurisdiction to grant the requested relief, the Commonwealth Court is DIRECTED to provide an opinion in support of its transfer.

The Commonwealth Court relied exclusively on Section 5103 of the Judicial Code in support of its transfer order. See 42 Pa.C.S. §5103 (providing, *inter alia*, that when a court lacks jurisdiction over a matter brought in that tribunal, that court shall transfer the matter to "the proper tribunal"). It did not explain how this action falls outside of that court's original jurisdiction. See 42 Pa.C.S. §761 (establishing the Commonwealth Court's original jurisdiction as extending to civil actions against the Commonwealth government); see also 42 Pa.C.S. §102 (defining "Commonwealth government" as including the courts of the Unified Judicial System). Furthermore, it did not identify a basis for this Court's jurisdiction over this action.

Accordingly, the Commonwealth Court shall explain in its opinion its rationale for concluding that it lacked jurisdiction over this matter and, relatedly, support its conclusion that original jurisdiction properly lies in this Court.

The Commonwealth Court shall file that opinion with this Court's Prothonotary by 2:00 p.m. on October 23, 2019.

The letter of the Supreme Court Prothonotary dated October 11, 2019, setting a response schedule in this Court, is RESCINDED.