## IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

NEW PA PROJECT EDUCATION FUND, NAACP PENNSYLVANIA STATE CONFERENCE, COMMON CAUSE PENNSYLVANIA, LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA, BLACK POLITICAL EMPOWERMENT PROJECT, POWER INTERFAITH, MAKE THE ROAD PENNSYLVANIA, ONE PA ACTIVISTS UNITED, CASA SAN JOSE, AND PITTSBURGH UNITED.

Petitioners

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AL SCHMIDT, IN HIS OFFICIAL CAPACITY AS SECRETARY OF THE COMMONWEALTH, AND ALL 67 COUNTY **BOARDS OF ELECTIONS (ADAMS** COUNTY BOARD OF ELECTIONS: ALLEGHENY COUNTY BOARD OF **ELECTIONS: ARMSTRONG COUNTY** BOARD OF ELECTIONS; BEAVER COUNTY BOARD OF ELECTIONS: BEDFORD COUNTY BOARD OF ELECTIONS: BERKS COUNTY BOARD OF ELECTIONS: BLAIR COUNTY BOARD OF ELECTIONS; BRADFORD COUNTY BOARD OF ELECTIONS: BUCKS COUNTY BOARD OF ELECTIONS: BUTLER COUNTY BOARD OF ELECTIONS; CAMBRIA COUNTY BOARD OF **ELECTIONS; CAMERON COUNTY BOARD** OF ELECTIONS: CARBON COUNTY **BOARD OF ELECTIONS; CENTRE** COUNTY BOARD OF ELECTIONS: CHESTER COUNTY BOARD OF ELECTIONS; CLARION COUNTY BOARD OF ELECTIONS: CLEARFIELD COUNTY BOARD OF ELECTIONS; CLINTON

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COUNTY BOARD OF ELECTIONS: COLUMBIA COUNTY BOARD OF **ELECTIONS: CRAWFORD COUNTY** BOARD OF ELECTIONS; CUMBERLAND COUNTY BOARD OF ELECTIONS: DAUPHIN COUNTY BOARD OF **ELECTIONS: DELAWARE COUNTY** BOARD OF ELECTIONS; ELK COUNTY BOARD OF ELECTIONS; ERIE COUNTY **BOARD OF ELECTIONS: FAYETTE** COUNTY BOARD OF ELECTIONS; FOREST COUNTY BOARD OF ELECTIONS: FRANKLIN COUNTY BOARD OF ELECTIONS; FULTON COUNTY BOARD OF ELECTIONS: GREENE COUNTY BOARD OF ELECTIONS; **HUNTINGDON COUNTY BOARD OF ELECTIONS; INDIANA COUNTY BOARD** OF ELECTIONS; JEFFERSON COUNTY **BOARD OF ELECTIONS; JUNIATA** COUNTY BOARD OF ELECTIONS: LACKAWANNA COUNTY BOARD OF ELECTIONS: LANCASTER COUNTY BOARD OF ELECTIONS; LAWRENCE COUNTY BOARD OF ELECTIONS: LEBANON COUNTY BOARD OF ELECTIONS: LEHIGH COUNTY BOARD OF ELECTIONS: LUZERNE COUNTY BOARD OF ELECTIONS; LYCOMING COUNTY **BOARD OF ELECTIONS: MCKEAN** COUNTY BOARD OF ELECTIONS: MERCER COUNTY BOARD OF ELECTIONS; MIFFLIN COUNTY BOARD OF ELECTIONS; MONROE COUNTY BOARD OF ELECTIONS: MONTGOMERY COUNTY BOARD OF ELECTIONS: MONTOUR COUNTY BOARD OF ELECTIONS: NORTHAMPTON COUNTY **BOARD OF ELECTIONS**; NORTHUMBERLAND COUNTY BOARD OF ELECTIONS; PERRY COUNTY BOARD OF **ELECTIONS: PHILADELPHIA COUNTY** BOARD OF ELECTIONS; PIKE COUNTY BOARD OF ELECTIONS: POTTER COUNTY BOARD OF ELECTIONS; SCHUYLKILL COUNTY BOARD OF

**ELECTIONS: SNYDER COUNTY BOARD** OF ELECTIONS; SOMERSET COUNTY **BOARD OF ELECTIONS; SULLIVAN** COUNTY BOARD OF ELECTIONS; SUSQUEHANNA COUNTY BOARD OF ELECTIONS; TIOGA COUNTY BOARD OF ELECTIONS: UNION COUNTY BOARD OF **ELECTIONS; VENANGO COUNTY BOARD** OF ELECTIONS; WARREN COUNTY **BOARD OF ELECTIONS: WASHINGTON** COUNTY BOARD OF ELECTIONS; WAYNE COUNTY BOARD OF ELECTIONS: WESTMORELAND COUNTY BOARD OF **ELECTIONS; WYOMING COUNTY BOARD** OF ELECTIONS; AND YORK COUNTY BOARD OF ELECTIONS),

Respondents

## **ORDER**

## **PER CURIAM**

**AND NOW,** this 5<sup>th</sup> day of October, 2024, Petitioners' Application for the Exercise of King's Bench or Extraordinary Jurisdiction is hereby **DENIED**. This Court will neither impose nor countenance substantial alterations to existing laws and procedures during the pendency of an ongoing election. *See Crookston v. Johnson*, 841 F.3d 396, 398 (6th Cir. 2016) ("Call it what you will — laches, the *Purcell*[1] principle, or common sense — the idea is that courts will not disrupt imminent elections absent a powerful reason for doing so.").<sup>2</sup>

<sup>&</sup>lt;sup>1</sup> Purcell v. Gonzalez, 549 U.S. 1, 4-5 (2006) (per curiam) ("Court orders affecting elections, especially conflicting orders, can themselves result in voter confusion and consequent incentive to remain away from the polls. As an election draws closer, that risk will increase.").

<sup>&</sup>lt;sup>2</sup> However, we will continue to exercise our appellate role with respect to lower court decisions that have already come before this Court in the ordinary course. *See, e.g.*, (continued...)

The application of Republican National Committee and Republican Party of Pennsylvania to intervene is **DISMISSED AS MOOT**.

Justice Brobson files a concurring statement in which Justice Mundy joins.

Justice Donohue files a statement in support of denial in which Justice McCaffery joins.

Chief Justice Todd files a dissenting statement.

Genser v. Butler Cty. Bd. of Elections, 26 & 27 WAP 2024; Cntr. for Coalfield Justice v. Washington Cty. Bd. of Elections, 28 WAP 2024.