[J-79-2024] IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

BLACK POLITICAL EMPOWERMENT PROJECT, POWER INTERFAITH, MAKE THE ROAD PENNSYLVANIA, ONEPA ACTIVISTS UNITED, NEW PA PROJECT EDUCATION FUND, CASA SAN JOSÉ, PITTSBURGH UNITED, LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA, AND COMMON CAUSE PENNSYLVANIA No. 68 MAP 2024

: Appeal from the Order of the: Commonwealth Court at No. 283: MD 2024 dated August 30, 2024.

SUBMITTED: September 4, 2024

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AL SCHMIDT, IN HIS OFFICIAL CAPACITY
AS SECRETARY OF THE
COMMONWEALTH, PHILADELPHIA
COUNTY BOARD OF ELECTIONS, AND
ALLEGHENY COUNTY BOARD OF
ELECTIONS

APPEAL OF: REPUBLICAN PARTY OF PENNSYLVANIA AND REPUBLICAN NATIONAL COMMITTEE

ORDER

PER CURIAM

AND NOW, this	day of	_, 2024, the ord	der of the Con	nmonwealth (Cour
is VACATED. The Comm	onwealth Court la	acked subject i	matter jurisdio	ction to revie	w the
matter given the failure to	name the count	y boards of el	lections of all	67 counties	, and
because the joinder of	Al Schmidt, in	his official o	capacity as	Secretary of	f the
Commonwealth, did not s	uffice to invoke th	e Commonwe	alth Court's o	riginal jurisdi	ction
See 42 Pa.C.S. § 761(a)(1); see also Penn	. State Educ. o	of Ass'n ex re	l. Wilson v. C	Com.

Dept. of Comm. and Econ. Dev., 50 A.3d 1263, 1277 (Pa. 2012) ("In determining whether a party is indispensable, the basic inquiry remains 'whether justice can be done in the absence of a third party."); Sprague v. Casey, 550 A.2d 184, 189 (Pa. 1988) ("[U]nless all indispensable parties are made parties to an action, a court is powerless to grant relief. . . . Thus, the absence of such a party goes absolutely to the court's jurisdiction.") (citation omitted). The request for extraordinary jurisdiction pursuant to 42 Pa.C.S. § 726 is DENIED.

Justice Wecht files a dissenting statement in which Chief Justice Todd and Justice Donohue join.