

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

NEW PA PROJECT EDUCATION FUND, : No. 112 MM 2024
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

v.

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 :

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; :

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 5th 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.”).²

¹ *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.”).

² 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.

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