

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Joseph D. Hamm, individually and as :
a candidate for the Pennsylvania State :
House of Representatives in the :
84th Legislative District; :
Mike Kelly, individually and as a :
candidate for the United States House :
of Representatives 16th District; :
Billy Allred; Chad Horner; :
Carolyn Connor; and Joan Hauser, :
Petitioners :

v. :

No. 600 M.D. 2020

Kathy Boockvar, in her official :
capacity as the Secretary of the :
Commonwealth of Pennsylvania, :
Respondent :

ORDER

AND NOW, this 6th day of November, 2020, it is hereby ORDERED that:

1. Petitioners' Application for Special Relief in the Form of a Preliminary Injunction (Application) is GRANTED in part.

2. All provisional ballots cast on Election Day where the elector's absentee ballot or mail-in ballot was timely received by the county boards of elections be segregated and secured from other provisional ballots pending compliance with the procedures set forth in Section 1210 of the Election Code¹ for determining (a) the validity of the provisional ballot, and (b) whether the provisional ballot, if valid, can be counted.

¹ Act of June 3, 1937, P.L. 1333, as amended, 25 P.S. § 3050.

3. The Secretary shall immediately distribute this order to all county boards of elections in the Commonwealth.

4. In all other respects, Petitioners' Application is DENIED.

5. This matter is STAYED pending further order of the Court. Any party or possible intervenor may seek to lift the stay by filing an appropriate application.



P. KEVIN BROBSON, Judge

RETRIEVED FROM DEMOCRACYDOCKET.COM