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Counsel for Respondents

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

DOUG McLINKO,
Petitioner,

v.

COMMONWEALTH OF PENNSYLVANIA, et al.,
Respondents.

No. 244 MD 2021

RESPONDENTS' CROSS-APPLICATION FOR SUMMARY RELIEF

Pursuant to Pa.R.A.P. 1532(b), Respondents, the Department of State of the Commonwealth of Pennsylvania and Acting Secretary of the Commonwealth Veronica Degraffenreid, hereby apply for an order granting summary relief in their favor and against Petitioner, on the grounds that: (1) Petitioner lacks standing; (2) Petitioner's claims are barred by the doctrine of laches; (3) Petitioner's claims are foreclosed by the statutory time bar set forth in the Act of Oct. 31, 2019, P.L. 552, No. 77, § 13(3); and (4) Petitioner's constitutional arguments are without merit. In support of this application, Respondents rely on their accompanying Memorandum and the Affidavit of Jonathan Marks, which are incorporated by reference herein. A proposed form of order is attached hereto.

WHEREFORE, Respondents respectfully request that the Court grant Respondents' Cross-Application for Summary Relief, deny Petitioner's Application for Summary Relief, and dismiss the Petition for Review with prejudice.

HANGLEY ARONCHICK SEGAL
PUDLIN & SCHILLER

Dated: August 26, 2021

By: /s/ Michele D. Hangley

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**[PROPOSED] ORDER DENYING PETITIONER'S APPLICATION FOR
SUMMARY RELIEF AND GRANTING RESPONDENTS' CROSS-
APPLICATION FOR SUMMARY RELIEF**

NOW, this _____ day of _____, upon
consideration of Petitioner's Application for Summary Relief and Respondents'
Cross-Application for Summary Relief, it is hereby ORDERED that:

1. Petitioner's Application for Summary Relief is DENIED;
2. Respondents' Cross-Application for Summary Relief is GRANTED; and
3. The Petition for Review is DISMISSED WITH PREJUDICE.

, J.

CERTIFICATION REGARDING PUBLIC ACCESS POLICY

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Dated: August 26, 2021

/s/ Michele D. Hangley
Michele D. Hangley

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