

**IN THE SUPREME COURT OF PENNSYLVANIA**

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**NO. 159 MM 2017**

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**LEAGUE OF WOMEN VOTERS OF PENNSYLVANIA, *et al.*,**  
***Petitioners,***

**v.**

**THE COMMONWEALTH OF PENNSYLVANIA, *et al.*,**  
***Respondents.***

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**APPLICATION OF RESPONDENTS ACTING SECRETARY ROBERT  
TORRES AND COMMISSIONER JONATHAN MARKS FOR APPROVAL  
OF ELECTION CALENDAR ADJUSTMENTS**

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On Review of the Commonwealth Court's Recommended Findings of Fact and  
Conclusions of Law, No. 261 M.D. 2017 (Dec. 29, 2017)

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Timothy E. Gates,  
Chief Counsel (ID No. 202305)  
Kathleen M. Kotula, Deputy Chief  
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*Counsel for Acting Secretary Torres  
and Commissioner Marks*

Acting Secretary of the Commonwealth Robert Torres and Commissioner Jonathan Marks, by and through their undersigned counsel, respectfully request this Honorable Court approve election calendar adjustments for use in the 2018 general primary, and in support thereof, aver as follows:

1. The Court's order of January 22, 2018 provided, in part:

Fifth, the Executive Branch Respondents are advised to anticipate that a congressional districting plan will be available by **February 19, 2018**, and are directed to take all measures, including adjusting the election calendar if necessary, to ensure that the May 15, 2018 primary election takes place as scheduled under that remedial districting plan.

Order at 3, *League of Women Voters of Pa. v. Commonwealth*, No. 159 MM 2017 (Jan. 22, 2018) (emphasis in original).

2. In accordance with this direction from the Court, Respondents Torres and Marks hereby propose adjustments to the election calendar to accommodate the forthcoming congressional redistricting plan, applicable only to the office of Representative in Congress, as reflected in the Revised Election Calendar for Office of Representative in Congress, attached as **Exhibit 1**.

3. All other deadlines in the election calendar will remain the same except for minimal adjustments for candidates for the office of Representative in Congress.

4. All deadlines in the election calendar will remain the same for candidates for all other offices.

5. A copy of the unadjusted election calendar is available on the Internet. Pennsylvania Department of State, 2018 Election Calendar, <http://www.dos.pa.gov/VotingElections/CandidatesCommittees/RunningforOffice/Documents/Election%20Calendars/2018%20Election%20Calendar.pdf>.

WHEREFORE, Respondents Torres and Marks respectfully request that the Court adopt the Revised Election Calendar for Office of Representative in Congress and order its use in the 2018 general primary.

Respectfully submitted,

*/s/ Kathleen M. Kotula*

Dated: February 15, 2018

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*Counsel for Acting Secretary Torres and  
Commissioner Marks*

## **CERTIFICATION**

This 15<sup>th</sup> day of February, 2018, I certify that:

***Electronic version.*** The electronic version of this Application that has been provided to the Court in .pdf format in an electronic medium today is an accurate and complete representation of the paper original of the document that is being filed by Respondents Acting Secretary Robert Torres and Commissioner Jonathan Marks.

***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.

The undersigned verifies that the preceding Application does not contain or reference exhibits filed in the Commonwealth Court under seal. Therefore, the preceding Application does not contain confidential information.

***Service.*** I am this day serving this Application to all counsel of record electronically via the PACFile system, with a certificate of service to be generated thereby.

*/s/ Kathleen M. Kotula*  
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Kathleen M. Kotula

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**[PROPOSED] ORDER**

**PER CURIAM**

And now, this \_\_\_\_\_ day of \_\_\_\_\_, 2018, in furtherance of this Court's order of January 22, 2018, and upon consideration of the Application of Respondents Acting Secretary Robert Torres and Commissioner Jonathan Marks for Approval of Proposed Election Calendar Adjustments, the Application is **GRANTED**. The deadlines in Torres' and Marks' Exhibit 1 are hereby **ADOPTED** for candidates for the office of Representative in Congress. All other deadlines shall remain unchanged for candidates for the office of Representative in Congress, as shall all deadlines for all candidates for all other offices.

# **Exhibit 1**

**REVISED ELECTION CALENDAR FOR  
OFFICE OF REPRESENTATIVE IN CONGRESS  
2018 GENERAL PRIMARY ELECTION**

|   |               |
|---|---------------|
| First day to circulate and file nomination petitions.....   | February 27*  |
| First day to circulate and file nomination papers .....   | March 7       |
| Last day to circulate and file nomination petitions.....  | March 20*     |
| Day for casting of lots in the office of the Secretary of the Commonwealth for position of names on the primary ballot .....  | March 22*     |
| Date by which the Secretary of the Commonwealth must transmit to the County Boards of Elections a list of candidates who filed nomination petitions with him and who are not known to have withdrawn or been disqualified ..... | March 26      |
| Date by which County Boards of Elections must transmit absentee ballots and balloting materials to military-overseas voters in extremely remote or isolated areas who by this date submitted a valid application.....           | March 26      |
| Last day for withdrawal by candidates who filed nomination petitions .....  | March 27*     |
| Last day to file objections to nomination petitions .....   | March 27*     |
| Date by which County Boards of Elections must transmit absentee ballots and balloting materials to all military-overseas voters who by this date submitted a valid application.....   | March 30      |
| Last day, if possible, that may be fixed by the Commonwealth Court for hearings on objections that have been filed to nomination petitions.....   | March 30*     |
| Last day, if possible, for Commonwealth Court to render decisions in cases involving objections to nomination petitions.....  | April 4*      |
| Last day to apply for a civilian absentee ballot.....   | May 8         |
| Last day for County Boards of Elections to receive voted civilian absentee ballots .....  | May 11        |
| <b>GENERAL PRIMARY .....</b>  | <b>May 15</b> |
| Last day for County Boards of Elections to receive voted military-overseas absentee ballots .....   | May 22        |

*\* Dates marked with an asterisk reflect a revised date on the election calendar.  
All other dates, or any dates not specifically listed above, remain unchanged from the regular [2018 Election Calendar](#).*