

23-7710  
NO.

**ORIGINAL**

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**SUPREME COURT OF THE UNITED STATES**

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**In. Re Nominating Petitions of William Anderson,  
as Candidate to the 24<sup>th</sup> Legislative District of Pennsylvania**

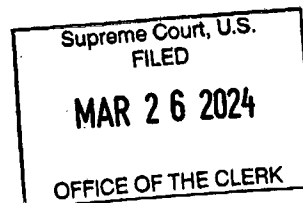
**Petitioner,**

**Vs.**

**Amanda Green Hawkins ,L'Oreal Snell.**

**Erin Wise**

**Respondents,**



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**On Petition for a Writ of Certiorari to  
The United States Court of Appeals  
for the Third Circuit**

**From ruling of Supreme Court of Pennsylvania**

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**PETITION FOR A WRIT OF CERTIORARI**

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**Friend of the Court**

## **I. Questions Presented**

**Did the Pennsylvania Supreme Court violate Petitioner Constitutional Rights by affirming the Lower Courts order Removing Petitioners Name from the April 23,2024 Primary Ballot. Is it in the best interest of Democracy to allow Ghost Objectors have a Candidates name removed from the ballot. Is this practice truly in the best interest of the Constitutional protectants put in place to protect the rights of Citizens to seek and hold office without barriers. Is the State law in Conflict with the ultimate protector of the Constitution the Democratic process which gives ultimate power to the voter on election day to decide which Candidates they wish to represent them in various elected offices. Did the Pennsylvania Appellate Court err in affirming the lower courts striking signatures based on them allegedly being in the hand of another despite having no HAND WRITER EXPERT TESTIMONY PROVING the writing was actually in the hand of another. Did objectors meet their burden of proof needed to violate Petitioners Constitutional Rights and defame Petitioners name tarnishing his Reputation and ability to do business. Has the lower Court again overstepped its authority in denying Petitioners Direct appeal and Constitutional due process rights protected by law when changing all filing times including lessening times to file appeals. Will this Honorable Court Continue its righteous path of correcting the errs of liberal States who continue to erode our Democracy by Disenfranchising Voters by not properly updating Voting rolls and passing laws that allow ghost objectors to Circumvent the will of the Voter while claiming to secure the Vote. Does this practice encourage more participation in our Democracy or Less? If you believe less you must overturn the lower Court.**

## II. TABLE OF CONTENTS

	PAGE
I. Questions Presented.....	i
II. Table of Contents.....	ii
III. Table of Authorities.....	iii
IV. Petition for Writ Of Certiorari .....	1
V. Opinions Below.....	2
VI. Jurisdiction.....	1
Reference to Opinions .....	3
VII. Constitutional Provisions Involved.....	4
VIII. Statement of the Case.....	9
1. Review is warranted under 25 ps s2872.1 14 Because the Commonwealth and PA Supreme Court opinion conflicts with Prior Holdings that the Department of state is Responsible for the acceptance of nominating Petitions and the placing of Candidates names on the Ballot	
B.. Review is Warranted Because this case presents Constitutionality of the provision requiring the circulator to be of the party and relevance to the circulator to the first amendment rights of the signer to sign a nominating petition to have that candidates name placed on the ballot ,and the lack of residency requirement which also has no relevancy to the signers rights.	
SUMMARY OF ARGUMENT.....	5-6
IX. REASONS FOR GRANTING THE WRIT.....	7-8
DIRECT APPEAL.....	10-13
X.CONCLUSION.....	14
xi. APPENDIX.....	15.
Scope and Standard.....	16

In Reply to Andrew Eccles

## TABLE OF AUTHORITIES

### Page(s)

#### CASES

<i>Big Bass Lake Community Ass'n v. Warren</i> , 23 A.3d 619 (Pa. Cmwlth. 2011) .....	19
<i>Bowling v. Office of Open Records</i> , 990 A.2d 813 (Pa. Cmwlth. 2010) ( <i>en banc</i> ), <i>aff'd</i> 75 A.3d 453 (Pa. 2013) .....	<i>passim</i>
<i>Buffalo Twp. v. Jones</i> , 813 A.2d 659 (Pa. 2002) .....	19
<i>Carey v. Pa. Dep't of Corrections</i> , 61 A.3d 367 (Pa. Cmwlth. Ct. 2013) .....	14
<i>Fennell v. Pa. Dep't of Corr.</i> (Pa. Cmwlth., No. 1827 C.D. 2015, filed March 29, 2016), slip op. ....	14
<i>Harrisburg Area Community College v. Office of Open Records</i> , No. 2110 C.D. 2009, 2011 WL 10858088 (Pa. Cmwlth. May 17, 2011) ( <i>en banc</i> ) .....	13, 15, 16
<i>Octave ex rel. Octave v. Walker</i> , 103 A.3d 1255 (Pa. 2014) .....	16
<i>Office of Open Records v. Center Twp.</i> , 95 A.3d 354 (Pa. Cmwlth. 2014) .....	<i>passim</i>
<i>Packingham v. North Carolina</i> , 137 S. Ct. 1730 (2017) .....	1
<i>Summers v. Certainteed Corp.</i> , 997 A.2d 1152 (Pa. 2010) .....	19

#### CONSTITUTION, STATUTES, REGULATIONS & RULES

65 P.S. § 67.305 .....	12
65 P.S. § 67.708(a) .....	12

### III. Table of Authorities

#### Cases

<u>Adams v. State</u> , 390 P.3d 1194 (Alaska App. February 17, 2017) .....	1, 5
<u>Arizona v. Roberson</u> .....	7
<u>Edwards v. Arizona</u> .....	i, 2, 3, 5, 6, 7, 9
<u>Giacomazzi v. State</u> .....	5
<u>McNeil v. Wisconsin</u> , 501 U.S. 171, 177 (1991) .....	7
<u>Miranda v. Arizona</u> .....	2, 3, 5, 6
<u>Oregon v. Bradshaw</u> , 462 U.S. 1039 (1983) .....	8, 9
<u>Smith v. Illinois</u> .....	8

#### Statutes

28 U.S.C. § 1257 .....	1
------------------------	---

#### Constitutional Provisions

United States Constitution, Amendment V .....	1, 6
United States Constitution, Amendment VI .....	5
United States Constitution, Amendment XIV .....	2

65 P.S. § 67.708(b).....	5, 22
65 P.S. § 67.1101(b)(1).....	12
Code of Judicial Conduct, Rule 2.7 cmt. 3 .....	11
Pa.R.A.P. 1114(b)(1).....	13
Pa.R.A.P. 1114(b)(3).....	18
Pa.R.A.P. 1114(b)(4).....	20

#### **OTHER AUTHORITIES**

Public Access Policy of the Unified Judicial System §§ 7.0, 8.0.....	11
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### **III**

#### **IV. Petition for Writ Of Certiorari**

**William Anderson Petitioner, respectfully petitions this court for a writ of certiorari to review the ruling of the Supreme Court of Pennsylvania**

#### **V. Opinions Below**

The decision by the Pennsylvania Supreme Court denying Mr. Andersons direct appeal is reported as Re: In the Nominating Petitions of William Anderson as Democratic Candidate for State Representative in the 24<sup>th</sup> Legislative District v. L.Oreal Snell, Amanda Green Hawkins, Erin Wise 95 md2024 March 4,2024 .The Pennsylvania Supreme Court affirmed the lower Courts order on March 22,2024 At 9 wap 2024 .That order is attached at Appendix 1

#### **VI. Jurisdiction**

**Mr. Andersons direct appeal** to the Pennsylvania Supreme Court was Denied on March 22,2024. Mr. Anderson invokes this Court's jurisdiction under 28 U.S.C s 1257, having timely filed this petition for Writ of certiorari within ninety days of the Pennsylvania Supreme Court's judgement.

**ORDER IN QUESTION**

\_\_\_\_ ON March 1, 2024, the Commonwealth Court issued an opinion

Concluding with this paragraph and order:

AND NOW, THIS 4<sup>TH</sup> DAY OF March 2024, it is hereby ORDERED:

1. Based upon credible evidence admitted at the March 1, 2024 hearing before this court, the Nominating Petition of William Anderson as a Candidate Democratic candidate for nomination to the office of Representative in Pennsylvania General Assembly for the 24<sup>th</sup> Legislative District in the General Primary Election to be held April 23<sup>rd</sup>, 2024 does not contain 300 valid signatures of qualified and enrolled electors as required by section 912.19140 of the election code 25 P.S. 2872.19140. The Petition to Set aside the nomination Petition of William Anderson is Granted, and the Nominating petition of William Anderson is hereby Set Aside.
2. The Secretary of the Commonwealth of Pennsylvania is Directed to Remove from the ballot the name of William Anderson as a candidate for the Democratic Nomination to the office of Representative in the General Primary Election of April 23, 2024.
3. Each party shall bear, his, her or their own costs.
4. The Prothonotary shall notify the parties hereto and their counsel of this order and shall also certify a copy hereof to the Secretary of the Commonwealth of Pennsylvania forthwith

Micheal H Wojcik



**REFERENCE TO THE OPINIONS IN THE MATTER**

THE UNPUBLISHED panel opinion in the Commonwealth Court is found at no 75  
md 2024 March 1,2024 (walker0

## **VII. Constitutional Provision Involved**

### **United States Constitution Amendment V, I, XXiii**

#### **V.**

**No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or inditement of a Grand Jury, except in actual service in time of War or public danger, nor shall any person be subject for the same offense to be put twice in jeopardy of life or limb: nor shall be compelled in any criminal case to be a witness against himself nor be deprived of life, liberty, or property, without due process of law: nor shall private property be taken for public use, without just compensation.**

#### **XXiii**

**The right of the United States to vote in any primary or other election for President or Vice President for electors for President or Vice President, or for Senator or Representative in Congress shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.**

**I. Prevents the United States Government from making laws respecting an establishment of religion, prohibiting the free exercise of religion: or abridging the freedom of speech, the freedom of the press, the freedom of assembly, or the right to petition the government for redress of grievances.**

## **SUMMARY OF ARGUMENT**

**Millions of Pennsylvanians** go to the polls every year with the hope of casting their vote for the Candidate they believe will best represent their issues, without the interference of special interest who have for too long been permitted to have candidates removed from the ballot by having alleged objectors simply sign off on an objection petition signing a Verification Statement swearing they have personally verified the information is correct without actually verifying the info in direct violation of sec. 18 pacs 4904 relating to unsworn testimony.

There is no more important time in which to have rigorous oversight of our electoral process than when citizens first Amendment rights are being violated for a healthy Democracy there must be a good number of candidates and a candidates right to seek office must be protected . that principle is the animating force behind this Petition. Petitioner properly listed and subpoena all Objectors as witnesses as to ascertain the participation of alleged objectors during March 1<sup>st</sup> hearing but all objectors failed to appear and testify . During Hearing with an abundance of concern for the maintenance of the information entered into the sure system from the Allegheny County elections Department and its compliance to Pa title 25 Pa C.S.A elections Petitioner called Head of Allegheny County Elections department to ascertain whether the Allegheny County Elections Department is in compliance with Pa election Code requirements that mandate the County elections update a Voters address automatically from the Us Postal

Service change of address registry ,which on questioning the director stated that the County is not in compliance with Section 1901 of Statue title 25, which would have cured 120 signature lines stricken as not registered at address but in district as valid. In so striking Signatures because circulator is not of party further violates both the constitutional rights of signers who have a right to sign a petition to have the candidate of their choice place on the ballot but of the circulator where murillv weaver 224 fsupp 2d 882 showed the residency requirement of circulator was irrelevant to

the ability of the circulator to collect signatures the court should hold the circulators party to the same standard as it has disenfranchised hundreds of voters who properly signed petitioners petition.

## IX. Reasons For Granting writ

A. To avoid erroneous deprivations of the freedom of expression and freedom Speech this Court should clarify that the right to seek and hold office must be protected at all cost in order to preserve and forward our Democracy that right must not be molested by those seeking to side step the voice of the voters by creating barriers to those who would dare to run for office silencing the peoples voice .

Hon Commonwealth Court judge Wojcik relied on un verified objectors who did not participate although they signed Verification statements under penalty of false swearing along with non compliant Allegheny County Voter Data not in line with Pa Title 25 Pa C.S.A 1901 elections, Commonwealth Court Struck Petitioners Petition based on outdated unverified information .

1. Did the Commonwealth Court err in holding that objectors need not participate in any level of the objector process even when they file with the court Signed Verification statements under penalty of false swearing and ignore Subpoena to attend and testify and listing on Petitioners witness list.
2. Given the standard understanding of plenary review did the Commonwealth Court err in Denying Petitioners Motion to Dismiss although Objectors failed to bring any personal objections before the Court, the Head of the Allegheny County Department of Elections Testimony that the county was not in Compliance i  
with Pa title 25 Pa C.S.A Elections 1901

3. Did the Commonwealth Court err in striking signatures based on Circulator affidavit being signed by circulator David Tessitor in violation of his and signers Constitutional rights .
4. Did the Commonwealth err by striking Signatures of Mark Green when circulators name is Matt Green .
5. Did the Commonwealth Court err in not accepting signatures claimed to be in the hand of others from a High Rise where many Elderly tenants with disabilities require assistance as allowed in the People with Disabilities act allows reasonable accommodations to prevent the disenfranchisement of a citizen to cast a ballot or sign a petition to have the candidate of their choice put on the ballot. --
6. Did the Commonwealth Court err in Ordering the removal of Petitioners name from the Ballot and was this the absolute in the best interest of Democracy for the majority of the Citizens of the Commonwealth and does this greatly disenfranchise voters and candidates out of abundance of Protection of Candidates Civil Liberties and right to seek office unmolested by poll taxes and unjust legislative barriers that Violate the Voting Rights act .
7. Did the Commonwealth Court err in misreading of the purpose of the legislators far reaching law that violates petitioners right to face accusers by denying petitioner the right to question objectors to the legitimacy of their personal objections instead of simply being able to sign as an objector without any knowledge of what they are objecting to or proof that they in fact personally raised their own objections or acquired counsel themselves for representation.

## **VIII. STATEMENT OF THE CASE**

### **A. PROCEEDINGS BEFORE THE AGENCY**

**RESPONDANTS ALLEGEDLY** ON FEBUARY 20,2024 FILED AN OBJECTION PETITION WITH THE Commonwealth Court Prothonotary objecting to 422 of Petitioners signatures on the Nominating Petition of Petitioner asking that Petition on to Place Candidate William Anderson name on April 23,2024 primary Ballot be stricken.

- B. on or about February 28,2024 appellant meet with a person stated not to be employed by objectors or objectors attorney who signed for access to sure system for herself not representing appellee or appellees Counsel as required to satisfy Court order requiring the securing of Sure Operator services.
- C. During hearing held before Commonwealth Court March 1,2024 Petitioner Presented enclosed motion to Dismiss and oral arguments based on the fact that objectors had failed to participate and illegally filed verifications statements with the court in violation of sec 18 PACS 4904 relating to false swearing, the fact that Allegheny County elections Department is not in compliance with Pa Statue title 25 pa CSA 1901 regarding elections questioning the validity of the Allegheny county sure system.
- D. Petitioner asserts that Commonwealth Court relied on out dated material to verify signatures as the signature cards used in the Allegheny county data base rely solely on signatures obtained at Voters original Voter registration not current signature.
- E. Appellant express constitutional protection that does not require circulator to be of the district or party of the candidate as irrelevant to the will and desire of the duly elected signer and their right to sign a petition regardless of Circulators status other to be a registered voter. And discriminates against candidate regulating who candidate may recruit to circulate petitions

## **2. Direct appeal**

**On direct appeal Anderson renewed his argument that his Constitutional**

**Rights had been violated along with signers who clearly expressed their**

**intent to sign petitioners petition to have his name placed on the ballot.**

**By affirming the lower courts decision the appellate court failed to uphold**

**The standard in the constitution protecting freedom of speech of qualified**

**electors and holding the Allegheny County elections department**

**accountable for providing invalid information and being out of**

**compliance with Pa Statue 25 sec 19 of the election law which holds**

**commissions responsible for changing voter registration addresses**

**election department**

**Petitioner IS RELYING ON THIS HONORABLE COURT TO GRANT Writ of  
certiorari**

**BASED ON THE LOWER COURTS ERR IN DECIDING PETIONERS MOTION TO**

**DISMISS AND THE VIOLATION OF THE VOTING RIGHTS ACT ,PERSONS**

**WITH DISABILITIES AND THE PETITIONS LACK OF PROPER DUE PROCESS  
DUE TO THE UNIQUE RUSH IN ELECTIN CASES THAT DOES NOT OCCURE IN**



ANY OTHER COURT IN THE Commonwealth during any other matter  
before the court, finding these iSSUES discriminatory, and against the  
interest of fairity and justice and what is in the best interest of justice  
and democracy denying petitioners right to seek office and Constitutional  
rights of circulator signers and petitioners pursuit of happiness, life and  
Liberty and his freedom of expression .Appellant further believes that the  
amendment to the Election Code requiring eliminating residency  
requirement for circulators of petitions and removal of notarization  
requirement which verified that the person signing circulator affidavit on  
nominating petitions is actual circulator does not go far enough in securing  
and protecting a persons right to seek office and have their name placed on  
the ballot as a candidate is molested by the requirement that the circulator  
be of the same party to simply collect signatures to have a Candidates  
name on the ballot has no relevance to the ability to collect signatures from  
voters who wish to sign the petition of their choice from their Designated  
Political Party Candidate and further this to be discriminatory and a  
violation of the voting rights act as it causes undo burden on the Candidate  
as it limits the pool of people the Candidate can get to assist in obtaining  
signatures especially in the rural areas putting an un due burden on

candidates and forces discriminatory hiring or volunteering practices,  
ie if Candidates gets help from someone that comes from a State that has  
no party designations in their VOTER registration. Appellant Further  
debates the Violation of the signers Constitutional freedoms of expression  
and speech by the Striking of their signatures based on circulator which has  
no affect on the fact they signed a petition to clearly express their wish as  
registered voters within the 24<sup>th</sup> Legislative district to have the candidate of  
their choice name placed on the Ballot as the Constitution forever Protects.

Our Democracy and foundation is built on these freedoms to both elect the  
Candidate of our Choice without threat, reprisal or intimidation as well  
As the unfettered ability of all Pennsylvanians to Seek office without Jim

Crow laws meant to circumvent the Electoral process by putting  
insurmountable challenges on Candidates creating disqualification  
standards in place that allow ghost objectors to have Candidates removed  
from the ballot in an Expeditious fashion which incorporates no true option  
for curing after petitions have been duly filed and accepted with the  
Department of State and filing fee paid as the Statue states the Department

of State is Solely Responsible for removing Candidates from the Ballot.

Appellant Prays this Honorable Court Overturns Order Dated March 4,2024

By the Commonwealth Court and Directs the Department of State to list

The Name of William Anderson as A Democratic Candidate for

Representative in the General Assembly for the 24<sup>th</sup> Legislative District on

the Ballot for April 23,2024 Primary Election returning the Choice of who to

Elect to the Voters of the 24<sup>th</sup> Legislative District.

## CONCLUSION

**APPELLANT** PRAYS THIS HONORABLE COURT GRANTS writ of Certiorari

based on the foregoing statements and

Facts stated within . Petitioner believes the threat to the Commonwealth

electoral process is a great peril should objectors continued to be allowed

to remain in the shadows without proof or consequence for false swearing,

and the County commissions not help to compliance with State mandates

to upkeep the voting rolls and a true avenue to cure errors in circulated

Nomination petitions as stated in the directive of the court without offering

true ways to cure the defects which is listed as an option but no true

avenue to do so exist. I pray the court make president in allowing

Petitioners name to remain on April 23, 2024 primary ballot as the

Democratic Candidate for the 24<sup>th</sup> Legislative District. As for a Healthy

Democracy there must be a good number of Candidate

Respectfully Submitted,

William Anderson

APPELLANT 3-25-2024

## **SCOPE AND STANDARD FOR REVIEW**

BECAUSE THE INSTANT APPEAL IMPLICATES THE STATUTORY

CONSTRUCTION OF THE Election Code AND THE Constitutionality

Effect of the Lower Courts Decision, this Courts "scope of review is plenary

and the standard of review is de novo" In re Benkoski, 596 Pa 267, n2  
272,943

a. 2d 212,215 (2007) (citing In re Carroll, 586 Pa 624, 896 A 2d 566, 573

u>us Supreme court Anderson vs Trump section 3 cannot be used to deny  
anyone access to the ballot as a Candidate. title 25 25c711h Subchapter