

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Donald J. Trump For :  
President, Inc.; and :  
Republican National Committee, :  
Petitioners :

v. :

No. 602 M.D. 2020

Kathy Boockvar, in her capacity :  
as Secretary of the Commonwealth of :  
Pennsylvania; 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; 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**

AND NOW this 5th day of November, 2020, upon consideration of  
 Petitioners' Application for Special Relief in the Form of a Special, Preliminary,

and/or Permanent Injunction to prohibit Respondents from permitting absentee and mail-in voters an opportunity to provide missing proof of identification on or after November 9, 2020, and to prohibit Respondents from counting any absentee and mail-in ballots of voters whose proof of identification was not received and verified by November 9, 2020, it is hereby ORDERED as follows:

1. To maintain the *status quo ante* pending the disposition of the merits of Petitioners' Petition for Review in the Nature of a Complaint in Equity, the county boards of elections shall segregate ballots for which identification is received and verified on November 10, 11, and 12, 2020, from ballots for which identification is received and verified on or before November 9, 2020.

2. This segregation of ballots is in addition to the segregation of ballots received after 8:00 p.m. November 3, 2020, and before 5:00 p.m. November 6, 2020. *See Republican Party of Pennsylvania v. Kathy Boockvar, Secretary of Pennsylvania, et al.*, No. 20-542, 592 U.S. \_\_\_\_ (October 28, 2020) (order denying Motion to Expedite Consideration of Petition for Writ of Certiorari) (Statement of Alito, J.).

3. The segregated ballots for which identification is received and verified on November 10, 11, and 12, 2020, shall not be counted until further order of this Court.

4. This special injunction will dissolve upon entry of this Court's final order on the Petition for Review in the Nature of a Complaint in Equity.

5. In lieu of amending the November 1, 2020 Guidance, the Secretary of the Commonwealth, Kathy Boockvar, shall immediately transmit a copy of this Order to all county boards of elections.

  
\_\_\_\_\_  
MARY HANNAH LEAVITT, President Judge

**Certified from the Record**

**NOV 05 2020**

**And Order Exit**