

UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT

No. 18-1816

JACOB CORMAN, in his official capacity as Majority
Leader of the Pennsylvania Senate; MICHAEL
FOLMER, in his official capacity as Chairman of the
Pennsylvania Senate State Government Committee;
LOU BARLETTA; RYAN COSTELLO; MIKE KELLY;
TOM MARINO; SCOTT PERRY; KEITH ROTHFUS;
LLOYD SMUCKER; GLENN THOMPSON

v.

SECRETARY COMMONWEALTH OF PENNSYLVANIA;
COMMISSIONER BUREAU OF COMMISSIONS,
ELECTIONS & LEGISLATION,
Appellees,

and

CARMEN FEBO SAN MIGUEL; JAMES SOLOMON;
JOHN GREINER; JOHN CAPOWSKI; GRETCHEN
BRANDT; THOMAS RENTSCHLER; MARY ELIZABETH
LAWN; LISA ISAACS; DON LANCASTER; JORDI COMAS;
ROBERT SMITH; WILLIAM MARX; RICHARD MANTELL;
PRISCILLA MCNULTY; THOMAS ULRICH; ROBERT
MCKINSTRY; MARK LICHTY; LORRAINE PETROSKY,
Intervenor Appellees.

Jeffrey Cutler, Intervenor Appellant

(M.D. Pa. Civ. No. 18-cv-00443)

SUR PETITION FOR REHEARING

Present: SMITH, Chief Judge, McKEE, AMBRO, CHAGARES, HARDIMAN,
GREENAWAY, JR., VANASKIE, SHWARTZ, RESTREPO, COWEN,
and NYGAARD,* Circuit Judges

The petition for rehearing filed by Appellant in the above-entitled case having been submitted to the judges who participated in the decision of this Court and to all the other available circuit judges of the circuit in regular active service, and no judge who concurred in the decision having asked for rehearing, and a majority of the judges of the circuit in regular service not having voted for rehearing, the petition for rehearing by the panel and the Court en banc, is denied.

BY THE COURT,

s/ Richard L. Nygaard

Circuit Judge

Dated: December 6, 2018
Lmr/cc: Jeffrey Cutler
Mark A. Aronchick
Timothy E. Gates
Michele D. Hangle
Michael Churchill
Benjamin D. Geffen
Mary M. McKenzie
John J. Robinson

* Pursuant to Third Circuit I.O.P. 9.5.3, Judge Robert E. Cowen's and Judge Richard L. Nygaard's votes are limited to panel rehearing.