

**[J- 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 31- 2012]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

AMANDA E. HOLT, ELAINE TOMLIN, LOUIS : No. 7 MM 2012
NUDI, DIANE EDBRIL, DARIEL I. JAMIESON, :
LORA LAVIN, JAMES YOEST, JEFFREY :
MEYER, CHRISTOPHER H. FROMME, : Appeal from the Legislative
TIMOTHY F. BURNETT, CHRIS HERTZOG, : Reapportionment Plan of the 2011
GLEN ECKHART, and MARY FRANCES : Legislative Reapportionment
BALLARD, : Commission, dated December 12, 2011

Petitioners

v.

2011 LEGISLATIVE REAPPORTIONMENT :
COMMISSION, :

Respondent

SENATOR JAY COSTA, SENATOR : No. 1 WM 2012
LAWRENCE M. FARNESE, JR., SENATOR :
CHRISTINE M. TARTAGLIONE, SENATOR :
SHIRLEY M. KITCHEN, SENATOR LEANNA : Appeal from the Legislative
M. WASHINGTON, SENATOR MICHAEL J. : Reapportionment Plan of the 2011
STACK, SENATOR VINCENT J. HUGHES, : Legislative Reapportionment
SENATOR ANTHONY H. WILLIAMS, : Commission, dated December 12, 2011
SENATOR JUDITH L. SCHWANK, :
SENATOR JOHN T. YUDICHAK, SENATOR :
DAYLIN LEACH, SENATOR LISA M. :
BOSCOLA, SENATOR ANDREW E. :
DINNIMAN, SENATOR JOHN P. BLAKE, :
SENATOR RICHARD A. KASUNIC, :
SENATOR JOHN N. WOZNIAK, SENATOR :
JIM FERLO, SENATOR WAYNE D. :
FONTANA, SENATOR JAMES R. :
BREWSTER, and SENATOR TIMOTHY J. :
SOLOBAY, :

Petitioners

v.

2011 LEGISLATIVE REAPPORTIONMENT :
COMMISSION, :

Respondent :

MAYOR CAROLYN COMITTA; COUNCIL :
PRESIDENT HOLLY BROWN; WILLIAM J. :
SCOTT, JR.; HERBERT A. SCHWABE, II; :
JANE HEALD CLOSE; FLOYD ROBERT :
BIELSKI; DAVID LALEIKE; E. BRIAN :
ABBOTT; NATHANIEL SMITH; and W. :
DONALD BRACELAND, :

No. 2 MM 2012

Appeal from the Legislative
Reapportionment Plan of the 2011
Legislative Reapportionment
Commission, dated December 12, 2011

Petitioners :

v. :

2011 LEGISLATIVE REAPPORTIONMENT :
COMMISSION, :

Respondent :

MAYOR LEO SCODA and COUNCIL :
PERSON JENNIFER MAYO, :

No. 3 MM 2012

Petitioners. :

Appeal from the Legislative
Reapportionment Plan of the 2011
Legislative Reapportionment
Commission, dated December 12, 2011

v. :

2011 LEGISLATIVE REAPPORTIONMENT :
COMMISSION, :

Respondent :

THOMAS SCHIFFER, ALISON BAUSMAN, :
RACHEL J. AMDUR, JOAN TARKA, :
LAWRENCE W. ABEL, MARGARET G. :
MORSHECK, LAWRENCE J. CHRZAN, :
JULIA SCHULTZ and SHIRLEY RESNICK, :

No. 4 MM 2012

Appeal from the Legislative
Reapportionment Plan of the 2011
Legislative Reapportionment
Commission, dated December 12, 2011

Petitioners :

v.	:	:
2011 LEGISLATIVE REAPPORTIONMENT :	:	:
COMMISSION,	:	:
Respondent	:	:
SEKELA COLES, CYNTHIA JACKSON and :	:	No. 5 MM 2012
LEE TALIAFERRO,	:	:
Petitioners	:	Appeal from the Legislative
	:	Reapportionment Plan of the 2011
	:	Legislative Reapportionment
v.	:	Commission, dated December 12, 2011
2011 LEGISLATIVE REAPPORTIONMENT :	:	:
COMMISSION,	:	:
Respondent	:	:
PATTY KIM,	:	No. 6 MM 2012
Petitioner	:	:
	:	Appeal from the Legislative
	:	Reapportionment Plan of the 2011
v.	:	Legislative Reapportionment
	:	Commission, dated December 12, 2011
2011 LEGISLATIVE REAPPORTIONMENT :	:	:
COMMISSION,	:	:
Respondent	:	:
EDWARD J. BRADLEY, JR., PATRICK :	:	No. 8 MM 2012
MCKENNA, JR., DOROTHY GALLAGHER, :	:	:
RICHARD H. LOWE, and JOHN F. "JACK" :	:	:
BYRNE,	:	Appeal from the Legislative
Petitioners	:	Reapportionment Plan of the 2011
	:	Legislative Reapportionment
	:	Commission, dated December 12, 2011
v.	:	:

2011 LEGISLATIVE REAPPORTIONMENT :
COMMISSION, :

Respondent :

DENNIS J. BAYLOR, :

No. 9 MM 2012

Petitioner :

v. :

Appeal from the Legislative
Reapportionment Plan of the 2011
Legislative Reapportionment
Commission, dated December 12, 2011

2011 LEGISLATIVE REAPPORTIONMENT :
COMMISSION, :

Respondent :

ANDREW DOMINICK ALOSI, :

No. 10 MM 2012

Petitioner :

v. :

Appeal from the Legislative
Reapportionment Plan of the 2011
Legislative Reapportionment
Commission, dated December 12, 2011

2011 LEGISLATIVE REAPPORTIONMENT :
COMMISSION, :

Respondent :

CARLOS A. ZAYAS, :

No. 17 MM 2012

Petitioner :

v. :

Appeal from the Legislative
Reapportionment Plan of the 2011
Legislative Reapportionment
Commission, dated December 12, 2011

2011 LEGISLATIVE REAPPORTIONMENT :
COMMISSION, :

Respondent :

WILLIAM C. KORTZ, MICHELLE L. VEZZANI,	:	No. 4 WM 2012
MICHAEL E. CHEREPKO, GREGORY	:	
ERSENKO, JOYCE POPOVICH, JOHN	:	
BEVEC, LISA BASHIOUM, and RICHARD	:	Appeal from the Legislative
CHRISTOPHER,	:	Reapportionment Plan of the 2011
	:	Legislative Reapportionment
Petitioners	:	Commission, dated December 12, 2011
	:	
v.	:	
	:	
2011 LEGISLATIVE REAPPORTIONMENT	:	
COMMISSION,	:	
	:	
Respondent	:	

DISSENTING STATEMENT

MR. JUSTICE SAYLOR

FILED: January 25, 2012

Based on the petitions, briefs, and argument, I am not persuaded that the 2011 Legislative Reapportionment Plan is contrary to law as reflected in the existing precedent. Although I am receptive to the concern that past decisions of the Court may suggest an unnecessarily stringent approach to equalization of population as between voting districts, I believe this could be addressed via prospective guidance from the Court.

Mr. Justice Eakin and Madame Justice Orié Melvin join this dissenting statement.