

Commonwealth of Pennsylvania
Department of State
May 19, 2003

SUBJECT: Amendment to May 20, 2003 Municipal Primary Ballot Certification

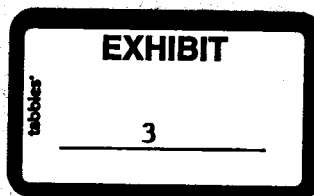
TO: Mr. Edward Schulgen
Deputy City Commissioner
Philadelphia County

FROM: Monna J. Accurti, Commissioner *MJA*
Bureau of Commissions, Elections and Legislation

On May 6, 2003, the Bureau received an Order from the Commonwealth Court of Pennsylvania regarding a petition to the Court asking that Jim DiVergilis, a candidate for the Court of Common Pleas, 1st District (Philadelphia County) who filed as both a Democratic and a Republican candidate, withdraw from the Democratic and the Republican ballot for the May 20, 2003 Municipal Primary. The Court ordered that the Philadelphia City Commissioners are, therefore, directed to remove Mr. DiVergilis' name from the ballot and/or lock his ballot. In addition, the Philadelphia City Commissioners are directed not to count the votes cast for Jim DiVergilis on absentee ballots.

Accordingly, pursuant to Section 201 (c) of the Pennsylvania Election Code, at 25 P. S. § 2621 (c), the primary ballot certification mailed to you on April 14, 2003 by Acting Secretary of the Commonwealth Pedro A. Cortés is hereby amended, removing the name of Jim DiVergilis as both a Democratic and a Republican candidate for the office of Judge of the Court of Common Pleas, 1st Judicial District (Philadelphia).

If you have any questions in this matter, I suggest that you contact your solicitor for direction.



IN THE COMMONWEALTH COURT OF PENNSYLVANIA

IN RE: NOMINATION PETITION OF :
JIM DIVERGILIS FOR COURT OF :
COMMON PLEAS JUDGE ON :
PHILADELPHIA COUNTY OF :
PENNSYLVANIA IN THE DEMOCRATIC :
AND REPUBLICAN PRIMARY ELECTION :
TO BE HELD MAY 20, 2003 :

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PETITION OF JIM DIVERGILIS : No. 279 M.D. 2003

PER CURIAM

ORDER

NOW, May 6, 2003, upon consideration of the petition of Jim DiVergilis to withdraw, remove his name from the ballot and/or lock his ballot for both the Democratic and Republican nomination for judge of Court of Common Pleas of Philadelphia County in the primary election to be held on May 20, 2003, the petition is granted.

Any votes cast for petitioner shall not be counted.