

IN THE COURT OF COMMON PLEAS OF ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION

COVER SHEET

In re: Leet Township Municipal Election Results) Case No. **GD-21-014165**
)
)

Type of pleading: Petition (election) and Declaration

Code and Classification:

Filed on behalf of: Named Leet Township Voter(s)

Counsel of Record: Dana M. Adipietro
7438 Trevanion Ave
Pittsburgh, PA 15218
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3-11-2021

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COURT OF COMMON PLEAS
ALLEGHENY COUNTY, PA

**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

In re: Leet Township Municipal Election Results)
)
) Case No.

PETITION FOR RECOUNT AND DECLARATION OF WILLIAM WANTO

I, William Wanto, hereby declare as follows:

1. On November 2, 2021, the Commonwealth of Pennsylvania held a general election. The elected office that is the subject of this Petition for Recount and Declaration is Commissioner, Township of Leet, Allegheny County, Pennsylvania.
2. Upon information and belief, Leet Township is comprised of two voting districts, District 1 and District 2.
3. Upon information and belief, I am a “voter” and/or “elector” in Leet Township, District 1, as those terms are used in 25 P.S. §§ 3154(e) and 3261(a), respectively.
4. The Allegheny County Board of Elections website provides that, as of the date of this Declaration, election results for the three top candidates in Leet Township, District 2 are: Mr. Rody Nash – 222; Mr. Daniel M. Peluso – 220; and Mrs. Donna Adipietro – 171. Leet Township, District 1 results are: Mrs. Donna Adipietro – 101; Mr. Rody Nash – 62; and Mr. Daniel M. Peluso – 56.²
5. Based on the results set forth above, total votes for the top three candidates in Leet Township across both voting districts are: Mr. Rody Nash – 284; Mr. Daniel M. Peluso – 276; and Mrs. Donna Adipietro – 272.
6. 25 P.S. § 3154(e) states, in pertinent part, that “...upon petition of three voters of any district, verified by affidavit, that an error, although not apparent on the face of the returns, has been committed therein... the county board shall at any time prior to the completion of the computation of all of the returns for the county, summon the election officers of the district, and said officers, in the presence of said board, shall conduct a recount or recanvass of all ballots cast...”.

² <https://www.alleghenycounty.us/elections/index.aspx>

7. 25 P.S. § 3261(a) states, in pertinent part, "... the court of common pleas, or a judge thereof, of the county in which any election district is located in which ballots were used, shall open the ballot box of such election district used at any general, municipal, special or primary election held therein, and cause the entire vote thereof to be correctly counted by persons designated by such court or judge, if three qualified electors of the election district shall file, as hereinafter provided, a petition duly verified by them, alleging that upon information which they consider reliable they believe that fraud or error, although not manifest on the general return of votes made therefrom, was committed in the computation of the votes cast for all offices or for any particular office or offices in such election district, or in the marking of the ballots, or otherwise in connection with such ballots. It shall not be necessary for the petitioners to specify in their petition the particular act of fraud or error which they believe to have been committed, nor to offer evidence to substantiate the allegations of their petition."
8. Consistent with the foregoing, and in view of election results reflecting a margin of no more than four (4) votes between two candidates and no more than twelve (12) votes across three candidates, the Declarant has a reasonable and good faith basis to believe that error, although not apparent, intentional, or manifest, was possible in the computation of the votes cast or in the marking of the ballots.
9. Based on the foregoing, the Declarant respectfully herein requests and petitions for a recount of the election returns for Leet District 1, to ensure that the results were not tabulated in error.
10. As may be necessary under 25 P.S. § 3261(b), contemporaneous with the filing of this Declaration, a deposit in the amount of fifty (\$50.00) will be made to the Office of the Prothonotary of Allegheny County in the event that, upon the opening of the ballot box, it is shown that no error was committed in the computation of the votes cast, or in the marking of ballots.
11. I hereby certify and affirm that the above is true and correct to the best of my knowledge and belief, and is made under penalty of perjury pursuant to 28 U.S.C. § 1746 and the applicable laws of this Commonwealth.



WILLIAM WANTO
Petitioner and Declarant

**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

In re: Leet Township Municipal Election Results)
)
) Case No.

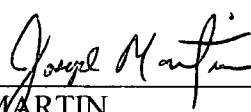
PETITION FOR RECOUNT AND DECLARATION OF JOSEPH MARTIN

I, Joseph Martin, hereby declare as follows:

1. On November 2, 2021, the Commonwealth of Pennsylvania held a general election. The elected office that is the subject of this Petition for Recount and Declaration is Commissioner, Township of Leet, Allegheny County, Pennsylvania.
2. Upon information and belief, Leet Township is comprised of two voting districts, District 1 and District 2.
3. Upon information and belief, I am a “voter” and/or “elector” in Leet Township, District 1, as those terms are used in 25 P.S. §§ 3154(e) and 3261(a), respectively.
4. The Allegheny County Board of Elections website provides that, as of the date of this Declaration, election results for the three top candidates in Leet Township, District 2 are: Mr. Rody Nash – 222; Mr. Daniel M. Peluso – 220; and Mrs. Donna Adipietro – 171. Leet Township, District 1 results are: Mrs. Donna Adipietro – 101; Mr. Rody Nash – 62; and Mr. Daniel M. Peluso – 56.³
5. Based on the results set forth above, total votes for the top three candidates in Leet Township across both voting districts are: Mr. Rody Nash – 284; Mr. Daniel M. Peluso – 276; and Mrs. Donna Adipietro – 272.
6. 25 P.S. § 3154(e) states, in pertinent part, that “...upon petition of three voters of any district, verified by affidavit, that an error, although not apparent on the face of the returns, has been committed therein... the county board shall at any time prior to the completion of the computation of all of the returns for the county, summon the election officers of the district, and said officers, in the presence of said board, shall conduct a recount or recanvass of all ballots cast...”.

³ <https://www.alleghenycounty.us/elections/index.aspx>

7. 25 P.S. § 3261(a) states, in pertinent part, "... the court of common pleas, or a judge thereof, of the county in which any election district is located in which ballots were used, shall open the ballot box of such election district used at any general, municipal, special or primary election held therein, and cause the entire vote thereof to be correctly counted by persons designated by such court or judge, if three qualified electors of the election district shall file, as hereinafter provided, a petition duly verified by them, alleging that upon information which they consider reliable they believe that fraud or error, although not manifest on the general return of votes made therefrom, was committed in the computation of the votes cast for all offices or for any particular office or offices in such election district, or in the marking of the ballots, or otherwise in connection with such ballots. It shall not be necessary for the petitioners to specify in their petition the particular act of fraud or error which they believe to have been committed, nor to offer evidence to substantiate the allegations of their petition."
8. Consistent with the foregoing, and in view of election results reflecting a margin of no more than four (4) votes between two candidates and no more than twelve (12) votes across three candidates, the Declarant has a reasonable and good faith basis to believe that error, although not apparent, intentional, or manifest, was possible in the computation of the votes cast or in the marking of the ballots.
9. Based on the foregoing, the Declarant respectfully herein requests and petitions for a recount of the election returns for Leet District 1 to ensure that the results were not tabulated in error.
10. As may be necessary under 25 P.S. § 3261(b), contemporaneous with the filing of this Declaration, a deposit in the amount of fifty (\$50.00) will be made to the Office of the Prothonotary of Allegheny County in the event that, upon the opening of the ballot box, it is shown that no error was committed in the computation of the votes cast, or in the marking of ballots.
11. I hereby certify and affirm that the above is true and correct to the best of my knowledge and belief, and is made under penalty of perjury pursuant to 28 U.S.C. § 1746 and the applicable laws of this Commonwealth.



JOSEPH MARTIN
Petitioner and Declarant

**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

<i>In re: Leet Township Municipal Election Results</i>)	
)	Case No.
)	

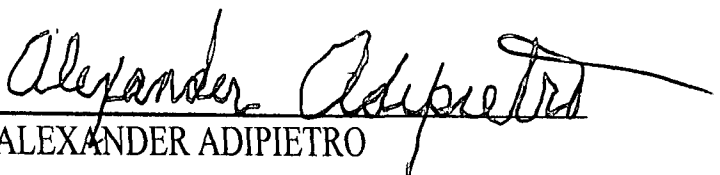
PETITION FOR RECOUNT AND DECLARATION OF ALEXANDER ADIPIETRO

I, Alexander Adipietro, hereby declare as follows:

1. On November 2, 2021, the Commonwealth of Pennsylvania held a general election. The elected office that is the subject of this Petition for Recount and Declaration is Commissioner, Township of Leet, Allegheny County, Pennsylvania.
2. Upon information and belief, Leet Township is comprised of two voting districts, District 1 and District 2.
3. Upon information and belief, I am a “voter” and/or “elector” in Leet Township, District 1, as those terms are used in 25 P.S. §§ 3154(e) and 3261(a), respectively.
4. The Allegheny County Board of Elections website provides that, as of the date of this Declaration, election results for the three top candidates in Leet Township, District 2 are: Mr. Rody Nash – 222; Mr. Daniel M. Peluso – 220; and Mrs. Donna Adipietro – 171. Leet Township, District 1 results are: Mrs. Donna Adipietro – 101; Mr. Rody Nash – 62; and Mr. Daniel M. Peluso – 56.¹
5. Based on the results set forth above, total votes for the top three candidates in Leet Township across both voting districts are: Mr. Rody Nash – 284; Mr. Daniel M. Peluso – 276; and Mrs. Donna Adipietro – 272.
6. 25 P.S. § 3154(e) states, in pertinent part, that “...upon petition of three voters of any district, verified by affidavit, that an error, although not apparent on the face of the returns, has been committed therein... the county board shall at any time prior to the completion of the computation of all of the returns for the county, summon the election officers of the district, and said officers, in the presence of said board, shall conduct a recount or recanvass of all ballots cast...”.

¹ <https://www.alleghenycounty.us/elections/index.aspx>

7. 25 P.S. § 3261(a) states, in pertinent part, "... the court of common pleas, or a judge thereof, of the county in which any election district is located in which ballots were used, shall open the ballot box of such election district used at any general, municipal, special or primary election held therein, and cause the entire vote thereof to be correctly counted by persons designated by such court or judge, if three qualified electors of the election district shall file, as hereinafter provided, a petition duly verified by them, alleging that upon information which they consider reliable they believe that fraud or error, although not manifest on the general return of votes made therefrom, was committed in the computation of the votes cast for all offices or for any particular office or offices in such election district, or in the marking of the ballots, or otherwise in connection with such ballots. It shall not be necessary for the petitioners to specify in their petition the particular act of fraud or error which they believe to have been committed, nor to offer evidence to substantiate the allegations of their petition."
8. Consistent with the foregoing, and in view of election results reflecting a margin of no more than four (4) votes between two candidates and no more than twelve (12) votes across three candidates, the Declarant has a reasonable and good faith basis to believe that error, although not apparent, intentional, or manifest, was possible in the computation of the votes cast or in the marking of the ballots.
9. Based on the foregoing, the Declarant respectfully herein requests and petitions for a recount of the election returns for Leet District 1 to ensure that the results were not tabulated in error.
10. As may be necessary under 25 P.S. § 3261(b), contemporaneous with the filing of this Declaration, a deposit in the amount of fifty (\$50.00) will be made to the Office of the Prothonotary of Allegheny County in the event that, upon the opening of the ballot box, it is shown that no error was committed in the computation of the votes cast, or in the marking of ballots.
11. I hereby certify and affirm that the above is true and correct to the best of my knowledge and belief, and is made under penalty of perjury pursuant to 28 U.S.C. § 1746 and the applicable laws of this Commonwealth.


ALEXANDER ADIPIETRO

Petitioner and Declarant

**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

In re: Leet Township Municipal Election Results)
)
) Case No.

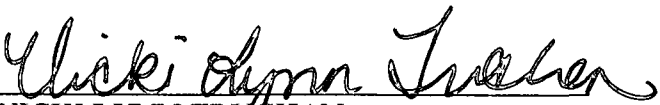
PETITION FOR RECOUNT AND DECLARATION OF VICKI LYNN TRUCHAN

I, Vicki Lynn Truchan, hereby declare as follows:

1. On November 2, 2021, the Commonwealth of Pennsylvania held a general election. The elected office that is the subject of this Petition for Recount and Declaration is Commissioner, Township of Leet, Allegheny County, Pennsylvania.
2. Upon information and belief, Leet Township is comprised of two voting districts, District 1 and District 2.
3. Upon information and belief, I am a “voter” and/or “elector” in Leet Township, District 2, as those terms are used in 25 P.S. §§ 3154(e) and 3261(a), respectively.
4. The Allegheny County Board of Elections website provides that, as of the date of this Declaration, election results for the three top candidates in Leet Township, District 2 are: Mr. Rody Nash – 222; Mr. Daniel M. Peluso – 220; and Mrs. Donna Adipietro – 171. Leet Township, District 1 results are: Mrs. Donna Adipietro – 101; Mr. Rody Nash – 62; and Mr. Daniel M. Peluso – 56.⁶
5. Based on the results set forth above, total votes for the top three candidates in Leet Township across both voting districts are: Mr. Rody Nash – 284; Mr. Daniel M. Peluso – 276; and Mrs. Donna Adipietro – 272.
6. 25 P.S. § 3154(e) states, in pertinent part, that “...upon petition of three voters of any district, verified by affidavit, that an error, although not apparent on the face of the returns, has been committed therein... the county board shall at any time prior to the completion of the computation of all of the returns for the county, summon the election officers of the district, and said officers, in the presence of said board, shall conduct a recount or recanvass of all ballots cast...”.

⁶ <https://www.alleghenycounty.us/elections/index.aspx>

7. 25 P.S. § 3261(a) states, in pertinent part, "... the court of common pleas, or a judge thereof, of the county in which any election district is located in which ballots were used, shall open the ballot box of such election district used at any general, municipal, special or primary election held therein, and cause the entire vote thereof to be correctly counted by persons designated by such court or judge, if three qualified electors of the election district shall file, as hereinafter provided, a petition duly verified by them, alleging that upon information which they consider reliable they believe that fraud or error, although not manifest on the general return of votes made therefrom, was committed in the computation of the votes cast for all offices or for any particular office or offices in such election district, or in the marking of the ballots, or otherwise in connection with such ballots. It shall not be necessary for the petitioners to specify in their petition the particular act of fraud or error which they believe to have been committed, nor to offer evidence to substantiate the allegations of their petition."
8. Consistent with the foregoing, and in view of election results reflecting a margin of no more than four (4) votes between two candidates and no more than twelve (12) votes across three candidates, the Declarant has a reasonable and good faith basis to believe that error, although not apparent, intentional, or manifest, was possible in the computation of the votes cast or in the marking of the ballots.
9. Based on the foregoing, the Declarant respectfully herein requests and petitions for a recount of the election returns for Leet District 2 to ensure that the results were not tabulated in error.
10. As may be necessary under 25 P.S. § 3261(b), contemporaneous with the filing of this Declaration, a deposit in the amount of fifty (\$50.00) will be made to the Office of the Prothonotary of Allegheny County in the event that, upon the opening of the ballot box, it is shown that no error was committed in the computation of the votes cast, or in the marking of ballots.
11. I hereby certify and affirm that the above is true and correct to the best of my knowledge and belief, and is made under penalty of perjury pursuant to 28 U.S.C. § 1746 and the applicable laws of this Commonwealth.


VICKI LYNN TRUCHAN
Petitioner and Declarant

**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

In re: Leet Township Municipal Election Results)
) Case No.
)

PETITION FOR RECOUNT AND DECLARATION OF ELISE ANDERCHAK

I, Elise Anderchak, hereby declare as follows:

1. On November 2, 2021, the Commonwealth of Pennsylvania held a general election. The elected office that is the subject of this Petition for Recount and Declaration is Commissioner, Township of Leet, Allegheny County, Pennsylvania.
2. Upon information and belief, Leet Township is comprised of two voting districts, District 1 and District 2.
3. Upon information and belief, I am a “voter” and/or “elector” in Leet Township, District 2, as those terms are used in 25 P.S. §§ 3154(e) and 3261(a), respectively.
4. The Allegheny County Board of Elections website provides that, as of the date of this Declaration, election results for the three top candidates in Leet Township, District 2 are: Mr. Rody Nash – 222; Mr. Daniel M. Peluso – 220; and Mrs. Donna Adipietro – 171. Leet Township, District 1 results are: Mrs. Donna Adipietro – 101; Mr. Rody Nash – 62; and Mr. Daniel M. Peluso – 56.¹
5. Based on the results set forth above, total votes for the top three candidates in Leet Township across both voting districts are: Mr. Rody Nash – 284; Mr. Daniel M. Peluso – 276; and Mrs. Donna Adipietro – 272.
6. 25 P.S. § 3154(e) states, in pertinent part, that “...upon petition of three voters of any district, verified by affidavit, that an error, although not apparent on the face of the returns, has been committed therein... the county board shall at any time prior to the completion of the computation of all of the returns for the county, summon the election officers of the district, and said officers, in the presence of said board, shall conduct a recount or recanvas of all ballots cast...”.

¹ <https://www.alleghenycounty.us/elections/index.aspx>

7. 25 P.S. § 3261(a) states, in pertinent part, "... the court of common pleas, or a judge thereof, of the county in which any election district is located in which ballots were used, shall open the ballot box of such election district used at any general, municipal, special or primary election held therein, and cause the entire vote thereof to be correctly counted by persons designated by such court or judge, if three qualified electors of the election district shall file, as hereinafter provided, a petition duly verified by them, alleging that upon information which they consider reliable they believe that fraud or error, although not manifest on the general return of votes made therefrom, was committed in the computation of the votes cast for all offices or for any particular office or offices in such election district, or in the marking of the ballots, or otherwise in connection with such ballots. It shall not be necessary for the petitioners to specify in their petition the particular act of fraud or error which they believe to have been committed, nor to offer evidence to substantiate the allegations of their petition."
8. Consistent with the foregoing, and in view of election results reflecting a margin of no more than four (4) votes between two candidates and no more than twelve (12) votes across three candidates, the Declarant has a reasonable and good faith basis to believe that error, although not apparent, intentional, or manifest, was possible in the computation of the votes cast or in the marking of the ballots.
9. Based on the foregoing, the Declarant respectfully herein requests and petitions for a recount of the election returns for Leet District 2 to ensure that the results were not tabulated in error.
10. As may be necessary under 25 P.S. § 3261(b), contemporaneous with the filing of this Declaration, a deposit in the amount of fifty (\$50.00) will be made to the Office of the Prothonotary of Allegheny County in the event that, upon the opening of the ballot box, it is shown that no error was committed in the computation of the votes cast, or in the marking of ballots.
11. I hereby certify and affirm that the above is true and correct to the best of my knowledge and belief, and is made under penalty of perjury pursuant to 28 U.S.C. § 1746 and the applicable laws of this Commonwealth.



ELISE ANDERCHAK
Petitioner and Declarant

**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

In re: Leet Township Municipal Election Results)
)
) Case No.

PETITION FOR RECOUNT AND DECLARATION OF JEREMY CORNMAN

I, Jeremy Cornman, hereby declare as follows:

1. On November 2, 2021, the Commonwealth of Pennsylvania held a general election. The elected office that is the subject of this Petition for Recount and Declaration is Commissioner, Township of Leet, Allegheny County, Pennsylvania.
2. Upon information and belief, Leet Township is comprised of two voting districts, District 1 and District 2.
3. Upon information and belief, I am a “voter” and/or “elector” in Leet Township, District 2, as those terms are used in 25 P.S. §§ 3154(e) and 3261(a), respectively.
4. The Allegheny County Board of Elections website provides that, as of the date of this Declaration, election results for the three top candidates in Leet Township, District 2 are: Mr. Rody Nash – 222; Mr. Daniel M. Peluso – 220; and Mrs. Donna Adipietro – 171. Leet Township, District 1 results are: Mrs. Donna Adipietro – 101; Mr. Rody Nash – 62; and Mr. Daniel M. Peluso – 56.¹
5. Based on the results set forth above, total votes for the top three candidates in Leet Township across both voting districts are: Mr. Rody Nash – 284; Mr. Daniel M. Peluso – 276; and Mrs. Donna Adipietro – 272.
6. 25 P.S. § 3154(e) states, in pertinent part, that “...upon petition of three voters of any district, verified by affidavit, that an error, although not apparent on the face of the returns, has been committed therein... the county board shall at any time prior to the completion of the computation of all of the returns for the county, summon the election officers of the district, and said officers, in the presence of said board, shall conduct a recount or recanvas of all ballots cast...”.

¹ <https://www.alleghenycounty.us/elections/index.aspx>

THE UNIVERSITY OF CHICAGO
DEPARTMENT OF CHEMISTRY
RESEARCH REPORT

NO. 1234

BY J. D. BROWN AND R. E. SMITH

1955

Submitted by J. D. Brown, Department of Chemistry, University of Chicago, Chicago, Illinois, U.S.A.

Received by the Editor, December 15, 1955


Revised manuscript received, January 10, 1956

The authors are indebted to the National Science Foundation for the grant which supported this work. The authors also wish to thank Dr. J. H. Goldstein for his helpful discussions during the course of this work.

Reprints of this report may be obtained from the University of Chicago Press, 54 East Lake Street, Chicago, Illinois, U.S.A.

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7. 25 P.S. § 3261(a) states, in pertinent part, "... the court of common pleas, or a judge thereof, of the county in which any election district is located in which ballots were used, shall open the ballot box of such election district used at any general, municipal, special or primary election held therein, and cause the entire vote thereof to be correctly counted by persons designated by such court or judge, if three qualified electors of the election district shall file, as hereinafter provided, a petition duly verified by them, alleging that upon information which they consider reliable they believe that fraud or error, although not manifest on the general return of votes made therefrom, was committed in the computation of the votes cast for all offices or for any particular office or offices in such election district, or in the marking of the ballots, or otherwise in connection with such ballots. It shall not be necessary for the petitioners to specify in their petition the particular act of fraud or error which they believe to have been committed, nor to offer evidence to substantiate the allegations of their petition."
8. Consistent with the foregoing, and in view of election results reflecting a margin of no more than four (4) votes between two candidates and no more than twelve (12) votes across three candidates, the Declarant has a reasonable and good faith basis to believe that error, although not apparent, intentional, or manifest, was possible in the computation of the votes cast or in the marking of the ballots.
9. Based on the foregoing, the Declarant respectfully herein requests and petitions for a recount of the election returns for Leet District 2 to ensure that the results were not tabulated in error.
10. As may be necessary under 25 P.S. § 3261(b), contemporaneous with the filing of this Declaration, a deposit in the amount of fifty (\$50.00) will be made to the Office of the Prothonotary of Allegheny County in the event that, upon the opening of the ballot box, it is shown that no error was committed in the computation of the votes cast, or in the marking of ballots.
11. I hereby certify and affirm that the above is true and correct to the best of my knowledge and belief, and is made under penalty of perjury pursuant to 28 U.S.C. § 1746 and the applicable laws of this Commonwealth.



JEREMY CORNMAN
Petitioner and Declarant

**IN THE COURT OF COMMON PLEAS OF
ALLEGHENY COUNTY, PENNSYLVANIA
CIVIL DIVISION**

In re: Leet Township Municipal Election Results)
) Case No.
)

ORDER

Upon receipt and review of the requisite number of Petitions and supporting Declarations, this Court finds that the margin of votes between candidates for Leet Township Commissioner is sufficiently narrow enough to warrant a recount so as to ensure that the results were not tabulated in error. Therefore, the Petitioners' requests are GRANTED and a recount for the municipal office of Commissioner in the Township of Leet, Voting Districts 1 and 2, shall be conducted with all deliberate speed.


IT IS SO ORDERED.

Date

Judge, Allegheny County Court of Common Pleas

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Case Records Public Access Policy of the Unified Judicial System of Pennsylvania* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Dana Adipietro
Signature: 
Name: Dana Adipietro
Attorney No. (if applicable): PA 200532