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Congressman asks Supreme justice to stop Pennsylvania certification

Argues mail-in voting in 2020 violated state constitutionBy **WND Staff**

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A congressman is among the plaintiffs who have filed an emergency request with Justice Samuel Alito of the U.S. Supreme Court to suspend further action to certify the Pennsylvania presidential election results.

The [request](#) from U.S. Rep. Mike Kelly and other individuals was filed after the state's courts rejected all attempts to resolve the case.

At issue is a question of whether a state procedure adopted just for the 2020 election to allow expanded mail-in ballots violated a state constitutional requirement that votes be submitted in person, except for a very few limited absentee ballots.

The case, [reports RedState](#), means that America soon will know whether the

Supreme Court will intervene in the numerous complaints of election fraud.

While establishment media have called the race for Joe President Trump has not conceded, and his campaign attorneys and others have filed complaints in Wisconsin, Michigan, Pennsylvania, Georgia, Arizona and Nevada.

The emergency request to the U.S. Supreme Court order halting Pennsylvania officials from taking steps to finalize election results.

"Justice Alito has been the most outspoken member of the court with regard to the election process in Pennsylvania, and the actions of the Pennsylvania Supreme Court both before and after the election. Justice Alito spent much of his legal career in New Jersey and was a judge on the Third Circuit Court of Appeals from 1990 to 2005, RedState explained. "The Third Circuit handles all cases coming from Pennsylvania. Justice Alito is no stranger to the judicial system of Pennsylvania, nor the partisan nature of the Pennsylvania Supreme Court given the way judges are elected to that court."

The high court previously declined to enter the fray when the GOP in Pennsylvania challenged the state Supreme Court's advocacy for expanded voting opportunities.

At the time Alito warned: "The court's handling of the important constitutional issue raised by this matter has needlessly created conditions that could lead to serious post-election problems. The Supreme Court of Pennsylvania has issued a decree that squarely alters an important statutory provision enacted by the Pennsylvania Legislature pursuant to its authority under the Constitution of the United States to make rules governing the conduct of elections for federal office."

He added: "The court expressly acknowledged that the statutory provision mandating receipt by election day was unambiguous and that its abrogation of that rule was not based on an interpretation of the statute. ... It further conceded that the statutory deadline was constitutional on its face, but it claimed broad power to do what it thought was needed to respond to a 'natural disaster,' and it

justified its decree as necessary to protect voters' rights under the Free and Equal Elections Clause of the State Constitution."

RedState commented: "Maybe it's just me, but those don't sound like words from a justice who is of the view that the Penn. Supreme Court has done nothing wrong."

Alito at that time also ordered all ballots received after the statutory deadline be segregated.

The submission to the high court has a "procedural history" but a focal point is the "unfairness" issue.

That's because the state Supreme Court rejected the complaint "without ever seeking or considering a response from the plaintiffs, and without any evidentiary record to support the factual claims made in its opinion."

The plaintiffs raise the issue that the state acted contrary to its own constitution on an issue "where the state's authority is directly received from the United States Constitution, the adoption of 'no excuse' mail-in voting violated that authority."

That was a change this year from the previous standard, used for more than 150 years, that absentee ballots are allowed only under specific circumstances.

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