

ORIGINAL

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

Richard Vieth, et al	:	Civil No. CV-01-2439
Plaintiffs	:	
	:	
And	:	
	:	
Tom Lingenfelter,	:	
Intervenor	:	
v.	:	
	:	
Commonwealth of Pennsylvania, et al	:	
Defendants	:	

FILED
HARRISBURG, PA

APR 18 2002

MARY E. D'ANDREA, CLERK
Per *[Signature]* Deputy Clerk

Complaint in Intervention

Tom Lingenfelter, the above named intervenor, as of right, files this complaint of intervention against the above named defendants and says:

1. Richard Vieth, et al, the original Plaintiffs, filed a complaint against the Defendants challenging the redistricting of Congressional seats in the Commonwealth of Pennsylvania.
2. This Honorable Court found the redistricting plan to be unconstitutional.
3. Tom Lingenfelter, intervenor, has standing as a voter and a Republican candidate for the Eighth Congressional District seat, comprised of Bucks County and parts of Montgomery and Philadelphia Counties.
4. More particularly, the subsequent and blatant partisan actions of the Commonwealth of Pennsylvania have thrown the 2002 Primary Election scheduling, administration, campaigns, and voter awareness into turmoil because of the uncertainty of the date of the Primary Election. The damage has already been done and the ongoing Legislative attempts to 'fix it' are akin to putting a broken egg back together. It cannot be accomplished without insult to the original maker's standard.
5. It is therefore apparent that the current May 21 date has already been impaired so badly, with further injury already being contemplated, that no free and fair election could possibly be conducted at that time. A realistic date must be set to construct and conduct a Constitutionally sound and fair Primary election.
6. Based upon my electoral experience and knowledge, any date established prior to September would not under the circumstances meet a reasonable person's

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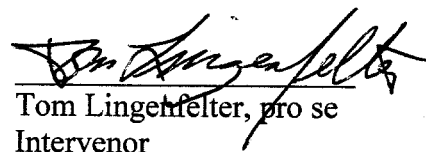
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expectations of a free and fair election or the demands of our Constitution. Upon information and belief, about ten (10) states currently conduct their primaries in September. By way of example, the closest state to Pennsylvania, New York, normally conducts its primary in September and in fact was conducting the New York City Mayoral Primary on September 11, 2001 and only an act of war in that very city disturbed the process. In particular, a July or August Primary would have a miniscule turnout and create unfair advantage for certain candidates and be detrimental to the majority of the voters. Equally important and practical, a proper election to meet all the demands of scheduling and fairness needs a minimum of 90 days lead time. The proposed and rumored plans will not fix the problem – they only compound and extend the problem and will do further grievous harm to candidates, voters, and the democratic process.

7. It is my duty as a concerned citizen and Congressional candidate to request that you step into the fray and extend your actions to bring legality and fairness to the election process by establishing a date certain for the administration and conduct of the 2002 Primary Election. I suggest for your consideration a date of September 10, 2002 as a practical and constitutionally correct solution, a date already selected and used successfully by several other states.

WHEREFORE, the intervenor prays that, in the interest of justice and the democratic process, this Honorable Court schedule the Pennsylvania Primary on Tuesday, September 10, 2002.

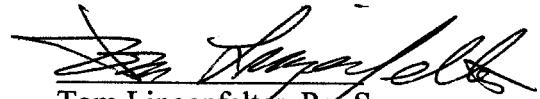
Respectfully submitted,



Tom Lingetfelter, pro se
Intervenor
Box 2131
Doylestown, PA 18901
215-230-5330

VERIFICATION

Tom Lingenfelter hereby states that he is the Intervenor herein and verifies the statements made in the foregoing Complaint in Intervention are true and correct to the best of his knowledge, information and belief, and that he understands that the statements made herein are subject to the penalties of 18 Pa. C. S. Section 4904 relating to unsworn falsifications to authorities.


Tom Lingenfelter, Pro Se

Date: April 17, 02