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IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA
HARRISBURG DIVISION

Richard Vieth, et al.,
Plaintiffs

:
: Civil Action Number 1:CV-01-2439

v.

Commonwealth of Pennsylvania,
et al.,
Defendants

:
:
:
:

FILED
HARRISBURG

MAY 03 2002

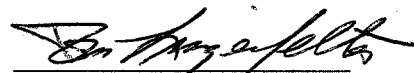
MARY E. D'ANDREA, CLERK
Per JFR
DEPUTY CLERK

**MOTION FOR PARTIAL STAY OF ORDER DATED APRIL 23, 2002
GRANTING DEFENDANTS PERMISSION TO CONDUCT THE 2002
CONGRESSIONAL PRIMARY ELECTIONS USING ACT 1
WHICH HAS BEEN FOUND UNCONSTITUTIONAL**

Intevnenor and Congressional candidate Tom Lingenfelter moves to stay part of the order entered April 23, 2002 (attached hereto) allowing the Congressional Primary to proceed based upon an unconstitutional law, to wit, Act 1 of 2002, pending appeal

Because of the imminence of the unconstitutional Congressional Primary on May 21, 2002 Petitioner Tom Lingenfelter respectfully requests expedited consideration of this motion.

Respectfully submitted,



Tom Lingenfelter, pro se
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VERIFICATION

Tom Lingenfelter hereby states that he is the Intervenor herein and verifies the statements made in the foregoing 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 *May 2, 02*

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

**RICHARD VIETH, NORMA JEAN
VIETH, and SUSAN FUREY,**

Plaintiffs

v.

**COMMONWEALTH OF
PENNSYLVANIA, et al.,**

Defendants

CIVIL NO. 1:CV-01-2439

**FILED
HARRISBURG, PA**

APR 23 2002


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

ORDER

IT IS HEREBY ORDERED THAT Defendants' renewed motion for stay pending appeal of order granting declaratory judgment and injunction is **GRANTED**, as follows:

(1) Upon consideration of Defendants' renewed motion for a stay, the stay is **GRANTED**. Defendants will be allowed to conduct only the 2002 Congressional elections using Act 1;

(2) A hearing is scheduled for the purpose of determining whether Act 34 suitably remedies the constitutional violation found by this court in its order of April 8, 2002. Said hearing shall occur at **9:30 a.m. on Wednesday, May 8, 2002**, in Courtroom No. 2, Ninth Floor, Federal Building, Third and Walnut Streets, Harrisburg, Pennsylvania.


SYLVIA H. RAMBO
United States District Judge
on behalf of the panel

Dated: April 23, 2002.

CERTIFICATE OF SERVICE

I, Tom Lingenfelter, Candidate for United States Congress and pro se party in this matter, hereby certify that on May 2, 2002, I caused to be served a copy of the foregoing document upon the following in the manner indicated:

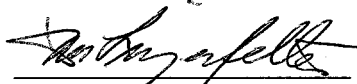
VIA FAX AND FIRST CLASS MAIL

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