



Written by [Rebecca Terrell](#) on June 20, 2024

## Could a Pennsylvania Lawsuit Upend the 2024 Election?

A national watchdog organization has joined with several Pennsylvania voters to file a federal lawsuit that could drastically alter administration of the state's upcoming election in November.

[United Sovereign Americans \(USA\)](#)

announced in a press release that the case involves "errors in the results of the 2022 general election in Pennsylvania which rendered the results unreliable." The group believes that if the same system is used this fall, the outcome will be equally defective.

Attorney Bruce Castor, Jr., who represented former President Donald Trump during his second impeachment trial, filed the suit. In a statement explaining the action, he writes:



natasaadzic/iStock/Getty Images Plus

Petitioners' argument is simple: Congress has outlined the minimum standards which must be maintained by every state in order for a federal election to be considered reliable. In Pennsylvania's 2022 federal election, those minimum standards were not met thus producing unreliable results that should not have been certified. Without the Court's action, the 2024 (and subsequent) federal elections will also be unreliable.

The case cites more than three million voter-registration violations in the state database, and more than one million voting-system errors. However, per federal election laws, "an error rate of no more than one in 125,000 ballots is permissible before the results of the *entire election* become suspect, and the integrity and reliability of the election compromised," states Castor. "For the 2022 general election the calculated rate was a maximum of 44 errors permitted or 0.0008%."

[USA](#) tallied a registration error rate of 32 percent in Pennsylvania's 2022 general election and a vote error rate of 20 percent. Moreover, the group says that 5,410,022 ballots were counted, but only 5,400,869 people actually voted, according to official data.

Castor asserts that his clients have alerted election officials, who failed to follow up. Their refusal "to address the problem extinguishes and undermines the very meaning of the right to vote in a fair democracy," he says.

The current lawsuit is markedly different from other election-related disputes, as it is not a challenge to the outcome of past elections. Castor explains, "The relief requested by Petitioners in the form of a Writ of *Mandamus* seeks the Court to order Respondents to perform the *ministerial* functions their jobs require by taking actions to rectify issues with the 2022 election and bring the 2024 (and subsequent) federal elections supervised by Pennsylvania authorities, into conformity with the minimum standards for reliability set down by Congress."

A USA press release further explains that the lawsuit seeks "Court intervention clarifying that the



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definition of ‘to certify’ is to attest under oath an official vote count occurred in compliance with the law under penalty of perjury, by the certifying official.” The implications for 2024 are obvious.

Along with the State of Pennsylvania and various Commonwealth officials, defendants named in the suit are the U.S. Department of Justice and U.S. Attorney General Merrick Garland.

A spokesman for the Pennsylvania Department of State told [LancasterOnline](#) that the USA lawsuit is “frivolous.” Matt Heckel described it in an email as “without any supporting facts or viable legal theories, a panoply of conspiracy claims advanced by litigants who have repeatedly filed baseless actions rejected by the courts.” He accused the petitioners of wasting taxpayer money.

This is the [second case](#) of its kind filed by [USA](#). The first launched in [Maryland](#), where grassroots groups found rampant error rates similar to those in Pennsylvania. However, the U.S. District Court judge refused to hear the case based on standing. “By hiding behind the unqualified ‘standing’ argument, Judge [Stephanie] Gallagher is refusing to review this evidence,” states the [USA website](#). “If we don’t have standing to protect the right to vote, what do we have standing for? 150 years of Supreme Court precedent agrees.” [USA](#), in conjunction with Maryland Election Integrity LLC, filed a notice of appeal on May 15.

“The Board of Elections did not deny the allegations of what constitutes a broken election process from beginning to end; instead, they simply refuse to fix it,” says USA. “Their position is that no one can or will make them correct any of the errors. We certainly hope they are wrong, as should every Maryland voter.”

USA hopes to file [similar cases](#) in up to two dozen more states prior to the 2024 election.

**For more information, see the files below:**

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