



Written by [Bob Adelman](#) on October 26, 2020

## **Pennsylvania Republicans Ask Supreme Court to Reconsider Ruling Allowing the State to Count Ballots Received After Election Day**

Pennsylvania Republicans [have asked the U.S. Supreme Court](#) to reconsider its ruling to let stand a ruling by the Pennsylvania Supreme Court to require election officials to accept and count ballots received after Election Day.

Their initial request was deadlocked on October 19 by a 4-to-4 vote, in the absence of the late Justice Ruth Bader Ginsburg. Chief Justice John Roberts hung the court by siding with the three liberals who allowed the ruling by Pennsylvania's high court to stand. The four conservatives on the court — Justices Thomas, Alito, Gorsuch and Kavanaugh — indicated they would have supported the Republicans.



Photo: crbellette/iStock/Getty Images Plus

Under the present rule ballots that are clearly postmarked after Election Day would not be counted. But it would allow ballots with no postmark, or “unclear” postmarks, to be counted, thus opening the door to massive voter fraud.

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Pennsylvania is a key state for President Trump's reelection. As [The New American pointed out last month](#) there are “seven paths to victory” for the president, and “in each one Pennsylvania is key.” The president won the Keystone State by the slimmest of margins in 2016, and the race looks to be close again in 2020. As *The New American* noted: “The Keystone State should provide the key to the front door of the White House in November.”

Unless, of course, someone steals the key.

And that's what Republicans in the state are concerned about. As Amy Howe, a constitutional lawyer with a law degree from Georgetown University who has taught at Stanford and Harvard, wrote: “They argued that allowing unclear postmarks would result in the counting of some ballots that were actually sent after Election Day, thereby violating federal election law and the U.S. Constitution.”

The Republicans' emergency request to block the state's high court ruling is necessary “to protect the upcoming general election from the taint of counting votes that were illegally cast or mailed beyond” Election Day.

They are requesting a full review of the Pennsylvania high court's ruling, hoping that by the time it takes place Justice Amy Coney Barrett will have taken Ginsburg's seat. If, as they hope, she votes with the four conservatives on the matter, the chances for fraud in Pennsylvania will be reduced. It would also set a precedent for other states to follow which might be considering a similar move.



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The petition states that “a Pennsylvania statute unambiguously provides that absentee and mail-in ballots must be received by Election Day,” but the state’s high court overruled it in light of COVID. It added: “The majority ... required election officials to presume that any ballot received by its judicially-created deadline [three days after Election Day] that lacks an intelligible postmark was mailed by Election Day ... that the majority imposed this remedy by judicial fiat at the eleventh hour only underscores its error.”

State election officials have already rejected 372,000 requests for mail-in ballots, blaming the denials largely on duplicate requests from voters who had previously applied for them.

If the Supreme Court hears the case with Barrett aboard, then the potential for massive voter fraud in a critical state will likely be greatly reduced, and the threat of similar frauds in other states considering the same tactic to steal the election from President Trump will likely be diminished.

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