

IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT

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No. 9 MM 2012

Dennis J. Baylor

v.

2011 Pennsylvania Legislative Reapportionment Commission, Respondent

RECEIVED  
JAN 18 2012  
SUPREME COURT  
WESTERN DISTRICT

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**OPPOSITION TO PETITIONER DENNIS J. BAYLOR'S  
APPLICATION FOR LEAVE TO FILE POST-SUBMISSION  
COMMUNICATION PURSUANT TO PA.R.A.P. 2501(a)**

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William S. Stickman IV  
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Pennsylvania Legislative  
Reapportionment Commission**

IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT

Dennis J. Baylor

9 MM 2012

Petitioner,

v.

2011 Pennsylvania Legislative  
Reapportionment Commission,

Respondent.

**OPPOSITION TO PETITIONER DENNIS J. BAYLOR'S  
APPLICATION FOR LEAVE TO FILE POST-SUBMISSION  
COMMUNICATION PURSUANT TO PA.R.A.P. 2501(a)**

Respondent, the 2011 Pennsylvania Legislative Reapportionment Commission by and through its attorneys, Del Sole Cavanaugh Stroyd LLC, files the following Opposition to Petitioner Dennis J. Baylor's Application for Leave to File Post-Submission Communications Pursuant to Pa.R.A.P. 2501(a), averring as follows:

1. On January 11, 2012, Petitioner Baylor filed what he purported to be a Petition for Review challenging certain parts of the 2011 Final Reapportionment Plan. The filing did not comply with the pleading requirement for a petition for review set forth in Chapter 15 of the Rules of Appellate Procedure.

2. On January 12, 2011, the Commission filed Preliminary Objections to Mr. Baylor's Petition for his failure to comply with the pleading requirements of the Rules of Appellate Procedure. In the alternative, the Commission incorporated an answer to the issues raised by Mr. Baylor in its consolidated Answer.

3. On January 17, 2012, Mr. Baylor filed the instant Application for Leave to File Post-Submission Communication Pursuant to Pa.R.A.P. 2501(a). He requests to be permitted to file a Petition for Review that complies with the pleading requirements of the Rules of Appellate

Procedure. He has provided this Court and the Commission with copies of his purported Amended Petition for Review and exhibits.

4. Mr. Baylor's proposed Amended Petition for Review generally restates the same issues raised in the earlier, defective pleading.

5. However, for the first time, Mr. Baylor raises an allegation that House district 134 in Berks County is non-contiguous. He attaches a low-resolution map of District 134 to support this claim.

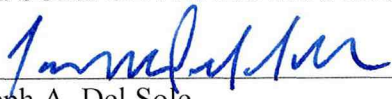
6. As this claim was not raised in Mr. Baylor's initial filing and the time for filing an appeal has passed, it is waived.

7. If Mr. Baylor is permitted to file his proposed Amended Petition, the Commission asks for leave to file an Answer within twenty four (24) hours. In that Answer the Commission will specifically deny the allegations that District 134 is non-contiguous and provide a map (attached hereto as Exhibit A) that conclusively demonstrates that District 134 is contiguous.

WHEREFORE, the 2011 Pennsylvania Legislative Reapportionment Commission respectfully requests that this Honorable Court deny the Application of Dennis J. Baylor for Leave to File Post-Submission Communication. In the event that this Court permits Mr. Baylor to file his proposed Amended Petition for Review, the Commission respectfully request that it be granted twenty four (24) hours to file an Answer to the claims raised therein.

Respectfully Submitted,

DEL SOLE CAVANAUGH STROYD LLC

  
\_\_\_\_\_  
Joseph A. Del Sole  
PA ID No. 10679  
Stephen J. Del Sole  
PA ID No. 73460  
William S. Stickman IV  
PA ID No. 200698

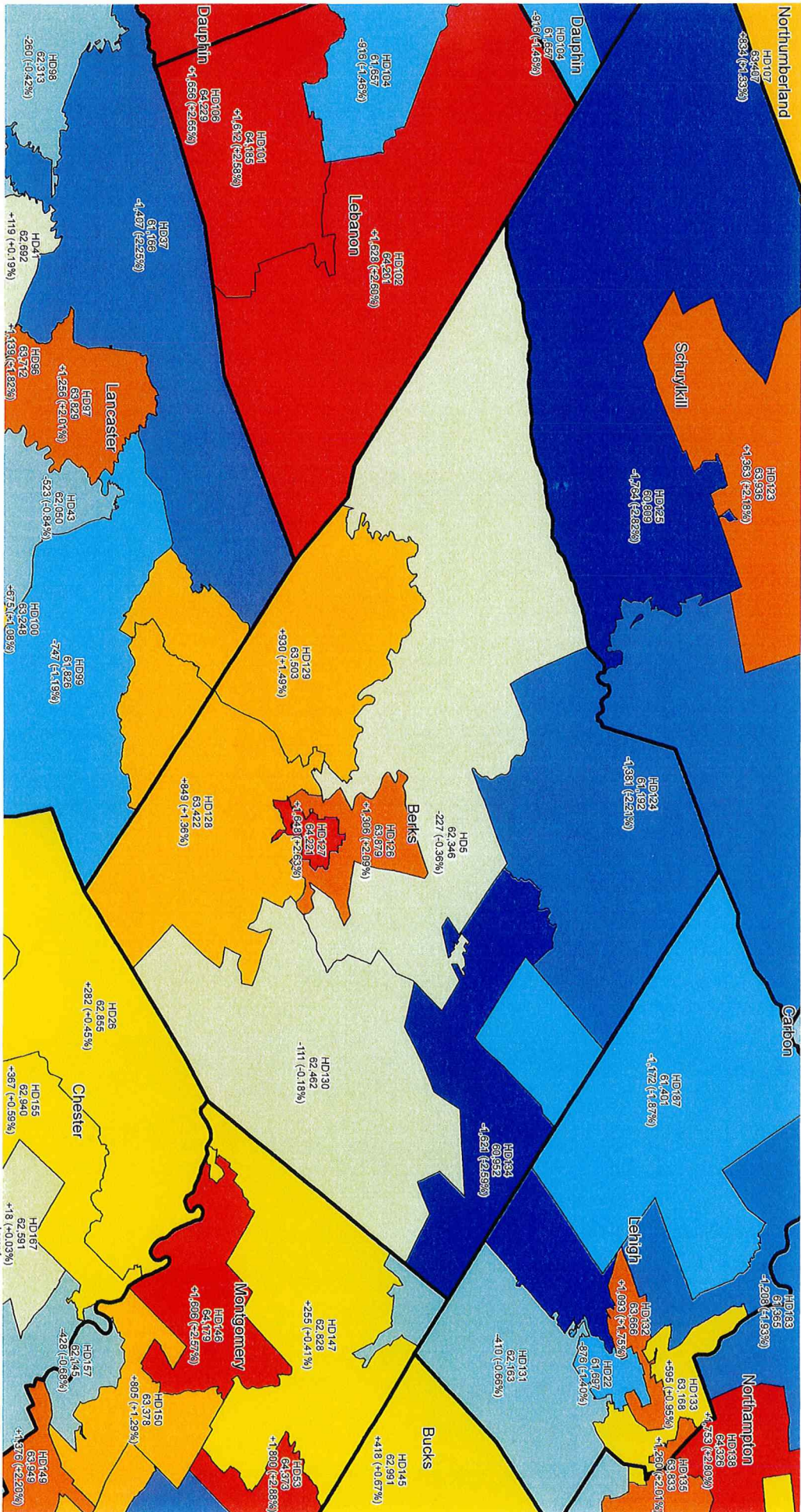
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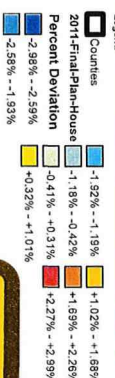
**Counsel for Respondent 2011 Pennsylvania  
Legislative Reapportionment Commission**

January 18, 2012

# Berks County



Total County Population (2010): 411,442  
 Number of 2011 House Districts in the County: 9



**EXHIBIT**

A

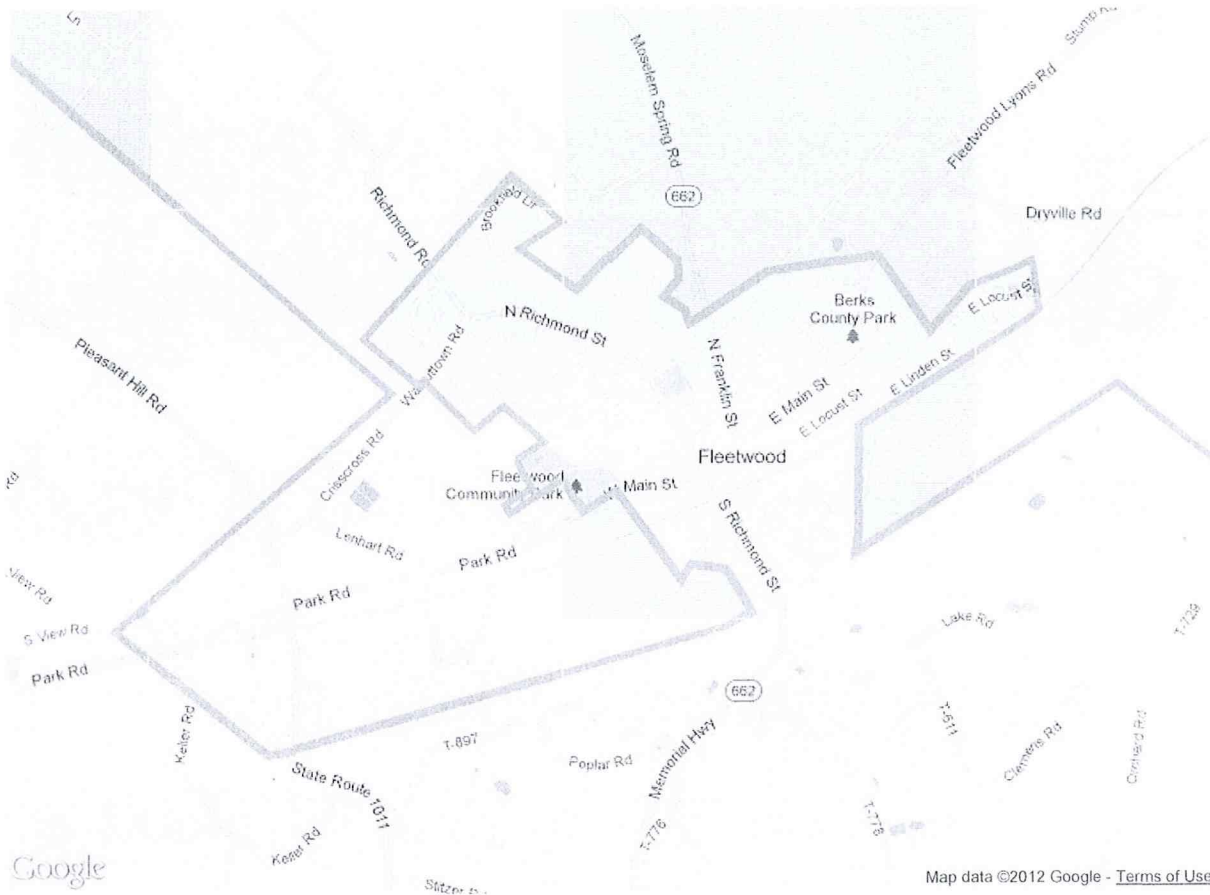
tabbics



# Pennsylvania Redistricting

THE LEGISLATIVE GUIDE TO REDISTRICTING IN PENNSYLVANIA

[www.redistricting.state.pa.us](http://www.redistricting.state.pa.us)



Once a district is selected, with or without an overlay, clicking on an outlined area will identify that area at the district, county, or municipal level.

## Map Legend

- |  |  |
|--|--|
|  <b>1991 District Border</b><br><small>Source of Data</small>             |  <b>County Border</b><br><small>Source of Data</small>          |
|  <b>2001 District Border</b><br><small>Source of Data</small>             |  <b>Municipality Border</b><br><small>Source of Data</small>    |
|  <b>2011 Preliminary District Border</b><br><small>Source of Data</small> |  <b>School District Border</b><br><small>Source of Data</small> |
|  <b>2011 Final District Border</b><br><small>Source of Data</small>       |  |

Google Maps is an internet based mapping program. We do not claim that all boundaries displayed by Google Maps are 100% accurate. Data provided to Google in order to render the maps was obtained from the respective datasource listed above.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing *Opposition to Petitioner Dennis J. Baylor's Application for Leave to File Post-Submission Communications Pursuant to Pa.R.A.P. 2501(a)* was served upon the following persons this 18th day of January, 2012, in the manner described below:

AS TO DOCKET NO. 2 MM 2012:

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AS TO DOCKET NO. 5 MM 2012:

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