

Filed in Supreme Court

JAN 11 2012

Middle

IN THE SUPREME COURT OF PENNSYLVANIA

CARLOS A. ZAYAS

Petitioner }

Docket or File No:

v.

M.D. Misc. Dkt.

**2011 LEGISLATIVE REAPPORTIONMENT
COMMISSION**

Respondent }

117 2012

NOTICE OF PETITION FOR REVIEW

RE: FINAL PLAN FOR 2011 PENNSYLVANIA LEGISLATIVE REAPPORTIONMENT

Notice is hereby given that CARLOS A. ZAYAS, petitioner above named, hereby appeal (petition to review) to the Supreme Court of Pennsylvania the plan filed by the Pennsylvania Legislative Reapportionment Commission entered in this matter on the 12th day of December, 2011.

Date: January 11, 2012

Pro se.



Carlos A. Zayas
47 S 11th Street
Reading PA 19602

Received in Supreme Court

JAN 12 2012

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**2011 LEGISLATIVE REAPPORTIONMENT
COMMISSION**

Respondent }

PETITION FOR REVIEW

(In the Nature of an Appeal from the Final Plan of the
Legislative Reapportionment Commission)

Jurisdictional Statement

1. This Court has exclusive appellate jurisdiction over this petition for review pursuant to Article II (Two), Section 17 of the Pennsylvania Constitution, 42 Pa C. S. A., Section 725 and Pa R.A. P., Rule 3321.

Parties

2. Petitioner is Carlos A. Zayas who resides at 47 South 11th Street, City of Reading, Berks County, Pennsylvania and is a registered voter in the 127 Legislative District of the Commonwealth of Pennsylvania.

3. Respondent is the 2011 Legislative Reapportionment Commission, a constitutional commission established by Article II, Section 17 of the Pennsylvania Constitution with address is 104 North Office Building, Harrisburg, Pennsylvania 17120-3079.

Determination to be reviewed

4. The Legislative Reapportionment Commission on December 12, 2011 filed its final Reapportionment Plan which petitioner wish and expect this Court to review based on the violations of the plan to constitutional and statutory provisions not only of the Pennsylvania Constitution and the United States Constitution, but also violation to Section 2 of the Voting Rights Act of 1965 as amended. The specific determination to be reviewed is the reapportionment of the State Legislative Districts 126 and 127 in Berks County and their impact over the majority of the population in the City of Reading, fragmenting the City and multiple Wards in two Legislative Districts (cracking) and reducing the opportunity of the majority minority hispanic population to elect a candidate of their choice.

5. The objection to the Reapportionment Plan include that petitioner as a minority, non partisan registered voter is an agrieved person because the fragmentation or cracking of our possibility to elect a candidate of our choice minority had been diminished dramatically by the plan, fragmenting the 127 Legislative District in a way totally diferent

to what historically was; a whole district within the City of Reading. In the previous decade the politicians started the fragmentation of our 127 District and this time the process had **aggravated** the cracking process, Diminishing our influence in a city in which we are the majority of the population. This final Plan is contrary to law in that it is contrary to the Equal Protection Clause of the Fourteen Amendment of the United States Constitution, and it is contrary to the "compactness" in reapportionment required by Section 16 of Article II of the Pennsylvania Constitution and contrary to Section 2 of the Federal Voting Rights Act of 1965 as amended, 42 U. S. C., Section 2 et seq.

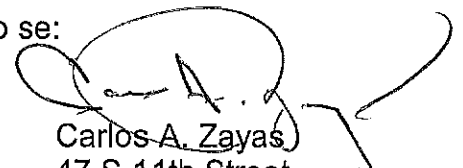
Relief Sought

Wherefore , petitioner prays the Court:

1. Determine that the final plan of the Legislative Reapportionment Commission is contrary to law under Section 17(d) of Article II of the Pennsylvania Constitution and contrary to the provisions of the Section 2 of the Voting Rights Act of 1965 as amended, 42 U.S. C., Section 2 et seq.
2. Remand the Plan to the Reapportionment Commission to Reapportion the legislatives districts in a manner not contrary to the requirements of the constitutional provisions and estatutes above mentioned.
3. Acording with the previous statements the petitioner request the Court to remand the Plan to the Commission and grant such further relief as may by just under the circumstances, providing any remedy according to law.

Submitted on January 11, 2012.

Pro se:



Carlos A. Zayas
47 S 11th Street
Reading PA 19602-

I hereby certify that I am this day serving the foregoing document upon the persons and in the maner indicated below, which service satisfies the requirements of Pa R.A.P. 121.

Service by first class mail addressed as follows:

Charles E. O'Connor, Jr.
Executive Director
2011 Legislative Reapportionment Commission
104 North Office Building,
Harrisburg PA 17120-3079

Office of the Attorney General
Strawberry Square 16th FL
Harrisburg PA 17120

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JAN 12 2012

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