

**[J-50-2014]**  
**IN THE SUPREME COURT OF PENNSYLVANIA**  
**WESTERN DISTRICT**

IN RE: NOMINATION PETITION OF : No. 15 WAP 2014  
GORDON MARBURGER FOR THE :  
REPUBLICAN NOMINATION FOR : Appeal from the Order of the  
REPRESENTATIVE IN THE GENERAL : Commonwealth Court entered April 17,  
ASSEMBLY FROM THE 12<sup>TH</sup> DISTRICT : 2014 at No. 180 MD 2014.  
IN THE REPUBLICAN PRIMARY OF MAY:  
20, 2014 : SUBMITTED: April 23, 2014  
:  
APPEAL OF: JAMES S. POWERS AND :  
MARLENE E. LOTT :

**ORDER**

**PER CURIAM**

**AND NOW**, this 2nd day of May, 2014, the Order of the Commonwealth Court is hereby **REVERSED**. See In re Nomination Petition of Guzzardi, No. 29 MAP 2014 (Pa. May 1, 2014) (per curiam order with opinions to follow) (stating that nunc pro tunc principles cannot apply to cure a fatal defect under Section 1104(b)(3) of the Ethics Act, 65 Pa.C.S. §1104(b)(3)).

It is further **ORDERED** that Gordon Marburger's name is to be **STRICKEN** from the primary ballot for the Republican Party nomination for the Office of Representative in the General Assembly from the 12<sup>th</sup> District.

Mr. Justice Baer files a concurring statement in which Madame Justice Todd joins.