

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**JACOB CORMAN, in his official
capacity as Majority Leader of the
Pennsylvania Senate, *et al.*,**

Plaintiff

v.

**ROBERT TORRES, in his official
capacity as Acting Secretary of the
Commonwealth, *et al.*,**

Defendants

v.

CARMEN FEBO SAN MIGUEL, *et al.*,

**Intervenor-
Defendants**

: CIVIL ACTION NO. 1:18-CV-443

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: Three Judge Panel Convened

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: Pursuant to 28 U.S.C. § 2284(a)

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ORDER

BEFORE: Jordan, Circuit Judge; Conner, Chief District Judge; Simandle, District Judge.

AND NOW, this 10th day of April, 2018, upon consideration of the motion (Doc. 139) to intervene as plaintiff and for reconsideration filed *pro se* by Jeffrey Cutler (“Cutler”) on April 3, 2018, wherein Cutler—who identifies himself as a citizen of the United States and elected municipal official—remonstrates that the Pennsylvania Supreme Court decision challenged *sub judice*, which decision this court declined to review for lack of jurisdiction on March 19, 2018, (see Docs. 136, 137), contravenes both the First and Fourteenth Amendments to the United States Constitution, (Doc. 139 at 2), as well as the Pennsylvania Constitution, (see id. at

4-6), and the court observing as a threshold matter that the rules governing intervention require proposed intervenors to “state the grounds” supporting their request, see FED. R. CIV. P. 24(c), but that Cutler has failed to articulate a basis for leave to intervene as of right under Federal Rule of Civil Procedure 24(a), see FED. R. CIV. P. 24(a), nor has he set forth a basis for permissive intervention under Federal Rule of Civil Procedure 24(b)(1), see FED. R. CIV. P. 24(b)(1), and the court further observing, assuming *arguendo* that Cutler could assert a proper basis for intervention, that Cutler’s proposed motion for reconsideration is untimely under and noncompliant with the local rules of this court, which require that any motion for reconsideration “be accompanied by a supporting brief” and be “filed within fourteen (14) days after entry of the order concerned,” LOCAL RULE OF COURT 7.10, and the court thus concluding that the instant motion is both untimely and without merit, it is hereby ORDERED that Cutler’s motion (Doc. 139) to intervene as plaintiff and for reconsideration is DENIED with prejudice.

FOR THE COURT:

/S/ Kent A. Jordan
Kent A. Jordan, Circuit Judge
*United States Court of Appeals
for the Third Circuit*

/S/ Christopher C. Conner
Christopher C. Conner, Chief District Judge
*United States District Court
for the Middle District of Pennsylvania*

/S/ Jerome B. Simandle
Jerome B. Simandle, District Judge
*United States District Court
for the District of New Jersey*