



Pennsylvania Conference of Teamsters

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LEGISLATIVE ACTION ALERT

Former Teamster Wins Election Protest

PA Senator Brewster Win Validated as Federal Judge Denies GOP Candidate's Challenge.

TribLIVE© A federal judge on Tuesday denied a request by Republican state Senate candidate Nicole Zicarelli to discount undated mail-in ballots in Allegheny County, finding that the ballots that put incumbent Democrat Jim Brewster ahead are valid.

Brewster, who was running for his third-term in Pennsylvania's 45th Senatorial District serving parts of Allegheny and Westmoreland counties, was certified by state election officials in December as the winner with 69 more votes than Zicarelli, a New Kensington attorney.

U.S. District Judge J. Nicholas Ranjan said in a 14-page opinion that Zicarelli's argument over equal protection concerns — in that Allegheny County counted undated ballots but Westmoreland County did not — fails because it revolved entirely on the ballots being invalid.

"[T]he correct interpretation of the Pennsylvania Supreme Court's decision on Ms. Zicarelli's state-court appeal is that the challenged ballots are valid and may properly be counted. This causes Ms. Zicarelli's federal claims to fail on the merits," Ranjan wrote.

Zicarelli had refused to concede and instead has challenged the election results in Common Pleas Court, Commonwealth Court and the state Supreme Court.

The Tuesday decision in federal court was her only court case remaining. At the beginning of the month, Zicarelli had asked the state senate to overturn Brewster's election — sending the Senate floor last week into chaos as Republicans in the chamber removed Lt. Gov. John Fetterman as president of the Senate.

The Republicans blocked Brewster, a Democrat from McKeesport, from being seated.

Read entire article at: [Federal court denies Zicarelli request, Brewster wins election | TribLIVE.com](https://www.triblive.com/news/pennsylvania/federal-court-denies-zicarelli-request-brewster-wins-election)