

By using this site, you agree to our [Privacy Policy](#) and our [Terms of Use](#).

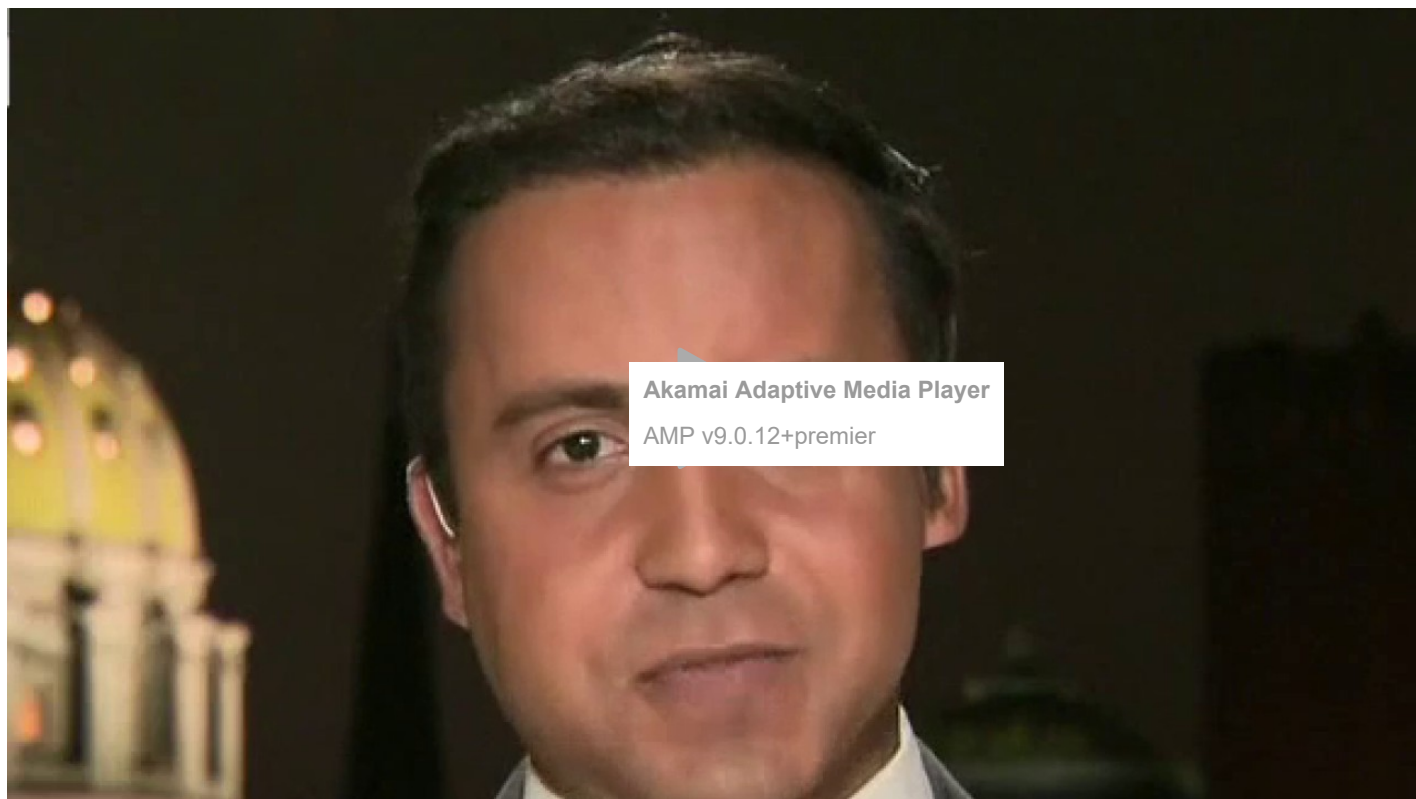
Watch TV

2020 PRESIDENTIAL ELECTION · Published 5 days ago

Pennsylvania court: Secretary of state lacked authority to change deadline 2 days before Election Day

Judge ruled ballots that were previously set aside should not be counted

By [Ronn Blitzer](#) | Fox News



Pennsylvania Supreme Court change to state election law challenged

Correspondent Bryan Llenas reports from Harrisburg, Pa. with an update on GOP lawsuit.

A [Pennsylvania](#) judge ruled in favor of the [Trump campaign](#) Thursday, ordering that the state may not count ballots where the voters needed to provide proof of identification and failed to do so by Nov. 9.

State law said that voters have until six days after the election — this year that was Nov. 9 — to cure problems regarding a lack of proof of identification. After the Pennsylvania Supreme Court ruled

that mail-in ballots could be accepted three days after Election Day, Pennsylvania Secretary of State Kathy Boockvar submitted guidance that said proof of identification could be provided up until Nov. 12, which is six days from the ballot acceptance deadline. That guidance was issued two days before Election Day.

"[T]he Court concludes that Respondent Kathy Boockvar, in her official capacity as Secretary of the Commonwealth, lacked statutory authority to issue the November 1, 2020, guidance to Respondents County Boards of Elections insofar as that guidance purported to change the deadline ... for certain electors to verify proof of identification," Judge Mary Hannah Leavitt said in a [court order](#).

[READ THE COURT ORDER HERE](#)

This was in line with the Trump campaign's argument, which was that there was no basis in the state's law to extend the identification deadline, and that Boockvar did not have the power to unilaterally change it.



Pennsylvania Secretary of State Kathy Boockvar speaks during a news conference offering updates regarding the counting of ballots in the general election, Wednesday, Nov. 4, 2020, in Harrisburg, Pa. (AP Photo/Julio Cortez)

The court had previously ordered that all ballots where voters provided proof of identification between Nov. 10 and 12 should be segregated until a ruling was issued determining what should be done with them.

[TRUMP RIPS GOP PHILADELPHIA COMMISSIONER AL SCHMIDT AMID ELECTION FIGHT: 'BEING USED BIG TIME'](#)

On Thursday, Leavitt ruled that those ballots shall not be counted.

This is one of several legal challenges the Trump campaign is bringing in Pennsylvania. On Friday they are scheduled to have a hearing over thousands of ballots that they claim were improperly counted despite lacking required information.

[**CLICK HERE TO GET THE FOX NEWS APP**](#)

Additionally, the campaign awaits action from the Supreme Court regarding whether the Pennsylvania Supreme Court acted properly in granting the three-day extension for accepting mail-in ballots.

Coronavirus

U.S.

Crime

Military

Education

Terror

Immigration

Economy

Personal Freedoms

Fox News Investigates

World

Opinion

U.N.

Conflicts

Terrorism

Disasters

Global Economy

Environment

Religion

Scandals