

COMMONWEALTH OF MASSACHUSETTS

SUPREME JUDICIAL COURT

SUFFOLK, ss.

No. SJC-12979

HELEN BRADY, Appellant¹

v.

STATE BALLOT LAW COMMISSION, et al, Appellees.²**ORDER**

Before the court is an appeal from a June 26, 2020, decision of the State Ballot Law Commission (SBLC) preventing Helen Brady from appearing on the September 1, 2020, State primary election ballot for the Republican nomination for the office of United States representative for the Ninth Congressional District in Massachusetts. The SBLC, acting upon the objection of a registered voter, struck all 1,066 of Brady's certified nomination papers on grounds that she failed to comply

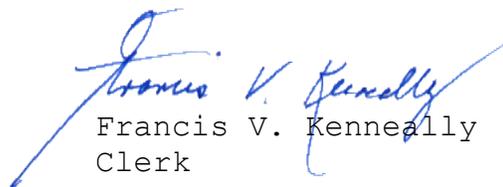
¹Three other candidates -- Caroline Colarusso, Julie Hall, and Rayla Campbell -- were parties to the underlying petition in the County Court that was consolidated with Brady's appeal of the State Ballot Law Commission decision, but none of those other candidates are parties to this appeal. The petition was dismissed as moot by the Single Justice as to Colarusso and Hall after they qualified for and were placed on the primary ballot. Campbell has a separate appeal pending before the full court. See Campbell v. Secretary of the Commonwealth, SJC-12972.

²William Francis Galvin, the Secretary of the Commonwealth, and intervenors Leon Arthur Brathwaite, II, and the Massachusetts Democratic Party.

with the electronic signature gathering process that was outlined by the court in Goldstein v. Secretary of the Commonwealth, 484 Mass. 516 (2020). Due to a deadline imposed by federal law, the Secretary of the Commonwealth (Secretary) is required to finalize the State primary ballot by July 14, 2020. See 52 U.S.C. § 20302(a)(8)(A) (ballots must be transmitted to military and overseas voters no later than forty-five days in advance of the election). As such, the appeal proceeded on an expedited basis. Following briefing and oral argument, the court concludes that the electronic signature gathering process utilized by Brady complied in substance with the material requirements of Goldstein.

It is hereby ORDERED, therefore, that the SBLC decision is vacated and the Secretary shall place Brady's name on the ballot for the State primary election. The court's reasoning will be provided in a decision to follow.

BY THE COURT,


Francis V. Kenneally
Clerk

Entered: July 13, 2020