

IN RE: JUDGE OF ELECTIONS

TERESA RIPLEY

: IN THE COURT OF COMMON
: PLEAS
:
: OF LACKAWANNA COUNTY
:
: CIVIL DIVISION
: NO. 2026 CV 3397

OPINION pursuant to 1925(a)

MOYLE, J.

I. STATEMENT OF FACTS

On May 19, 2026, Election Day in Lackawanna County, this Court, while serving as the Judge of Elections was contacted by Elizabeth Hopkins, Director of Lackawanna County Elections/Voter Registration Office. Ms. Hopkins also had Anthony Lomma, the Solicitor for the Elections Office, and Christopher Caputo, Solicitor for Lackawanna County, on the call. This Court, was advised shortly before 2:00 p.m., that a number of people had called the Elections Office to complain about Teresa Ripley, Judge of Elections for Moscow Borough. Ms. Hopkins received a number of verbal complaints from two Inspector of Elections as well as the clerks for the polling place in Moscow Borough.¹

A conference call was held between the court, Ms. Hopkins, Attorney Lomma and Attorney Caputo. Ms. Hopkins and the attorneys had been in frequent

¹ Notably, the Moscow Borough Building serves as the voting location for two separate polling districts located within the borough. The two inspectors on that day were Kim Bochicchio and Kimberly Mecca. The two clerks (board members) were Elaine Coleman and Aaron Lankford.

contact with the two inspectors and the two clerks throughout the day. Ms. Hopkins personally spoke to the four individuals prior to contacting the court. Ms. Hopkins confirmed the veracity of the complaints from each of the four people.

Additionally, this court was provided with a verbal account of the statements Mrs. Ripley had made inside the polling place. The verbal statements included the following:

1. People who get the COVID -19 vaccination are sheep or sheeple. She started to "Baaa" like a sheep.
2. The voting machines are controlled by outside forces. The outside forces have the ability to determine/sway the outcome of the elections.
3. She was referring to democrats as "Demo Rats".

Attorney Caputo advised the court he dispatched an individual or individuals to the polling place to investigate. They reported back that the statements being made by Ms. Ripley were substantiated by the workers and by Mrs. Ripley herself. Apparently, Mrs. Ripley admitted to making at least some of the statements, but she said she did so during a "Lull." At this point Attorney Caputo, Ms. Hopkins and Attorney Lomma contacted this court and asked for a court order removing Mrs. Ripley. Attorney Caputo later testified he did so "to protect the integrity of the election." (N.T. 5/19/16 p. 24).

The court prepared an order removing Mrs. Ripley from her position for the rest of the day. See Order dated May 19, 2026 docketed to 5/19/2026. A police officer was dispatched to the voting precinct and prepared a written statement signed by the inspectors and the clerks. This report was prepared and signed on May 19, 2026. This signed statement has been filed as Court Exhibit 1. In addition, the

inspectors and clerks submitted a two-page type written report summarizing the statements made by Ms. Ripley. This has been filed as Court Exhibit 2.

Later that afternoon, Mrs. Ripley and her husband appeared at the Lackawanna County Administration Building asking to be heard and/or to see a judge. The Honorable Frank Ruggerio was on duty for the late afternoon shift and met with Mrs. Ripley with a court reporter present. (N.T. 5/19/26). Mrs. Ripley was sworn in. Id at 4. She offered her version of events. Attorneys Caputo and Lomma also addressed the court. Mr. Daniel Naylor, a representative from the Republican Party accompanying Ms. Ripley and her husband, addressed the court. Finally, Mrs. Ripley's husband addressed the court. At the conclusion, Mrs. Ripley requested a full hearing and to be reinstated. (N.T. 5/19/26 p. 32-33). Judge Ruggerio entered an order on June 3, 2026. See Order dated June 3, 2026 docketed to 6/3/2026. On June 8, 2026 Mrs. Ripley, through her counsel, filed an appeal to the Superior Court. On July 6, 2026, Mrs. Ripley filed a concise Statement of Matters Complained of On Appeal. In her statement she raises 5 allegations of error:

- . This Honorable Court erred when it ordered, at 2:13 p.m. on May 19, 2026, Teresa Ripley's removal from her elected position as Moscow Borough Judge of Elections without notice; hearing; fact-finding; and opportunity appear, defend herself, or confront her accusers or the complainant(s), in violation of her due process rights under the Pennsylvania Constitution E.g., Pa. Const. Art. I, §§I, IX, XII.
- . This Honorable Court erred when it ordered, at 2:13 pm on May 19, 2026, Teresa Ripley's removal from her elected position as Moscow Borough Judge of Elections without establishing the necessary predicates for removal of an elected official under Pa. Const. Art. VI, § 7; without any standard or process consistent with the requirements of Pa. Const. Art. VI, § 7; and not in conformity with Pennsylvania law as applied to duly elected officials.

- . This Honorable Court erred in basing its decision to remove Teresa Ripley from office entirely on inadmissible hearsay without benefit of any hearing whatsoever, such that no transcript is available.
- . This Honorable Court erred in entering an order dated June 3, 2026, referencing "the time scheduled for a hearing," apparently referencing a proceeding held on May 19, 2026 at 5:35 pm that was initiated by Teresa Ripley appearing at the Election Office and asking questions and was described by the Court as a "discussion on the record" rather than a scheduled "hearing."
- . This Honorable Court erred in its June 16, 2026 Order when it required a Concise Statement of Errors Complained of as provided in Pennsylvania Rule of Criminal Procedure 1221(a), as Teresa Ripley has been accused or charged with any crime whatsoever in relation to this matter.²

Appellant Teresa Ripley's 1925(B) Statement of Matters Complained of On Appeal docketed to 7/6/2026.

II. ANALYSIS

According to 25 Pa. Stat. Ann. § 3046, judges of the Court of Common Pleas from each county shall sit in session on Election Day to act as a committing magistrate for any violation of the election laws. This includes summarily settling controversies that may arise with respect to the conduct of the election. *See Pennsylvania Democratic Party v. Boockvar*, 662 Pa. 39 (2020). The supervisory role statutorily granted to the trial court is extensive and includes the right to suspend

² This court inadvertently labeled Rule of Appellate Procedure 121 as Rule of Criminal Procedure 121 in its June 16, 2026 order. As all parties have complied with Rule of Appellate Procedure 121. This error complained of is moot.

voting in certain situations. In re General Election-1985, 109 Pa. Cmwlth. 604 (1987).

Pennsylvania's Election Code directly prohibits partisan activity within the polling place. Under 25 Pa. Stat. Ann. § 3060(c), “no person, when within the polling place, shall electioneer or solicit votes for any political party, political body, or candidate, and no written nor printed matter shall be posted within the room except as required by the act.” Id. This proscription applies to all present in the polling place, including election officers themselves. 25 Pa. Stat. Ann. §3060(f). In In re General Election, 2024, 328 A.3d 606 (Pa. Cmwlth. 2024), the Pennsylvania Commonwealth Court held that wearing partisan apparel or badges inside a polling place constitutes impermissible electioneering in violation of the Election Code, and that poll watchers should refrain from doing so. Id. at 611-612.

In the case *sub judice*, there were material communications made by Ripley which questioned the integrity of the election process and held a clear partisan connotation. These statements were in direct conflict with the statutory framework governing polling place conduct as outlined in 25 P.S. § 3060. The court was informed by Ms. Hopkins that Ripley had admitted on some level to making at least some of the offending statements. This raised serious concerns regarding the fairness and sanctity of the election process. The court was without the ability to conduct a full hearing, requiring the testimony of the aforementioned poll workers, without the complete suspension of voting at this particular location. Furthermore, dispatching staff to retrain and/or supervise Mrs. Ripley in the middle of election day

was not practical. Accordingly, the court exercised its authority under 25 P.S. § 3046 removing Mrs. Ripley as judge of elections for the remainder of the day.

Mrs. Ripley in her concise statement asserts her rights were violated because she was not afforded a hearing with “notice, fact-finding, and opportunity to be heard, defend herself or confront her accusers or complainants...” *See Concise Statement of Matters Complained of on Appeal #1*. This courts’ orders dated May 19, 2026, and June 3, 2026 were not intended to permanently remove Mrs. Ripley from holding office as judge of elections. It was the intention of this court to convene a hearing at a later date to discuss training, etc. to avoid similar conduct in future elections. As a result, any request for relief from these two orders should be deemed moot. A case becomes moot if a “change in circumstances has eliminated the controversy so that the court lacks the ability to issue a meaningful order, that is, an order that can have any practical effect.” *Burke ex rel. Burke v. Indep. Blue Cross*, 628 Pa. 147, 103 A.3d 1267, 1271 (2014). For the foregoing reasons, we request that the courts’ orders be affirmed and the appeal dismissed.

BY THE COURT:



Hon. Margaret A. Bisignani Moyle



Honorable Frank J. Ruggiero

- 1) Polls weren't opened at 7:00 am - first person was turned away
- 2) Bashing COVID vaccines & called people "Sheep" - made "Baa Baa" noise
- 3) Talking to one person about how "school curriculum, CRT, Transgender stuff" - is an issue everyone is concerned about
- 4) Saying Scranton election that she worked had 75 absentee votes not accounted for.
- 5) Complaining how mail in ballots are being charged
- 6) Talking about how Michael (?) machines can be calibrated to benefit the house
- 7) Saying DemocRATS - emphasizing "rats"
- 8) Talking about Trump Derangement Syndrome
- 9) Soliciting a voter that drives people to the polls to bring more people to get more votes in the fall
- 10) Talking about Charlie Kirk in front of everyone on the board sitting at the table and then said to us paraphrased - "Just

Amberly Miller

Kirk Boonick
Elaine Coleman

May 19, 2022

on back
↓

10) "Just so you ladies know, there was no one here who I would have offended"

11) When the sheriffs came and said there was an order signed by the Judge. She said well the ~~democrats~~ Judges are democrats.

12) Kitchen staff that did the Hoagie / Bake sale heard everything she said as well

Court Exhibit ①

LAUREN M. MALEN
LACERNA COUNTY
2026 APR 11 P 3:33
CLERK OF JUDICIARY
RECORDS CIVIL DIVISION

6:37- Had Elaine Coleman swear her in with Bible. Would not open machine until she was sworn in. Bible

Did not know how to set up machines. Had to call the county so they could walk her through the set up of both machines.

6:57- machines not fully functional and no paperwork out.

7:05- Voter had to leave without voting because she works a distance away and couldn't wait any longer. She works until 8:00 pm so was unable to vote in this election.

Another couple had to wait between 5 and 10 minutes before they were able to vote because she didn't distribute paper work to us.

Did not put the bin in the voting machine to catch the papers. Said it would not fit. It did fit and was put in by another member of the board.

15 minutes discussion at the table about real estate and 0 growth during the Obama administration while people were voting and waiting to vote.

Said that when she voted in Scranton, 2 men told her that she probably shouldn't vote because she had the wrong color ballot. She said this while standing at the board table while people were voting.

Said her husband won't let her work Scranton anymore.

10:30 to 10:36 at least in conversation about Covid shot said people were sheep and made baaaa noise more than once. People were voting during this and she was standing at the board table.

Yelled F word when talking about some medication.

Complaining about 75 absentee ballots in Scranton not accounted for when she worked at poll there. (Heard by another board member)

Complained that mail in ballots are being changed. (Heard by another board member)

Called the voting machine a Midouro (sp) and said it is like a Venezuelan slot machine calibrated to work for the house. When this was said, I quickly scanned the booths and saw someone's legs at one of the booths. (Heard by several board members)

2021 AUG 11 PM 34
LAPRIN HALL EN
LAKE MONTANA
CLERK OF JUDICIAL
RECORDS CIVIL DIVISION

elsewhere

Court Exhibit 2

Told a person who drives the elderly people from the Senior Complex in Moscow to bring more people to get more votes.

1:54 yelling about Charlie Kirk while standing at board table with Elaine and 2 voters one of whom was the driver listed above.

Then she said Just so you ladies know (said to Kim Mecca and Kim Boichichio) there was no one here that I would have offended.

Earlier in morning, approached Aaron Lankford about CRT, Transgender, etc in schools is an issue for everyone.

Talking about Trump Derangement Syndrome while standing at board table. (Heard by other board members)

Calling democrats are demo rats. (Heard by other board members).

When given the issuance from the judge she started yelling that all judges are democrats so it won't be fair. (Heard by everyone in the polling place- that being board and church workers).

All comments throughout the day were heard by the people who prepared and sold the food and baked goods for the church fundraiser.

Returned to the poll after closing and had a discussion with the gentleman from the county.

Signed by:

Kim Mecca

Kim Boichichio

Aaron Lankford

Elaine Coleman

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