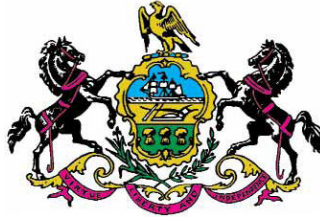


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## Commonwealth of Pennsylvania

February 28, 2022

Honorable Jake Corman  
President Pro Tempore

Honorable Kim Ward  
Senate Majority Leader

Dear Senators:

The purpose of this letter is to advance Attorney Joshua Prince of Bechtelsville as our choice to fill the upcoming vacancy on Commonwealth Court. Judge Kevin Brobson's election to the Supreme Court creates the vacancy on the Commonwealth Court. We believe Mr. Prince is a superior choice to replace Judge Brobson. We also believe Mr. Prince should be the Senate Republicans' preferred candidate and that this message should be communicated to Governor Wolf accordingly.

Attorney Prince has been an ardent defender of the Pennsylvania and U.S. Constitutions in the state and federal courts. He has practiced before numerous federal courts across the Country and the U.S. Supreme Court. He is admitted to the Bar in Pennsylvania and Maryland. His vast experience, especially before the Commonwealth Court, includes litigating matters of constitutional rights, workers compensation disability claims, mental health relief, and COVID/state of emergency related issues. Below are examples of just a few select cases he successfully litigated in Pennsylvania's appellate courts:

- *Firearm Owners Against Crime, et al. v. City of Harrisburg, et al.*, 218 A.3d 497 (Cmwlth. 2019), and *aff'd*, 29 MAP 2020, 2021 WL 4890413 (Pa. Oct. 20, 2021) – Establishing that an individual can bring a challenge to the constitutionality or lawfulness of a law or ordinance under the Declaratory Judgment Act in the absence of being prosecuted for a violation or declaring that they violated the law or ordinance.
- *Commonwealth v. Hicks*, 652 Pa. 353 (2019) – After drafting an *Amici Curiae* brief on behalf of a number of members of the General Assembly and several Second Amendment organizations, obtained a decision from the PA Supreme Court that the mere open or concealed carry of a firearm is not reasonable suspicion of criminal activity, where the Court utilized a significant portion of the *Amici* brief to support its decision.
- *Firearm Owners Against Crime, et al. v. City of Pittsburgh, et al.*, GD 19-5330 (Allegheny Ct. Cmmn. Pleas 2019) – Obtaining declaratory relief, striking down all three ordinances and signage erected by the City of Pittsburgh, which regulated firearms and ammunition, including, inter alia, a ban on “assault rifles,” “high capacity magazines,” and an extreme risk protection order provision.

- *Haron v. Pennsylvania State Police*, 171 A.3d 344 (Cmwlth. 2017), *aff'd*, 647 Pa. 197 (2018) – Establishing the (believed) first ever financial judgment against the Pennsylvania State Police – affirmed by the PA Supreme Court – for a violation of the Criminal History Record Information Act.
- *Andrew Dissinger v. Manheim Township School District*, 72 A.3d 723 (Pa. Cmwlth. 2013) – Represented Mr. Dissinger in an action regarding violations of his due process rights, which the Commonwealth Court confirmed. Thereafter, represented Mr. Dissinger in a federal civil rights deprivation action, 5:14-cv-2741 in the Eastern District of Pennsylvania, which resulted in a settlement.

And, as we mentioned, he's also successfully litigated major cases in the federal courts, including:

- *Miller v. Sessions*, 356 F.Supp.3d 472 (E.D. Pa. 2019) – Establishing relief under a Second Amendment as-applied challenge to a conviction for forging a PennDOT window tint exemption form. The court held 18 U.S.C. § 922(g)(1)'s prohibition, in perpetuity, was unconstitutional as applied.
- *Alton Franklin v. Sessions, et al.*, 291 F.Supp.3d 705 (W.D. Pa. 2017) and *Wilborn v. Barr, et al.*, 401 F.Supp.3d 501 (E.D. Pa. 2019) – Establishing that a 302 evaluation under Pennsylvania's Mental Health and Procedures Act does not trigger a federal prohibition under 18 U.S.C. § 922(g)(4), due to the lack of due process provided.

Attorney Prince is wholly qualified to sit on the Commonwealth Court and his record – not merely his words – reflect his ardent and steadfast devotion to defending, in a strict constructionist view, the PA and U.S. Constitutions. For all of these reasons, we are respectfully asking that you join with us in endorsing Joshua Prince for appointment to the Commonwealth Court and making him the Senate's singular choice to replace Judge Kevin Brobson.

Sincerely,



Senator Bob Mensch  
24<sup>th</sup> Senatorial District



Senator David Argall  
29<sup>th</sup> Senatorial District

CC: Senator Ryan Aument  
Senator Lisa Baker  
Mr. Joshua Prince