

IN THE SUPREME COURT OF PENNSYLVANIA

DOCKET NO. 227 MM 2026

Petition of: Veterans of Foreign Wars Vesle Post 418; Veterans of Foreign Wars Post 331; American Legion Post 862; Society of the Holy Trinity Homestead Owl's Club Nest 1538; Oregon Hunting and Fishing Club; Bentleyville American Legion Post 165; Verona Moose Lodge 250; Slovenian National Hall of Bishop; Wemco Club; United Brotherhood Home Association of Etna; Herman Gehres American Legion Post 919; Polish National Alliance Lodge 1746; Filipino American Club of Ambridge; Veterans of Foreign Wars Post 214; Independent Club of Bentleyville; Upper Burrell Volunteer Fire Company; Blaine Hill Volunteer Fire Company; and SNPJ Lodge 89.

Respondents: Pace-O-Matic, Champions Sports Bar, Capital Vending Company, Inc., Pennsylvania State Police, and Pennsylvania Office of the Attorney General

**EMERGENCY PETITION FOR EXTRAORDINARY RELIEF PURSUANT
TO 42 Pa.C.S. § 726, THIS COURT'S KING'S BENCH POWERS, AND/OR
Pa.R.A.P. 3309(a)**

Petition for Extraordinary Relief over the Stay Entered in in Re: Three
Pennsylvania Skill Amusement Devices, No. 50 MAP 2024

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**EMERGENCY PETITION FOR EXTRAORDINARY RELIEF PURSUANT
TO 42 Pa.C.S. § 726, THIS COURT'S KING'S BENCH POWERS, AND/OR
Pa.R.A.P. 3309(a)**

1. This is a Petition for this Court to use its extraordinary powers to extend the moratorium on enforcement of its order deeming skill games illegal gambling devices in this Commonwealth, in *Three Pa. Skill Amusement Devices v. Dep't of Revenue*, 358 A.3d 385 (Pa. 2026).

2. This Court remanded this matter for implementation of its Court Order, the Commonwealth Court remanded to the Dauphin County Court of Common Pleas on August 7, 2026, and implementation and enforcement of this Court's Order still remains active and pending in the lower court at 2022-CV-06333-MD.

3. The above-captioned matter, and the stay imposed by this Court, is of extraordinary importance to various persons and organizations throughout the Commonwealth, including but not limited to veterans' organizations, fraternal organizations, social clubs, and volunteer fire companies, as well as numerous small businesses, such as bars, restaurants, retail establishments, etc., and their members and customers.

4. For these establishments, many rely on the money that is being generated by skill games to make the difference between keeping their doors open or closing them.

5. As seen in the affidavits attached hereto, many are non-profit organizations that provide community and resources to their members and guests, with the guests relying on the community provided by the organizations and the organizations relying on the guests for funding. Not all have other sources of income.

6. While the legislature is having difficulty arriving at a solution within the time frame given by this Court, due to all the competing interests, it is apparent that they are working on a solution.

7. Moreover, the exigency of the circumstances was made even more apparent as the Pennsylvania State Police (“PSP”) announced that as of the date of expiration of the stay by this Court, October 14, 2026, PSP will begin confiscating skill games regardless of whether they are operative. See PSP statement, attached hereto as Exhibit “A”.

8. Without addressing the legality of such seizures, it will mean not only that the affected parties lose their right to operate skill games and receive the revenue therefrom, but they will also lose the actual machines themselves, and even if the legislature later acts to regulate skill games, it will be impossible to restore the status quo for a long time thereafter, if ever, and during the delay, many will end up closing their doors or risk being subject to criminal charges.

9. It is also clear that if this Court were to grant a stay, there would be no harm. Every proposed bill in the legislature currently being considered would permit

the continuation of the use of these skill games. The issue for the legislature is not whether to permit these skill games, but rather the regulation and taxation thereof.

10. Thus, it is obvious that the public policy in this Commonwealth favors the permitting of skill games, and therefore, allowing them to operate as they have been for years, until the legislature does either ban or regulate them, would not violate public policy, nor would it harm anyone.

11. Conversely, allowing the stay to expire will disrupt many lives and livelihoods throughout the Commonwealth.

12. As set forth in the affidavits collectively attached hereto as Exhibit “B”, Petitioners are various veterans’ organizations, fraternal organizations, social clubs, and volunteer fire companies, which rely on the revenue provided by skill games, as follows:

- a. Veterans of Foreign Wars Vesle Post 418;
- b. Veterans of Foreign Wars Post 331;
- c. American Legion Post 862;
- d. Society of the Holy Trinity
- e. Homestead Owl’s Club Nest 1538;
- f. Oregon Hunting and Fishing Club;
- g. Bentleyville American Legion Post 165;
- h. Verona Moose Lodge 250;

- i. Slovenian National Hall of Bishop;
- j. Wemco Club;
- k. United Brotherhood Home Association of Etna;
- l. Herman Gehres American Legion Post 919;
- m. Polish National Alliance Lodge 1746;
- n. Filipino American Club of Ambridge;
- o. Veterans of Foreign Wars Post 214;
- p. Independent Club of Bentleyville;
- q. Upper Burrell Volunteer Fire Company;
- r. Blaine Hill Volunteer Fire Company; and
- s. SNPJ Lodge 89.

13. Although the Petitioners are mostly from Western Pennsylvania, similar organizations throughout the Commonwealth will be similarly affected and have the same interests.

14. The Petitioners, as set forth in their affidavits, are dependent on the revenue provided by skill games, both for their general operation but also for the benefits and resources they provide to their members and communities and are representative of similar organizations throughout this Commonwealth.

15. This Court recognized that organizations like the Petitioners, and others similarly situated, would be impacted by its decision and held as follows: “We are

further mindful of the potential disturbance that our correction of the prevailing case law may cause to business owners and other good-faith participants in the industry. We thus stay our order for a period of 120 days.” *Id.* at 390.

16. Consistent with this Court’s decision, skill games, like the ones Petitioners’ organizations rely on to continue to operate, will become illegal at midnight on October 13, 2026, which will subject the Petitioners and their organizations to potential criminal liability on October 14, 2026 if those skill games simply remain on the premises after the deadline, while removing those skill games and the revenue they provide will hamper the ability of these organizations to continue operating.

17. Unfortunately, the stay provided by this Court, while welcome relief, was not sufficient time for the Petitioners to adjust their operations and remain successful without the revenue provided by skill games.

18. It was, and continues to be, the Petitioners’ hope that the Pennsylvania legislature would act before the deadline set by this Court and regulate skill games, such that the Petitioners’ would continue to benefit from the revenue provided by skill games and in turn continue to benefit their members and communities.

19. Given the volume of bills concerning skill games, the limited number of days that the legislature will be in session until October 13, 2026, and the legislature’s inability to come to an agreement on regulation to this point, the

Petitioners are concerned that there will not be enough time for the legislature to act before this Court's stay expires.

20. In fact, some members of the legislature have circulated an Open Letter to this Court requesting a similar extension of this Court's stay, noting its inability to come to a conclusion on skill games to this point and the attendant harm to small business and organizations, such as the Petitioners. Attached hereto as Exhibit "C".

21. However, Petitioners should not be punished or held captive to the legislature's inability to solve this problem. As this Court held in *League of Women Voters v. Commonwealth*, 181 A.3d 1083 (Pa. 2018): when the legislature is unable or chooses not to act, this Court possesses broad authority to craft meaningful remedies, including via 42 Pa.C.S. § 726 or through the powers reserved for this Court by the first sentence of Section 1 of the Schedule to the Judiciary Article, including King's Bench powers.

22. Given that skill games have been in use throughout the Commonwealth for years, Petitioners do not believe that any other interested parties or the Commonwealth in general will suffer any prejudice as a result of this Court extending its deadline.

23. Conversely, the Petitioners' will be in dire financial trouble if they lose the revenue provided by skill games, with many indicating that they may simply have to close.

24. Numerous other similarly situated businesses reached out to the undersigned with the same concerns, but affidavits and authority from those entities could not be obtained in time to file this Petition.

25. The survival of the Petitioners' organizations, and other similarly situated organizations and small businesses, which are the lifeblood of cities and neighborhoods throughout the Commonwealth and provide many valuable services and resources, is an issue of immediate public importance such that relief under 42 Pa.C.S. § 726 is appropriate.

26. Similarly, "[this] Court will generally employ the King's Bench authority when the issue requires timely intervention by the court of last resort of the Commonwealth and is one of public importance." *In re Bruno*, 627 Pa. 505, 101 A.3d 635, 670 (Pa. 2014)

27. Under Section 726 and it's King's Bench powers, this Court possesses maximum flexibility to otherwise cause right and justice to be done.

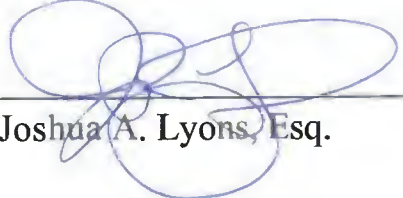
28. Based on the foregoing, the Petitioners ask this Court to cause right and justice to be done by extending its stay for a period an additional 120 days.

29. As required by Pa.R.A.P. 3309(a), all persons who may be affected by this Court granting the requested relief have been served with this Emergency Petition, as more fully set forth in the Certificate of Service attached hereto.

30. Petitioners respectfully request an expedited decision in this matter given the fast-approaching deadline for the expiration of this Court's stay and that this Court direct that any answers to this Petition be filed sooner than the deadline's set forth in Pa.R.A.P. 3309(a).

WHEREFORE, for the foregoing reasons, the Petitioners respectfully request that the stay entered on June 15, 2026 and set to expire on October 13, 2026 be extended for an additional 120 days.

Respectfully Submitted,
NERNBERG & LYONS

By: 
Joshua A. Lyons, Esq.

By: *s/Maurice A. Nernberg*
Maurice A. Nernberg, Esq.

Pennsylvania State Police[Agencies](#) > [State Police](#) > [Resources](#) > Skill Games Resources

Skill Games Resources

Learn about the Pennsylvania skill games compliance deadline of October 13, 2026, and the steps businesses and establishments can take to comply with the law.

Overview

On June 15, 2026, the Supreme Court of Pennsylvania ruled that skill games, often found in taverns, restaurants, social clubs, mini-marts, gas stations, grocery stores, laundromats, pizza parlors, and other businesses, are in fact “slot machines” as defined in the [Gaming Act](#).

Slot machines are considered gambling devices under the Crimes Code. It is a criminal offense to own, operate, or maintain slot machines without a license issued by the [Pennsylvania Gaming Control Board \(PGCB\)](#).

Further, pursuant to section 5513 of the Crimes Code, distributors and manufacturers of such machines are cautioned that it is a criminal offense to maintain, assemble, set up, make, sell or lease slot machines unless they are licensed and authorized to do so by the PGCB.

Under the Gaming Act, only licensed casinos and qualifying licensed “truck stop establishments” may legally possess and operate slot machines or video gaming terminals. Further, only machines that have been inspected and approved for operation by the PGCB may be located and operated within PGCB-licensed locations, including casinos and truck stops.

Businesses and establishments must arrange to have skill game devices and related equipment removed.

If you have skill game devices after the deadline

Enforcement

All skill games devices/slot machines located outside of PGCB-licensed businesses are unlawful and all establishments possessing, operating and/or maintaining such machines are subject to criminal prosecution and immediate seizure of the machines as of October 14, 2026.

PSP and other law enforcement agencies may take enforcement actions against businesses which continue to possess, distribute, operate and/or maintain skill game devices after the compliance deadline.

Enforcement actions may include:

- Seizing and forfeiting the machines and associated equipment
- Seizing proceeds associated with the operation of the machines
- Filing criminal charges when deemed appropriate
- Administrative citation filed against a liquor license, which may result in a fine and/or suspension of the license

Recommendations and Contacts

The PSP strongly recommends that businesses currently hosting such machines discuss their immediate removal with any distributors or vendors who may own the machines and associated equipment, including ticket redemption terminals. Distributors, vendors and manufacturers refusing to remove their slot machines from businesses are reminded of the potential for criminal charges should they continue to maintain devices for operation.

Powering off or unplugging an otherwise operable machine is not sufficient. To be clear, a slot machine does not cease being a slot machine if it has simply been turned off, unplugged, or temporarily disabled, allowing it to be readily operated. If a distributor or vendor is unwilling to remove operable machines after the deadline, the establishment is encouraged to proactively reach out to PSP to assist in their removal to ensure compliance with applicable law.

You have skill game devices and HAVE a liquor license

Contact your local Bureau of Liquor Control Enforcement office for assistance.

You have skill game devices but DO NOT have a liquor license

Contact your local PSP Station for assistance:

- Use our [Troop Directory](#) to find a station near you. or
- [Search for your station by name or county](#)

[Return to top](#) ↑



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AFFIDAVIT OF EDWARD CARTER, III

1. My name is Edward Carter, III and I am an adult individual over the age of 18.
2. I am a member and the Commander of VFW Vesle Post 418 ("Post 418"), 1242 Chartiers Ave., McKees Rocks PA 15136.
3. As a veterans' club, whose members are often on a fixed income, Post 418 has to charge less than competing establishments for food and beverages while still being able to pay its employees a good wage engage while it also engages in efforts to give back to veterans and the community in general.
4. Post 418 has come to rely on the revenue provided by skill games to keep its prices low, pay its employees, retrain veterans, and help feed and clothe veterans when they need it most.
5. The revenue from skill games also allows Post 418 to help other similar veterans groups and the community in general.
6. The loss of skill game revenue would not only impact all of the foregoing, but it is likely that Post 418 would not be able to continue operating without the revenue provided by skill games.
7. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date: Oct 7, 2026

By:  Edward Carter, III Oct 7, 2026 15:39:01 EDT

EXHIBIT
"B"

AFFIDAVIT OF MICHAEL DIFRANGO

1. My name is Michael DiFrango and I am an adult individual over the age of 18.
2. I am a member and the Commander of VFW Post 331 ("Post 331"), at 370 Logan Street, Carnegie, PA 15106.
3. Post 331 is the oldest VFW Post in the Commonwealth of Pennsylvania.
4. By my estimation, if Post 331 loses the income provided by skill games, Post 331 will close within six (6) months.
5. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

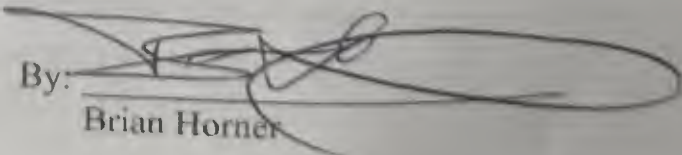
Date: 10 / 7 / 2026

By: Michael DiFrango
Michael DiFrango

AFFIDAVIT OF BRIAN HORNER

1. My name is Brian Horner, and I am an adult individual over the age of 18.
2. I am a member and the Steward of American Legion Post 862 ("Post 862"), at 2275 McKees Rocks Road, McKees Rocks, PA 15136.
3. The revenue provided by skill games allows Post 862 to donate money to the community in general, veterans in need, assist other veterans' organizations, and provide scholarships to local high school students.
4. If Post 862 loses the income provided by skill games, we will not be able to provide the same services and assistance and it will cause significant stress to our budget and ability to operate.
5. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date: 10/7/20

By: 

Brian Horner

AFFIDAVIT OF BERNARD SLOMSKI

1. My name is Bernard Slomski, and I am an adult individual over the age of 18.
2. I am the President of the Society of the Holy Trinity, located at 604 East 23rd Street, Erie, PA 16503
3. The loss of the income from Skill Games will have a significant impact on our operating budget, our ability to pay our taxes, and our ability to help protect our neighborhood.
4. We also depend on the income from skill games to help support various charitable support projects in our neighborhood and in the City of Erie
5. As an example of the good that has come from that income, it allowed us to purchase a nuisance bar in our neighborhood, and replace it with a parking lot and gathering space for our neighbors.
6. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

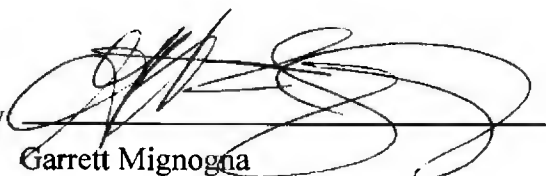
Date: 10-7-26

By: Bernard Slomski
Bernard Slomski

AFFIDAVIT OF GARRETT MIGNOGNA

1. My name is Garrett Mignogna, and I am an adult individual over the age of 18.
2. I am the president of the Homestead Owl's Club Nest #1538 ("the Club"), located at 524 West Seventh Avenue, West Homestead, PA 15120.
3. The income generated by skill games makes up a substantial portion of the Club's net operating funds, without which our ability to cover routine overhead costs will be impacted.
4. The loss of the skill machines may also lead to decreased attendance, as they drive foot traffic and member engagement, resulting in a loss of bar and food sales.
5. The income from the skill games also supports the Club's charitable giving without which the current level will not be maintained.
6. These factors together could result in the closure of the Club in the months following the ban.
7. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

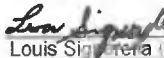
Date: 10/07/2026

By 
Garrett Mignogna

AFFIDAVIT OF LOU SIGNORELLA

1. My name is Lou Signorella, and I am an adult individual over the age of 18.
2. I am a member of the Oregon Hunting and Fishing Club, located at 833 Brackenridge Ave, Brackenridge PA 15014.
3. We are one of the oldest clubs in Pennsylvania, established in 1888.
4. We are already experiencing issues with the rising prices for cable, electricity, alcohol and gas and the revenue provided by skill games allows us to continue operating.
5. We make a lot of donations to charitable organizations.
6. This will probably end without revenue from skill games.
7. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date: Oct 8, 2026

By:  Louis Signorella Oct 8, 2026 10:08:53 EDT
Lou Signorella

AFFIDAVIT OF CHUCK MCKETA

1. My name is Chuck McKeta, and I am an adult individual over the age of 18.
2. I am a member of the Bentleyville American Legion Post 165 ("Post 165"), located at 500 Main Street, Bentleyville PA 15314.
3. The revenue from skill games allows Post 165 to continue operating.
4. If the extension does not happen, we simply cannot afford to continue to operate at our current level and it is likely that we will have to close in the near future.
5. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date: Oct 8, 2026

By:  Chuck McKeta Oct 8, 2026 11:07:07 EDT
Chuck McKeta

AFFIDAVIT OF MICHAEL GAVULIC

1. My name is Michael Gavulic, and I am an adult individual over the age of 18.
2. I am the president of Verona Moose Lodge #250, located at 312 Arch Street, Verona, PA 15147.
3. If we lose the revenue provided by skill games, we will have to lay off employees, raise our prices, and close the kitchen.
4. Without the revenue provided by skill machines, the club will probably end up closing in few short months.
5. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

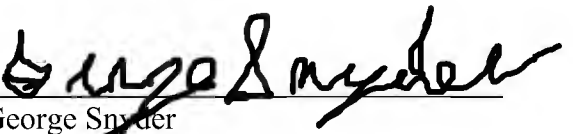
Date: Oct 7, 2026

By: Michael Gavulic
Michael Gavulic

AFFIDAVIT OF REV. R. GEORGE SNYDER

1. My name is George Snyder, and I am an adult individual over the age of 18.
2. I am the chaplain of VFW Post 331 ("Post 331"), located at 370 Logan Street, Carnegie PA 15106.
3. If Post 331 loses the revenue from skill games, it will seriously and negatively impact our club as we rely exclusively on the revenue generated from the machines to meet our monthly financial obligations.
4. Post 331 is a patriotic organization deeply involved with our communities in Memorial Day and Veterans' Day parades; the decoration of veterans' graves on Memorial Day; the support of our National Home for Children in Eaton Rapids, Michigan; Christmas and Easter parties for children; partnering with the American Legion in sponsoring the Legion's "Four Chaplains Memorial Program every February; providing funeral services for deceased veterans; providing "Respect for the American Flag" classes for Boy Scout troops; participating in annual flag retirement ceremonies; and much more.
5. Without the income provided by skill games, Post 331 will definitely close before the end of 2026.
6. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

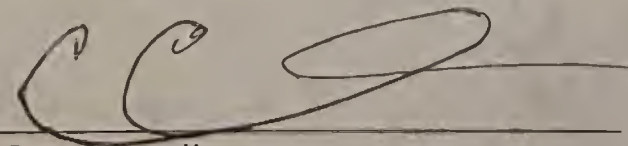
Date: _____

By: 
George Snyder

AFFIDAVIT OF CONNI CANELLA

1. My name is Conni Canella, and I am an adult individual over the age of 18.
2. I am the Treasurer of the Slovenian National Hall of Bishop, located at 20 Ridgeway Drive, Cecil PA 15321.
3. The revenue provided by skill games are the reason we are still open after the significant harm caused by the Covid pandemic.
4. Due to increased costs, the skill games have helped tremendously for us to stay in operation.
5. Veterans clubs are predicted to make it three months after games are pulled. My club will only make it maybe one month, after operating for 107 years.
6. I hope a positive decision will be made to ensure our club's longevity into the future.
7. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

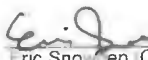
Date: 10-7-26

By: 
Conni Canella

AFFIDAVIT OF ERIC SNOWDEN

1. My name is Eric Snowden, and I am an adult individual over the age of 18.
2. I am the president of the Wemco Club, the oldest Afro-American club in Pennsylvania, located at 7325 Frankstown Ave, Pittsburgh PA 15208.
3. Our club is a place where people come together, support one another, and give back to the community.
4. Revenue from skill games funds two college scholarships, helping young people pursue their education and build brighter futures. It also supports our Christmas drive and Toys for Tots efforts, bringing joy to children and families during the holidays each year. We host two free community cookouts, including our summer pig roast. These gatherings bring neighbors together and allow us to share meals with everyone who attends
5. Skill game revenue helps us continue these traditions, pay our bartenders, and keep our doors open. Without this income, it would be extremely difficult to operate our facility and sustain the programs our communities depends on.
6. Losing the Wemco Club would mean losing a piece of Pennsylvania's African American history and a place that continues to serve its community.
7. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

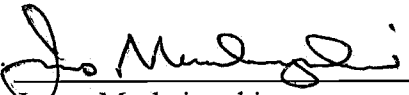
Date: Oct 8, 2026

By: 
Eric Snowden Oct 8, 2026 09:36:00 EDT
Eric Snowden

AFFIDAVIT OF JAMES MACHAJEWSKI

1. My name is James Machajewski, and I am an adult individual over the age of 18.
2. I am the current president of the United Brotherhood Home Association of Etna, also known as the DOH Club of Etna, located 44 Prospect Street, Pittsburgh PA 15223-2112.
3. We request that an extension to keep skill games operating in Pennsylvania until the matter can be fully addressed by our legislative elected officials in Harrisburg.
4. The effects of losing the revenue provided by skill games completely in our club and the numerous clubs and small businesses in our area would cause a financial burden that would be detrimental to the operation and existence of these community establishments.
5. Drastic cuts would have to be made in staffing and donations to charities that we support would have to be halted as we would have to find ways to make up for the loss of income.
6. During a time when so many in our community find themselves in increased financial burdens, our members would also find costs increase just to help their club survive.
7. I thank you in advance for considering any options that would help us and our communities.
8. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date: 10/7/26

By: 
James Machajewski

AFFIDAVIT OF JODI L. FITCHKO

1. My name is Jodi L. Fitchko, and I am an adult individual over the age of 18.
2. I am the Adjutant of Herman Gehres American Legion Post 919 ("Post 919"), located at 165 Kelso Road, Fredonia PA 16124.
3. At Post 919, the funds raised through the skill games has played a big part in keeping our doors open. We do not generate substantial income; however, these funds have helped tremendously to keep us afloat due to rising costs.
4. In addition, these funds have directly allowed us to continue to support our community, whether it be with a monetary donation for community or school events, flag donations, or cemetery upkeep.
5. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

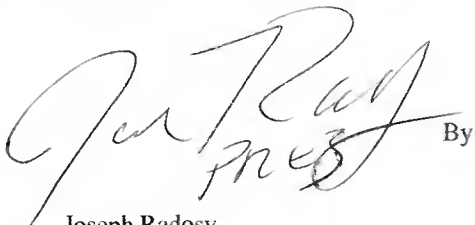
Date: 10/7/2020By: 
Jodi L. Fitchko

AFFIDAVIT OF JOSEPH RADOSY

1. My name is Joseph Radosy, and I am an adult individual over the age of 18.
2. I am the president of the Polish National Alliance Lodge 1746, a non-profit fraternal private club located at 303 Adams Ave., Canonsburg PA 15317.
3. The loss of the revenue provided by skill games will put severe financial strain on our organization, which will eliminate our ability to provide community donations and will directly deplete the funds available to support our local police and fire department including sport leagues, local holiday events, and so many more organizations that we donate funds too in order to keep our community thriving.
4. Many social clubs, like ours, will be forced to close their doors if the skill games are removed.
5. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date:

10/7/26

By: 
Joseph Radosy

AFFIDAVIT OF JOHNNIE MCCRACKEN

1. My name is Johnnie McCracken, and I am an adult individual over the age of 18.
2. I am the president and owner of the Filipino American Club of Ambridge, located at 603 Duss Ave, Ambridge PA 15003.
3. Since taking over, the revenue from skill machines has been critical in helping us pay off inherited debt, cover high utility bills, and fund essential repairs and renovations.
4. While we remain in full compliance with all relevant laws and regulations regarding skill machines, we respectfully request an extension.
5. This additional time will allow us to explore alternative financial strategies to ensure we can keep our doors open and cover our ongoing expenses.
6. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date: 10/8/26

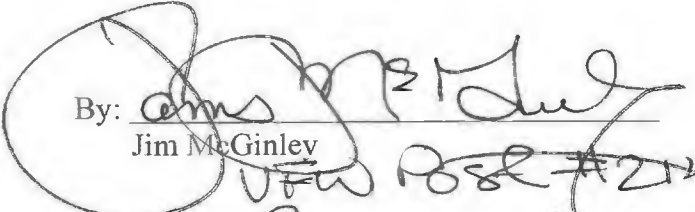
By: Johnnie McCracken
Johnnie McCracken

AFFIDAVIT OF JIM MCGINLEY

1. My name is Jim McGinley, and I am an adult individual over the age of 18.
2. I am a member and the Acting Commander of VFW Post 214 ("Post 214") located at 316 52nd St, Pittsburgh, PA 15201.
3. Post 214 has been in existence since 1919.
4. The revenue from skill games allows Post 214 to continue operating, fulfill our charitable goals, and support our members and veterans in general.
5. We utilize the revenue from skill games for the following activities:
 - a. Fisher House;
 - b. Veterans Place of Washington Blvd;
 - c. Soldiers and Sailors Hall;
 - d. Fish Rodeo in Fox Chapel;
 - e. Funerals, Honor Guard for Veterans;
 - f. Memorial Day Parade;
 - g. Veterans Day Parade;
 - h. Boy Scouts of American Chapter #73 of Lawrenceville;
 - i. Placing the Banners & Flags for Memorial Day;
 - j. Quilts of Valor Dinner;
 - k. Hospital visits of veterans;
 - l. Patriot's Pen Essay contest; and,
 - m. 9th Ward Baseball & Softball.
6. All of the foregoing would be much more difficult, and in some circumstances impossible, without the revenue provided by skill games.

7. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date: 10/7/2024

By: 

Jim McGinley

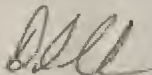
UFW Post #214
Commander

AFFIDAVIT OF DOUGLAS TOMKO

1. My name is Douglas Tomko, and I am an adult individual over the age of 18.
2. I am a member of the Independent Club of Bentleyville, located at 922 Main Street, Bentleyville PA 15312.
3. We are a small non-profit social club operating since 1934.
4. For 92 years, we have been a generous steward towards our community, continuously giving, never taking.
5. We rely on the revenue provided by skill games, and without their income we will dissolve within a year.
6. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to sworn falsification to authorities.

Date:

10/7/20



By:

Douglas Tomko

AFFIDAVIT OF BRENT ZANELLA

1. My name is Brent Zanella, and I am an adult individual over the age of 18.
2. I am the president of Upper Burrell Volunteer Fire Company.
3. Our Fire Company also operates a private social club known as the Upper Burrell

Firemen's Club.

4. Losing the revenue from skill games in our social club is going to be detrimental to not only our social club but, most importantly, the success and future of our volunteer fire department.

5. We are a small rural volunteer fire department that relies on our social club to help support our volunteer fire department and allow it to purchase life-saving equipment to keep our residents and neighboring communities safe.

6. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date: 10/7/26

By: Brent Zanella
Brent Zanella

AFFIDAVIT OF DANA EVANS

1. My name is Dana Evans, and I am an adult individual over the age of 18.
2. I am the President of the Blaine Hill Volunteer Fire Company, located at 409 Oxford Ave, Elizabeth, PA 15037.
3. I have dedicated countless hours to serving my community alongside the men and women who make up our volunteer fire department.
4. The revenue provided by skill games allows us to do so.
5. For a department such as Blaine Hill Volunteer Fire Company, these machines are not simply a source of entertainment. The revenue they generate has become an important part of our ability to keep our fire company financially viable and operational.
6. We are a volunteer organization. Our members are not paid employees. They give their time, their evenings, their weekends, their holidays, and, in many cases, put themselves in harm's way to answer calls and protect the people in our community. At the same time, the cost of maintaining a volunteer fire company continues to rise.
7. Our utility bills continue to increase. Insurance costs continue to increase. Fuel, vehicle maintenance, building maintenance, equipment, training, protective gear, communications equipment, repairs, inspections, and the countless other expenses associated with operating a fire department continue to become more expensive. None of those expenses stop simply because we are a volunteer organization.
8. We depend heavily on fundraising, donations, community support, and every legitimate source of revenue available to us.

9. Skill game revenue has helped us bridge that gap. It helps us pay the bills and maintain the facility from which we respond to emergencies. It helps offset rising utility costs and the everyday expenses necessary to keep our department functioning.

10. If this revenue source is eliminated, the impact will not simply be that our fire company makes less money. The impact will be felt throughout our entire operation. We will be forced to make difficult decisions about which expenses can be postponed, reduced, or eliminated. We will have to look even harder at how we maintain our building, vehicles, equipment, and other necessities. Fundraising demands will increase, placing an even greater burden on a membership that is already stretched thin.

11. With membership declining, our volunteers already sacrifice their time to attend training, maintain equipment, clean and maintain the station, participate in fundraising, attend meetings, respond to emergencies, and perform all of the behind-the-scenes work that the public often never sees.

12. When a department has fewer volunteers, it becomes even more important that the organization has the financial resources necessary to operate efficiently. Removing a revenue source that helps us remain financially stable while simultaneously expecting volunteer departments to continue answering calls, maintaining equipment, paying increasing utility bills, and meeting all of the other requirements placed upon emergency service organizations creates an incredibly difficult situation.

13. We cannot simply "do without" the money.

14. Please do not take away a funding source from the very organizations that are expected to respond when the community needs help the most.

15. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

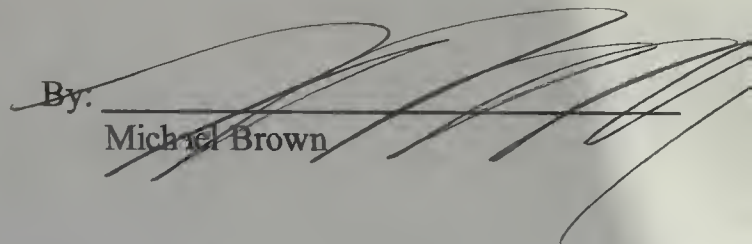
Date: 10/7/26

By: Dana S. Evans
Dana Evans

AFFIDAVIT OF MICHAEL BROWN

1. My name is Michael Brown, and I am an adult individual over the age of 18.
2. I am the president of the SNPJ Lodge 89 club, located at 1305 Grant Street, Bulger PA 15019.
3. We will have a harder time getting by without the revenue provided by skills games. Since Covid, business has never been the same.
4. We use the revenue provided by skill games money to help with donations, and to pay the higher utility bills and higher prices for most of the goods that we buy for day to day operations.
5. The statements made in this Affidavit are true and correct to the best of my knowledge, information, and belief. I understand that false statements made herein are made subject to the penalties of 18 Pa.C.S. § 3904 relating to unsworn falsification to authorities.

Date: 10-8-2020

By: 
Michael Brown

ERIC DAVANZO, MEMBER
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E-mail: edavanzo@pahousegop.com*House of Representatives*
Commonwealth of Pennsylvania
Harrisburg**DISTRICT OFFICES:**
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West Newton, PA 15089
724-929-265510 Mt. Pleasant Road
Scottdale, PA 15683
724-542-0349

October 7, 2026

An Open Letter to the Pennsylvania Supreme Court:

As the Court is aware, the General Assembly is not likely to meet the 120-day deadline regarding the availability of skill games at businesses and nonprofit organizations. In response, the undersigned members of the Pennsylvania House of Representatives respectfully urge the Court to utilize any means at their disposal to extend the 120-day deadline.

Despite the efforts of many members to engage in productive conversations, the General Assembly has not yet produced a bill that fairly regulates skill game machines, including responsible use for the revenue from them. These are Harrisburg's obstacles to overcome.

However, the businesses and veterans and social organizations that have come to rely on the revenue from skill game machines should not be captive to Harrisburg's problems. A veteran who has found camaraderie and resources through their local Veterans of Foreign Wars chapter or a college student whose parents own a small pizzeria should not be penalized for Harrisburg's inability to work through this issue.

Four months ago, these entities were confronted with the possibility of skill game machines being prohibited. To a nonprofit organization or a family business fighting inflationary pressures, four months simply isn't enough time to adjust operations and remain successful.

The purpose of extension is not to benefit the General Assembly, but rather to be conscious of the hardships being unduly placed on small businesses and nonprofit organizations.

Thank you in advance for considering this important request.

Sincerely,

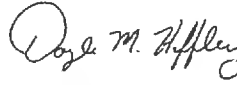
Eric Davanzo
58th Legislative District

Ryan Warner
52nd Legislative District

EXHIBIT
"C"



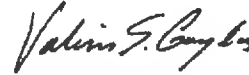
Chad G. Reichard
90th Legislative District



Doyle M. Heffley
122nd Legislative District



Brian Smith
66th Legislative District



Valerie S. Gaydos
44th Legislative District



Kathy L. Rapp
65th Legislative District



Jack Rader, Jr.
176th Legislative District



Roman Kozak
14th Legislative District



Leslie Rossi
59th Legislative District



Josh Bashline
63rd Legislative District



Jeremy Shaffer
28th Legislative District



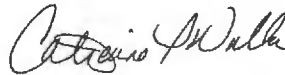
Brad Roae
6th Legislative District



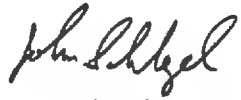
Eric Nelson
57th Legislative District



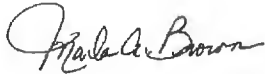
Eric J. Weaknecht
5th Legislative District



Catherine I. Wallen
193rd Legislative District



John Schlegel
101st Legislative District



Marla Brown
9th Legislative District



Natalie Mihalek
40th Legislative District



Timothy J. O'Neal
48th Legislative District



Mike Armanini
75th Legislative District



Rich Irvin
81st Legislative District



Michael Stender
108th Legislative District



Alec J. Ryncavage
119th Legislative District



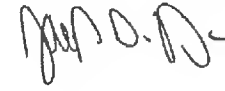
Thomas Kutz
87th Legislative District



Mike Jones
93rd Legislative District



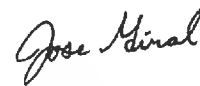
Jim Rigby
71st Legislative District



Joe Hamm
84th Legislative District



Martin Causer
67th Legislative District



Jose Giral
180th Legislative District



Aaron Bernstine
8th Legislative District



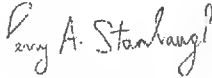
JoAnne Stehr
107th Legislative District



Frank Burns
72nd Legislative District



John Inglis
38th Legislative District



Perry Stambaugh
86th Legislative District



R. Lee James
64th Legislative District



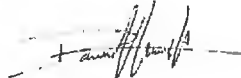
David Zimmerman
99th Legislative District



Abby Major
60th Legislative District



Jake Banta
4th Legislative District



David Rowe
85th Legislative District



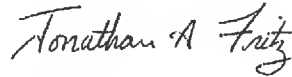
Bud Cook
50th Legislative District



Dane Watro
116th Legislative District



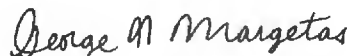
Rob Kauffman
89th Legislative District



Jonathan Fritz
111th Legislative District



Mark Gillen
128th Legislative District



George Margetas
196th Legislative District



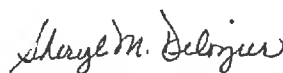
Tim Twardzik
123rd Legislative District



Brian Rasel
56th Legislative District



Wendy Fink
94th Legislative District



Sheryl M. Delozier
88th Legislative District



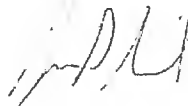
Tom Jones
98th Legislative District



Donna Scheuren
147th Legislative District



Jamie Flick
83rd Legislative District



Josh Kail
15th Legislative District

ORDER OF COURT

AND NOW, this __ day of October, 2026, upon review of the Emergency Petition for Extraordinary Relief Pursuant to 42 Pa.C.S. § 726, this Court's King's Bench Powers, and/or Pa.R.A.P. 3309(A), it is hereby ORDERED that the stay entered in this case on June 15, 2026 and set to expire on October 13, 2026 shall be extended an additional one-hundred and twenty (120) days until February 10, 2027.

_____, J.

CERTIFICATE OF COMPLIANCE

I certify this filing complies with the provisions of the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* that require filing confidential information and documents differently than non-confidential information and documents.

Submitted by: Joshua A. Lyons, Esq.

Signature: _____

Name: Joshua A. Lyons

Attorney No. (if applicable): 94301

CERTIFICATE OF SERVICE

I, Joshua A. Lyons hereby certify that a true and correct copy of the within **Emergency Petition for Extraordinary Relief Pursuant to 42 Pa.C.S. § 726, this Court's King's Bench Powers, and/or Pa.R.A.P. 3309(A)** was served upon all parties to the within matter and the interested parties listed below, this date, in the manner described below.

Via email and PACFile:

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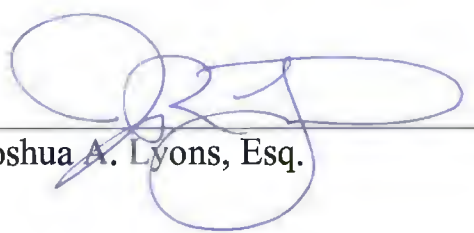
jfrank@lambmcerlane.com

Via Overnight Mail:

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Harrisburg, PA 17101

Brendan J. O'Malley
Office of General Counsel
Pennsylvania State Police
1800 Elmerton Avenue
Harrisburg, PA 17110

Date: 10/08/20



Joshua A. Lyons, Esq.