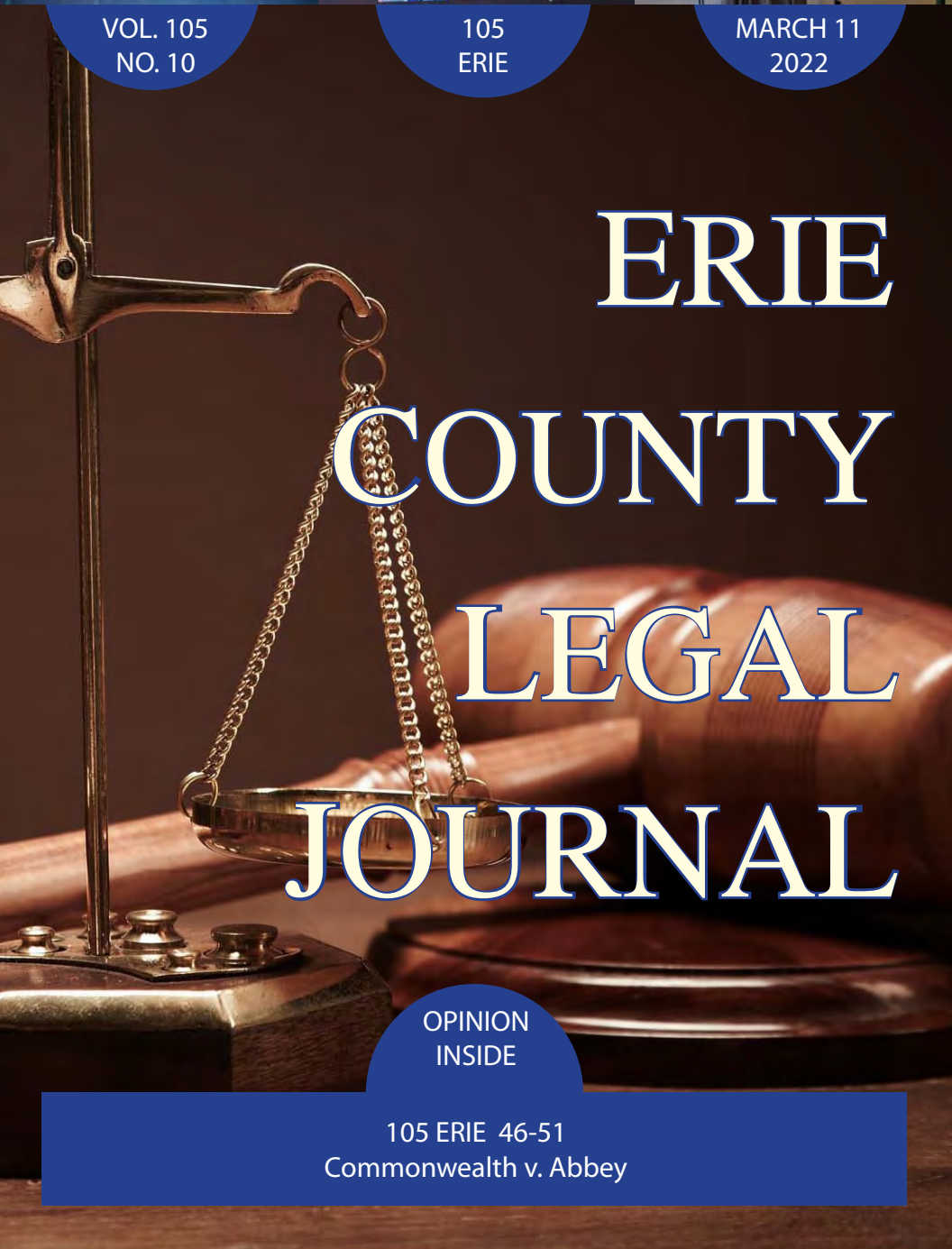




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MARCH 11
2022



ERIE COUNTY LEGAL JOURNAL

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ERIE COUNTY LEGAL JOURNAL

Reporting Decisions of the Courts of Erie County
The Sixth Judicial District of Pennsylvania

Managing Editor: Megan E. Anthony

PLEASE NOTE: NOTICES MUST BE RECEIVED AT THE ERIE COUNTY BAR ASSOCIATION OFFICE BY 3:00 P.M. THE FRIDAY PRECEDING THE DATE OF PUBLICATION.

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ERIE COUNTY BAR ASSOCIATION CALENDAR OF EVENTS AND SEMINARS

MONDAY, MARCH 14, 2022

AKT 5K Run/Walk Committee Meeting
Noon
ECBA Headquarters live (must RSVP)
or via Zoom

TUESDAY, MARCH 15, 2022

Diversity & Inclusion Section
Education Subcommittee Meeting
Noon
ECBA Headquarters live (must RSVP)
or via Zoom

WEDNESDAY, MARCH 16, 2022

Diversity & Inclusion Section Community/
Membership Subcommittee Meeting
Noon
ECBA Headquarters live (must RSVP)
or via Zoom

MONDAY, MARCH 21, 2022

Strategy/Mission Statement Meeting
Noon
ECBA Headquarters live (must RSVP)
or via Zoom

TUESDAY, MARCH 22, 2022

Live ECBA Lunch-n-Learn Seminar
*Forensic Meteorology:
Revealing Weather-Related Truths*
Noon - 1:00 p.m.
The Will J. Schaaf & Mary B. Schaaf
Education Center in-person or via Zoom
Click link for details
<https://www.eriebar.com/events/public-registration/1754>

WEDNESDAY, MARCH 23, 2022

Workers' Compensation Section Meeting
4:00 p.m.
ECBA Headquarters in-person (must RSVP)
or via Zoom

THURSDAY, MARCH 24, 2022

Defense Bar Section Meeting
4:00 p.m.
ECBA Headquarters live (must RSVP)
or via Zoom

FRIDAY, MARCH 25, 2022

Erie County Law Foundation Board Meeting
Noon
ECBA Headquarters live (must RSVP)
or via Zoom

MONDAY, MARCH 28, 2022

ECBA Board of Directors Meeting
Noon
ECBA Headquarters live (must RSVP)
or via Zoom

TUESDAY, MARCH 29, 2022

Law Day Committee Meeting
Noon
ECBA Headquarters live (must RSVP)
or via Zoom

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COMMONWEALTH OF PENNSYLVANIA, Appellee

v.

TERRY ABBEY, Appellant

CRIMINAL LAW

No court has jurisdiction to hear an untimely Post Conviction Relief Act (PCRA) petition.

CRIMINAL LAW

Although legality of sentence is always subject to review within the PCRA, claims must still first satisfy the PCRA's time limits or one of the exceptions thereto.

CRIMINAL LAW

Standard of review for an order denying post-conviction relief is limited to whether the record supports the lower court's determination, and whether that decision is free of legal error.

CRIMINAL LAW

When a Post Conviction Relief Act (PCRA) petition is not filed within one year of the expiration of direct review, or not eligible for one of the exceptions, or entitled to one of the exceptions, but not filed within 60 days of the date that the claim could have been first brought, the trial court has no power to address the substantive merits of a petitioner's PCRA claims.

CRIMINAL LAW

To be eligible for relief under the PCRA, Appellant must plead and prove by a preponderance of the evidence, *inter alia*, the allegation of error has not been previously litigated or waived.

CRIMINAL LAW

An issue is waived if the petitioner could have, but failed, to raise an issue prior to the instant proceeding. 42 Pa.C.S. §9544(b).

RES JUDICATA / COLLATERAL ESTOPPEL

Res judicata, or claim preclusion, prohibits parties involved in prior, concluded litigation from subsequently asserting claims in a later action that were raised, or could have been raised, in the previous adjudication. Collateral estoppel is similar in that it bars re-litigation of an issue that was decided in a prior action, although it does not require that the claim as such be the same.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

Erie County Docket No. CR 446 of 1999

PENNSYLVANIA SUPERIOR COURT

4 WDA 2022

Appearances: William Hathaway, Esq., PCRA counsel for Appellant, Terry Abbey
District Attorney Elizabeth Hirz, for Appellee, Commonwealth

Pa.R.A.P. 1925(a) OPINION

Domitrovich, J.,

February 22, 2022

This is an appeal of an Order dismissing Appellant's Post Conviction Relief Act Petition [hereinafter "PCRA"], which is Appellant's Fourth PCRA. This PCRA Court issued a

Notice of Intent to Dismiss Appellant's Fourth PCRA on November 2, 2021, after finding and concluding: (1) Appellant's Fourth PCRA was patently untimely by more than twenty (20) years; (2) no timeliness exception applied; and (3) the issues within Appellant's Fourth PCRA were waived because these issues (a) had previously been raised in Appellant's Second *pro se* PCRA, (b) were disposed of in the subsequent Order dismissing said Second *pro se* PCRA, and (c) Appellant never appealed said Order disposing of such issues.¹

This PCRA Court issued its Order Dismissing Appellant's Fourth PCRA on November 30, 2021. Appellant through his appointed PCRA counsel Attorney Hathaway filed the instant Notice of Appeal on December 28, 2021. Both served this PCRA Court with Notices of Appeal. This PCRA Court subsequently entered a 1925(b) Order on December 28, 2021, compelling Appellant to present a Concise Statement.

With no valid issues to raise on appeal, and due to Attorney Hathaway having already filed a "no-merit" letter on September 15, 2021, in response to Appellant's instant Fourth PCRA, Attorney Hathaway on January 13, 2022, submitted a Statement of Intent to file a Finley Brief, in which he notified this PCRA Court that no counseled Concise Statement would be entered.

Therefore, this PCRA Court will address the underlying issue within Appellant's Fourth PCRA appeal:

Whether this PCRA Court erred or abused its discretion by dismissing Appellant's Fourth PCRA for untimeliness where the underlying conviction occurred more than twenty years prior to this PCRA, where the timeliness exception cited by Appellant did not apply because the facts Appellant claims to have recently discovered were previously raised by Appellant in a prior PCRA and properly disposed of, where the issues within Appellant's instant Fourth PCRA were waived by Appellant's failure to appeal the prior PCRA Order that addressed and disposed of said issues, and where the doctrines of res judicata and collateral estoppel preclude Appellant from re-litigating the same issues disposed of in the Order dismissing Appellant's Second *pro se* PCRA.

BACKGROUND

On April 22, 1999, Appellant entered counseled and negotiated pleas of *nolo contendere* to one count each of attempted rape, indecent assault, and corruption of minors. Appellant also entered similarly counseled and negotiated pleas for two counts of involuntary deviate sexual intercourse. These convictions arose from Appellant's inappropriate sexual contact with his stepdaughter who was between the ages of five and eight at the time of these offenses.

This PCRA Court served as the Trial Court for Appellant's sentencing hearing, and, on June 2, 1999, sentenced Appellant to an aggregate of 16 years to 65 years of incarceration. These sentences are in the standard ranges of the Sentencing Guidelines.

On July 1, 1999, Appellant filed a counseled Notice of Appeal. On August 13, 1999, this Notice of Appeal was discontinued after Appellant's counsel filed a Praecipe to Discontinue Appeal with the Pennsylvania Superior Court at 1091 WDA 1999.

On March 6, 2007, Appellant filed his First *pro se* PCRA. This PCRA Court appointed PCRA counsel who submitted a "no-merit" letter and a Petition for Leave to Withdraw

as Counsel. On March 21, 2007, this PCRA Court issued Notice of its Intent to Dismiss Appellant's First PCRA.

On April 18, 2007, this PCRA Court dismissed Appellant's First PCRA and granted PCRA counsel leave to withdraw representation of Appellant. Appellant then filed an appeal with the Pennsylvania Superior Court for the dismissal of his First PCRA. The Pennsylvania Superior Court then affirmed dismissal of Appellant's First PCRA on January 3, 2008, concurring with the PCRA Court's determination that appellate issues were waived for failure to file a Court-ordered 1925(b) Concise Statement of Matters Complained of On Appeal. *See Commonwealth v. Abbey*, 947 A.2d 820 (Pa. Super. 2008)(non-precedential decision).

After ten years with no subsequent filings from Appellant, Appellant filed on March 7, 2018, a "Pro Se Petition to Correct and/or Modify Unconstitutional Sentence Pursuant to *Com. v. Muniz*, J-121 B-2016 (19 July 2017)," which this Court considered as Appellant's Second *pro se* PCRA. This PCRA Court again appointed PCRA counsel who filed a supplemental PCRA. The Commonwealth filed its response.

On June 1, 2018, this PCRA Court issued a Notice of Intent to Dismiss Appellant's Second *pro se* PCRA as untimely after finding: (1) the underlying sentence became final, at the latest, on August 13, 1999, when direct review was concluded by discontinuance of the appeal, and (2) the 42 Pa.C.S. Section 9545(b)(iii) timeliness exception did not apply because, as stated by the Pennsylvania Superior Court in *Commonwealth v. Murphy*, 180 A.3d 402 (Pa. Super. 2018), the Pennsylvania Supreme Court had not held *Commonwealth v. Muniz*, 164 A.3d 1189 (Pa. 2017) applied retroactively. This PCRA Court also determined Appellant failed to satisfy the mandates of *Commonwealth v. Lawson*, 549 A.2d 107, 112 (Pa. 1988) and its progeny with regard to Appellant's burden of proof in subsequent PCRA petitions.

On June 28, 2018, this PCRA Court dismissed Appellant's Second *pro se* PCRA. No appeal was filed from the Order dismissing this Second *pro se* PCRA.

On August 21, 2018, Appellant was paroled at this docket.

On September 25, 2019, Appellant filed his Third *pro se* PCRA. Therein, Appellant indicated he wanted to withdraw his pleas or, alternatively, be resentenced. The Commonwealth filed a response indicating the PCRA was untimely by approximately nineteen (19) years, and no exception to the timeliness rule applied. Moreover, assuming *arguendo* said PCRA was timely, the Commonwealth asserted Appellant failed to satisfactorily demonstrate any ineffectiveness which rendered the pleas involuntary.

On December 20, 2019, this PCRA Court issued Notice of Intent to Dismiss the Third *pro se* PCRA, dated September 25, 2019. This PCRA Court stated the basis for this dismissal as follows: (1) the Third *pro se* PCRA was untimely and no exception to the one-year timeliness rule applied; (2) the substantive claim within the Third *pro se* PCRA wholly lacked merit; (3) Appellant again failed to satisfy the mandates of *Commonwealth v. Lawson*, 549 A.2d 107, 112 (Pa. 1988), and its progeny; and (4) the claim of involuntariness of the pleas was waived. This PCRA Court then issued a New Revised Notice of intent to Dismiss on January 17, 2020, as the original Notice was not successfully delivered to Appellant.

On January 29, 2020, Appellant filed objections to the Revised Notice of Intent to Dismiss Appellant's Third *pro se* PCRA. On March 9, 2020, for the reasons set forth in the original and Revised Notices of Intent to Dismiss, this PCRA Court dismissed his Third *pro se* PCRA.

On August 16, 2021, Appellant filed *pro se* his Fourth PCRA, the dismissal of which

¹ Appellant's Third *pro se* PCRA was dismissed as untimely on March 9, 2020.

is the issue in Appellant's instant appeal. Therein, Appellant avers his sentence is illegal and violated his constitutional rights pursuant to *Commonwealth v. Muniz*, *supra*. Despite having relied explicitly upon this same *Muniz* case in his Second *pro se* PCRA, Appellant claims he only recently discovered this case during a "scheduled law library" session on approximately August 6, 2021.

On August 19, 2021, this PCRA Court appointed PCRA counsel Attorney Hathaway who, on September 15, 2021, filed a "no-merit" letter and accompanying Petition for Leave to Withdraw as Counsel. Therein, counsel advised this PCRA Court that Appellant's Fourth PCRA is patently untimely; no exception to the timeliness rule applies; the claim wholly lacks substantive merit; the claim was previously litigated in Appellant's Second *pro se* PCRA which was ultimately dismissed on January 29, 2020; and the claim is waived as no appeal was taken from the Order of January 29, 2020. While there appears to have been a clerical error with regards to these given dates, it is true that Appellant's claims in this instant Fourth PCRA were previously raised in Appellant's Second *pro se* PCRA and were fully addressed and disposed of by this PCRA Court in its June 1, 2018, Notice of Intent to Dismiss and subsequent Order, and that Appellant never appealed said Order. *See Notice of Intent to Dismiss dated June 1, 2018*.

On September 22, 2021, Appellant filed (1) an Application for Permission to file *Pro Se* in response to Attorney Hathaway's no merit letter, and (2) a separate Motion for Change of Appointed Counsel. On September 28, 2021, the Commonwealth, through its counsel, now District Attorney Elizabeth Hirz, filed a response concurring with the assessment of PCRA counsel, Attorney Hathaway.

On November 1, 2021, this PCRA Court denied PCRA counsel Attorney Hathaway's Petition for Leave to Withdraw, and dismissed Appellant's Application for Permission to file *Pro Se* and concurrent Motion for Change of Appointed Counsel as a hybrid filing by Appellant. On November 2, 2021, this PCRA Court issued its Notice of Intent to Dismiss Appellant's instant Fourth PCRA as untimely. This PCRA Court conducted its own independent PCRA analysis, and found and concluded as follows: (1) Appellant's Fourth PCRA was patently untimely due to the underlying conviction becoming final over 20 years prior; (2) no timeliness exception applies because Appellant's claims of a newly discovered fact are disingenuous, as Appellant in his Second *pro se* PCRA had previously relied on the exact case he claims to have only recently discovered; and (3) the issue was waived by Appellant after he failed to appeal the Order dismissing his Second *pro se* PCRA, whereupon he would have had the opportunity to litigate said issue.

Appellant then filed a Notice of Appeal on November 10, 2021, and said Notice was sent to his appointed PCRA counsel Attorney Hathaway. In this Notice of Appeal, Appellant attached the Order denying PCRA counsel Attorney Hathaway's petition to withdraw as counsel as the Order that Appellant wished to appeal.

After receiving Appellant's Notice of Appeal, this PCRA Court issued a 1925(b) Order on November 15, 2021. No response to this Order was ever filed.

On November 30, 2021, this PCRA Court issued an Order dismissing Appellant's Fourth PCRA.

On December 28, 2021, this PCRA Court was served a Notice of Appeal of the Order Dismissing Appellant's Fourth PCRA by Appellant's PCRA counsel Attorney Hathaway. This

PCRA Court then issued a Second 1925(b) Order for a Concise Statement, which was served on Appellant and on Appellant's PCRA counsel, Attorney Hathaway. Appellant's PCRA counsel Attorney Hathaway then submitted a Statement of Intent to file a *Finley* Brief on January 13, 2022, informing this PCRA Court that no counseled Concise Statement would be incoming for the same reasons outlined in Attorney Hathaway's September 15, 2021, "no-merit" letter.

DISCUSSION

Any PCRA not filed within one year of the date the judgment becomes final is untimely, except under three very limited circumstances. 42 Pa.C.S. §9545(b). A judgment becomes final at the conclusion of direct review, or at the expiration of time for seeking the review. 42 Pa.C.S. §9545(b)(3). The one-year time limitation is jurisdictional and a trial court has no power to address the substantive merits of an untimely PCRA. *Commonwealth v. Abu-Jamal*, 941 A.2d 1263, 1267-68 (Pa. 2003), cert. denied, 541 U.S. 1048 (2004); *Commonwealth v. Gamboa-Taylor*, 753 A.2d 780, 783 (Pa. 2000); *Commonwealth v. Fowler*, 930 A.2d 586, 591 (Pa. Super. 2007).

The three exceptions to the one-year filing requirement are for interference by a government official that prevented a claim from being previously raised, newly discovered evidence that could not have been ascertained by the exercise of due diligence, and the assertion of a newly-recognized constitutional right that has been held by the Supreme Court of the United States or the Supreme Court of Pennsylvania to apply retroactively. 42 Pa.C.S. §9545(b)(1). Any PCRA asserting one of these exceptions must be filed within one year of the date the claim could have been first presented. 42 Pa.C.S. §9545(b)(2). "As such, when a PCRA petition is not filed within one year of the expiration of direct review, or not eligible for one of the three limited exceptions, or entitled to one of the exceptions, but not filed within [one year] of the date that the claim could have been first brought, the trial court has no power to address the substantive merits of a petitioner's PCRA claims." *Commonwealth v. Gamboa-Taylor*, 753 A.2d at 783; *Commonwealth v. Taylor*, 933 A.2d 1035, 1039 (Pa. Super. 2007). It is petitioner's burden to allege and prove one of the following timeliness exceptions applies. *Commonwealth v. Abu-Jamal*, 941 A.2d at 1268; *Commonwealth v. Fowler*, 930 A.2d at 591. "Although legality of sentence is always subject to review within the PCRA, **claims must still first satisfy the PCRA's time limits or one of the exceptions thereto.**" *Commonwealth v. Fahy*, 737 A.2d 214, 223 (Pa. 1999) (emphasis added).

As Appellant's Fourth PCRA was not filed until August 16, 2021, more than twenty (20) years after the time prescribed by statute, it is patently untimely. *See* 42 Pa.C.S. §9545(b). No statutory exception to the one-year timeliness rule applies. *See Id.* Appellant's attempt to characterize his "discovery" of *Muniz* as some new event occurring during law library time in August of 2021 is disingenuous. Appellant, who raised this exact *Muniz* claim in his Second *pro se* PCRA of March 7, 2018, was aware of the case by March of 2018 at the latest.

Moreover, to be eligible for relief under the PCRA, Appellant must plead and prove by a preponderance of the evidence, *inter alia*, the allegation of error has not been previously litigated or waived. 42 Pa.C.S. §9543(a)(3). An issue is waived if the petitioner could have, but failed, to raise an issue prior to the instant proceeding. 42 Pa.C.S. §9544(b).

In the instant case, no Notice of Appeal to the Pennsylvania Superior Court was filed from the Order of June 28, 2018, dismissing Appellant's Second *pro se* PCRA. This PCRA

Court's Order dated June 28, 2018, followed the June 1, 2018, Notice of Intent to Dismiss, which addressed and disposed of the same issues presented in the instant PCRA in depth. *See Notice of Intent to Dismiss dated June 1, 2018*. Therefore, Appellant's failure to appeal the June 1, 2018, Notice of Intent and subsequent June 28, 2018, Order dismissing Appellant's Second *pro se* PCRA constitutes a waiver of these issues under 42 Pa.C.S. §9544(b).

Moreover, Appellant's failure to appeal the June 28, 2018, Order dismissing his Second *pro se* PCRA resulted in that judgment on the merits being final. Under the doctrines of res judicata and collateral estoppel, parties are precluded from re-litigating claims that have already been adjudicated by a court of competent jurisdiction where the issues, causes of action, and identities of the parties are the same as in the prior proceeding, and where a final judgment on the merits has been reached. *See In re Coatesville Area School District*, 244 A.3d 373, 378-379 (Pa. 2021).

In the instant case, all parties are the same and are of the same "capacity" as they were at the time of Appellant's Second *pro se* PCRA. *See Id.* As discussed previously, all claims and issues raised by Appellant in his instant Fourth PCRA, are identical to the issues and claims raised by Appellant in his Second *pro se* PCRA. Because Appellant failed to appeal the June 28, 2018, Order dismissing his Second *pro se* PCRA, that judgment on the merits of Appellant's claim became final. Therefore, Appellant is precluded from re-litigating the claims and issues raised in his instant Fourth PCRA under the doctrines of res judicata and collateral estoppel.

For the foregoing reasons, Appellant's Fourth PCRA is untimely and Appellant is not entitled to relief under the PCRA. Moreover, the issues within the PCRA are waived. Wherefore, this PCRA Court respectfully requests the Pennsylvania Superior Court affirm this PCRA Court's decision in denying Appellant's Fourth PCRA.

BY THE COURT

/s/ **Hon. Stephanie Domitrovich, Judge**

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ACTION TO QUIET TITLE

To: SHANE WILSON and all persons claiming by, through and under Lawrence Brenneman Please take notice that Stoneycreek Development, Plaintiff, has filed a complaint to quiet title against, defendants, RITA A. BRENNEMAN, the heirs, administrators, personal representatives, and all persons claiming by, through, and under RITA A. BRENNEMAN, the heirs, administrators, personal representatives, and all persons claiming by, through, and under PAUL BRENNEMAN, AMY BRENNEMAN, HALLE BRENNEMAN, the heirs administrators, personal representatives, and all persons claiming by, through, and under LAWRENCE BRENNEMAN, SHANE WILSON, and THOMAS JEBING, in the Court of Common Pleas of Erie County, Pennsylvania, Civil Division, No. 2021-12343. Plaintiff is the owner of the described property situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bearing Tax Index Number (18) 5373-216, more commonly known as 538 East 37th Street, Erie, Pennsylvania. The defendants may have some interest in the above described property. Plaintiff has filed this action to quiet title to the property and seek to bar the defendants from ever asserting any right, title, interest, lien or claim against the property.

NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A

JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFFS. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

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MacDonald, Illig, Jones & Britton LLP

100 State Street, Suite 700
Erie, PA 16507-1459
(814) 870-7703

Attorneys for Stoneycreek Development

Mar. 11

CERTIFICATE OF AUTHORITY

Notice is hereby given that Chalkbeat, Inc., a foreign nonprofit corporation, has applied for a Statement of Registration to do business in the Commonwealth of Pennsylvania under the provisions of Chapter 4 of the Association Transactions Act. The corporation is incorporated under the laws of the State of Delaware. The address of its principal office under the laws of said jurisdiction is 450 7th Ave., Fl. 32, NY, NY 10123 and subject to section 109, the name

of its proposed registered office in Pennsylvania is Corporate Creations Network Inc.

Mar. 11

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania No. 10495-2022. Notice is hereby given that, on March 2, 2022, the Petition of Gary Lee Ayers was filed in the Erie County Court of Common Pleas requesting an order to change his name to Gary Lee Brown.

The Court has fixed the day of April 21, 2022 at 9:00 a.m. in Courtroom G, Room 222, of the Erie County Courthouse, Erie, Pennsylvania as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any, why the request of the Petition should not be granted.

Mar. 11

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 10489-22 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Santina Nicole Bonaminio to Santina Nicole Galvin and Tyler Christopher VanHooser to Tyler Christopher Galvin.

The Court has fixed the 19th day of April, 2021 at 9:00 a.m. in Court Room G, Room 222, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Mar. 11

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 10387-22 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Paige Ellen Boucher to Vivienne Payge Boucher.

The Court has fixed the 12th day of April, 2021 at 9:00 a.m. in Court

Room G, Room 222, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Mar. 11

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 10462-22 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of David Lawrence Phelps to Jennifer Seline Stacey.

The Court has fixed the 13th day of April, 2021 at 9:00 a.m. in Court Room G, Room 222, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Mar. 11

FICTITIOUS NAME NOTICE

Pursuant to Act 295 of December 16, 1982 notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania a "Certificate of Carrying On or Conducting Business under an Assumed or Fictitious Name." Said Certificate contains the following information:

FICTITIOUS NAME NOTICE

Notice is hereby given that an Application of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on January 22, 2022 for Wild Child Inspired Apparel at 19039 Hillcrest Drive, Corry, PA 16407. The name and address of each individual interested in the business is Denise M. Buell at 19039 Hillcrest Drive, Corry, PA 16407; Kylee Maedje at 233 Railroad St., Corry, PA 16407; Brittany Buell at 215 E. Smith Street, Corry, PA 16407; Cassandra Brown at 19039 Hillcrest Drive, Corry, PA

16407. This was filed in accordance with 54 Pa.C.S.313-417.

Mar. 11

INCORPORATION NOTICE

JESSICA A. ELLEL, ESQUIRE, HOUSTON HARBAUGH, P.C., 401 Liberty Avenue, 22nd Floor, Pittsburgh, Pennsylvania 15222.

Notice is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for a professional corporation which was organized under the Pennsylvania Business Corporation Law of 1988, as amended. The name of the professional corporation is: **Coventina DMS PC.**

Mar. 11

ORGANIZATION NOTICE

NOTICE IS HEREBY GIVEN, that a Certificate of Organization-Domestic Limited Liability Company has been filed with the Department of State in the Commonwealth of Pennsylvania, with respect to a Limited Liability Company, which is organized under the provisions of The Pennsylvania Uniform Limited Liability Company Act of 2016, 15 Pa.C.S. § 8811 et seq., and any successor statute, as amended from time to time. The name of the Limited Liability Company is Sara's Rentals, LLC and it is to be organized effective January 10, 2022.

S.R. LAW, LLC
Ronald W. Coyer, Esquire
631 Kelly Blvd., P.O. Box 67
Slippery Rock, PA 16057

Mar. 11

LEGAL NOTICE

ATTENTION: JILLIAN MARIE STRANGE
INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR FEMALE CHILD A.L.G. DOB: 10/06/2021
6 IN ADOPTION, 2022

If you could be the parent of the above-mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear

before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, Judge Erin Connelly Marucci, Courtroom D #214, City of Erie on April 22, 2022 at 10:00 a.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your children and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled Hearing, the Hearing will go on without you and your rights to your child may be ended by the Court without your being present.

You have a right to be represented at the Hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer, or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help. Family/Orphan's Court Administrator Room 204 - 205

Erie County Court House
Erie, Pennsylvania 16501
(814) 451-6251

NOTICE REQUIRED BY ACT 101 OF 2010: 23 Pa. C.S. §§2731-2742. This is to inform you of an important option that may be available to you under Pennsylvania law. Act 101 of 2010 allows for an enforceable voluntary agreement for continuing contact or communication following an adoption between an adoptive parent, a child, a birth parent and/or a birth relative of the child, if all parties agree and the voluntary agreement is approved by the court. The agreement must be signed and approved by the court to be legally binding. If you are interested in learning more about this option for a voluntary agreement, contact the

Office of Children and Youth at (814) 451-6688, or contact your adoption attorney, if you have one.

Mar. 11

LEGAL NOTICE

Erie County
Court of Common Pleas
Number: 11917-21
Notice of Action in
Mortgage Foreclosure

Reverse Mortgage Funding LLC, Plaintiff v. Tammy Dey, Known Surviving Heir of Olga L. Quinn, Sue Harriger, Known Surviving Heir of Olga L. Quinn, Dan Quinn, Known Surviving Heir of Olga L. Quinn, and Unknown Surviving Heirs of Olga L. Quinn, Defendants

TO: Unknown Surviving Heirs of Olga L. Quinn. Premises subject to foreclosure: 3915 Roxbury Road, Erie, Pennsylvania 16506. NOTICE: If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the

Plaintiff. You may lose money or property or other rights important to you. You should take this notice to your lawyer at once. If you do not have a lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer. If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee. Lawyer Referral Service, Erie County Bar Association, P.O. Box 1792, Mon.-Fri. 8:30 a.m. - Noon; 1:15 p.m. - 3:00 p.m., Erie, Pennsylvania 16507, (814) 459-4411. McCabe, Weisberg & Conway, LLC, Attorneys for Plaintiff, 123 S. Broad St., Ste. 1400, Phila., PA 19109, 215-790-1010

Mar. 11

LEGAL NOTICE

Attorney John Mario Bonanti passed away on January 16, 2021. At the time of his passing, Atty. Bonanti held in his possession files of clients. Any client wishing to retrieve their file (or who believes that they are owed money by Atty. Bonanti) should immediately contact the

following:

Margaret Blumish, Executor
c/o Jerome C. Wegley, Esq.
120 West Tenth Street,
Erie, PA 16501

Any files not retrieved within ninety (90) days of the publication of this notice will be destroyed.

Attorney:
Jerome C. Wegley
Knox McLaughlin Gornall &
Sennett, P.C.
120 West Tenth Street
Erie, PA 16501

Mar. 11, 18, 25

LEGAL NOTICE

Notice is hereby given that any individuals, who have had weapons confiscated from January 1, 2018, through December 31, 2018, by Court Order from Protection from Abuse Order have thirty (30) days from the date of this publication to respond in person to take possession of their weapons.

The Sheriff will dispose of all unclaimed weapons after thirty (30) days of the date of said notice.
Sheriff Chris D. Campanelli

Feb. 25 and Mar. 4, 11

SHERIFF SALES

Notice is hereby given that by virtue of sundry Writs of Execution, issued out of the Courts of Common Pleas of Erie County, Pennsylvania, and to me directed, the following described property will be sold at the Erie County Courthouse, Erie, Pennsylvania on

**MARCH 18, 2022
AT 10 A.M.**

All parties in interest and claimants are further notified that a schedule of distribution will be on file in the Sheriff's Office no later than 30 days after the date of sale of any property sold hereunder, and distribution of the proceeds made 10 days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

All bidders are notified prior to bidding that they **MUST** possess a cashier's or certified check in the amount of their highest bid or have a letter from their lending institution guaranteeing that funds in the amount of the bid are immediately available. If the money is not paid immediately after the property is struck off, it will be put up again and sold, and the purchaser held responsible for any loss, and in no case will a deed be delivered until money is paid.

Chris D. Campanelli
Sheriff of Erie County

Feb. 25 and Mar. 4, 11

SALE NO. 1

**Ex. #12474 of 2021
HAVACO TECHNOLOGIES, INC.
by assignment from JOSEPH J. PRISCHAK, Plaintiff**

v.

**TETRA TOOL COMPANY
and THE UNITED STATES OF AMERICA, Defendants**

DESCRIPTION

By virtue of a Writ of Execution filed to No. 12474-2021, Havaco Technologies, Inc. by assignment from Joseph J. Prischak vs. Tetra Tool Company and The United States of America
Tetra Tool Company, owner of property situated in Millcreek Township, Erie County, Pennsylvania being 1425 Industrial

Drive, Erie, Pennsylvania 16505
0.9979 acres
Assessment Map Number:
(33) 33-191-7
Assessed Value Figure: \$414,600.00
Improvement Thereon: Industrial Warehouses
John J. Mehler
Pa. Supreme Court ID No. 46669
Nicholas R. Pagliari
Pa. Supreme Court ID No. 87877
MacDONALD, ILLIG, JONES & BRITTON LLP
100 State Street, Suite 700
Erie, Pennsylvania 16507-1459
(814) 870-7754
Attorneys for Plaintiff
Havaco Technologies, Inc. by assignment from Joseph J. Prishak

Feb. 25 and Mar. 4, 11

SALE NO. 2

**Ex. #11957 of 2020
U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST TO BANK OF AMERICA NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR BY MERGER TO LASALLE BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR STRUCTURED ASSET INVESTMENT LOAN TRUST MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2003-BC2, Plaintiff**

v.

**STEVEN RONTO II;
SUSAN M. RONTO, Defendant(s)**

DESCRIPTION

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN FRANKLIN TOWNSHIP, ERIE COUNTY, PENNSYLVANIA: BEING KNOWN AS: 10506 MOHAWK ROAD, CRANESVILLE, PA 16410 BEING PARCEL NUMBER: 22-007-027.0-004.01 IMPROVEMENTS: RESIDENTIAL PROPERTY Robertson, Anschutz, Schneid, Crane & Partners, PLLC A Florida Limited Liability Company 133 Gaither Drive, Suite F Mt. Laurel, NJ 08054 (855) 225-6906

Attorneys for Plaintiff
Robert Flacco, Esquire
Id. No. 325024

Feb. 25 and Mar. 4, 11

SALE NO. 3

**Ex. #11595 of 2019
Community Loan Servicing, LLC f/k/a Bayview Loan Servicing, LLC, Plaintiff**

v.

Robert B. Horn, III, Tina Tanner, Unknown Heirs, Successors, Assigns and All Persons, Firms, or Associations Claiming Right, Title, or Interest from or Under Robert B. Horn, Jr., Deceased, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 11595-19, Community Loan Servicing, LLC f/k/a Bayview Loan Servicing, LLC vs. Robert B. Horn, III, Tina Tanner, Unknown Heirs, Successors, Assigns and All Persons, Firms, or Associations Claiming Right, Title, or Interest from or Under Robert B. Horn, Jr., Deceased, owners of property situated in Erie City, Erie County, Pennsylvania being 1580 Kuntz Rd., Erie, PA, 16509

Assessment Map number: (33) 166-617-12
Assessed Value figure: \$103,500.00
Improvement thereon: Residential Dwelling
Milstead & Associates, LLC
Lorraine Gazzara Doyle, Esquire
1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400

Feb. 25 and Mar. 4, 11

SALE NO. 4

**Ex. #12271 of 2021
FIRST NATIONAL BANK OF PENNSYLVANIA, Plaintiff**

v.

ALLEN J. HERRINGTON, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 12271-21, FIRST NATIONAL BANK OF PENNSYLVANIA vs. ALLEN J. HERRINGTON, owner of property situated in the City of Erie, Erie County, Pennsylvania being known

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as 1716 West 14th Street, Erie, PA 16505.
Acreage: 0.0472
Tax Index Parcel No. (16) 3107-405
Assessed Value figure: \$32,700.00 (Land & Building)
Improvement thereon: Residential Two-story frame dwelling.
FIRST NATIONAL BANK OF PENNSYLVANIA
David W. Raphael, Esquire
Attorney for First National Bank of Pennsylvania
100 Federal Street - 4th Floor
Pittsburgh, PA 15212
412-465-9718

Feb. 25 and Mar. 4, 11

SALE NO. 5

Ex. #13288 of 2018
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff
v.

MICHELE D. PRIESTER,
Defendant
DESCRIPTION

By virtue of a Writ of Execution No. 2018-13288, PENNSYLVANIA HOUSING FINANCE AGENCY,

Plaintiff vs. MICHELE D. PRIESTER, Defendant
Real Estate: 308 LAKE CLIFF DRIVE, ERIE, PA 16511
Municipality: Township of Lawrence
Erie County, Pennsylvania
Dimensions: 90 x 107 x 151.9
Deed Book/Inst#: 2011-000252
Tax I.D. (29) 6-11-14
Assessment: \$20,600 (Land) \$69,690 (Bldg)
Improvement thereon: a residential dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Feb. 25 and Mar. 4, 11

SALE NO. 6

Ex. #13453 of 2019
MID AMERICA MORTGAGE,
INC., Plaintiff
v.
ZACHARY S. BOSWELL
AND JESSICA M. BOSWELL,
Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 13453-2019, MID AMERICA MORTGAGE, INC. vs. Zachary S. Boswell and Jessica M. Boswell, owner(s) of property situated in the City of Erie, Erie County, Pennsylvania being 1726 West 25th Street, Erie, Pennsylvania 16502
1,932 Square Feet / .2016 Acreage
Assessment Map number: n/a
Assessed Value figure: \$18,800.00
Improvement thereon: \$80,000.00
Elizabeth Dranttel
Senior Managing Litigation Attorney
Rose L. Brand & Associates, P.C.
7430 Washington Street NE
Albuquerque, NM 87109
(505) 833-3036 - Office
Elizabeth.Dranttel@roselbrand.com
Feb. 25 and Mar. 4, 11

ESTATE NOTICES

Notice is hereby given that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same and all persons indebted to said estates are requested to make payment without delay to the executors or their attorneys named below.

FIRST PUBLICATION

BIEBEL, MARLENE R.,
deceased

Late of Union City Borough, Erie County, Commonwealth of Pennsylvania
Executor: Richard T. Biebel, Jr., c/o Kenzie P. Ryback, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Kenzie P. Ryback, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

CLEMENT, DAVID L., a/k/a
DAVID LEE CLEMENT,
deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executor: John A. Clement, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Melissa L. Larese, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

DONNELLY, RICHARD H., SR.,
RICHARD H. DONNELLY,
deceased

Late of North East Borough, County of Erie and Commonwealth of Pennsylvania
Executrix: Brynn A. Barnhart, 5201 Harborsgreene Road, Erie, PA 16510-5262
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

DRURY, KERRIE LEE,
deceased

Late of Conneaut Township
Administratrix: Terrie D. Drury, c/o Brenc Law, 9630 Moses Road, Springboro, Pennsylvania 16435
Attorney: Andrew S. Brenc, Esquire, 9630 Moses Road, Springboro, Pennsylvania 16435

FEDEROFF, RONALD NEIL,
deceased

Late of Girard Township, Erie County
Executrix: Andrea Federoff
Attorney: Norman A. Stark, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

GRAMLEY, HAROLD D.,
deceased

Late of Millcreek Township, Erie County, Pennsylvania
Co-executors: Steven K. Gramley and Nathan T. Gramley, c/o Jerome C. Wegley, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

HAFEL, MARLENE JOAN,
a/k/a MARLENE HAFEL, a/k/a
MARLENE J. HAFEL,
deceased

Late of Millcreek Township, County of Erie, Commonwealth of Pennsylvania
Executrix: Kelly L. Madden, c/o John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507
Attorney: John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

HINTON, ROY A., a/k/a
ROY A. HINTON, SR.,
deceased

Late of the City of Erie, County of Erie, and State of Pennsylvania
Co-executors: Roy A. Hinton, Jr., and Cory M. Hinton, c/o Justin L. Magill, Esq., 2820 W. 23rd Street, Erie, PA 16506
Attorney: Justin L. Magill, Esquire, 2820 W. 23rd Street, Erie, PA 16506

MacKINLAY, JOHN A.,
deceased

Late of the Township of Wayne, County of Erie, Commonwealth of Pennsylvania
Administratrix: Mary Jane McCartney, c/o 100 State Street, Suite 700, Erie, PA 16507-1459
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

OLSON, ALDENE C.,
deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administrator: Stuart A. Olson, c/o 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Thomas E. Kuhn, Esquire, QUINN, BUSECK, LEEMHUIS, TOOHEY & KROTO, INC., 2222 West Grandview Blvd., Erie, PA 16506

RODRIGUEZ, VALERIE J., a/k/a
VALERIE RODRIGUEZ,
deceased

Late of the City of Erie, Erie County
Executrix: Sarita Bonifacio
Attorney: Edwin W. Smith, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

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Joseph P. Maloney, CPA, CFE

Rick L. Clayton, CPA • Christopher A. Elwell, CPA • Ryan Garofalo, CPA

Confidential inquiries by phone or email to mrsinfo@mrs-co.com.

SEXAUER, GROVER W., a/k/a GROVER WILLIAM SEXAUER, a/k/a GROVER SEXAUER, deceased

Late of the Township of Millcreek, County of Erie and State of Pennsylvania
Executor: Scott Sexauer, 4960 Sir Hue Drive, Erie, PA 16506
Attorney: Ronald J. Susmarski, Esq., 4030 West Lake Road, Erie, PA 16505

SHREVE, LOIS M., a/k/a LOIS MAXINE TRAPHAGEN SHREVE, a/k/a LOIS MAXINE SHREVE, deceased

Late of Millcreek Township, County of Erie, Commonwealth of Pennsylvania
Executor: Thomas R. Shreve, c/o John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507
Attorney: John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

VENDETTI, LUCILLE A., a/k/a LUCILLE VENDETTI, deceased

Late of the City of Erie, County of Erie and State of Pennsylvania
Executor: Ronald J. Susmarski, 4036 West Lake Road, Erie, PA 16505
Attorney: Aaron E. Susmarski, Esq., 4030 West Lake Road, Erie, PA 16505

WHELPLEY, SHIRLEY A., a/k/a SHIRLEY ANN WHELPLEY, a/k/a SHIRLEY WHELPLEY, deceased

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania
Executor: John E. Whelpley
Attorney: James H. Richardson, Esquire, ELDERKIN LAW FIRM, 456 West 6th Street, Erie, PA 16507

SECOND PUBLICATION

ANDERSON, BARBARA L., deceased

Late of the Township of Wayne, County of Erie, Pennsylvania
Executor: Douglas H. Anderson, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407
Attorney: Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

BAKER, WANDA J., deceased

Late of the City of Corry, County of Erie, Pennsylvania
Executor: John M. Baker, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407
Attorney: Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

DOMBKOWSKI, DOLORES M., deceased

Late of the City of Erie, County of Erie
Executor: Justin W. Dombkowski, 4220 French Street, Erie, PA 16504
Attorney: Kari A. Froess, Esquire, Carney & Good, 254 West 6th Street, Erie, PA 16507

FITZGERALD, SALLY J., a/k/a SALLY FITZGERALD, a/k/a SALLY WATT FITZGERALD, a/k/a SALLY J. WATT FITZGERALD, deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executrix: Susan J. Presti, c/o John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507
Attorney: John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

GENIS, KATHLEEN L., deceased

Late of the City of Erie, County of Erie
Executor: Charles J. Spilko, 1156 West 6th Street, Erie, PA 16507
Attorney: Michael S. Butler, Esq., Heritage Elder Law, 318 South Main Street, Butler, PA 16001

GESLER, ALBERT U., JR., a/k/a ALBERT URBAN GESLER, JR., a/k/a REV. ALBERT U. GESLER, a/k/a ALBERT U. GESLER, deceased

Late of Lawrence Park Township, County of Erie, Commonwealth of Pennsylvania
Executor: Albert U. Gesler, III, c/o John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507
Attorney: John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

HOUGH, DONALD E., a/k/a DONALD HOUGH, deceased

Late of the Township of Conneaut, County of Erie, Commonwealth of Pennsylvania
Co-executors: Debra L. Feldmiller, 75 Market Street, Albion, PA 16401 and Daniel E. Hough, 10898 State Road, Albion, PA 16401
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

JOHNSON, ELLEN MAY, a/k/a ELLEN M. JOHNSON, a/k/a ELLEN JOHNSON, deceased

Late of the Township of Springfield, County of Erie and Commonwealth of Pennsylvania
Executor: James E. Johnson, c/o James A. Pitonyak, Esquire, 2618 Parade Street, Erie, PA 16504
Attorney: James A. Pitonyak, Esquire, 2618 Parade Street, Erie, PA 16504

JOHNSON, TIMOTHY E., deceased

Late of the City of Erie, County of Erie, Pennsylvania
Administrator: Michael A. Goodard, c/o 3939 West Ridge Road, Suite B-27, Erie, PA 16506
Attorney: James L. Moran, Esquire, 3939 West Ridge Road, Suite B-27, Erie, PA 16506

KOVACS, JANOS, a/k/a JOHN KOVACS, deceased

Late of Millcreek Township, County of Erie, Pennsylvania
Executrix: Kristen Costa, c/o Mary Alfieri Richmond, Esq., 502 Parade Street, Erie, PA 16507
Attorney: Mary Alfieri Richmond, Esq., 502 Parade Street, Erie, PA 16507

KRIEBEL, KENNETH R., deceased

Late of Greene Township, Erie County
Executrix: Sandra L. Kriebel
Attorney: Steven E. George, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

LAUGHNER, ELIZABETH, deceased

Late of Millcreek Township, County of Erie, Pennsylvania
Executrix: Kathleen A. Hart, c/o Mary Alfieri Richmond, Esq., 502 Parade Street, Erie, PA 16507
Attorney: Mary Alfieri Richmond, Esq., 502 Parade Street, Erie, PA 16507

O'NEILL, BETTY J., deceased

Late of the City of Erie, Erie County, Pennsylvania
Executrix: Jane A. Campbell, 25591 Plank Rd., PO Box 184, Cambridge Springs, PA 16403
Attorney: John C. Swick, Esq., Shafer Law Firm, P.C., 890 Market St., Meadville, PA 16335

PITONYAK, FAY M., a/k/a FAY MARIE PITONYAK, a/k/a FAY PITONYAK, deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Rosemary L. Nicosia, c/o James A. Pitonyak, Esquire, 2618 Parade Street, Erie, PA 16504
Attorney: James A. Pitonyak, Esquire, 2618 Parade Street, Erie, PA 16504

POLAK, KATHRYN ANN, a/k/a KATHRYN A. POLAK, deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executor: Robert L. Douglas, c/o 100 State Street, Suite 700, Erie, PA 16507-1459
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

RETTAN, LINDA M., deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administrator: Timothy Rettan, c/o Eugene C. Sundberg, Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: Eugene C. Sundberg, Jr., Esq., MARSH SCHAAF, LLP, Suite 300, 300 State Street, Erie, PA 16507

SIMPSON, TRACY A., a/k/a TRACY SIMPSON, deceased

Late of Waterford Township, County of Erie and Commonwealth of Pennsylvania
Administrator: Alec J. Simpson, c/o 504 State Street, Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

TROHOSKE, ROBERT J., a/k/a ROBERT J. TROHOSKE, JR., deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Administratrix c.t.a.: Emilie A. Swan, 100 State Street, Suite 700, Erie, PA 16507-1459
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

VAYDANICH, ANNETTE CARMELLA, a/k/a ANNETTE C. VAYDANICH, a/k/a ANNETTE VAYDANICH, deceased

Late of the Township of Millcreek, Commonwealth of Pennsylvania
Executor: David M. Vaydanich, c/o Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509
Attorney: James J. Bruno, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

WOODLEY, JOYCE M., a/k/a JOYCE WOODLEY, deceased

Late of the Township of Fairview, County of Erie, Commonwealth of Pennsylvania
Administrator: Chris A. Hunt, 91 East Townhall Road, Waterford, PA 16441
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

THIRD PUBLICATION

BARDOL, KARIN A., a/k/a KARIN ANN BARDOL, a/k/a KARIN BARDOL, deceased

Late of the Borough of North East, County of Erie, Commonwealth of Pennsylvania
Administrator: Richard J. Bardol, c/o 337 West 10th Street, Erie, PA 16502
Attorneys: THE FAMILY LAW GROUP, LLC, 337 West 10th Street, Erie, PA 16502

BAUMANN, MARY FRANCES, deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Colleen R. Stumpf, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

BRETER, STACY R., deceased

Late of the Borough of North East, County of Erie and Commonwealth of Pennsylvania
Executrix: Tamara Walters
Attorney: Craig A. Zonna, Esquire, ELDERKIN LAW FIRM, 456 West 6th Street, Erie, PA 16507

CONSIDINE, JOHN W., deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Catherine L. Stemmler, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

JEFFERYS, FRANCIS M., deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Administratrix: Eileen E. Jefferys, c/o Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508
Attorney: Darlene M. Vlahos, Esq., Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508

KEITH, DIANE KAREN, a/k/a DIANE K. KEITH, a/k/a DIANE KEITH, deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administratrix: Marilyn K. Hunt, c/o John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507
Attorney: John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

KRIEGER, FLORENCE M., deceased

Late of the Borough of Wesleyville, County of Erie, Commonwealth of Pennsylvania
Executrix: Evelyn K. Eimers, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Melissa L. Larese, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

LASHER, RUSSELL D., deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executor: Jeffery L. Nearhoof, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

McADOO, HELEN L., a/k/a HELEN K. McADOO, a/k/a HELEN McADOO, deceased

Late of the Borough of Albion, County of Erie, Commonwealth of Pennsylvania
Co-executrices: Linda L. Gray, 7485 N 100 W, Uniondale, IN 46791 and Nancy J. Dworakowski, 11477 West Road, Albion, PA 16401
Attorney: John M. Bartlett, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

MIACZYNSKI, SHIRLEY J., a/k/a SHIRLEY MIACZYNSKI, deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executor: Joseph S. Miaczynski
Attorney: David J. Rhodes, Esquire, ELDERKIN LAW FIRM, 456 West 6th Street, Erie, PA 16507

PAINTER, DOUGLAS P., a/k/a DOUGLAS PARKER PAINTER, deceased

Late of Millcreek Township, Erie County, PA
Executrix: Joann D. Painter, c/o Jerome C. Wegley, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

PILLAR, GARY N., deceased

Late of Summit Township, Erie County, Pennsylvania
Co-administratrices: Jennifer M. Lance and Casandra E. Pillar, c/o 502 Parade Street, Erie, PA 16507
Attorney: Gregory L. Heidt, Esquire, 502 Parade Street, Erie, PA 16507

SCHNEIDMILLER, EVELYN M., a/k/a EVELYN SCHNEIDMILLER, a/k/a EVELYN KOMOREK SCHNEIDMILLER, deceased

Late of Millcreek Township, Erie County
Executrix: Kathi A. Gourley
Attorney: Norman A. Stark, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

SHADE, AUDREY L., a/k/a AUDREY SHADE, deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administrator: James J. Sansone, 3736 Montrose Avenue, Erie, PA 16505
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

SHAFER, CAROL ANN, a/k/a CAROL A. SHAFER, a/k/a CAROL SHAFER, deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Co-administratrices: Theresa Farley and Louann G. Williams, c/o 504 State Street, Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

STACK, STEPHEN S., a/k/a STEPHEN STASENKO STACK, deceased

Late of Millcreek Township, County of Erie, Commonwealth of Pennsylvania
Administrator C.T.A.: Amy A. Dugdale, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508
Attorney: Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508

SUBEDI, RABIN, deceased

Late of 5758 Mill Street, Erie, PA 16509
Administrator: Devi Subedi, c/o Melaragno, Placidi & Parini, 502 West Seventh Street, Erie, PA 16502
Attorney: Gregory Grasinger, Esquire, Melaragno, Placidi & Parini, 502 West Seventh Street, Erie, PA 16502

YERKEY, BRENDAA., deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executor: Michael F. Gallagher, c/o John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507
Attorney: John J. Shimek, III, Esquire, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

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March 11, 2022

Lawsuit claims guardrails on Interstate 81 are unsafe - A Georgia couple allege that a state-maintained guardrail safety system along Interstate 81 failed to decelerate their vehicle, when the vehicle made contact with the guardrail and it speared through the vehicle to injure its driver. The litigation alleges that due to the defendants' improper installation, inspection, and/or maintenance of the guardrail system in question, the guardrail did not react to the collision with the plaintiffs' vehicle as anticipated or designed. Instead, the guardrail speared through the entire interior compartment of plaintiffs' vehicle and seriously injured plaintiff John Carroll. Read more ... <https://pennrecord.com/stories/621234164-lawsuit-claims-guardrails-on-interstate-81-are-unsafe>

Lawyer, sick of neighbors, sues their landlord - An attorney who owns property in Pittsburgh is alleging his neighbor is an "absentee landlord" who neglects her property and has nuisance tenants. John Renda filed a complaint in July in the Court of Common Pleas of Allegheny County against Jun Minhee. Renda owns a residence on Maple Heights Court in Pittsburgh, according to his complaint. He alleges that Minhee's property and the defendant's property share a common wall, steps to the front door and a roof with the "back areas" of the properties being "similarly close." Renda claims that the defendant has rented out her property for the past two years and that the defendant's tenants "consistently interfere" with the interest and enjoyment of his adjoining property. Specifically, Renda alleges that the defendant's tenants leave trash on the shared steps and patio area and that trash attracts animals and is spread out over the porch, street and sidewalk. Read more ... <https://pennrecord.com/stories/606246383-lawyer-sick-of-neighbors-sues-their-landlord>

Fla. man files suit against Bucks County firm over supposed inequitable distribution of assets from his mother's will - A Florida man has filed a lawsuit seeking to redress a grievance surrounding the alleged inequitable distribution of assets from his mother's will to himself and his two siblings, one of whom is a defendant. "The utter failure of High Swartz, attorney Thomas and defendant Loughlin, to the extent defendant Loughlin was bound to achieve the intentions and objective of Ruth to equally distribute her assets to her children, constitutes a breach of contractual duties and obligations, and that is compounded and complicated by the conduct of defendant Loughlin, who used undue influence to deny plaintiff's rights to an equal share of Ruth's assets," the suit states. Read more ... <https://pennrecord.com/stories/621208795-fla-man-files-suit-against-bucks-county-firm-over-supposed-inequitable-distribution-of-assets-from-his-mother-s-will>

Textbook case - Pearson Education, McGraw-Hill and other plaintiffs filed a lawsuit alleging copyright infringement and trademark counterfeiting Sunday in New York Southern District Court. The complaint, brought by Oppenheim + Zbrak, accuses Dann Divine, Bridgeports International and other defendants of conspiring to counterfeit textbooks on a large scale. Dann Divine is represented by Klein, Zelman, Rothermel Jacobs & Schess. The case is 1:22-cv-01899, *Pearson Education, Inc. et al v. Divine et al*.

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