

Erie County Legal Journal

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Commonwealth v. Rhodes

Erie County Legal Journal

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

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Erie County Bar Association

Calendar of Events and Seminars

SUNDAY, MARCH 29, 2009

8th Annual Easter Egg Hunt
Asbury Barn - 4106 Asbury Road
2:00 p.m. - 4:00 p.m.
free to all ECBA members and their
children (12 and under)

TUESDAY, MARCH 31, 2009

*E-mail & Blogs: Employer Liability, Policies
and Prevention*

PBI Video Seminar
Bayfront Convention Center
9:00 a.m. - 12:30 p.m.
\$119 (member) \$99 (admitted after 1/1/05)
\$139 (nonmember)
3 hours substantive

THURSDAY, APRIL 2, 2009

*Ethics Potpourri: Motivational Intervention- When
to Assist and When to Hold Accountable*

PBI Video Seminar
Bayfront Convention Center
9:00 a.m. - 10:00 a.m.
\$39 (member) \$49 (nonmember)
1 hour ethics

TUESDAY, APRIL 7, 2009

Criminal Law Update
PBI Video Seminar
Bayfront Convention Center
9:00 a.m. - 1:30 p.m.
\$119 (member) \$99 (admitted after 1/1/05)
\$139 (nonmember)
4 hours substantive

TUESDAY, APRIL 14, 2009

Annual Disclosure Documents & SEC Update
PBI Video Seminar
Bayfront Convention Center
9:00 a.m. - 1:30 p.m.
\$119 (member) \$99 (admitted after 1/1/05)
\$139 (nonmember)
4 hours substantive

TUESDAY, APRIL 14, 2009

*Integrity: Good People, Bad Choices and Life Lessons
Learned from the White House*

PBI Groupcast Seminar
Bayfront Convention Center
12:30 p.m. - 3:45 p.m.
LUNCH INCLUDED
\$294 (member) \$274 (admitted after 1/1/05)
\$314 (nonmember)

*Early Registration - If you register more than 2 days before this
presentation you will qualify for this Early Registration Fee:*
\$269 (member) \$249 (admitted after 1/1/05) \$289 (nonmember)
2 hours substantive / 1 hour ethics

WEDNESDAY, APRIL 15, 2009

Advising Troubled Companies
PBI Groupcast Seminar
Bayfront Convention Center
1:00 p.m. - 4:15 p.m.
LUNCH INCLUDED
\$224 (member) \$204 (admitted after 1/1/05)
\$244 (nonmember)

*Early Registration - If you register more than 2 days before this
presentation you will qualify for this Early Registration Fee:*
\$199 (member) \$179 (admitted after 1/1/05) \$219 (nonmember)
3 hours substantive

FRIDAY, APRIL 17, 2009

Feldman on Long-Term Care Planning
PBI Groupcast Seminar
Bayfront Convention Center
9:00 a.m. - 12:15 p.m.
\$214 (member) \$194 (admitted after 1/1/05)
\$234 (nonmember)
*Early Registration - If you register more than 2 days before this
presentation you will qualify for this Early Registration Fee:*
\$189 (member) \$169 (admitted after 1/1/05) \$209 (nonmember)
3 hours substantive

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COMMONWEALTH OF PENNSYLVANIA

v.

TERI RHODES

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,
PENNSYLVANIA CRIMINAL DIVISION NO. 110 of 2008

*This opinion is continued from last week's issue of the
Erie County Legal Journal - Vol. 92 No. 12 - March 20, 2009*

**IV. WHETHER THE SENTENCING WAS A “SHAM”
PROCEEDING**

Defense Counsel alleges the Defendant’s sentencing was a “sham” proceeding. *Post Sentence Motion Paragraph 28*. The law and the record expose this characterization as hollow.

By law, the following is required at a sentencing:

- (1) At the time of sentencing, the Judge shall afford the Defendant the opportunity to make a statement in his or her behalf and shall afford counsel for both parties the opportunity to present information and argument relative to sentencing.
- (2) The Judge shall state on the record the reasons for the sentence imposed.
- (3) The Judge shall determine on the record that the Defendant has been advised of all post sentencing rights.
- (4) The Judge shall require that a record of the sentencing proceedings be made and preserved so that it can be transcribed as needed...

Pa.R.Crim.P. 704 (C)(1)-(4).

Consistent with these requirements, the Defendant had a full opportunity to present any and all information for sentencing purposes. In fact, ten witnesses testified in addition to the Defendant.

Further, Defense Counsel provided to this Court a Sentencing Memorandum on Monday, November 17, 2008 setting forth the Defendant’s background, a very brief statement of the facts and other sentencing considerations to support the Defendant’s requested sentence.

Attached to the Sentencing Memorandum was a report dated May 31, 2008 from Dr. Neil S. Kaye, who holds himself as an expert on neonaticide. *See Defendant’s Exhibit “A.”* Also attached was a report dated October 30, 2008 from Dr. Cathy Pietrofesa, a therapist who has worked with the Defendant. *See Defendant’s Exhibit “B.”* A third report was attached from Dr. Robert Sadoff dated September 4, 2008 which has

been identified as the “Sadoff Report.” See *Defendant’s Exhibit “C.”*

Also provided with the Sentencing Memorandum were a compilation of letters from relatives and friends in support of the Defendant. See *Defendant’s Exhibits “D1-D68.”*²² The ten witnesses who were called to testify at the time of sentencing each had submitted a letter with Exhibit “D.” See *Exhibits “D5, 6, 8, 21, 36, 45, 54, 58, 59 and 66.”*

The Defendant’s Sentencing Memorandum, three reports and the letters of support were all read prior to sentencing. Defense Counsel was so informed at the outset of the sentencing proceeding. *S.T. p. 5.*

The Defendant was given an unlimited opportunity to exercise her right of allocution. The Defendant did speak on her own behalf. *S.T. pp. 22-23.*

Defense Counsel was given an unlimited opportunity to present any and all argument he deemed appropriate on the Defendant’s behalf. *S.T. pp. 5-23.*

The District Attorney stated his position and was given as much time as he desired to make his presentation. *S.T. pp. 23-34.*

Once all the parties were done, this Court set forth on the record the reasons for the sentence imposed. The entire proceeding was preserved on the record by a court stenographer. The Defendant was duly informed of all of her post-sentencing rights.

Accordingly, the Defendant fully had her day in court at the time of sentencing as required under the law. For the Defense Counsel to characterize this proceeding as a sham is unfortunate.

Next, Defense Counsel objects to the preparation by the Court of a written statement of the reasons for the sentence imposed. Defense Counsel contends the Sentencing Rationale demonstrates a bias and that the sentence was predetermined. *Post Sentence Motion Paragraph 17.* As a matter of law and fact, these objections are baseless.

By law, if a sentence is going to be imposed outside of the sentencing guidelines, “the Court shall provide a contemporaneous written statement of the reason or reasons for the deviation from the guidelines. Failure to comply shall be grounds for vacating the sentence and re-sentencing the Defendant.” 42 Pa.C.S.A. §9721(b). In this case, the sentence was outside of the sentencing guidelines, thus §9721(b) mandated a contemporaneous written statement of the reasons for the sentence. In accord therewith, the Sentencing Rationale was presented to the parties at the time of sentencing and filed that morning.

Obviously the statutory requirement of a written statement contemplates that a judge think about an appropriate sentence ahead of time and be prepared to provide a written statement at the time of sentencing. Prior

²² Defense Counsel said there were 68 letters. Actually there were 66. There were duplicate letters from Kristina Hutson and Gerald Anderson.

to most cases, the judge is provided a pre-sentence report to read before sentencing.

As Defense Counsel knows, he provided a lengthy Sentencing Memorandum, three reports and voluminous letters to be read ahead of time. Defense Counsel wanted the Court to consider the Defendant's evidence and position prior to sentencing. There is nothing wrong with this procedure; in fact, it is common. As a practical matter, if this information is not reviewed ahead of time, what is left is a situation where all of the parties have to wait as a judge sits there and reads a stack of documents, hears from the parties and then decides a sentence on the spot. This latter scenario is not an efficient or effective method to arrive at a sentencing decision.

The procedure used in this case, including by Defense Counsel, was consistent with the manner in which sentences historically have occurred in Erie County and probably throughout the Commonwealth. It allows for a more deliberative process of formulating an appropriate sentence.

There is another key fact that Defense Counsel overlooks. The Sentencing Rationale did not include the actual sentence to be imposed. This omission was intentional because a final sentencing decision was not made until all of the evidence was presented at sentencing. The Sentencing Rationale was prepared ahead of time in the event the sentence was outside of the guidelines. If the sentence were within the guidelines, the Sentencing Rationale, while not required by §9721(b), still served the purpose of stating the reasons for the sentence in this highly emotional case.

Also, Defense Counsel's sentencing position was well known prior to sentencing and did not change at sentencing. By way of his Sentencing Memorandum and the supporting documents, Defense Counsel was seeking a sentence below the mitigated range of the sentencing guidelines in the form of either community service, probation or, at most, a county-level jail sentence.

All of the evidence presented by the Defendant at the time of sentencing was consistent with this sentencing position. There were no surprises or new revelations by way of the evidence or arguments presented on behalf of the Defendant at sentencing. This was not a case where there was startling new information revealed at sentencing that enhanced the Defendant's sentencing position. Hence, the Defendant had a full opportunity to present her sentencing position.

Lastly, Defense Counsel objects because he was not given a copy of the Sentencing Rationale until after the parties had presented their case. This objection is not supported by any legal authority.

Admittedly, the Sentencing Rationale was lengthy as necessitated by what occurred in this case. By law, there is no requirement the Defendant be provided with the Court's written reasons ahead of time. There is

no provision empowering Defense Counsel to cross-examine the Court on its written reasons for the sentence imposed. Hence, the request by the Defense Counsel for a recess to read the Sentencing Rationale was properly denied.

Contrary to what is pled, Defense Counsel was given an opportunity to object and state the reasons for his objections:

MR. FRIEDMAN: Your Honor, could we have an opportunity to read this and also see the Court in chambers before - -

THE COURT: No. I don't - - I don't think we need - -

MR. FRIEDMAN: I am disturbed about just receiving this at this time.

THE COURT: You may be.

MR. FRIEDMAN: I have things I'd like to put on the record then.

THE COURT: Go ahead.

MR FRIEDMAN: I'll wait.

S.T. pp. 34-35.

As the record reflects, Defense Counsel decided to wait until after sentencing to object. In fact, after sentencing Defense Counsel placed objections on the record to the proceeding.²³ Hence, all of the Defendant's objections have been preserved for appellate purposes and the Defendant has not suffered any actual or legal prejudice. None of the claims in the Defendant's Post Sentence Motion have been declared to be waived.

The Defendant's sentencing was conducted consistent with all procedural and statutory requirements. Because the Defendant does not like the sentence does not render the proceeding a sham nor is there a basis for post-sentence relief.

V. THE FACTUAL BASIS FOR THE SENTENCE

The Defendant argues her sentence should be vacated because the proceeding was a "star chamber procedure", that the Court held an "in-camera non-jury proceeding" in which findings of fact and conclusions of law were entered without the opportunity for the Defendant to participate by way of cross-examination or presenting witnesses. *Post Sentence Motion Paragraphs 10, 24, 27.* To the contrary, the Defendant had an uninterrupted opportunity to participate in the proceeding. The

²³ After the Defendant's sentencing, a short recess was taken from 11:05 a.m. until court was reconvened at 11:13 a.m. At that time, Defense Counsel placed his objections on the record. This latter proceeding was really a continuation of the Defendant's sentencing but was given a separate transcript by the court stenographer. Thus, the cite to when Defense Counsel placed his objections on the record is still *S.T.*, but it is at pp. 2-5 of the latter transcript which starts at 11:13 a.m.

Defendant's contention also ignores the long history of sentencing law in Pennsylvania.

Over the years, our appellate courts have held "The court in sentencing may receive any relevant information which will enable it to exercise its discretion in determining the proper sentence or penalty. A proceeding to determine a sentence is not a trial, and the court is not bound by the restrictive rules of evidence properly applicable to trials." *Commonwealth v. Orsino*, 178 A.2d 843, 846 (Pa.Super. 1962)(*Internal citations omitted.*)

As far back as 1940, the Pennsylvania Supreme Court held: "(I)n determining what the penalty shall be after convictions in criminal cases, courts have a wide latitude in considering facts, whether or not these facts are produced by witnesses whom the members of the court see and hear. In many jurisdictions courts in determining proper sentences consider official records and the reports of probation officers, psychiatrists and others. This court without seeing or hearing any witnesses can determine whether a sentence of death for murder in the first degree should be reduced to life imprisonment." *Commonwealth v. Petrillo*, 16 A.2d 50, 58 (Pa. 1940).

More recently, the Pennsylvania Superior Court addressed the responsibilities of a sentencing judge in ensuring there is sufficient information about the crime to impose an appropriate sentence:

The first responsibility of the sentencing judge is to be sure that he has before him sufficient information to enable him to make a determination of the circumstances of the offense and the character of the defendant." *Commonwealth v. Carter*, 336 Pa.Super. 275, 485 A.2d 802, 804 (1984). Thus, a sentencing judge must either order a PSI report or conduct sufficient pre-sentence inquiry such that, at a minimum, the court is apprised of the particular circumstances of the offense, not limited to those of record, as well as the defendant's personal history and background. *See Martin*, 466 Pa. at 134 n.26, 351 A.2d at 658 n. 26 (1976). While the extent of the pre-sentence inquiry may vary depending on the circumstances of the case, "a more extensive and careful investigation is clearly called for in felony convictions, particularly where long terms of confinement are contemplated." *Id.* (*Citation omitted.*)

Commonwealth v. Goggins, 748 A2d. 721,728 (Pa. Super. 2000).

In this case, a Pre-Sentence Report was reviewed by this Court prior to sentencing. *Sentencing Rationale* p. 3. However, the Pre-Sentence Report shed little light on the facts surrounding the crime. Under the heading "Description of Offense," the Pre-Sentence Report contains this two-sentence description:

On 08/12/07, the Defendant secretly gave birth to a daughter in the bathroom of her apartment, unassisted by medical personnel. She placed the live, full-term infant in a plastic garbage bag where the baby died of asphyxia.

Pre-Sentence Report p. 2.

This meager description provided little insight into the circumstances surrounding this crime. The only other document presented prior to sentencing with any reference to the facts was the Defendant's Sentencing Memorandum. As was discussed, this document woefully described the circumstances of the crime.

The Defendant proffers as serious provocation for the killing the proposition that she was faced with a sudden, intense passion brought on by the unexpected delivery of a child. The Defendant contended the cumulative effect of a series of events leading up to the child's delivery was sufficient to constitute serious provocation.

The Defendant was seeking a mitigated sentence based on the circumstances surrounding the killing. Obviously it was important to know those circumstances to decide whether a mitigated sentence was warranted.

To determine what happened, the logical place to look was in the police reports. Historically, police reports have been part of a pre-sentence report or can be made available at the request of the sentencing judge. This is particularly true when a Defendant enters a plea. If the sentencing judge had the benefit of presiding over a trial and hearing all of the evidence, there is less need for the sentencing judge to read the police reports.

As was stated at the time of sentencing, this Court requested and received from the Commonwealth the police reports from the City of Erie Police Department and some of the reports from the County Detective's Office. *S.T. pp. 23-24*. This Court acknowledged reading the police reports at the time of the sentencing. *S.T. p. 26*.

At no time did the Defendant ever object to the fact this Court read the police reports. The police reports reviewed by this Court are the same ones known to all parties. In the Sentencing Rationale, full disclosure was made of all the documents reviewed for purposes of sentencing. *Sentencing Rationale pp. 3-4*.

In the interest of further disclosure, attached hereto is a copy of the police reports provided by the District Attorney's Office and reviewed by this Court for sentencing purposes. *Court Exhibit "A."* These are the same reports that would have been provided to Defense Counsel during discovery. *P.T. p.5*.

What also has to be noted is that the information reviewed in the police reports was reliable. This information included the evidence from the Defendant's computer. Also within the police reports were the contents of the statements the Defendant gave to Lt. Spizarny on August 12, 2007

and August 13, 2007. The Defendant's second statement was videotaped. *P.R. p. 18*. The Defendant cannot impeach her own statements or what her computer records show.

The police reports also included contemporaneous statements made by the Defendant to her roommate, coaches and other people who were with her in the days and hours leading up to the crime. These witnesses were inherently reliable given their relationships to the Defendant. These people were making extensive, personal efforts to help the Defendant and would have little or no motive to fabricate. Also, at the time these statements were given, the Defendant had not been charged with any crime.

The information coming from Sarah King, Julia Butler, Ryan Patton and Bryan Bentz is based on their videotaped statements to the police. Hence the actual words of these witnesses are preserved. There is no question about what the witnesses told the police. These videotaped statements were available to the Defendant during discovery well in advance of the Defendant's plea and sentencing.

The information from these witnesses was also reliable based in part on the Defendant's statements because she admits some of what the witnesses said. Also, there is uncontroverted physical evidence that supports these witnesses. Preserved as evidence are the contents of the Defendant's electronic message to Sarah King on Saturday stating the pregnancy test was negative and the records from the CVS pharmacy showing the Defendant did not purchase a pregnancy test on August 11th. *P.R. p. 27*.²⁴

All of this information was known to the Defendant for a long time prior to sentencing. After all, she knew what was in her computer that was seized by the police. She knew what she told the police. She would be aware of her conversations with her roommate, coaches and others associated with the volleyball team. The Defendant cannot claim surprise by the use of information created by her and possessed by her for months before the entry of her plea and her sentencing.

Also, the Defendant had a lengthy opportunity to challenge any of the evidence in the police reports prior to her plea. The Defendant was arrested on September 18, 2007. The Defendant signed a Waiver of Arraignment on February 19, 2008 that was filed on February 21, 2008 thus beginning the time period for the Defendant to formally seek discovery. It also began the time period for the Defendant to file any pre-trial motions. The Defendant did not file any pre-trial motions within the thirty-day time period.

²⁴ The instant messaging between King and the Defendant on Saturday includes the Defendant's inquiry whether an ultrasound had already been ordered. King responded that the ultrasound would be scheduled on Monday and hopefully be performed no later than Wednesday. *P.R. p. 27*.

On March 26, 2008, Defense Counsel filed a “Motion to Extend Time in Which to File Omnibus Pretrial Motion” averring a need for additional time to receive and review discovery from the Commonwealth and then determine whether any pretrial motion was warranted. The Defendant’s request was granted by this Court by Order dated March 26, 2008. The deadline for any pretrial motions was moved to April 25, 2008.

The Defendant still did not file any pretrial motions. The Defendant has never claimed the Commonwealth withheld any discovery or made a motion seeking resolution of a discovery issue. Despite the extension of time to do so, the Defendant never filed a pretrial motion challenging any part of the police investigation or any evidence within the police reports.

The Defendant had nearly eleven months between her arrest on September 18, 2007 and her plea on August 8, 2008, to review and challenge any of the evidence against her. At her plea, the Defendant acknowledged she had sufficient time to review her case with her attorney:

MR. FOULK: And it’s my understanding that Mr. Friedman has been representing you throughout these proceedings; is that correct?

THE DEFENDANT: Yes.

MR. FOULK: Do you feel that you have had ample time to discuss this case with Mr. Friedman prior to coming in there this morning?

THE DEFENDANT: Yes.

MR. FOULK: Is it your understanding that the Commonwealth has provided all of the discovery necessary to try this case to your attorney, and have you had the opportunity to go over all of the options with him?

THE DEFENDANT: Yes.

P.T. pp. 5-6.

THE COURT: Is that why you’re entering a plea is because in fact you’re guilty?

THE DEFENDANT: Yes.

THE COURT: Do you feel like you’re, in entering your plea, you’re giving up any valid legal defense in this case?

THE DEFENDANT: No.

THE COURT: Or any defense at all that you would like to assert to these charges?

THE DEFENDANT: No.

P.T. p. 19.

THE COURT: And is your plea here today the product of a lot of thought on your part?

THE DEFENDANT: Yes.

THE COURT: Have you had enough time to discuss your case with Mr. Friedman?

THE DEFENDANT: Yes.

P.T. p. 24.

The Defendant stated under oath at her plea that she had received discovery and reviewed it with her attorney. Further, in entering her plea, she did not feel she was giving up any valid defense to the charge. The Defendant was satisfied she had enough information to enter an informed plea and sufficient time to consult with her attorney.

The Defendant's sentencing was held on November 21, 2008. Thus the defense had over fourteen months to prepare for sentencing, including review of the police reports. The defense cannot in good faith claim any prejudice or surprise by the information used at sentencing from the police reports.

The circumstances described by this Court for sentencing purposes were not pulled out of thin air or created from an extraneous, irrelevant source. All of the information about the crime relied upon for sentencing purposes came directly, or by logical inference, from the information contained within the police reports. More importantly, this information was largely derived directly from the Defendant's statements, conduct and computer.

All of this information cannot be simply ignored. The Defendant cannot pretend there are no witnesses to her crime. The Defendant cannot wish away the physical evidence of her crime.

Given the averments of the Post Sentence Motion, it appears the Defendant wants the benefit of a trial within a plea. If the Defendant wanted a trial, she was free to exercise her right to do so and have a public airing of all the facts in her case. A sentencing is not a trial.

Notably, Defense Counsel asked this Court to accept evidence from three experts who did not testify at sentencing and from fifty-six people who submitted letters but did not testify at sentencing. These experts and letter-writers were not subject to cross-examination, yet the relaxed evidentiary rules for sentencing allowed consideration of hearsay.

The Defendant's report from Dr. Sadoff was considered even though it was largely double hearsay because it contained a lengthy discussion of what the Defendant told Dr. Sadoff about herself, her family and this crime. Defense Counsel received the benefit of introducing the

Defendant's testimony through Dr. Sadoff's report without any cross-examination about the inconsistencies of what she said to Dr. Sadoff versus what she did or said otherwise. Further, the opinions expressed by Dr. Sadoff were considered despite the fact he was not subject to cross-examination, particularly about the basis for the opinions rendered.

The Defendant also had the benefit of her testimony considered in the form of double hearsay as set forth in the report of Dr. Pietrofesa. *See Defendant's Exhibit "B."* In this report the Defendant talked about herself, her family and this crime. The Defendant also had the benefit of the opinions expressed by Dr. Pietrofesa about an appropriate sentence for the Defendant. *Id.* The Defendant's statements within this report were not subject to cross-examination for the inconsistencies. Dr. Pietrofesa's opinions were also not subject to cross-examination.

The Defendant had the benefit of the report of Dr. Kaye who did not testify. Dr. Kaye did report on the Defendant's childbirth on August 12, 2007. *See Kaye Report*, Defendant's Exhibit "A," p. 3. This information as presented in his Report was double hearsay and not subject to cross-examination. Dr. Kaye also expressed various opinions about the Defendant's situation and sentence. Hence, the Defendant had the benefit of her case being presented through Dr. Kaye.

Some of the Defendant's letter-writers who did not testify discussed the Defendant's level of criminality. The hearsay from all of these defense witnesses was considered despite the fact they were not subject to cross-examination.

The Defendant's hearsay evidence is no different from the hearsay statements of Julia Butler, Sarah King, Ryan Patton and Brian Bentz. Like the Defendant's witnesses, Butler, King, Patton, *et al.*, were conveying information based on what they saw or heard from the Defendant. Unlike the Defendant's experts, these witnesses were not going farther and expressing their opinions about the Defendant's conduct.

Stated differently, the Defendant presented two layers of hearsay. The first layer consisted of the Defendant's statements to her experts, family, friends and other supporters. Layered thereon are the opinions expressed by the defense experts regarding the statements, conduct and sentencing of the Defendant. By comparison, the hearsay from Butler, King, *et al.*, does not get beyond the first layer of hearsay and does not express any opinions about the Defendant's conduct or sentence.

Distilled, the Defendant's position is that only her hearsay can be considered at sentencing. According to Defense Counsel, this Court can consider any hearsay or double hearsay proffered by the Defendant, including what she said to her experts, about the crime. However, no other hearsay, including anything the Defendant said to her roommate, coaches, medical personnel and Lt. Spizarny is permissible.

Further, the Defendant's witnesses are not subject to cross-examination,

but all other witnesses must be subject to cross-examination at sentencing. Defense Counsel thinks he controls what information can be considered by his experts and by a sentencing court. This position is untenable and undermines the responsibility of a sentencing judge to be fully informed of the circumstances of the crime.

This Court is not bound to accept the opinions proffered by the defense experts. Had the defense experts been provided with the police reports, including the videotaped statements and the physical evidence, then subjected to cross-examination, it is possible the expert opinions would have been different.

Also, the Defendant's argument was forfeited when the Defendant entered a plea. It is noteworthy the Defendant is not now seeking to withdraw her plea. Further, in her Post Sentence Motion, the Defendant has not challenged the evidence produced from her computer, the accuracy of the statements she gave to the police or the accuracy of the statements provided by Sarah King, Julia Butler, Ryan Patton and Brian Bentz.

For months prior to the sentencing Defense Counsel had the police reports. Defense Counsel had access to the statements of his client. The defense was aware of the videotaped statements of Sarah King, Julia Butler, Ryan Patton and Bryan Bentz. None of this information was sprung on the defense by surprise at the sentencing. The Defendant was not ambushed by any new evidence not previously known by the defense.

In a cryptic objection, Defense Counsel states: "(t)he court further notes in its Statement of Sentencing Rationale that: 'however, there is no objective evidence that she was undergoing any stress or impairment of her reasoning or judgment in the months, days and hours leading up to the child birth.' (p. 25). The defendant was not given an opportunity to present any such evidence." *Post Sentence Motion Paragraph 12*.

This allegation is factually false. Defense Counsel was given as much time as needed to present any evidence. Defense Counsel was not limited in the presentation of any evidence. The Defendant had a full opportunity to testify at sentencing. The Defendant called ten additional witnesses and had the benefit of three expert reports.

The Defendant did present evidence on this subject in the form of her statements to Dr. Sadoff and Dr. Pietrofesa. The Defendant had the benefit of the opinions expressed by her three experts.

The Defendant's allegation is an insult to the three experts tendered by Defense Counsel. Each expert expressed an opinion about the Defendant's mens rea and the stressful circumstances the Defendant faced. Dr. Sadoff opined at length about the Defendant's circumstances during her pregnancy and her state of denial as a defense mechanism. *Sadoff Report, pp. 7, 8.*

Defense Counsel does not identify any evidence he would have otherwise presented at sentencing. It is unlikely the defense could recall the Defendant as a witness at sentencing. According to Dr. Pietrofesa, the Defendant has only a vague recollection of what occurred during the crime. *Defendant Exhibit "B," p. 1.*

The Defendant had the benefit of her testimony concerning the months of her pregnancy by virtue of all of her statements reported by Drs. Sadoff and Pietrofesa.

What the Defendant did in the months leading up to the crime is not subject to many differences. The Defendant went home at the end of the 2007 school year in a physical condition that prompted her parents to inquire whether she was pregnant. The Defendant did extensive research on the Internet about pregnancy and ways to kill a fetus. The Defendant cannot dispute what her computer records show.

None of the 69 witnesses for the Defendant identified any problems the Defendant was having in the months leading up to August 12, 2007 that showed any evidence of a disconnect from reality. Defense Counsel proffers no objective evidence that was not available for review or presentation at sentencing.

The Defendant's sentencing started at 9:15 a.m. and concluded at 11:05 a.m. (followed by the objections placed on the record by Defense Counsel). The Defendant presented all of her available evidence. The defense fired all of the guns at their disposal at sentencing. The Defendant had a full opportunity for her story to be told in its entirety at sentencing. The Defendant's story was retold through her experts.

The fact that some of the evidence presented by the Defendant was not accorded the significance the Defendant wants does not mean she did not get her day in court. The decision by Defense Counsel to focus primarily on the Defendant's personal circumstances does not mean the Defendant gets a second bite of the apple by way of a second sentencing. The fact Defense Counsel chose not to call any of his experts as a live witness does not entitle the Defendant to a second sentencing. It is not the role of the Court to tell Defense Counsel how to present the Defendant's case.

To grant the Defendant post sentence relief on the basis of this record is to set a precedent based on deception. The defense, despite having knowledge of what was in the Defendant's computer, in the Defendant's statements to the police and what others said on videotape about the circumstances leading up to the crime, chose to present a skewed picture of what occurred. The defense had every opportunity to be forthright. The fact this Court did not accept the Potemkin Village presented by Defense Counsel does not mean the Defendant is entitled to another sentencing.

This Court was charged with the responsibility of understanding the circumstances of the Defendant's crime. All relevant information was

considered. This Court was not limited to just the evidence presented by the Defendant. When all of the circumstances were reviewed, the Defendant's sentencing position was unsupportable.

VI. A PREMEDITATED AND INTENTIONAL KILLING

The Defendant shifts gears to argue: "The court improperly in its in camera proceeding determined that the defendant had committed a 'premeditated and intentional killing.' The court did so based upon evidence that it obtained outside the record. By reaching this conclusion the court impermissibly sentenced the defendant for a crime for which she had not been convicted or had been given due process of law." *Post Sentence Motion Paragraph 27*.

In making this argument, Defense Counsel overlooks the fact the Defendant admitted under oath at her plea to intentionally killing her child. *P.T. pp.11-14*.

It is accurate that premeditation is not an element of Voluntary Manslaughter. However, that does not mean all evidence of premeditation must be ignored for sentencing purposes. Sadly, there is considerable evidence this killing was premeditated.

A long line of appellate decisions holds that premeditation can be formed in a very brief time. *See, e.g., Commonwealth v. Thornton*, 431 A.2d 248 (Pa. 1981). Further, premeditation "does not require planning or previous thought or any particular length of time. It can occur quickly. All that is necessary is that there is time enough so that the defendant can and does fully form an intent to kill and is conscious of that intention." *Pa. S.S.J.I. (Crim) 15.2502A(4), Second Edition*.

The evidence of premeditation was cited to explain in part the reasons for the Defendant's sentence. While the Defendant wants to disregard this evidence, in determining the circumstances surrounding the crime, evidence of the Defendant's intent cannot be swept under the rug.

The Defendant's argument she was sentenced for a crime she did not commit is misguided. The sophistry of this argument is that the Defendant admitted by way of her plea that she intentionally killed her child. Consistent with the description of premeditation, the circumstances show the Defendant had fully informed an intent to kill and was conscious of that intention. She was sentenced for this conduct. Apparently the Defendant thinks that she should not be sentenced for an intentional killing despite her plea to it.

The Defendant fails to identify for what crime she was sentenced but was not convicted. The Defendant was not sentenced for a premeditated murder, which would have meant a sentence of life in prison. The Defendant also was not sentenced under the guidelines and forty year maximum for Third Degree Murder. Her sentence was less than the maximum sentence for Voluntary Manslaughter.

As the Defendant was informed, the circumstances of her case are

closer to murder than to manslaughter. *Sentencing Rationale* p. 28. A review of the cases of Jessica Rizer, Tracy Dupre, Melisa McManus, Tina Brosius and Lori Pinkerton reveals striking similarities with the circumstances of this case. However, this does not mean the Defendant was sentenced for a crime she did not commit. It does explain why the Defendant was sentenced closer to the maximum sentence for Voluntary Manslaughter than requested by the Defendant.

The Defendant entered an open plea in which she was fully advised in writing and orally that the sentencing positions of the parties were not binding, the sentencing guidelines were not binding and that she could receive a sentence of up to twenty years in jail. The Defendant acknowledged she understood her sentencing exposure:

THE COURT: And there will be a lot of factors going into what the appropriate sentence should be; do you understand that?

THE DEFENDANT: Yes.

THE COURT: And do you understand that in entering your plea at the time of sentencing you face the possibility of going to jail for up to 20 years, which would mean a sentence of 10 to 20 years?

THE DEFENDANT: Yes.

THE COURT: And the maximum fine of \$25,000.

THE DEFENDANT: Yes.

THE COURT: And Mr. Foulk has touched upon the fact that there are sentencing guidelines in your case and I believe - - correct me if I am wrong, Mr. Friedman - - but I believe in the mitigated range it's 24 months; and the standard range it's 36 to 54; and in the aggravated range, 66 months. Does that comport with your understanding?

MR. FRIEDMAN: That's correct, your Honor.

THE COURT: Do you understand what sentencing guidelines are:

THE DEFENDANT: Yes.

THE COURT: Okay. Mr. Friedman's explained that to you?

THE DEFENDANT: Yes.

THE COURT: Okay. Now, do you understand also that those are simply guidelines; they're not mandatory?

THE DEFENDANT: Yes.

THE COURT: In other words, they're not binding on a judge who is imposing sentence in this case.

THE DEFENDANT: Yes.

THE COURT: And in your case, the Commonwealth, through Mr. Foulk, is making certain representations to you about the Commonwealth's position for sentencing purposes.

THE DEFENDANT: Yes.

THE COURT: But do you understand that the final determination of what your sentence will be is up to a judge?

THE DEFENDANT: Yes.

THE COURT: And it's not up to the Commonwealth.

THE DEFENDANT: Yes.

THE COURT: And the judge can disregard or reject what the Commonwealth's position is and disregard or reject what your lawyer is saying on your behalf and impose whatever sentence the Judge thinks is appropriate; do you understand that?

THE DEFENDANT: Yes.

MR. FOULK: The Court can also accept the Commonwealth's recommendations as well, your Honor.

THE COURT: Well, that's true. But do you understand that for purposes of this proceeding and this plea that if the Commonwealth's position isn't accepted per se, that's not to say that it ultimately won't be the Court's position.

THE DEFENDANT: Yes.

THE COURT: My point is, I guess I want to make sure you understand this: when you enter a plea today, the Judge isn't bound by any position of the parties.

THE DEFENDANT: I understand that, your Honor.

THE COURT: And, in fact, you could get a sentence - - legally you could get a sentence of up to 10 to 20 years; do you understand that?

THE DEFENDANT: I do.

THE COURT: Are you entering a plea expecting to receive any certain type of sentence?

THE DEFENDANT: No.

THE COURT: I'm sure that there are sentences that you would like to receive, but has anyone said, "If you enter a plea,

you'll get this kind of sentence?"

THE DEFENDANT: No.

P.T. pp. 20-23. See also p. 7.

The Defendant entered her plea fully knowing her sentence was up to the judge. She recognized she could go to jail for up to twenty years regardless of her requested sentence. She knew the sentencing position of the Commonwealth was not binding, neither were the sentencing guidelines. There were no promises made to the Defendant regarding her sentence.

The reasons for her sentence have been stated orally and in writing. The Defendant was sentenced within the confines of the Voluntary Manslaughter statute based on all of the circumstances of this case. There is no basis for post sentence relief.

VII. MISUSE OF MORALITY

The Defendant complains: "The court substituted its view of morality for the provisions of the Sentencing Code and the law of the Commonwealth of Pennsylvania. As the court stated: "This court is mindful of the various cases cited by Dr. Kaye about the disposition of neonaticide in other jurisdictions. To the extent that disposition of this case may differ with those cases, so be it. At some point we have to take a moral stand." *Post Sentence Motion Paragraph 33.*

There are at least three reasons why the Defendant's complaint is baseless.

First, like so much of what Defense Counsel has done in this case, there is the selective use of information. In this instance, Defense Counsel has excerpted only a portion of what was said by this Court; from there Defense Counsel extrapolates to a factual point for which there is no support.

To understand what was excerpted by Defense Counsel, it is necessary to consider the surrounding comments:

This Court is familiar with the statistics cited by Dr. Kaye regarding how neonaticide historically has been treated. This Court recognizes that in many countries, including some in Europe, neonaticide is not considered a crime. However, the people of this country have not yet spoken through their legislative bodies to provide for the decriminalization of neonaticide. To the contrary, while laws have been created by the appellate courts and the legislature recognizing a woman's right to privacy and to an abortion, there has yet to be any law in this country making a distinction between neonaticide and the killing of a child who is more than twenty-four hours old.

This Court is also mindful of the various cases cited by Dr. Kaye about the disposition of neonaticide in other jurisdictions.

To the extent the disposition of this case may differ with those cases, so be it. At some point we have to take a moral stand.

Notably, the moral stand here is based on the specific facts of this case. In addition, consideration also has to be given to the protection of the public in terms of the future suffocation of newborn infants.

Sentencing Rationale pp. 30-31.

Contrary to what Defense Counsel says, these comments were not the Court substituting a personal morality for the provisions of the Sentencing Code. The moral stand was “based on the specific facts of this case”.

Defense Counsel also ignores the excerpted comments were stated in consideration of one of the sentencing factors under the Sentencing Code, namely the protection of the public. 42 Pa.C.S.A. §9721(b). The Defendant ignores the discussion at sentencing about the criminal sanctions imposed for crimes committed against youth. *Sentencing Rationale pp. 31-32. See also* 42 Pa.C.S.A. §9721. The Defendant ignores the fact the Sentencing Guidelines were reviewed. *Sentencing Rationale p. 3.*

Further, Defense Counsel misstates the law. The Sentencing Code and the sentencing guidelines give guidance to a sentencing judge. The guidelines are not binding. As stated by the Pennsylvania Supreme Court: “The Court has no duty to impose a sentence considered appropriate by the Commission. The guidelines must only be ‘considered’ and, to ensure that such consideration is more than mere fluff, the court must explain its reasons for departure from them.” *Commonwealth v. Sessoms*, 532 A.2d 775, 781 (Pa. 1987).

The Supreme Court has consistently held this position, “...we reaffirm that the guidelines have no binding effect, create no presumption in sentencing, and do not predominate over sentencing factors – they are advisory guideposts that are valuable, may provide an essential starting point, and that must be respected and considered; they recommend, however, rather than require a particular sentence.” *Commonwealth v. Walls, supra*, 926 A.2d at 964-965. Contrary to the Defendant’s averment, the sentencing guidelines provide non-binding advice for a sentence and do not dictate the sentence to be imposed.

Lastly, this Court’s comments were a rejection of the sentencing position advocated by one of the Defendant’s experts, Dr. Kaye. Like Defense Counsel, Dr. Kaye’s position was based on a very selective use of dispositional data. Dr. Kaye holds himself out as a national expert on neonaticide and wanted this Court to believe that most prosecutors tucked away neonaticide cases in a drawer somewhere and seldom prosecuted them. If prosecuted, the sentences infrequently involved incarceration. The most serious disposition was a plea to involuntary manslaughter.

For a national expert, Dr. Kaye did not evince familiarity with

neonaticide cases in Pennsylvania. For example, even though his report was dated May 31, 2008, Dr. Kaye did not mention the Rizor case in which a Washington County jury found her guilty of first degree murder on March 11, 2008. Jessica Rizor is serving a sentence of life in prison without parole.

Dr. Kaye did not mention a case in Northumberland County where Tracy Dupre was convicted by a jury of first degree murder. Dupre is serving life sentence plus an additional 6 months to 19 years sentence. Her case was affirmed by the Superior Court in 2005.

Inexplicably, Dr. Kaye did not disclose the Pennsylvania cases in which women younger than Teri Rhodes who committed neonaticide are doing life in prison for first degree murder. Melisa McManus was 16 years old when she committed neonaticide. She was treated as an adult and remains incarcerated on a life sentence for first degree murder. Her case was affirmed by the Superior Court in 1995.

Tina Marie Brosius was almost five months younger than Teri Rhodes when her newborn drowned in a portable toilet. She continues to do a lifetime sentence without parole for first degree murder.

Dr. Kaye overlooked the conviction of Lori Pinkerton in Dauphin County for Third Degree Murder and her maximum sentence of ten to twenty years of incarceration. Her case was affirmed by the Superior Court in 1997.

All of these cases have facts in common with the Defendant's case and are a matter of public record. Yet Dr. Kaye does not mention one of these dispositions. Instead, Dr. Kaye only references two cases in Pennsylvania because those dispositions suit the position he advocates.²⁵ Given his slanted presentation of the data, it appears Dr. Kaye is more of an advocate than an unbiased expert.

What the cited cases mean is that jurors in various counties have not always accepted the Defendant's theory or Dr. Kaye's opinion that neonaticide is caused by a woman in a dissociative state. Jurors have found, as recently as March 11, 2008, in Washington County, that killing a newborn child can be intentional and with premeditation regardless of the physiological and psychological trauma of the childbirth process.

Trial Judges in Pennsylvania have imposed life sentences for neonaticide. In at least one instance, a maximum sentence of ten to twenty years for Third Degree Murder was imposed in a neonaticide case. Appellate Courts have reviewed and affirmed these dispositions. By

²⁵ In the last paragraph of his report, Dr. Kaye mentions the case of *Commonwealth v. Mako* in Clarion County. He gave no cite for this case nor any specifics other than the defendant pled guilty to involuntary manslaughter. In the same paragraph, Dr. Kaye references a pending case in Pennsylvania involving a 22 year-old woman awaiting sentence for a "criminally negligent homicide" without any identifying information. *Kaye Report, Defendant Exhibit "A," p. 3.*

comparison, the Defendant's sentence was not unreasonable or excessive given all of the circumstances she created.

VIII. THE DEFENDANT'S REHABILITATIVE NEEDS

The Defendant does not present with any significant rehabilitative needs. There does not appear to be any substance abuse issues. She has not been diagnosed with any mental illnesses.

There may be a need for individual counseling on a character issue relating to her honesty. Separate from the Defendant's proven ability to kill a child, this Court is concerned about the extent and depth of the Defendant's deceptive behavior that enabled her to commit this crime. The Defendant did not just tell an impulsive lie in a moment of panic on August 12, 2007. The Defendant engaged in a clear-minded pattern of deceptive behavior demonstrating she is capable of deceiving or attempting to deceive her parents, friends, coaches, medical personnel and the police. She did so over an extended period of time in a variety of settings before, during and after her crime. Her statements to Dr. Sadoff were calculated to put her in a better light and were inconsistent with what she said to others and her actual conduct.

CONCLUSION

Under the circumstances of this case, the intentional suffocation of a living, breathing human being, a defenseless child without any recourse, a person who was deprived of the pleasures of life, at the hands of a parent who bore the responsibility of protecting the child, warrants the sentence imposed. This sentence was mitigated by the personal circumstances over which the Defendant had control.

Although the Defendant wants this Court to turn a blind eye to what occurred and focus only on her personal circumstances, to do so would diminish what happened to this victim. This Court is truly empathetic to the Defendant's personal circumstances and for her family, but constrained to hold the Defendant accountable for her conduct.

Wherefore, the Motion to Vacate and/or Modify the sentence is **DENIED**.

ORDER

For the reasons set forth in the accompanying Opinion, the Defendant's Post Sentence Motion is **DENIED**.

Defense Counsel has also requested recusal pursuant to Cannon III (c) of the Code of Judicial Conduct. As Defense Counsel is aware, this Court is not related to any of the parties involved in this case. This Court does not know the Defendant and/or her family and/or any witnesses tendered in this case. Further, this Court was not a witness to any of the events nor has this Court ever served as a lawyer in any matter affecting the parties. This Court has no financial or fiduciary interest in this case.

The fact this Court entered a sentence with which a defendant disagrees has never been, nor is it now, a basis for recusal. Therefore, the Defendant's Motion to Recuse is **DENIED**.

A hearing on the Defendant's Motion for Bond Pending Appeal shall be held on the 4th day of February, 2009 at 8:45 a.m. before the undersigned.

SO ORDERED, this 26th day of January, 2009.

BY THE COURT:

/s/ **WILLIAM R. CUNNINGHAM, JUDGE**

CHANGE OF NAME NOTICE

Notice is hereby given that on March 11, 2009, the Petition of Conner Brayden Kowalski, a minor, was filed in the above-named Court by his parent and natural guardian Heather M. Sutton, praying for a decree to change his name to Conner Brayden Sutton.

The Court has fixed April 15, 2009 at 8:45 a.m. in Court Room H, Erie County Court House, Erie, Pennsylvania as the time and place for the hearing of said Petition, when and where all persons interested may appear and show cause, if any, why the prayer of the said Petition should not be granted.
M. Kathryn Karn, Esquire
Arduini, Jewell & Karn
731 French Street
Erie, PA 16501

Mar. 27

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 of Fictitious Name." Said Certificate contains the following information:

FICTITIOUS NAME NOTICE

1. The Fictitious Name is Hronas Consulting.
2. The address and principal place of business is 1541 West 8th Street, Erie, Pennsylvania 16505.
3. The real name of the entity registering this name is Hronas Enterprises, LLC., 1541 West 8th Street, Erie, Pennsylvania 16505.
4. Said Application for Registration of the Fictitious Name was filed on or about February 24, 2009.
James F. Geronimo, Esquire
283 Walnut Street
Meadville, PA 16335

Mar. 27

FICTITIOUS NAME NOTICE

1. The Fictitious Name is QiGong Institute of Healing and Wellness.
2. The address and principal place of business is 1541 West 8th Street, Erie, Pennsylvania 16505.
3. The real name of the entity

registering this name is Hronas Enterprises, LLC., 1541 West 8th Street, Erie, Pennsylvania 16505.

4. Said Application for Registration of the Fictitious Name was filed on or about March 3, 2009.
James F. Geronimo, Esquire
283 Walnut Street
Meadville, PA 16335

Mar. 27

FICTITIOUS NAME NOTICE

1. The Fictitious Name is Red Dragon Martial Arts.
2. The address and principal place of business is 1541 West 8th Street, Erie, Pennsylvania 16505.
3. The real name of the entity registering this name is Hronas Enterprises, LLC., 1541 West 8th Street, Erie, Pennsylvania 16505.
4. Said Application for Registration of the Fictitious Name was filed on or about March 3, 2009.
James F. Geronimo, Esquire
283 Walnut Street
Meadville, PA 16335

Mar. 27

FICTITIOUS NAME NOTICE

1. Fictitious Name: Samco Electric and Complete Remodeling
2. Principle Business Address: 2151 Happy Valley Road, East Springfield, PA 16411
3. The real name and address of the person who is a party to the registration: Scott A. Sontheimer, 2151 Happy Valley Road, East Springfield, PA 16411
4. An application for registration of a fictitious name under the Fictitious Names Act was filed on February 17, 2009.
M. Kathryn Karn, Esquire
Arduini, Jewell & Karn
731 French Street
Erie, PA 16501

Mar. 27

INCORPORATION NOTICE

Notice is hereby given that Articles of Incorporation were filed in the Department of State of The Commonwealth of Pennsylvania for A Super Star Buffet Inc. under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended.

Mar. 27

INCORPORATION NOTICE

Hronas Enterprises, LLC has been organized under the For Profit provisions of the Business Corporation Law of 1988.
James F. Geronimo, Esquire
283 Walnut Street
Meadville, PA 16335

Mar. 27

INCORPORATION NOTICE

The Energy Cooperative of Pennsylvania, Inc. has been incorporated under the provisions of the Cooperative Corporation Law of 1988.

David F. Dieteman, Esquire
Manufacturer & Business Association Legal Services, Inc.
2171 West 38th Street
Erie, PA 16508

Mar. 27

LEGAL NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania Orphans' Court Division
No. 74 in Adoption - 2008

IN THE MATTER OF THE
ADOPTION OF
BABY BOY W
TO: JOHN DOE

At the instance of Adoption By Choice, the petitioner in the above case, you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphans' Court of Erie County, Pennsylvania, at the Erie County Court House, Court Room No. G-222, City of Erie on Thursday, April 23, 2009 at 1:30 p.m., and then and there show cause, if any you have, why your parental rights to Baby Boy W, born to Emelia W. on April 22, 2008 at Saint Vincent Health Center, Erie, Pennsylvania should not be terminated, in accordance with the Petition for Involuntary Termination of Parental Rights to a Child Under the Age of 18 Years heretofore filed to the above term and number. The Petition alleges that you, by conduct continuing for a period of at least six (6) months either have evidenced a settled purpose of relinquishing parental claim to the child or have failed or refused to perform parental duties and that your repeated and

continued incapacity, abuse, neglect or refusal has caused the child to be without essential parental care, control or subsistence necessary for her physical or mental well-being and the conditions and causes of the incapacity, abuse, neglect or refusal cannot or will not be remedied by you. You are hereby notified that the hearing on the Confirmation of Consent of the Natural Mother of Baby Boy W will be take place on Thursday, April 23, 2009 at 1:50 p.m. before the Hon. Stephanie Domitrovich.

If it is your intention to contest these proceedings you, or your attorney, are further directed to immediately notify the office of the Hon. Stephanie Domitrovich.

Herein fail not under penalty of the law.

A Petition has been filed asking the Court to put an end to all rights you have to your child, Baby Boy W. The Court has set a hearing to consider ending your rights to your child. That hearing will be held before the Honorable Stephanie Domitrovich, Presiding Judge of the Orphans' Court Division at the Erie County Court House, Erie Pennsylvania on the date and at the time set forth above.

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 and if you fail to file a written objection to such termination with the court prior to the hearing.

You have the 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 can not afford one, go to or telephone the office set forth below to find out where you can get legal help.

Lawyers Referral Service
P. O. Box 1792
Erie, Pennsylvania 16507
(814) 459-4411

James R. Steadman, Esquire
24 Main Street East
Girard, PA 16417
Telephone (814) 774-2628

Mar. 27

LEGAL NOTICE
THE SCHOOL DISTRICT
CITY OF ERIE, PA
Administration Office Building
148 West 21st Street
Erie, PA 16502

NOTICE TO BIDDERS
The School District of the City of Erie, 148 West 21st Street, Erie, PA 16502 will receive SEALED BIDS for Mobile Media Center Carts, Tuesday, April 14, 2009 Daylight Savings Times, and will be opened in the Board Room in accordance with the bid forms and specifications to be obtained from the Purchasing Department.
Robin Smith
Secretary

Mar. 27, and Apr. 3, 10

LEGAL NOTICE
In the Court of Common Pleas of Erie County, Pennsylvania
Civil Action - Law
No.: 15715-08

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
Washington Mutual Bank, Plaintiff
v.
Michael W. Snow, et al,
Defendant(s)

TO: Michael W. Snow
PRESENTLY OR FORMERLY of 825 Ash Street, Erie, PA 16503. A lawsuit has been filed against you in mortgage foreclosure and against your real estate at 825 Ash Street, Erie, PA 16503 because you have failed to make the regular monthly payments on your mortgage loan and the loan is in default. The lawsuit is an attempt to collect a debt from you owed to the plaintiff, Washington Mutual Bank. A detailed notice to you of your rights under the Fair Debt Collection Practices Act (15 U.S.C. §1692, et. seq.) is included in the Complaint filed in the lawsuit. The lawsuit is filed in the Erie County Court of Common Pleas, at the above term and number.

A copy of the Complaint filed in the lawsuit will be sent to you upon request to the Attorney for the Plaintiff, Scott A. Dietterick, Esquire, 200 Sheffield Street, Mountanside, NJ 07092. Phone (908) 233-8500.

If you wish to defend, you must enter a written appearance personally or by an 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 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 lawyer or cannot afford one go to or telephone the office set forth below to find out where you can get legal help.

Lawyers Referral Service
P.O. Box 1792
Erie, PA 16507
Phone (814) 459-4411

Zucker, Goldberg, & Ackerman, LLC
200 Sheffield Street
Mountanside, NJ 07092
(908) 233-8500

Mar. 27

LEGAL NOTICE
MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States Court for the Western District of Pennsylvania and to me directed, I shall expose to property located at 10888 Station Road, North East, PA 16428 being more fully described at Erie County Deed Book 1054, Page 1472. SAID SALE to be held at the ERIE COUNTY COURTHOUSE, ROOM 11, ERIE, PA at 9:00 a.m. prevailing, standard time, on APRIL 24, 2009. All those certain tracts of land, together with the buildings, and improvements erected thereon described as Erie County Tax Index Number (26)7-19-16. Seized and taken in execution as the property of Matthew R. Barnett at the suit of the United States of America, acting through the Under Secretary of Rural Development, on behalf of Rural Housing Service, United States Department of Agriculture, to be sold on Writ of Execution as Civil Number 07-158Erie. **TERMS OF SALE:** Successful bidder will pay ten percent (10%) by certified check or money order and the

remainder of the bid within thirty (30) days from the date of the sale and in the event bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, Room 241, U.S. Post Office & Courthouse, Pittsburgh, PA 15219. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution

will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Thomas M. Fitzgerald, United States Marshal. For additional information visit www.resales.usda.gov or contact Kimberly Williamson at 800-349-5097 Ext. 4500.

Mar. 27, and Apr. 3, 10, 17

The Erie County Bar Association

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presents the ...

6th Annual Law Day 5K Run/Walk

Saturday, May 2, 2009

9:00 a.m. - Erie County Courthouse
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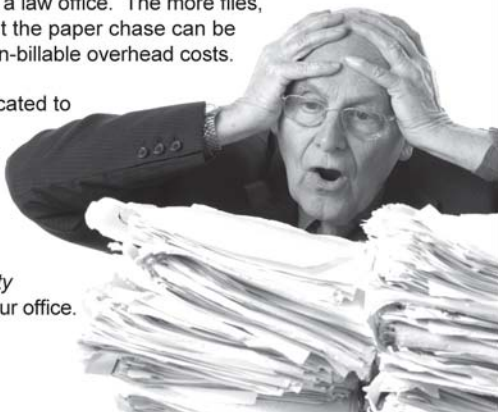
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Gerald Nichols
30 Years - FBI

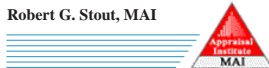
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SHERIFF SALES

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

**April 17, 2009
at 10:00 AM**

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.

Bob Merski

Sheriff of Erie County

Mar. 27 and Apr. 3, 10

SALE NO. 1

**Ex. #15637 of 2008
National City Bank of
Pennsylvania, Plaintiff
v.**

Lois M. Cordovano, Defendant(s)

LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the north line of Twenty-Seventh Street, two hundred (200) feet west of the west line of Raspberry Street; thence northwardly, parallel with Raspberry Street, one hundred thirty-five (135) feet to a point; thence westwardly, parallel with Twenty-Seventh

Street forty (40) feet to a point; thence southwardly, parallel with Raspberry Street, one hundred thirty-five (135) feet to a point in the north line of Twenty-Seventh Street; thence easterly along the north line of Twenty-Seventh Street, forty (40) feet to the place of beginning, being Lot Number Thirteen (13) in what is known as Bacon Subdivision of part of Reserve Tract Number Twenty-Eight (28).

HAVING erected thereon a dwelling commonly known as 1122 West 27th Street, Erie, Pennsylvania, and being further identified by Erie County Tax Index No. 19-6218-330.

BEING KNOWN AS: 1122 WEST 27TH STREET, ERIE, PA 16508

PROPERTY ID NO.: 19-6218-330

TITLE TO SAID PREMISES IS VESTED IN Lois M. Cordovano by Deed from Matthew J. Cordovano and Lois M. Cordovano, husband and wife, as tenants by the entireties with the right of survivorship dated 4/20/01 recorded 4/25/01 in Deed Book 768 page 1751.

Udren Law Offices, P.C.

Attorney for Plaintiff

Woodcrest Corporate Center

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

Mar. 27 and Apr. 3, 10

SALE NO. 2

Ex. #14742 of 2008

**Deutsche Bank National Trust
Company, as Trustee under
NovaStar Mortgage Funding
Trust, Series 2006-5, Plaintiff
v.**

David J. Gorney

Karrie A. Gorney, Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, being the east half of plot No. Six (6) and the west half of plot No. Seven (7) of the Edgewood Subdivision, a part of Reserve Tract No. 13, a plot of same being recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Map Book No. 2 at page 499. Having a frontage of 100

feet on the north side of Eleventh Street as extended from the City of Erie westward and a depth of 94 feet, more or less, parallel with Oregon Avenue. Having a dwelling house erected thereon commonly known as 3246 West 11th Street, Erie, Pennsylvania. Bearing Erie County Assessment Index Number (33) 28-72-44.

Subject to all restrictions, easements, rights of way, building lines, leases and oil and gas leases of record and to all easements and rights-of-way visible and discoverable upon an inspection of the premises.

BEING KNOWN AS: 3246 WEST 11TH STREET, ERIE, PA 16505

PROPERTY ID NO.: 33-28-72-44

TITLE TO SAID PREMISES IS VESTED IN David J. Gorney and Karrie A. Gorney, his wife, as tenants by the entireties with the right of survivorship in either of them to the entirety thereof by Deed from Robyn D. Torck, single dated 7/6/05 recorded 8/11/05 in Deed Book 1260 page 172.

Udren Law Offices, P.C.

Chandra M. Arkema, Esquire

Attorney for Plaintiff

Woodcrest Corporate Center

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

Mar. 27 and Apr. 3, 10

SALE NO. 3

Ex. #15895 of 2008

**Deutsche Bank National Trust
Company as Trustee for Morgan
Stanley ABS Capital 1 Inc. Trust
2007-SEA1, Plaintiff
v.**

Sally A. Johnson, Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, and being more specifically referred to as Lot No. 17 of the Homecrest Subdivision, as it appears in Erie County Map Book 2, page 241; and having erected thereon a one and one-half story frame dwelling known as 303 Meade Avenue.

ALSO, All that certain piece or parcel of land situate in the City of

Erie, County of Erie and State of Pennsylvania, and known as lot No. 18 of the Homecrest Subdivision, a plan of the same being recorded in Map Book 2, page 241, in the Office of the Recorder of Deeds in and for the said County of Erie, to which plan reference is made for a further description of said lot, subject to any restrictions which may be now of record and which are now in force and now applicable thereto.

Being the same premises conveyed to Melvin R. Wilcox and Daisy O. Wilcox by Deed dated September 20, 1957 and recorded in Erie County Recorder of Deeds Office in Deed Book 766, Page 108. The said Melvin R. Wilcox having died on August 9, 2001 as evidence by Proof of Death filed in the Register of Wills Office for Erie County.

UNDER AND SUBJECT to covenants, conditions, restrictions, reservations, oil and gas leases, coal, mineral and mining rights, building lines, easements, rights of ways, and hereditaments contained in prior instruments of record or as may be visible or in place on the premises.

BEING KNOWN AS: 303 MEADE AVENUE, ERIE, PA 16509

PROPERTY ID NO.: 19-6121-212
TITLE TO SAID PREMISES IS VESTED IN Sally A. Johnson by Deed from Daisy O. Wilcox, an unmarried widow, by Carol Ann Lapiana her attorney-in-fact dated 10/25/06 recorded 10/26/06 in Deed Book 1371 page 1381.
Udren Law Offices, P.C.

Chandra M. Arkema, Esquire
Attorney for Plaintiff
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Mar. 27 and Apr. 3, 10

SALE NO. 4

Ex. #14668 of 2008

GMAC Mortgage, LLC, Plaintiff
v.

James Parent
Michelle Parent (Real Owner)
Defendant(s)

LEGAL DESCRIPTION

ALL that certain piece or parcel

of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the intersection of the East line of Cascade Street with the North line of West 5th Street; thence Northwardly along the East line of Cascade Street, a distance of 30 feet to a point; thence Eastwardly and parallel with the North line of West 5th Street, a distance of 82½ feet to a point; thence Southwardly and parallel with the East line of Cascade Street, a distance of 30 feet to a point on the North line of West 5th Street; thence Westwardly along the North line of 5th Street, a distance of 82½ feet to a point and the place of beginning.

SAID premises having erected thereon a dwelling more commonly known as 431 Cascade Street, Erie, Pennsylvania 16507, and being further identified by Erie County Assessment Index No. (17) 4029-236.

BEING KNOWN AS: 431 CASCADE STREET, ERIE, PA 16507

PROPERTY ID NO.: 17-4029-236
TITLE TO SAID PREMISES IS VESTED IN James Parent and Michelle Parent, husband and wife, as tenants by the entireties with the rights of survivorship by Deed from James Parent, married dated 6/2/06 recorded 6/15/06 in Deed Book 1336 page 1924.

Udren Law Offices, P.C.
Chandra M. Arkema, Esquire
Attorney for Plaintiff
Woodcrest Corporate Center
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Mar. 27 and Apr. 3, 10

SALE NO. 5

Ex. #10440 of 2008

Northwest Savings Bank,
Plaintiff

v.

Sherry L. Turco, Defendant
LEGAL DESCRIPTION OF
REAL ESTATE

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of

Pennsylvania, bounded and known as Lot No. 19 (19) of H.J. Curtze's Subdivision of Square No. Thirteen (13) in the second section of the City of Erie, as per Plat recorded in Records Office of Erie County, in Map Book No. 1 Page 27, and situate on the south side of 2nd Street between Plum and Cascade Streets, and being Forty (40) feet wide and One Hundred Sixty-Five (165) feet deep, and having erected thereon a dwelling house being commonly known and municipally numbered as 917 West 2nd Street, Erie, Pennsylvania. Said premises bearing Erie County Tax Assessment No. (17) 40-30-207.

D. Christopher Meyers, Esq.
425 West Tenth Street
Erie, Pennsylvania 16502
(814) 453-4141
Pa. I.D. #84842

Mar. 27 and Apr. 3, 10

SALE NO. 6

Ex. #15296 of 2008

Northwest Savings Bank
v.

Lawrence Laskowski
SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 15296-2008, Northwest Savings Bank vs. Lawrence Laskowski, owner of property situate in Millcreek Township, Erie County, Pennsylvania being: 3145 West 13th Street, Erie, Pennsylvania.

119' x 200' x 119' x 200'
Assessment Map Number: (33) 35-171-33.01
Assessed Value Figure: \$85,450.00
Improvement Thereon: Residence
Kurt L. Sundberg, Esq.
Marsh Spaeder Baur Spaeder & Schaaf, LLP
Suite 300, 300 State Street
Erie, Pennsylvania 16507
(814) 456-5301

Mar. 27 and Apr. 3, 10

SALE NO. 7

Ex. #15333 of 2008

Northwest Savings Bank
v.

Lori A. Mellin
SHERIFF'S SALE

By virtue of a Writ of Execution

filed at No. 15333-2008, Northwest Savings Bank vs. Lori A. Mellin, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 2418 Prospect Avenue, Erie, Pennsylvania.
80' x 36' x 50' x 84' x 130' x 120'
Assessment Map Number: (18) 5139-217 and 222
Assessed Value Figure: \$54,450.00
Improvement Thereon: Residence
Kurt L. Sundberg, Esq.
Marsh Spaeder Baur Spaeder & Schaaf, LLP
Suite 300, 300 State Street
Erie, Pennsylvania 16507
(814) 456-5301

Mar. 27 and Apr. 3, 10

SALE NO. 8

Ex. #10045 of 2006
Nationstar Mortgage, LLC
v.

Matthew B. Kramer
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10045-06 Nationstar Mortgage, LLC vs. Matthew B. Kramer, owners of property situated in Fairview Township, Erie County, Pennsylvania being 730 Sirak Drive, Fairview, PA 16415
Assessment Map number: 21-11-11-75 & 21-11-11-74
Assessed Value figure: \$121,600.00 & \$9,400.00
Improvement thereon: Residential Dwelling
Mary L. Harbert-Bell, Esquire
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Mar. 27 and Apr. 3, 10

SALE NO. 9

Ex. #14858 of 2008
Washington Mutual Bank
v.

William P. Carr III
Helen L. Carr
SHERIFF'S SALE

By virtue of a Writ of Execution file to No. 2008-14858, Washington Mutual Bank vs. William P. Carr III; Helen L. Carr, owner(s) of property situated in the Township of Millcreek, County of Erie, Pennsylvania being 205 Marshall Drive, Erie, PA 16505

Assessment Map Number: 33-6-19-120
Assessed Value figure: 95,600.00
Improvement thereon: Single Family Dwelling
Scott A. Dietterick, Esquire
Kimberly A. Bonner, Esquire
Richard P. Haber, Esquire
Eric Santos, Esquire
Joel Ackerman, Esquire
Zucker, Goldberg & Ackerman, LLC
200 Sheffield Street, Suite 301
Mountainside, NJ 07092
(908) 233-8500

Mar. 27 and Apr. 3, 10

SALE NO. 10

Ex. #15027 of 2008
U.S. Bank National Association,
as trustee, on behalf of the
holders of the Home Equity
Asset Trust 2006-5 Home Equity
Pass-Through Certificates, Series
2006-5
v.

Rodney L. Schuler
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15027-08, U.S. Bank National Association, as trustee, on behalf of the holders of the Home Equity Asset Trust 2006-5 Home Equity Pass-Through Certificates, Series 2006-5 vs. Rodney L. Schuler, owner(s) of property situated in the Township of North East, County of Erie, Pennsylvania being 2271 North Mill Road, North East, PA 16428
10 ACRES
Assessment Map Number: (37) 3-53-28

Assessed Value figure: \$96,280.00
Improvement thereon: Single Family Dwelling
Scott A. Dietterick, Esquire
Kimberly A. Bonner, Esquire
Richard P. Haber, Esquire
Eric Santos, Esquire
Joel Ackerman, Esquire
Zucker, Goldberg & Ackerman, LLC
200 Sheffield Street, Suite 301
Mountainside, NJ 07092
(908) 233-8500

Mar. 27 and Apr. 3, 10

SALE NO. 12

Ex. #13219 of 2008
PNC Bank, National Association,
Plaintiff
v.

Matthew L. Harris, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13219-08, PNC Bank, National Association vs. Matthew L. Harris, owner(s) of property situated in the City of Erie, Erie County, Pennsylvania being 922 W. 18th Street, Erie, PA 16502
30 X 135 / 0.093 Acres
Assessment Map number: (16) 30-43-135
Assessed Value figure: \$21,970.00
Improvement thereon: Residential Dwelling
Michael C. Mazack, Esq.
1500 One PPG Place
Pittsburgh, PA 15222
(412) 594-5506

Mar. 27 and Apr. 3, 10

SALE NO. 13

Ex. #15338 of 2008
PNC Bank, National Association,
Plaintiff
v.

Charles L. Peyton, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15338 of 2008, PNC Bank, National Association vs. Charles L. Peyton, owner(s) of property situated in the City of Erie, Erie County, Pennsylvania being 510 Plum Street, Erie, PA 16507
50 X 41.25 / 0.0462 Acres
Assessment Map number: (17) 40-29-102
Assessed Value figure: \$40,050.00
Improvement thereon: Residential Dwelling
Michael C. Mazack, Esq.
1500 One PPG Place
Pittsburgh, PA 15222
(412) 594-5506

Mar. 27 and Apr. 3, 10

SALE NO. 14

Ex. #15707 of 2008
PNC Bank, National Association,
Plaintiff
v.

Joyce Ann Smith, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15707-08, PNC Bank, National Association vs. Joyce Ann Smith, owner(s) of property situated in the City of Erie, Erie County, Pennsylvania.

40 X IR / 0.1281 Acres

Assessment Map number:
(19) 61-36-314

Assessed Value figure: \$57,700.00

Improvement thereon: Residential Dwelling

Michael C. Mazack, Esq.

1500 One PPG Place

Pittsburgh, PA 15222

(412) 594-5506

Mar. 27 and Apr. 3, 10

SALE NO. 15

Ex. #14857 of 2008

Deutsche Bank National Trust Company, as Trustee for First Franklin Mortgage Loan Trust 2006-FF8, Asset Backed Certificates, Series 2006-FF8, Plaintiff,

v.

Craig R. Bennett

Crystal A. Bennett, Defendant(s)

LEGAL DESCRIPTION

ALL THAT certain piece or parcel of land situated in Lawrence Park Township, County of Erie and Commonwealth of Pennsylvania, bounded and described according to a plan of a survey made by Urban Engineers, Dated April 28, 1992, Drawing No. CS-T-1-C-151, and shown thereon as Parcel No. 2. Beginning at a concrete monument at the intersection of the South Line of East Lake Road (50 feet Right of Way) and the East line of Cunningham Drive (50 feet Right of Way) thence North 44 degrees -50 minutes -00 second East, a distance of two hundred and sixteen feet (216.00) to an iron pipe being the point of beginning of the property hereinafter described.

Thence along the South Right of Way line of East Lake Road North 44 degrees -50 minutes -00 second East, a distance of nineteen and forty-seven hundredths feet (19.47) to a concrete monument.

Thence continuing along the South Right of Way line of East Lake Road, North 44 degrees -46 minutes

-04 seconds East, a distance of sixty feet (60.00) to an iron pipe;

Thence South 25 degrees -53 minutes -56 seconds East, a distance of two hundred feet (200.00) to an iron pipe;

Thence South 64 degrees -06 minutes -04 seconds West, a distance of seventy-five feet (75.00) to an iron pipe;

Thence North 25 degrees -53 minutes -56 seconds West, a distance of One hundred seventy-three and seventy-two hundredths feet (173.72) to the point of beginning.

TITLE TO SAID PREMISES IS VESTED IN Craig R. Bennett and Crystal A. Bennett, his wife, as tenants by the entireties with right of survivorship, by Deed from Timothy Reid, single and Thomas Reid and Janet Reid, his wife and Edward Reid and Danielle Reid, his wife, dated 03/12/1993, recorded 03/20/1993 in Book 260, Page 1991.

Tax Parcel #: 29-013-025.0-001-.01 Premises being: 4325 EAST LAKE ROAD, ERIE, PA 16511-1358 Daniel G. Schmieg, Esquire One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 16

Ex. #12863 of 2008

The Bank of New York, as Trustee for the Benefit of the Certificateholders, CWABS, Inc., Asset-Backed Certificates, Series 2007-BC3, Plaintiff,

v.

Kirk Caldwell

Gayle Caldwell, Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in Township of Washington, County of Erie, Pennsylvania, being part of Tract 444, bounded and described as follows, to-wit:

COMMENCING at a point in the Northeast corner of Tract 444, said point also being the intersection of the centerlines of Neyland and Lay Road; thence South 01' 11' West

along the centerline of Lay Road, 700 feet to the place of beginning; thence South 01' 11' West along the centerline of Lay Road 300 feet to a point; thence West 700 feet to a point; thence North 01' 11' East 300 feet to a point, thence East 700 feet to the place of the beginning, and containing 4.82 acres of land, more or less.

BEING more commonly known as 11510 Lay Road, Edinboro, Pennsylvania and bearing Erie County Tax ID Number (45) 7-11-8.14.

Vested by Warranty and Deed, dated 03/02/2007, given by Mary Lou Caldwell, widow to Kirk Caldwell and Gayle Caldwell, husband & wife, and recorded 3/6/2007 in Book 1399 Page 299.

Tax Parcel #: 45-007-011.0-008.14 Premises being: 11510 LAY ROAD, EDINBORO, PA 16412-1043

Daniel G. Schmieg, Esquire One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 17

Ex. #15389 of 2008

Chase Home Finance LLC, s/b/m to Chase Manhattan Mortgage Corporation, Plaintiff,

v.

Walter T. Capwill, Defendant(s)

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, being Lot No. 24 on the plat of building lots known as 'NORWOOD' which plat is recorded in the Office of the Recorder of Deeds in and for the County of Erie in Map Book No. 1, pgs. 168 and 169, and having erected thereon a one and one-half story brick dwelling and garage commonly known as 1968 Prospect Avenue, Erie, Pennsylvania and bearing Erie County Assessment Index No. (18) 5126- 136.

TITLE TO SAID PREMISES IS VESTED IN Walter T. Capwill, by Deed from David J. Hart and

Joan M. Hart, dated 09/15/1995, recorded 09/15/1995 in Book 0403, Page 0924.
Tax Parcel#: 18-5126-136
Premises being: 1968 PROSPECT AVENUE, ERIE, PA 16510
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 18

Ex. #11261 of 2008

**U.S. Bank National Association,
as Trustee for Credit Suisse First
Boston Heat 2004-7, Plaintiff,
v.**

**Thomas R. Christopherson,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follow, to-wit:

COMMENCING at a point in the south line of Sixth Street, Two hundred seventy-seven and one-half (277 1/2) feet west of the west line of Myrtle Street, the northwest corner of lot sold to Julius Levi; Thence westwardly along the south line of Sixth Street, fifty-two and one-half (52 1/2) feet to a point; Thence southwardly and parallel with Myrtle Street, one hundred sixty-five (165) feet to a point; Thence eastwardly and parallel with Sixth Street, fifty-two and one-half (52 1/2) feet to a point; Thence northwardly by Julius Levi's west line and parallel with Myrtle Street, one hundred sixty-five (165) feet to the south line of Sixth Street and the place of beginning, having erected thereon a three-story brick dwelling house and garage being commonly known as 329 West 6th Street, Erie, PA 16507 and being further identified by Erie County Tax Index No. (17) 4010-206.

TITLE TO SAID PREMISES IS VESTED IN Thomas R. Christopherson, by Deed from Clinton A. Shamp and Theresa F. Shamp, h/w and Angelo P. Arduini

and Judy E. Arduini, h/w, dated 08/30/2002, recorded 09/05/2002, in Deed Book 917, page 1306.
Tax Parcel #: 17-040-010.0-206-00
Premises being: 329 WEST 6TH STREET, ERIE, PA 16507
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 19

Ex. #10316 of 2004

**Wells Fargo Home Mortgage,
Inc., Plaintiff,
v.**

**Darrell J. Dickerson,
Defendant(s)**

LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, being Lot Number Two Hundred nineteen (219) of Kelso Park Subdivision of part of Reserve Tract No. 8, made by Maahs and Markwood, as shown upon a plot of said Subdivision recorded in the Office of the Recorder of Deeds for Erie County, Pennsylvania in Map Book No. 2, Page 234.

TITLE TO SAID PREMISES IS VESTED IN Darrell J. Dickerson by Deed from John M. Gromacki and Stacy L. Gromacki, his wife dated 12/19/2001 and recorded 12/19/2001, in Record Book 836, Page 1486.

Tax Parcel No. #.(33) 29-59-64
Premises being: 901 WYOMING AVENUE, ERIE, PA 16505
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 20

Ex. #15712 of 2008

**Wells Fargo Bank, NA, Plaintiff,
v.**

**Kelly Jo Ferl a/k/a
Kelly J. Ferl, Defendant(s)**

LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Borough of Albion, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the east line of Cliff Street, formerly called Short Street, two hundred fourteen (214) feet North from the intersection of the east line of said Cliff Street, formerly called Short Street, with the north line of Jackson Avenue;

Thence easterly on a line parallel with the north line of Jackson Avenue, one hundred fifty (150) feet to a point;

Thence northwardly parallel with the east line of Cliff Street, formerly called Short Street, fifty (50) feet to a point;

Thence westwardly, one hundred fifty (150) feet to a point in the east line of Cliff Street, formerly called Short Street;

Thence southwardly along the east line of Cliff Street, formerly called Short Street, fifty (50) feet to the place of beginning;

SAID premises are further identified by Erie County Assessment Index No. (1) 5-45-19, and are commonly known as 19 Cliff Street, Albion, Pennsylvania.

TITLE TO SAID PREMISES VESTED IN Kelly J. Ferl, by Deed from James L. Mack and Carla L. Mack, h/w, dated 12/11/1998, recorded 12/11/1998 in Book 605, Page 1227.

Tax Parcel #: 01-005.045.0-019.00
Premises being: 19 CLIFF STREET, ALBION, PA 16401-1005
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 21

Ex. #10764 of 2008

**Wells Fargo Bank, N.A. as
Trustee for First Franklin
Mortgage Loan Trust 2006-
FF15, Mortgage Pass-Through**

**Certificates, Series 2006-FF15,
Plaintiff,**

v.

**Kathryn E. Gottschling,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: Being Lot No. 13 of White Pine Terrace No. 3, as per the map of said Subdivision recorded on February 19, 1987, in the Office of the Recorder of Deeds of Erie County, Pennsylvania, at Map Book 31, page 47, to which reference is herein made for a more detailed description thereof. Having erected thereon a single family dwelling more commonly known as 4643 White Pine Drive, Erie, Pennsylvania; bearing Erie County Tax Index No. (33) 62-235-59.26.

TITLE TO SAID PREMISES IS VESTED IN Kathryn E. Gottschling, married, by Deed from Pastore, Inc., a Pennsylvania Corporation, dated 10/13/2000, recorded 10/16/2000, in Deed Book 732, page 753.

Tax Parcel #: 33-062-235.0-059.26

Premises being: 4643 WHITE PINE DRIVE, ERIE, PA 16506

Daniel G. Schmieg, Esquire

One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814

(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 22

Ex. #15510 of 2008

**Countrywide Home Loans
Servicing, LP, Plaintiff,**

v.

**Paul C. Hanson
Kathleen L. Maisner,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in Tract No. 78, Township of Franklin, County of Erie, State of Pennsylvania, bounded and described as follows, to-wit:

Beginning at an iron survey pin

in the centerline of Eureka Road, said point being distance from the centerline intersection of Crane Road and Eureka Road bearing due north a distance of 1632.75 feet.

Thence due North along the centerline of Eureka Road a distance of 333.40 feet to an iron survey pin, said point also being the southwest corner of the lands now or formerly of Frank & Anne Aleksiewicz;

Thence North 88 degrees 11 minutes 58 seconds east along the lands now or formerly of Frank & Anne Aleksiewicz, passing over an iron survey pin at a distance of 25.01 feet, a distance of 1685.50 feet to an iron survey pin;

Thence, South 00 degree 07 minutes 29 seconds west, along lands now or formerly of Raymond W. & Edith H. Swift, a distance of 362.66 feet to an iron survey pin;

Thence South 89 degrees 11 minutes 38 seconds west, passing over an iron survey pin at a distance of 1659.04 feet, a distance of 1684.04 feet to the place of beginning.

For title reference see deed from Mary K. Hoffman recorded October 05, 1984 in Book 1555, Page 145.

TITLE TO SAID PREMISES IS VESTED IN Paul C. Hanson and Kathleen L. Maisner, as joint tenants with right of survivorship, by Deed from Paul C. Hanson, dated 09/06/2007, recorded 10/15/2007 in Book 1453, Page 1033.

Tax Parcel #: 22-012-022.0-015.01

Premises being: 11151 EUREKA ROAD, EDINBORO, PA 16412-3727

Daniel G. Schmieg, Esquire

One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814

(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 23

Ex. #11712 of 2008

**Chase Home Finance LLC,
Plaintiff,**

v.

**James Allen Horvath,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate and lying in the City of Erie, County of Erie and Commonwealth of Pennsylvania, being part of Out Lot Number Four (4) and bounded and described as follows, to-wit: BEGINNING at a point in the North line of Twenty-sixth Street, two hundred fifty-five (255) feet Eastwardly from the intersection of the North line of Twenty-sixth street with the East line of Wayne Street as now widened; thence running northwardly, parallel with Wayne Street, one hundred fifty (150) feet to a point; thence Eastwardly, parallel with Twenty-sixth Street, fifty (50) feet to a point; thence Southwardly, parallel with Wayne Street, one hundred fifty (150) feet to the North line of Twenty-sixth Street; thence Westwardly along the North line of Twenty-sixth Street, fifty (50) feet to the place of beginning.

Also, all that certain piece or parcel of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to wit: BEGINNING at a point in the north line of 26th Street, two hundred fifteen (215) feet eastwardly from the point of intersection of the east line of Wayne Street and the north line of 26th Street; thence northwardly parallel with Wayne Street, one hundred fifty (150) feet to a point; thence eastwardly and parallel with the North line of 26th Street, forty (40) feet to a point; thence southwardly and parallel with Wayne Street, one hundred fifty (150) feet to the north line of 26th Street; thence westwardly along said north line of 26th Street, forty (40) feet to the place of beginning. More commonly known as 828 East 26th Street, Erie, Pennsylvania 16504 and bears Erie County Tax Assessment Number (18) 5035-129.

TITLE TO SAID PREMISES IS VESTED IN James Allan Horvath, by Deed from John P. Beers and Patricia A. Beers, h/w, dated 11/23/2004, recorded 12/07/2004, in Deed Book 1195, page 452.

Tax Parcel #: 18-050-035.0-129.00

Premises being: 828 EAST 26TH STREET, ERIE, PA 16504-0000
Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 24

Ex. #15877 of 2008
Bank of New York, as Trustee
for the Certificateholders
of CWMBS Series 2004-R1,
Plaintiff,

v.

Ansel B. Lockett Sr.,
Defendant(s)

LEGAL DESCRIPTION

ALL that certain property located in the Fifth Ward, City of Erie, County of Erie and Commonwealth of Pennsylvania, being more fully described as follows:

BEGINNING at a point in the south line of Twenty-seventh Street, one hundred five (105) feet east of Holland Street;

THENCE running southwardly parallel with Twenty-seventh Street, forty (40) feet;

THENCE northwardly parallel with Holland Street, one hundred thirty-five (135) feet to the south line of Twenty-seventh Street; and
THENCE westwardly along the south line of Twenty-seventh Street forty (40) feet to the place of beginning.

HAVING erected thereon a dwelling being commonly known as 213 East 27th Street, Erie, Pennsylvania 16504 and bearing Erie County Tax Index No.: (18) 5081-119.

Vested by Warranty Deed, dated 06/13/2002, given by Timothy A. Baronner and Lisa Baronner, his wife and Joseph F. Lombardo, a single individual to Ansel B. Lockett, Sr., a married individual and recorded 6/17/2002 in Book 0890 Page 2061 Instrument # 2002-028712.

Tax Parcel #: 18-050-081.0-119.00
Premises being: 213 EAST 27TH STREET, ERIE, PA 16504-1005
Daniel G. Schmieg, Esquire
One Penn Center at Suburban

Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 25

Ex. #13448 of 2007
Aurora Loan Services, LLC,
Plaintiff,

v.

Frank A. Longo II Defendant(s)

LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in Lawrence Park Realty Company Plot of portions of Tracts No. 216 and 247 in Lawrence Park Township, Erie County, Pennsylvania, as recorded in Erie County Map Book No. 3, Pages 39, 40, and 41 and bounded and described as follows:

BEGINNING at a point in the West line of Rankine Avenue, 106 feet 8 inches South of the South line of Field Street;

THENCE Southwardly by and along the West line of Rankine Avenue, 26 feet 8 inches;

THENCE Westwardly parallel with Field Street, 125 feet to the East line of a 16-foot alley;

THENCE Northwardly, parallel with Rankine Avenue, 26 feet 8 inches;

THENCE Eastwardly, parallel with Field Street, 125 feet to the place of beginning.

BEING the South one-third of lot 186-20 and the North one-third of lot 186-19 and the same property conveyed to parties of the first part by deed dated September 15, 1999 and recorded September 21, 1999 in Erie County Record Book 663 at page 834 and more commonly known as 1214 Rankine Avenue, Erie, Pennsylvania 16511 and having Tax Index No. (29) 17-57-6. SUBJECT to all restrictions, easements, rights of way, leases, encroachments, overlaps, building and boundary lines, or other matters or record or visible to a physical inspection.

TITLE TO SAID PREMISES IS VESTED IN Frank A. Longo, III, an individual, by Deed from Frank A. Longo, III and Rhonda K. Longo,

husband and wife, dated 04/28/2006, recorded 05/11/2006, in Deed Book 1326, page 1977.

Tax Parcel #: 29-017-057.0-006-.00
Premises being: 1214 RANKINE AVENUE, ERIE, PA 16511.

Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 26

Ex. #15609 of 2008
Lasalle Bank National
Association, as Trustee for First
Franklin Mortgage Loan Trust,
Mortgage Loan Asset-Backed
Certificates, Series 2006-FF18,
Plaintiff,

v.

William T. Markley
Connie L. Markley, Defendant(s)
LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, and being part of Lot No. Three (3) in the SUNNYMEADE SUBDIVISION, as per plot recorded in Erie County Map Book 2, page 237, and being more particularly bounded and described as follows, to-wit:

BEGINNING at a point in the south line of West Thirty-Eighth Street (a sixty (60) foot right-of-way) one hundred forty-five (145.0) feet west of the point of intersection in the south line of West Thirty-Eighth Street with the west line of Lancaster Road; thence southwardly and parallel with Lancaster Road one hundred thirty-five (135.0) feet to a point; thence westwardly and parallel with West Thirty-Eighth Street eighty (80.0) feet to a point; thence northwardly and parallel with Lancaster Road one hundred thirty-five (135.0) feet to the south line of West Thirty-Eighth Street; and thence eastwardly along the south line of West Thirty-Eighth Street eighty (80.0) feet to the place of beginning, having erected thereon an aluminum sided ranch style dwelling moire commonly

known as 3229 West 38th Street, Erie, Pennsylvania.

Erie County Tax Index No. (33) 83-409-5

TITLE TO SAID PREMISES IS VESTED IN William T. Markley and Connie L. Markley, his wife, as tenants be the entireties with the right of survivorship, by Deed from Bruce L. Swain and Carolyn F. Swain, his wife, dated 10/25/2006, recorded 10/30/2006 in Book 1372, Page 130.

Tax Parcel #: 33-083-409.0-005.00
Premises being: 3229 WEST 38TH STREET, ERIE, PA 16506-4201
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 27

Ex. #15416 of 2008
RBS Citizens, N.A. f/k/a Citizens Bank, N.A. s/b/m to Citizens Mortgage Corp., Plaintiff,
v.

Mathew R. Marshall
Keilani A. Marshall, Defendant(s)
LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the east line of East Avenue, twenty-five (25) feet south of the south line of Third Street; thence eastwardly parallel with Third Street, one hundred twelve (112) feet to the west line of an alley; thence southwardly along the west line of said alley and parallel with East Avenue, twenty-seven and one-half (27 1/2) feet to a point; thence westwardly parallel with Third Street, one hundred twelve (112) feet to the east line of East Avenue, and thence northwardly along the east line of East Avenue, twenty-seven and one-half (27 1/2) feet to the place of beginning. Having erected thereon a two-family dwelling house, and being more commonly known as No. 303 East Avenue, Erie, Pennsylvania,

and bearing City of Erie Index No. (14) 1037-114.

TITLE TO SAID PREMISES IS VESTED IN Matthew R. Marshall and Keilani A. Marshall, h/w, as tenants by the entireties with the right of survivorship, by Deed from Arthur G. Entley and Sarah A. Entley, h/w, dated 09/02/2005, recorded 09/02/2005 in Book 1267, Page 0047.

Tax Parcel #: 14-010-037.0-114.00
Premises being: 303 EAST AVENUE, ERIE, PA 16507
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 28

Ex. #12445 of 2004
Wells Fargo Bank Minnesota, National Association, as Trustee for Option One Mortgage Loan Trust 2000-A Asset-Backed Certificates, Series 2000-A, Plaintiff,
v.

Terry B. Monahan
a/k/a Terry Bernard Monahan
a/k/a Terry B. Monahan, Defendant(s)
LEGAL DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the south line of Third Street, forty-one (41) feet and three (3) inches eastwardly from the East line of Plum Street; thence eastwardly, along the South line of Third Street, forty-one (41) feet and three (3) inches to a point; thence southwardly, parallel with Plum Street, one hundred fifty-seven (157) feet to a sixteen (16) foot alley; thence westwardly along the north line of said alley, forty-one (41) feet and three (3) inches to a point; thence northwardly, parallel with Plum Street, one hundred fifty-seven (157) feet to the place of beginning; having erected thereon a two story frame dwelling house and

garage, commonly known as 823 West 3rd Street, Erie, Pennsylvania, and bearing Erie County Index No. (17) 4027-112.

TITLE TO SAID PREMISES IS VESTED IN B. Terry Monahan by reason of the following: BEING THE SAME premises which Star Shelter, Inc. by Deed dated 8/24/1988 and recorded on 8/25/1988 in the County of Erie in Record Book 62 Page 744, conveyed unto B. Terry Monahan and Carole A. Monahan, his wife. AND ALSO BEING THE SAME premises which B. Terry Monahan and Carole A. Monahan, his wife by Quit Claim Deed dated 2/2/1994 and recorded on 2/3/1994 in the County of Erie in Record Book 317 Page 2204, Remised, Released and Quit Claimed unto B. Terry Monahan.

Tax Parcel #: (17)-40-27-112
Premises being: 823-825 WEST 3RD STREET, ERIE, PA 19602 [sic]
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 29

Ex. #15679 of 2008
Wells Fargo Bank, NA, Plaintiff,
v.
John W. Pierce III
Kelly A. Pierce,
Defendant(s)
LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of Venango, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at the point of intersection of the centerline of the Erie and Wattsburg Road with the centerline of the Colt Station Road, said point of intersection being known as Phillipsville Corners; thence south 56 degrees east along the centerline of the said Erie and Wattsburg Road 589.18 feet, more or less, to the southeast corner of land conveyed by Stephen and

Mary Paha, his wife, to Charles H. and Dorothy M. Roberts, his wife, by Deed Book 986, page 539; thence north 35 degrees 55 minutes east, along the easterly line of said land of Charles H. and Dorothy M. Roberts, his wife, 408.43 feet to a point; thence north 55 degrees 34 minutes west 456.5 feet to a point; thence south 35 degrees 55 minutes west 74.2 feet to a point; thence eastwardly 3 feet to a point; thence south 35 degrees 55 minutes west 162 feet to a point; thence westwardly 135 feet, more or less, to a point in the centerline of the said Colt Station Road; thence along the centerline of the said Colt Station Road, south 35 degrees 55 minutes west 165 feet to the place of beginning.

HAVING erected thereon a two-story frame dwelling known as 11509 Hill Road, Wattsburg, Pennsylvania. Being County of Erie Index No. (44) 17-22-10.

EXCEPTING AND RESERVING that certain piece of land fully described in a deed dated October 15, 1973, and recorded in Erie County Deed Book 1107, page 605.

BEING the same premises conveyed to the grantor by Deed of record in Erie County Deed Book 1381 at page 584.

TITLE TO SAID PREMISES VESTED IN John W. Pierce, III and Kelly A. Pierce, h/w, by Deed from Mary Ellen Forbes, unmarried, dated 10/03/1995, recorded 10/04/1995 in Book 406, Page 1455.

EXCEPTING AND RESERVING that certain piece of land fully described in a deed dated October 15, 1973, and recorded in Erie County Deed Book 1107, page 605.

Tax Parcel #: 44-017-022.0-010.00
Premises being: 11509 HILL ROAD, WATTSBURG, PA 16442-1201

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 30

Ex. #14149 of 2008

**Deutsche Bank Trust Company
Americas as Trustee, Plaintiff,**

v.

**Michael B. Socash
Christina M. Socash,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Second Ward of the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: COMMENCING at a point in the north line of Thirteenth Street, forty-seven and one-half (47 1/2) feet eastwardly from the point of intersection of said north line of Thirteenth Street with the east line of Reed Street; thence northwardly parallel with Reed Street, one hundred five (105) feet to a fifteen (15) foot alley; thence eastwardly along the south line of said alley, and parallel with Thirteenth Street, thirty (30) feet; thence southwardly parallel with Reed Street, one hundred five (105) feet to the said north line of Thirteenth Street; and thence westwardly along said north line of Thirteenth Street, thirty (30) feet to the place of beginning, being subdivision Lot No. 64 and the east half of subdivision Lot No. 61 of Out Lot No. 532.

ERIE COUNTY TAX INDEX NO. (15) 2036-321

TITLE TO SAID PREMISES IS VESTED IN Michael B. Socash and Christina Socash, his wife, by Deed from Dominic A. Bova and Josephine D. Bova, wife, dated 04/04/2000, recorded 04/06/2000 in Book 696, Page 1270.

Tax Parcel #: 15-020-036.0-321.00
Premises being: 710 EAST 13TH STREET, ERIE, PA 16503-1444
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 32

Ex. #15636 of 2008

**Huntington National Bank, s/b/m
to Sky Bank, Plaintiff,**

v.

**Louis M. Straitwell, Sr.
Patricia A. Straitwell,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of Summit, County of Erie and State of Pennsylvania, being part of Tract 374, bounded and described as follows, to-wit:

BEGINNING at the northwest corner of the piece at an iron survey point located the following two courses and distances from an iron pipe at the intersection of the centerline of Robinson Road with the centerline of Hershey Road, viz: South 27 degrees 17 minutes East along the centerline of Robinson Road a distance of 1690.85 feet and North 63 degrees 07 minutes East along the south line of land now or formerly of Arthur Vandervort, as described in Erie County Deed Book 647 at Page 550, a distance of 258.61 feet to the place of beginning.

THENCE North 63 degrees 07 minutes East, continuing along the south line of said Arthur Vandervort, 320 feet, more or less, to a point located at the southeast corner of said Vandervort;

THENCE South 25 degrees 13 minutes East, along the residue of land of Joseph E. Fiske and Laurel W. Fiske as recorded in Erie County Deed Book 965, page 669, 94.2 feet, more or less to a point;

THENCE South 63 degrees 50 minutes 20 seconds West, along the residue of land of said Fiske as recorded in Erie County Deed Book 965, page 669 and Deed Book 886 page 309, 198.65 feet to a point;

THENCE South 26 degrees 09 minutes 40 seconds East, along the residue of Land of said Fiske, 106.00 feet to a point in the north line of a 25 foot private road extending from and out of Robertson Road;

THENCE South 63 degrees 50 minutes 20 seconds West along the north line of said 25 foot private

road 131.4 feet, more or less to a point located at the southwest corner of land conveyed to said Fiske as recorded in Erie County Deed Book 886, page 309;

THENCE Northwardly along the west line of land conveyed to said Fiske as recorded in Deed Book 886, page 309, 200.2 feet, more or less to the place of beginning.

BEING part of the lands conveyed to Joseph E. Fiske and Laurel W. Fiske by deeds recorded in Erie County Deed Book 886, page 309 and Deed Book 965, page 669. Said premises having erected thereon an aluminum sided two (2) story dwelling house and two (2) car garage and a two (2) story barn and swimming pool and being commonly known as 7773 Hamot Road, Erie, Pennsylvania.

Robinson Road also known as Robertson Road is now known as Hamot Road.

Together with the free and uninterrupted use, liberty and privilege of, and passage in and along a certain right-of-way described as follows:

ALL that certain piece or parcel of land situate in the Township of Summit, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point in the centerline of Robertson Road, said point being 1916.05 feet South 24 degrees 16 minutes 05 seconds East (in some deeds South 26 degrees 17 minutes East) from the intersection with the centerline of Hershey Road, said point also being the southwest corner of the property described in Deed Book 965, page 669;

THENCE North 63 degrees 50 minutes 20 seconds East 470 feet more or less to the westerly line of a warehouse building;

THENCE approximately North 26 degrees West along the westerly line of the warehouse property, 130 feet more or less to the southerly line of the premises herein conveyed;

THENCE South 63 degrees 50 minutes 20 seconds West along the southerly line of premises herein conveyed, 70 feet more or less to a point in one of the easterly lines of

the premises herein conveyed;

THENCE South 26 degrees 9 minutes 40 seconds East, 106 feet to a point;

THENCE South 63 degrees 50 minutes 20 seconds West, 389.94 feet to a point in the centerline of the Hershey Road;

THENCE South 24 degrees 16 minutes 5 seconds East, 25.01 feet to a point in said centerline, the place of beginning.

IT is intended that the westerly portion of the above described right-of-way shall be the same as an established 25 foot right-of-way along the southerly line of premises of Kenneth Mosher and the southerly line of premises hereinabove described being conveyed to Straitwell, and that the easterly portion of the right-of-way herein granted shall be an extension of the existing right-of-way and northerly through a parking lot, and the entire right-of-way shall be for free and uninterrupted access of ingress and egress to the premises being conveyed.

TITLE TO SAID PREMISES IS VESTED IN Louis M. Straitwell, Sr. and Patricia A. Straitwell, his wife, by Deed from Joseph E. Fiske and Laurel W. Fiske, his wife, dated 02/25/1977, recorded 02/25/1977 in Book 1254, Page 86.

Tax Parcel #: 40-0001-016.0-097.00
Premises being: 7773 HAMOT ROAD, ERIE, PA 16509

Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 33

Ex. #10442 of 2008

HSBC Bank USA, as Trustee In Trust For Citigroup Mortgage Loan Trust, Inc., Asset-Backed Pass-Through Certificates Series 2004-RP1, Plaintiff,

v.

**Paul V. Uber a/k/a
Paul Vincent Uber, Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of

land situate in Tract 130, Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania, to-wit:

Beginning at a point on the north bounds of the Rohl Road said point being more fully described as being measured along the center line of Rohl Road south forty-six (46) degrees, eight minutes (8 minutes) west six hundred and fourteen and no tenths (614.00) feet from its intersection with the Harborcreek-Greenfield Townline;

thence north thirty-two degrees, fifty-nine minutes (32 degrees - 59 seconds) west twenty-five and no tenths (25.0) feet to the point of beginning;

thence along the aforesaid north bounds south forty-six degrees, eight minutes (46 degrees - 8 minutes) west one hundred seventy-nine and three tenths (179.3) feet to a point;

thence north thirty-eight degrees, twelve minutes (38 degrees - 12 minutes) west four hundred sixty-one and six tenths (461.6) feet to a point;

thence north fifty-nine degrees, forty-five minutes (59 degrees - 45 minutes) east two hundred seventeen and no tenths (217.0) feet to a point;

thence south thirty-two degrees fifty-nine minutes (32 degrees - 59 minutes) east four hundred thirteen and seven tenths (413.7) feet to the point of beginning, containing one and eight tenths (1.8) acres of land, being the same more or less.

Having erected thereon a dwelling being more commonly known as 8930 Rohl Road, Harborcreek Township, Erie, Pennsylvania, and bearing Erie County Index No: (27) 75-233-5.01.

Being the same premises conveyed to Mortgageor herein by deed intended to be recorded herewith, which description is hereby incorporated by reference.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN Paul V. Uber, by Deed from Paul R. Sharie, single, dated 09/28/1998, recorded 09/28/1998, in Deed Book 590, page 553.

Tax Parcel #: 27-075-233.0-005-.01
Premises being: 8930 ROHL
ROAD, NORTH EAST, PA 16428
Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 34

Ex. #15677 of 2008

**PHH Mortgage Corporation,
f/k/a Cendant Mortgage
Corporation, Plaintiff,
v.**

**Kenneth J. Vendetti
Elizabeth M. Vendetti,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie, and State of Pennsylvania, being Lot No. 6 and the westerly 4 feet of Lot No. 5 of Block 'B' of the 'SCENERY HILL' Subdivision #1, Part of Reserve Tract No. 72, Sixth Ward of the City of Erie, Pennsylvania, as more fully bounded and described and recorded in the Recorder's Office of Erie County, Pennsylvania Map Book 4, pages 310 and 311 to which reference is made.

Said premises having erected thereon a dwelling house commonly known as 1594 West 40th Street, Erie, Pennsylvania and bearing Erie County Tax Parcel Index No. (19) 6171-207.

Being the same premises as conveyed to the mortgagor(s) herein by deed recorded this date.

TITLE TO SAID PREMISES IS VESTED IN Kenneth J. Vendetti and Elizabeth M. Vendetti, his wife, by Deed from John L. Amatangelo, Executor of the Estate of Carmela A. Amatangelo, dated 06/06/2003, recorded 06/16/2003 in Book 1023, Page 1250.

Leonard F. Amatangelo died on May 31, 1989 as is evidenced by papers filed in the Register of Wills Office of Erie County, Pennsylvania at which time sole title to the subject real estate vested in Carmela A. Amatangelo.

WHEREAS, the said CARMELA A. ANATANGELO died on the 23rd day of January, 2003; and WHEREAS, CARNELA A. AMATANGELO died seized and possessed of the within described real estate, commonly known as 1594 West 40th Street, Erie, PA 16509; and WHEREAS, the Last Will and Testament of the decedent was filed for Probate January 30, 2003; and WHEREAS, JOHN L. AMATANGELO was duly named as the Executor of the decedent's Estate and was duly appointed to said position by the Erie County Register of Wills on January 30, 2003; and WHEREAS, JOHN L. AMATANGELO continues in the position of Executor of this estate as of the date of this conveyance with full authority to convey the same; and WHEREAS, Kenneth J. Vendetti and Elizabeth M. Vendetti, his wife, are interested in purchasing the subject property.

Tax Parcel #: 19-061-071.0-207.00
Premises being: 1594 WEST 40TH STREET, ERIE, PA 16509-1104
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 35

Ex. #14927 of 2007

**JPMorgan Chase Bank, N.A., as
Trustee for the C-Bass Mortgage
Loan Asset-Backed Certificates,
Series 2005-RP2, Plaintiff,
v.**

**William R. Wakeley
a/k/a William Richard Wakeley
Wilma M. Wakeley
a/k/a Wilma Marie Wakeley
The United States Of America
c/o The United States Attorney
for the Western District of PA,
Defendant(s)**

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Township of McKean, County of Erie and State of Pennsylvania, and being all of

Parcel No. 2 of FOX CHAPEL ESTATES SUBDIVISION No. 1, part of Reserve Tract No. 20, and being recorded in Map Book No. 12 at page 23, in the Recorder of Deeds Office of Erie County, Pennsylvania, to which reference is made. This conveyance is subject to the Declaration of Restrictions for FOX CHAPEL ESTATES No.'s 1 and 2, recorded the 2nd day of February, 1976 in Erie County Deed Book 1196 at page 60. This conveyance is also subject to all easements, right-of-way, gas and oil leases of record.

RECORD OWNER

TITLE TO SAID PREMISES IS VESTED IN William R. Wakeley and Wilma M. Wakeley, his wife, as tenants by the entireties with the right of survivorship in either of them to the entirety, by Deed from Johanna L. Jensen, widow and not remarried, dated 10/15/1984, recorded 11/27/1984, in Deed Book 1561, page 77.

Tax Parcel #: 31-014-058.0-015.02
Premises being: 9770 OLIVER ROAD, MCKEAN, PA 16426
Daniel G. Schmieg, Esquire
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 36

Ex. #10738 of 2005

**Mortgage Electronic Registration
Systems, Inc., Plaintiff,
v.**

**Jason White, a/k/a
Jason G. White, Defendant(s)**

LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Borough of Albion, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a stake on the West line of Elk Street, one hundred twenty-five (125) feet North from the North line of Pearl Street, being the Northeast corner of land of C. Grate; thence Westerly along the North line of C. Grate's land

to Water Street; thence Northerly along the East line of Water Street seventy-five (75) feet to a stake; thence Easterly at right angles with said Water Street to the West line of Elk Street; thence Southerly along Elk Street to the place of beginning, be the same more or less.

MORE commonly known as 59 North Water Street, Albion, Pennsylvania and bearing Erie County Tax Index No. (1) 4-27-3.

Tax Parcel # (1) 4-27-3

TITLE TO SAID PREMISES IS VESTED IN Jason G. White by reason of the following:

BEING THE SAME premises which Dorothy E. Lawrence, widow by Deed dated 1/23/2001 and recorded 2/23/2001 in the County of Erie in Record Book: 754 Page 637, conveyed unto Jason G. White.

AND BEING THE SAME premises which Jason G. White and Kimberly Ann White, his wife by Quit Claim Deed dated 11/20/2002 and recorded, 11/22/2002 in the County of Erie in Record Book 948 Page 1337, conveyed unto Jason G. White.

Tax Parcel #: (1) 4-27-3

Premises being: 59 NORTH WATER STREET, ALBION, PA 16401

Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 37

Ex. #15710 of 2008

**Countrywide Home Loans, Inc,
Plaintiff,**

v.

William J. Wickles, Defendant(s)

LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the First Ward of the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Beginning at a point in the north line of Fifth Street ninety (90) feet west of the west line of Pennsylvania Avenue; thence northwardly, parallel with Pennsylvania Avenue, one

hundred twenty (120) feet; thence Westwardly, parallel with Fifth Street thirty (30) feet; thence Southwardly, parallel with Pennsylvania Avenue, one hundred twenty (120) feet to the north line of Fifth Street; thence Eastwardly along the north line of Fifth Street, thirty (30) feet to the place of beginning. Having erected thereon a two-story frame dwelling house known as 1044 East Fifth Street, and bearing Erie County Tax Identification No. (14) 1036-233.

TITLE TO SAID PREMISES IS VESTED IN William J. Wickles, by Deed from Ruth A. Santi, an unmarried widow, dated 03/26/2003, recorded 03/31/2003 in Book 992, Page 511.

Tax Parcel #: 14-010-036.0-233.00

Premises being: 1044 EAST 5TH STREET, ERIE, PA 16507-1837

Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 38

Ex. #15639 of 2008

**Deutsche Bank National Trust
Company as Trustee for First
Franklin Mortgage Loan Trust
2006-FF11, Plaintiff,**

v.

**John K. Williams
Tina M. Williams, Defendant(s)**

LEGAL DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Second Ward of the City of Corry, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

COMMENCING at a stake in the west line of Wright Street, distant southerly 130 feet from the point of intersection of the westerly line of said Wright Street with the southerly line of Bond Street; thence at right angles westerly 234 feet; thence at right angles southerly 50 feet; thence at right angles easterly 234 feet to the said west line of Wright Street; thence northerly along Wright Street 50 feet to the place of beginning, containing 11.700 square

feet of land, be the same more or less.

BEING designated as Assessment Index No. 6-15-24-10 in the records of the Deed Registry Office of Erie County, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN John K. Williams and Tina M. Williams, h/w, by Deed from Glenn R. Dandoy and Roberta H. Dandoy, h/w, as tenants by the entireties, dated 05/10/2006, recorded 05/17/2006 in Book 1328, Page 1014.

The Said John K. Williams has since died on 9/4/2004. SEE ESTATE INFORMATION FOR HEIRS, and CURRENT VESTING INFORMATION

Tax Parcel #: 06015024001000

Premises being: 419 WRIGHT STREET, CORRY, PA 16407-1221

Daniel G. Schmieg, Esquire
One Penn Center at Suburban
Station, Suite 1400

1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Mar. 27 and Apr. 3, 10

SALE NO. 40

Ex. #15635 of 2008

**U.S. Bank National Trust
Association as Trustee under
Securitization Servicing
Agreement dated as of
February 1, 2007 Structured
Asset Securities Corporation
Structured Asset Securities
Corporation Mortgage Pass-
Through Certificates Series 2007-
BC2, Plaintiff**

v.

**James E. Barlow
Mona L. Barlow, Defendants**

**SHORT PROPERTY
DESCRIPTION**

All that certain piece or parcel of land situate in Tract 594, Springfield Township, Erie County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at an iron survey point at the intersection of the west line of Nash Road, a 50 foot wide right-of-way, with the north line of U.S. Route 20, a 100 feet wide right-of-way;

THENCE South 78° - 31' - 50"

West, along the north right-of-way line of U.S. Route 20, 205.14 feet to an iron survey point;

DWELLING KNOWN AS 13004 RIDGE ROAD, WEST SPRINGFIELD, PA 16443.

IDENTIFIED as TAX/PARCEL ID#: 39-16-51-8 in the Deed Registry Office of Erie County, Pennsylvania.

Daniel J. Mancini, Esquire

Attorney for Plaintiff

201A Fairview Drive

Monaca, PA 15061

Mar. 27 and Apr. 3, 10

SALE NO. 41

Ex. #11357 of 2008

Indymac Bank, F.S.B., Plaintiff

v.

Jena J. Jimerson

Alester Jimerson, Defendants

SHORT PROPERTY

DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to wit: Beginning at a point in the north line of Twenty-Seventh Street, four hundred eighty-six (486) feet west of the west line of Parade Street.

DWELLING KNOWN AS 320 EAST 27TH STREET, ERIE, 16504.

IDENTIFIED as TAX/PARCEL ID# (18) 5078-235 in the Deed Registry Office of Erie County, Pennsylvania.

Daniel J. Mancini, Esquire

Attorney for Plaintiff

201A Fairview Drive

Monaca, PA 15061

Mar. 27 and Apr. 3, 10

SALE NO. 42

Ex. #14180 of 2008

Sutton Funding LLC, Plaintiff

v.

Stephen Maher

Roberta Maher

The United States Internal

Revenue Service, Defendants

SHORT PROPERTY

DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State

of Pennsylvania being Lot No. Twenty-Two (22) in the Glenruadh Subdivision of part of reserve Tract No. 1, bounded and described as follows, to-wit: On the north by Lochiel Avenue; on the East by the West line of Lot No. 21; on the south by parts of the north line of Lots Nos. 20 and 24; and on the west by Lot No. 23, and having erected thereon a frame building known as 3711 Lochiel Avenue. Being the same premises conveyed to decedent by Deed recorded in Erie County Deed Book 471, at page 41, dated September 28, 1945 and recorded on January 26, 1646.

DWELLING KNOWN AS 3711 LOCHIEL AVENUE, ERIE, PA 16505.

IDENTIFIED as TAX/PARCEL ID#: 33-5-18-2 in the Deed Registry Office of Erie County, Pennsylvania

Daniel J. Mancini, Esquire

Attorney for Plaintiff

201A Fairview Drive

Monaca, PA 15061

Mar. 27 and Apr. 3, 10

SALE NO. 43

Ex. #10353 of 2004

**Wachovia Bank National
Association f/k/a First Union
National Bank as Trustee for
Pennsylvania Housing Finance
Agency, Plaintiff**

v.

**Lynn A. Dine and Hope E. Dine,
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution No. 2004-10353, Wachovia Bank National Association f/k/a First Union National Bank as Trustee for Pennsylvania Housing Finance Agency, Plaintiff vs. Lynn A. Dine and Hope E. Dine, Defendants Real Estate: 744 EAST 32ND STREET, ERIE, PA

Municipality: CITY OF ERIE, Erie County, Pennsylvania

Dimensions: Irregular lot size

See Deed Book 281, Page 1119

Tax I.D. (18) 5062-134

Assessment: \$15,500. (Land)

\$26,850. (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

Mar. 27 and Apr. 3, 10

SALE NO. 45

Ex. #14218 of 2004

**Wachovia Bank National
Association f/k/a First Union
National Bank as Trustee for
Pennsylvania Housing Finance
Agency, Plaintiff**

v.

Alan J. Hannah, Defendants

SHERIFF'S SALE

By virtue of a Writ of Execution No. 2004-14218 Wachovia Bank National Association f/k/a First Union National Bank as Trustee for Pennsylvania Housing Finance Agency, Plaintiff vs. Alan J. Hannah, Defendants

Real Estate: 453 EAST 13TH STREET, ERIE, PENNSYLVANIA Municipality: CITY OF ERIE 2ND WARD, Erie County, Pennsylvania

Dimensions: 30 x 105

See Deed Book 977, Page 001

Tax I.D. (15) 2023-202

Assessment: \$ 5,200. (Land)

\$17,400. (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

Mar. 27 and Apr. 3, 10

SALE NO. 46

Ex. #15816 of 2008

**U.S. Bank National Association
Trustee for the Pennsylvania
Housing Finance Agency,
Plaintiff**

v.

**Paul B. Shallenberger,
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution No. 15816-08 U.S. Bank National Association Trustee for the Pennsylvania Housing Finance Agency, Plaintiff vs. Paul B. Shallenberger, Defendants Real Estate: 4259 AVONIA ROAD,

FAIRVIEW, PA
Municipality: FAIRVIEW
TOWNSHIP, Erie County,
Pennsylvania
Dimensions: 32 x 42
See Deed Book 1029 Page 2377
Tax I.D. (21) 81-26-28
Assessment: \$21300 (Land)
\$56050 (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

Mar. 27 and Apr. 3, 10

SALE NO. 47

Ex. #11370 of 2008

**U.S. Bank National Association
(Trustee For Pennsylvania
Housing Finance Agency
Pursuant to a Trust Indenture
dated as of April 1, 1982),
assignee of Pennsylvania Housing
Finance Agency, assignee of
Arlington Capital Mortgage
Corp., Plaintiff,**
v.

**Nicole A. Tatara and
Ryan D. Tatara, Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution
filed to No. 11370-08, U.S. Bank,
et al vs. Nicole A. Tatara and
Ryan D. Tatara, owner(s) of
property situated in Fairview
Township, Erie County,
Pennsylvania being 1010 Sill
Avenue, Erie, PA 16505.
Dimensions: 5,000 Sq Ft. .11 acres
Assessment Map Number:
33-34-59-23-01
Assess Value figure: \$75,960.00
Improvement thereon: Dwelling
Louis P. Vitti, Esquire
Attorney for Plaintiff
916 Fifth Avenue
Pittsburgh, PA 15219
(412) 218-1725

Mar. 27 and Apr. 3, 10

SALE NO. 48

Ex. #11367 of 2008

**Nationwide Advantage Mortgage
Company, Plaintiff**
v.

Andrew M. Esposito,

**Administrator of the Estate of
Gina M. Esposito, Deceased and
Andrew M. Esposito, Heir of
the Estate of Gina M. Esposito,
Deceased and James D. Esposito,
Heir of the Estate of Gina M.
Esposito, Deceased and All
Unknown Heirs, Successors
and Assigns, Representatives,
Devisees, and All Persons, Firms,
or Associations Claiming Right,
Title or Interest from or Under
Estate of Gina M. Esposito
Deceased, Defendant**

SHERIFF'S SALE

By virtue of a Writ of Execution
filed to No. 11367-08, Nationwide
Advantage Mortgage Company v.
Andrew M. Esposito, Administrator
of the Estate of Gina M. Esposito,
Deceased and Andrew M. Esposito,
Heir of the Estate of Gina M.
Esposito, Deceased and James D.
Esposito, Heir of the Estate of
Gina M. Esposito, Deceased and
All Unknown Heirs, Successors
and Assigns, Representatives,
Devisees, and All Persons, Firms,
or Associations Claiming Right, Title
or Interest from or Under Estate
of Gina M. Esposito Deceased,
Owner(s) of property situated
in the City of Erie, Erie County,
Pennsylvania being 1411 West 37th
Street, Erie, PA 16508.

THAT CERTAIN piece or parcel
of land situate in the City of
Erie, County of Erie and State of
Pennsylvania, being lot No. 80
of the subdivision of part of Erie
Academy lots Nos. 38 and 39
in Erie, Pennsylvania, made by
S.F. Pollock, as recorded in the
Recorder's office of Erie County,
Pennsylvania in Map Book 2, pages
78 and 79, and having erected
thereon a dwelling house commonly
known as 1411 West 37th Street,
Erie, Pennsylvania.

Assessment Map number:
(19) 61-37-119

Assessed Value figure: \$86,110.00
Improvement thereon: Residential
Dwelling

Martha E. Von Rosenstiel, Esquire
649 South Avenue, Unit #7
P.O. Box 822
Secane, PA 19018
(610) 328-2887

Mar. 27 and Apr. 3, 10

SALE NO. 49

Ex. #14775 of 2008

**U.S. Bank National Association,
as Trustee for the Speciality
Underwriting and Residential
Finance Trust Mortgage Loan
Asset-Backed Certificates Series
2006-BC5, Plaintiff**
v.

**Rebecca L. Semczuk (Mortgagor
and Real Owner) and
Jeff Semczuk (Mortgagor),
Defendant**

SHERIFF'S SALE

By virtue of a Writ of Execution
filed to No. 14775-2008, U.S. Bank
National Association, as Trustee
for the Speciality Underwriting
and Residential Finance Trust
Mortgage Loan Asset-Backed
Certificates Series 2006-BC5 v.
Rebecca L. Semczuk (Mortgagor
and Real Owner) and Jeff Semczuk
(Mortgagor), Owner(s) of property
situated in Millcreek, Erie County,
Pennsylvania, being 328 Strathmore
Avenue, Erie, PA 16505.

ALL that certain piece or parcel of
land situate, lying and being in the
Township of Millcreek, County of
Erie, and State of Pennsylvania, and
being Lot Number Sixty-four (64) in
the plan or plot of Glenruadh, which
is a portion of Reserve Tract No. 1
in Millcreek Township, Erie County,
Pennsylvania, and as recorded in the
Recorder's Office of Erie County
in Map Book 1, page 303. Having
erected thereon a dwelling house
commonly known as 328 Strathmore
Avenue, Erie, Pennsylvania and
bearing Erie County Tax Index No.
(33) 5-14-5.

Assessment Map number:
(33) 5-14-5

Assessed Value figure: \$88,630.00
Improvement thereon: Residential
Dwelling

Martha E. Von Rosenstiel, Esquire
649 South Avenue, Unit #7

P.O. Box 822
Secane, PA 19018

(610) 328-2887

Mar. 27 and Apr. 3, 10

SALE NO. 50

Ex. #15971 of 2008

**Deutsche Bank National Trust
Company, as Trustee for Long**

**Beach Mortgage Trust 2006-1,
Plaintiff**

v.

**Denise D. Houston, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 15971-08 Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Trust 2006-1, vs. Denise D. Houston, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 410 West 9th Street, Erie, PA 16502

0.1124 acres

Assessment Map number:
16-3025-237

Assessed Value figure: \$45,340.00
Improvement thereon: A residential dwelling

Michael J. Clark, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150
King Of Prussia, PA 19406
(610) 278-6800

Mar. 27 and Apr. 3, 10

SALE NO. 51

Ex. #15738 of 2008

**Deutsche Bank National Trust
Company, as Trustee for Long
Beach Mortgage Loan Trust
2006-10, Plaintiff**

v.

**Denise Houston, Individually
and as President of Houston
Enterprises, LLC., Defendant**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15738-08 Deutsche Bank National Trust Company, as Trustee for Long Beach Mortgage Loan Trust 2006-10, vs. Denise Houston, Individually and as President of Houston Enterprises, LLC., owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 662 West 8th Street, Erie, PA 16502.

4,250 Square feet

Assessment Map number:
17-4019-126

Assessed Value figure: \$103,200.00
Improvement thereon: A residential dwelling

Michael J. Clark, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant

3600 Horizon Drive, Suite 150
King Of Prussia, PA 19406
(610) 278-6800

Mar. 27 and Apr. 3, 10

SALE NO. 52

Ex. #15941 of 2008

**Wells Fargo Bank, N.A.,
successor by merger to Wells
Fargo Bank Minnesota, N.A.,
as Trustee f/k/a Norwest Bank
Minnesota, N.A., as Trustee
for the registered holders of
Renaissance Home Equity Loan
Asset-Backed Certificates, Series
2004-2, Plaintiff**

v.

**William Nelson;
Kathleen Nelson, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 15941-2008 Wells Fargo Bank, N.A., successor by merger to Wells Fargo Bank Minnesota, N.A., as Trustee f/k/a Norwest Bank Minnesota, N.A., as Trustee for the registered holders of Renaissance Home Equity Loan Asset-Backed Certificates, Series 2004-2, vs. William Nelson; Kathleen Nelson, owner(s) of property situated in Township of Millcreek, Erie County, Pennsylvania being 4454 South Park Lane, Erie, PA 16506.

1,352 Square Feet

Assessment Map number:
(33) 56-242-99.59

Assessed Value figure: \$64,400.00
Improvement thereon: A residential dwelling

Michael J. Clark, Esquire
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150
King Of Prussia, PA 19406
(610) 278-6800

Mar. 27 and Apr. 3, 10

SALE NO. 53

Ex. #12821 of 2006

**Wells Fargo Bank, NA, as Trustee
for Morgan Stanley Capital I
Inc. Trust 2004-OPI Mortgage
Pass-Through Certificates, Series
2004-OPI, Plaintiff**

v.

**Theresa Anderson
Lawrence L. Anderson
Michael T. Tarkowski,**

**Defendant(s)
DESCRIPTION**

All that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: Beginning at the point of intersection of the south line of West Gore Road and the east line of Dorchester Drive; thence south 24 degrees, 35 minutes east, along the east, along the east line of Dorchester Drive, 130.76 feet to an iron pin; thence north 64 degrees, 25 minutes east along the residue of the David B. Wiley property, 100.00 foot to an iron pipe in the west line of the Russell Huffman property; thence north 24 degrees, 35 minutes west, along the west line of Huffman property, 130.76 feet to a point in the south line of West Gore Road; thence south 64 degrees, 25 minutes west, along the south line of West Gore Road, 100.00 feet to the place of beginning. Being the northerly 130.76 feet to the Lot No. 17 of the Grand View Gardens as recorded in Erie County Map Book 2, Page 460. Said premises being more commonly know as 943-945 West Gore Road, Erie, PA and bearing Erie County Index Number (33) 119-519.0-001-01.

PROPERTY ADDRESS: 943-945 W. Gore Road, Erie, PA 16509
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Mar. 27 and Apr. 3, 10

SALE NO. 54

Ex. #15963 of 2008

Midfirst Bank, Plaintiff

v.

**Carol A. Calhoun
Charles M. Calhoun,
Defendant(s)
DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Fairview, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

BEING Lot No. 49 of PRINCESS ANNE SUBDIVISION No. 6, as the same is set forth on a plot of the same recorded in the Office of the Recorder of Deeds of Erie County, Pennsylvania in Map Book 7, at page 69.

HAVING erected thereon a dwelling being commonly known as 5423 Sebago Drive (formerly R.D. #1 Sebago Drive) Fairview, Pennsylvania 16415 and bearing Erie County Tax Index No. (21) 61-87.2-10.

PROPERTY ADDRESS: 5423 Sebago Drive, Fairview, PA 16415
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Mar. 27 and Apr. 3, 10

SALE NO. 55

Ex. #15733 of 2008

**Wells Fargo Bank, N.A., as
Trustee Mastr Asset Backed
Securities Trust 2005-OPT1,
Plaintiff**

v.

**Timothy J. Carlson
Michelle L. Carlson,
Defendant(s)**

DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania, being the West one-half of Plot of Lot No. 2 of Edgewood Subdivision, a part of Reserve Tract No. 13, a plot of same being recorded in Erie County Map Book 2, page 499 and having a frontage of 50 feet on Eleventh Street, as extended from the City of Erie Westward and a depth of 93 feet 3 inches along the East line of Lot No. 1 of said subdivision.

Being known and designated as Tax Parcel No. (33) 28-72-39 in the Deed Registry Office of Erie County, Pennsylvania.

HAVING thereon erected a dwelling house known as 3318 West 11th Street, Erie, PA 16506.

Being the same premises conveyed to Jack R. Foht by deed dated

September 18, 2003 and recorded October 15, 2003 in Erie County Record Book 1076 at page 451, et seq.

This deed is taken under and subject to all easements, restrictions and rights-of-way of record and/or those that are visible by a physical inspection of the premises.

Grantors have no actual knowledge of any hazardous waste as defined in Act No. 1980-97 of the Commonwealth of Pennsylvania, having been or which is presently being disposed of on or about the property described in this Deed. And the said Grantors will SPECIALLY WARRANT AND FOREVER DEFEND the property hereby conveyed.

PROPERTY ADDRESS: 3318 West 11th Street, Erie, PA 16505
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Mar. 27 and Apr. 3, 10

SALE NO. 56

Ex. #12353 of 2008

**Wells Fargo Bank National
Association, as Trustee for
Merrill Lynch Mortgage
Investors' Trust Mortgage Loan
Asset-Backed Certificates, Series
2004-OPT1, Plaintiff**

v.

**Sharon H. Jones
John Paul Jones, Defendant(s)
DESCRIPTION**

ALL THAT CERTAIN PIECE, PARCEL, or tract of land situate in the Borough of Girard, County of Erie, and Commonwealth of Pennsylvania, and being known as Lot No. Forty-One (41) of the Goss Addition to the said Borough, also being known as Rice Avenue Allotment as the same appears upon a plot of said subdivision recorded in Erie County Map Book 1 at page 236 and having erected thereon a one and one-half (1 ½) story frame dwelling and being commonly known as 32 Elk Creek Avenue, Girard, Pennsylvania. Being further identified as Erie County Tax Index

Number (23) 4-18-5

PROPERTY ADDRESS: 32 Elk Creek Avenue, Girard, PA 16417
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Mar. 27 and Apr. 3, 10

SALE NO. 57

Ex. #15562 of 2008

**National City Mortgage, Co.
f/k/a National City Mortgage a
division of National City Bank,
Plaintiff,**

v.

Kathleen J. Jury, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania, being Lot No. 21, Block L, in Evans Estates Subdivision Number 3, of part of Reserve Tracts 17 and 18, as the same is shown on a map of said Subdivision, recorded in the Office of the Recorder of Deeds in and for said County of Erie in Map Book Volume 5, pages 287 and 288 to which reference is made for a further description of said property. More commonly known as 3209 West 22nd Street, Erie, Pennsylvania and bearing Erie County Tax Index No. (33) 52-220-7.

PROPERTY ADDRESS: 3209 West 22nd Street, Erie, PA 16506
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Mar. 27 and Apr. 3, 10

SALE NO. 58

Ex. #15732 of 2008

**JPMorgan Chase Bank, National
Association, as Purchaser of
the Loans and other Assets of
Washington Mutual Bank, f/k/a
Washington Mutual Bank, FA,
Plaintiff**

v.

**James Nelson Kling,
a/k/a James Kling**

**Kelly E. Kling, a/k/a Kelly Kling,
a/k/a K. Kling, Defendant(s)**

DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit:

Beginning at a point in the South line of Thirty-fourth Street; Two hundred Fifty and nine tenths (250.9) feet west of the west line of Wallace Street; Thence southwardly and parallel with Wallace Street, One hundred ten (110) feet; Thence westwardly parallel with Thirty-fourth Street, fifty (50) feet; Thence northwardly parallel with Wallace Street, one hundred ten (110) feet to the south line of Thirty-fourth Street; Thence eastwardly along the south line of Thirty-fourth Street, fifty (50) feet to the place of beginning. Having erected thereon a ranch brick and aluminum dwelling and a one car garage being more commonly known as 437 East 34th Street, Erie, Pennsylvania, 16504, and being further identified by Erie County Tax Index No. (18) 5370-106

PROPERTY ADDRESS: 437 East 34th Street, Erie, PA 16504

Michael T. McKeever, Esquire
Attorney for Plaintiff

Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Mar. 27 and Apr. 3, 10

SALE NO. 59

Ex. #15467 of 2008

**Lasalle Bank National
Association, as Trustee for
Certificateholders of Bear
Stearns Asset Backed Securities I
LLC, Asset-Backed Certificates,
Series 2007- HE3, Plaintiff**

v.

Bonnie L. Langer

Henry V. Langer, Defendant(s)

DESCRIPTION

All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, being the easterly eight (8) feet of lot no. 127, all of lot no. 128, and the westerly sixteen

(16) feet of lot no. 129 of the Homecrest Subdivision, the plan of which is recorded in Erie County map book 2, page 241, in the Office of the Recorder of Deeds of Erie County, Pennsylvania, to which reference is made for a further description of said lots. Having erected thereon a one-story frame dwelling and being known as 144 Sheridan Avenue, Erie, Pennsylvania. Being further identified as Erie County Tax Index No. (19) 6123-224.

Also, all that certain piece or parcel of land situate in the same City, County and State being part of lot no. 127 of the Homecrest Subdivision, the plan of which is recorded in Erie County map book 2, page 241, in the Office of the Recorder of Deeds of Erie County, Pennsylvania, bounded and described as follows, to-wit: Beginning at a point in the north line of Sheridan Avenue, one hundred ninety-two (192) feet eastwardly from the intersection of the north line of Sheridan Avenue with the east line of Rilling Avenue; thence northwardly at right angles to the north line of Sheridan Avenue and parallel with the east line of Rilling Avenue one hundred twenty (120) feet to a point: thence westwardly and parallel with the north line of Sheridan Avenue, ten (10) feet to a point: thence southwardly parallel with the east line of Rilling Avenue, one hundred twenty (120) feet to a point in the north line of Sheridan Avenue; thence eastwardly along the north line of Sheridan Avenue, ten (10) feet to the place of beginning. PROPERTY ADDRESS: 44 Sheridan Avenue, Erie, PA 16509
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Mar. 27 and Apr. 3, 10

SALE NO. 60

Ex. #15730 of 2008

**Citifinancial Services, Inc,
Plaintiff**

v.

Clair L. Minnis, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the South line of East 30th Street, said point being 489.5 feet eastwardly along the South line of East 30th Street from its point of intersection with the East line of Bird Drive; thence Southwardly and parallel with the East line of Bird Drive 122.95 feet to a point in the South line of Lot No. 337; thence Eastwardly along the South line of Lot Nos. 336, 336 and 335 and parallel with the East line of Bird Drive 122.95 feet to a point in the South line East 30th Street; thence Westwardly along the South line of East 30th Street, 52 feet to the place of beginning and being part of Lot No. 337, part of Lot No. 335 and all of Lot No. 336 in a Subdivision known as the Industrial Home Site Co. Subdivision as described and laid out in Erie County Map Book 2, Pages 330 and 331.

PROPERTY ADDRESS: 2751 East 30th Street, Erie, PA 16510

Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Mar. 27 and Apr. 3, 10

SALE NO. 61

Ex. #18013 of 2008

**Deutsche Bank National Trust
Company, as Trustee, in Trust for
the Registered Holders of Argent
Securities Inc., Asset-Backed
Pass-Through Certificates, Series
2006-W1, Plaintiff**

v.

Frances E. Simmers

John L. Simmers, Defendant(s)

DESCRIPTION

All that certain piece or parcel of land situate in the Second Ward of the City of Erie, County of Erie, and Commonwealth of Pennsylvania, bounded and described as follows, to-wit:

Beginning at the point of intersection

of the southerly line of 14th Street with the easterly line of a 10 foot alley, which line of alley is 110 feet along the southerly, line of the 14th Street eastward from the easterly line of Parade Street; thence running southward, along the easterly line of said alley, 105 feet to a 15 foot alley; thence eastward along the northerly line of said 15 foot alley, 40 feet; thence northward, parallel with Parade Street 105 feet to the southerly line of 14th Street, and thence westward, along same, 40 feet to the place of beginning; said lot being subdivision numbered 13 out of lot 385, and plat of said subdivision is shown in Deed Book 27 at page 76.

PROPERTY ADDRESS: 413 East 14th Street, Erie, PA 16503
Michael T. McKeever, Esquire
Attorney for Plaintiff
Suite 5000 - Mellon Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Mar. 27 and Apr. 3, 10

SALE NO. 62

Ex. #14734 of 2008

Countrywide Home Loans, Inc.

v.

Brian R. Wilcox and

Karry J. Wilcox

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 14734-2008 Countrywide Home Loans, Inc v. Brian R Wilcox and Karry J Wilcox

Brian R Wilcox and Karry J Wilcox, owners of property situated in the Third Ward in the City of Corry, Erie County, Pennsylvania being 550 West Washington Street, Corry, Pennsylvania 16407.

Tax I.D. No. 07-025-067.0-007.00

Assessment: \$ 75,611.31

Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

Mar. 27 and Apr. 3, 10

AUDIT LIST
NOTICE BY
PATRICK L. FETZNER

Clerk of Records,
Register of Wills and Ex-Officio Clerk of
the Orphans' Court Division, of the
Court of Common Pleas of Erie County, Pennsylvania

The following Executors, Administrators, Guardians and Trustees have filed their Accounts in the Office of the Clerk of Records, Register of Wills and Orphans' Court Division and the same will be presented to the Orphans' Court of Erie County at the Court House, City of Erie, on **Monday, March 30, 2009** and confirmed Nisi. **April 23, 2009** is the last day on which Objections may be filed to any of these accounts.

Accounts in proper form and to which no Objections are filed will be audited and confirmed absolutely. A time will be fixed for auditing and taking of testimony where necessary in all other accounts.

<u>2009</u>	<u>ESTATE</u>	<u>ACCOUNTANT</u>	<u>ATTORNEY</u>
66.	Elizabeth M. Cramer	Judith L. Cramer, Exrx.	Knox McLaughlin Gornall & Sennett PC
67.	Raymond J. Kuhn	Joan K. Hitchcock, Exrx.	" " "
68.	Charles D. Spacht	Carl F. Spacht, Exr.	Orton & Jeffery
69.	Catherine Davis	Karen M. Rogers, Exrx.	Darlene M. Vlahos
70.	Patricia F. Owens aka	Elaine F. Ferris &	" "
	Tricia Owens	Darlene M. Vlahos, Esq. Admrces.	
71.	Joseph O. Turos, Sr.	Gregory E. Turos, Exr.	" "
72.	James Michael Waylonis	Christine F. LaGrandeur, Exrx.	" "
73.	Henry Orth Hirt	Sentinal Trust Company LBA.....	Heckscher Teillon Terrill & Sager PC
		Susan Hirt Hagen & Elizabeth Hirt	
		Vorsheck, Trs., fbo F. W. Hirt	
74.	Henry Orth Hirt	Sentinal Trust Company LBA.....	" " " "
		Susan Hirt Hagen & Elizabeth Hirt	
		Vorsheck, Trs., fbo Susan Hirt Hagen	

PATRICK L. FETZNER
Clerk of Records
Register of Wills & Orphans' Court Division

Mar. 27 and Apr. 3

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

BREDEBERG, EMMETT F.,
a/k/a **EMMETT FELTON**
BREDEBERG,
deceased

Late of the City of Erie
Executrix: Carole B. Huether, 443 Turk Road, Geneva, NY 14456 and Joan L. Staab, 1169 Lamont Drive, Meadville, PA 16335
Attorney: Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

CECHO, ANNE MARIE, a/k/a
ANNE M. CECHO, a/k/a
ANNE CECHO,
deceased

Late of the County of Erie and State of Pennsylvania
Administrator: James Cecho, 8260 Wattsburg Road, Erie, PA 16509
Attorney: Ronald J. Susmarski, Esq., 4030-36 West Lake Road, Erie, PA 16505

DeMARCO, ANTHONY,
deceased

Late of Erie County
Executor: Anthony DeMarco, Jr.
Attorney: William J. Moder, III, Esquire, Attorney-at-Law, 2500 Highland Road, Suite 104, Hermitage, PA 16148

DONAHUE, ELIZABETH R.,
a/k/a **BETTY R. DONAHUE,**
deceased

Late of Greene Township
Co-Executors: Timothy J. Donahue and Michael A. Donahue
Attorney: Andrew J. Sisinni, Esquire, 3820 Liberty Street, Erie, PA 16509

EDWARDS, PATRICIA A.,
deceased

Late of Northeast Township, Erie County, Pennsylvania
Co-Executors: Kevin P. Edwards and Alicia M. Lencki, c/o Robert J. Jeffery, 33 East Main Street, North East, Pennsylvania 16428
Attorney: Robert J. Jeffery, Esq., Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

HALDER, CATHERINE M.,
deceased

Late of the City of Erie
Executrix: Kathleen M. Nies, 170 Timberline Drive, Washington, PA 15301
Attorney: Jack M. Gornall, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

HARBISON, CANDACE
MARGARET,
deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executrix: Barbara Ostrowski, 3302 Baer Beach Road, Unit B-15, Erie, Pennsylvania 16505
Attorney: William J. Kelly, Jr., Esquire, 100 State Street, Suite 440, Erie, Pennsylvania 16507

JULIANO, FRANK V., a/k/a
FRANK JULIANO, a/k/a
FRANK VICTOR JULIANO,
deceased

Late of the County of Erie and State of Pennsylvania
Executor: Stephen F. Juliano, 3215 West 25th, Erie, PA 16506
Attorney: Ronald J. Susmarski, Esq., 4030-36 West Lake Road, Erie, PA 16505

KEOUGH, WILLIAM J., JR.,
deceased

Late of the Township of Harborcreek, County of Erie, State of PA
Executrix: Karen L. Steinman, 1903 Wagner Avenue, Erie, PA 16510
Attorney: Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

KREMER, DONALD G.,
deceased

Late of Millcreek Township, Erie County, Pennsylvania
Executor: Donna L. Cronquist, c/o McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507
Attorney: Joseph P. Martone, Esquire, McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

LARSON, HELEN T., a/k/a
HELEN LARSON,
deceased

Late of the City of Erie, County of Erie, Pennsylvania
Administratrix c.t.a.: Mary Alfieri Richmond, Esq., 900 State Street, Suite 215, Erie, PA 16501
Attorney: Mary Alfieri Richmond, Esq., 900 State Street, Suite 215, Erie, PA 16501

ROMANISHIN, ROBERT,
deceased

Late of the Borough of Waterford, Commonwealth of Pennsylvania
Administratrix: Sally Romanishin, c/o Anthony Angelone, Esquire, 3820 Liberty Street, Erie, PA 16509
Attorney: Anthony Angelone, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

SIPPLE, GERALDINE R.,
deceased

Late of the Township of Fairview
Executor: David Yuhas
Attorneys: Marsh Spaeder Baur Spaeder & Schaaf, LLP, Will J. Schaaf, Esquire, Attorneys at Law, Suite 300, 300 State Street, Erie, PA 16507

STAHLMAN, PHYLLIS JUNE, a/k/a PHYLLIS J. STAHLMAN, a/k/a PHYLLIS STAHLMAN, deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania

Co-Executors: DeWayne E. Stahlman and Leonard L. Stahlman, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

STRANEVA, CATHERINE A., a/k/a CATHERINE STRANEVA, deceased

Late of the City of Erie

Executor: Gary G. Straneva, c/o 3820 Liberty Street, Erie, PA 16509

Attorney: James J. Bruno, Esq., 3820 Liberty Street, Erie, PA 16509

SUTCH, RICHARD H., deceased

Late of Girard, County of Erie and Commonwealth of Pennsylvania

Executrix: Kimberly Marie Irwin, c/o John P. Eppinger, Esq., Suite 300, 300 State Street, Erie, PA 16507

Attorney: John P. Eppinger, Esq., Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

THOMPSON, ANGELA C., deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania

Executor: Joseph M. Thompson, c/o William J. Schaaf, Esq., Suite 300, 300 State Street, Erie, PA 16507

Attorney: William J. Schaaf, Esq., Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

VICARY, JAMES A., deceased

Late of Wesleyville Borough

Administratrix: Epifania M. Vicary

Attorney: Andrew J. Sisinni, Esquire, 3820 Liberty Street, Erie, PA 16509

SECOND PUBLICATION

GONZALES, ESTERBINO N., a/k/a ESTERBINO NAVARRO GONZALES, a/k/a GEORGE GONZALES, a/k/a ESTERBINO GEORGE GONZALES, deceased

Late of the Township of North East, County of Erie, State of Pennsylvania

Administratrix: Silvia J. Broadhuhn, c/o 78 East Main Street, North East, PA 16428

Attorney: Brydon Law Office, Attorney John C. Brydon, 78 East Main Street, North East, PA 16428

GOODMAN, RICHARD C., a/k/a RICHARD CARL GOODMAN, deceased

Late of the City of Erie, County of Erie, State of Pennsylvania

Executrix: Vickie Donahue, 100 Afton Dr., Erie, PA 16509

Attorney: None

KUHN, CHARLES J., a/k/a CHARLES KUHN, deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania

Executor: Colleen Fromknecht, c/o 504 State Street, Suite 300, Erie, PA 16501

Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

POLD, PAULA E., a/k/a PAULA POLD a/k/a PAULA TOROK, deceased

Late of Millcreek Township, County of Erie and State of Pennsylvania

Executrix: Patti Torok, 402 Mahoning Street, North Versailles, PA 15137

Attorney: Ronald J. Susmarski, Esq., 4030-36 West Lake Road, Erie, PA 16505

SHEELEY, RICHARD W., deceased

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania

Executor: Theresa Piechocki, 1848 Fairmont Parkway, Erie, PA 16510

Attorney: Thomas S. Kubinski, Esquire, The Gideon Ball House, 135 East 6th Street, Erie, PA 16501

THIRD PUBLICATION

BACHMAIER, ALPHONSE, deceased

Late of Millcreek Township, County of Erie, Pennsylvania

Executrix: Louise Bachmaier, c/o Robert C. Brabender, Esquire, 2741 West 8th Street, Suite No. 16, Erie, PA 16505

Attorney: Robert C. Brabender, Esquire 2741 West 8th Street, Suite No. 16, Erie, PA 16505

BEHR, HELEN M., deceased

Late of the Edinboro Borough, County of Erie, and Commonwealth of Pennsylvania

Executor: Francis F. McCann, c/o The McDonald Group, L.L.P., James D. McDonald, Jr., P.O. Box 1757, Erie, PA 16507-1757

Attorney: James D. McDonald, Jr., The McDonald Group, L.L.P., P.O. Box 1757, Erie, PA 16507-1757

**BULL, DONALD,
deceased**

Late of the Township of Venango,
Erie County, PA
Executor: Darrell J. Bull, 12915
Macedonia Road, Wattsburg, PA
16442
Attorney: Christine Hall McClure,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**COLELLI, DOMINICK J.,
deceased**

Late of Erie County, PA
Executrix: Elizabeth Brew
Walbridge, 900 State Street, Suite
310, Erie, PA 16501
Attorney: Elizabeth Brew
Walbridge, Esq., 900 State Street,
Suite 310, Erie, PA 16501

**DAUGHERTY, BERNARD L.,
deceased**

Late of the City of Erie, County
of Erie
Executor: Pamela Ann Hawryliw,
12241 Cole Road, North East, PA
16428
Attorney: Gene P. Placidi,
Esquire, Melaragno & Placidi,
502 West Seventh Street, Erie,
Pennsylvania 16502

**EVANS, MARY S., a/k/a
MARY EVANS,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Executor: Kathleen Mary
Mattocks, c/o 504 State Street,
Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire,
504 State Street, Suite 300, Erie,
PA 16501

**GORCZYCKI, DOROTHY, a/k/a
DOROTHY M. GORCZYCKI,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Co-Executors: Mark S. Gorczycki
and Kathleen A. Arkwright, c/o
William J. Schaaf, Esq., Suite
300, 300 State Street, Erie, PA
16507
Attorney: William J. Schaaf, Esq.,
Marsh, Spaeder, Baur, Spaeder &
Schaaf, LLP, Suite 300, 300 State
Street, Erie, PA 16507

**HANNAH, ROBERT G.,
deceased**

Late of the City of Erie, County
of Erie
Executrix: Rebecca Kitelinger,
10341 Bennett Road, Erie,
Pennsylvania 16510
Attorney: W. Richard Cowell,
Esquire, Carney & Good,
254 West Sixth Street, Erie,
Pennsylvania 16507

**HETHERINGTON, ROBERT
F., SR., a/k/a ROBERT F.
HETHERINGTON
deceased**

Late of the Township of
Millcreek
Executor: Robert F. Hetherington,
Jr., 9689 East Lake Road, Ripley,
NY 14775
Attorney: Michael A. Fetzner,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**HOVIS, WILLIAM GERALD,
deceased**

Late of LeBoeuf Township
Executrix: Lorie S. Watson, 2323
Station Road, Erie, PA 16510
Attorney: Jerome C. Wegley,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**KAMINSKY, JAMES F.,
deceased**

Late of the Township of
Millcreek, County of Erie, State
of Pennsylvania
Executrix: Marjorie A. Kaminsky,
532 Montmarc Blvd., Erie, PA 16504
Attorney: Robert G. Dwyer,
Esquire, Knox McLaughlin
Gornall & Sennett, P.C., 120 West
Tenth Street, Erie, PA 16501

**KENNEDY, THOMAS W.,
deceased**

Late of the Township of
Harborcreek, Erie County, PA
Executor: Michael D. Kennedy,
8733 Slade Road, Harborcreek,
PA 16421
Attorney: Christine Hall McClure,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**KIMMY, MARY THERESA,
deceased**

Late of the Township of
Greene, County of Erie, and
Commonwealth of Pennsylvania
Administratrix: Andrea A.
Stewart, 7390 Hollydale Drive,
Erie, PA 16509
Attorney: Robert E. McBride,
Esquire, 32 West Eighth Street,
Suite 600, Erie, Pennsylvania
16501

**LINDQUIST, EVELYN M.,
deceased**

Late of the City of Erie, County
of Erie
Executor: Paul S. Lindquist,
2538 Parker Avenue, Erie,
Pennsylvania 16510
Attorney: W. Richard Cowell,
Esquire, Carney & Good,
254 West Sixth Street, Erie,
Pennsylvania 16507

**METZ-MIOZZI, MARGARET R.,
a/k/a MARGARET R. MIOZZI,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Executor: Rachel A. Metz, c/o
504 State Street, 3rd Floor, Erie,
PA 16501
Attorney: Michael J. Nies,
Esquire, 504 State Street, 3rd
Floor, Erie, PA 16501

**MITCHELL, FRANCIS J.,
deceased**

Late of the Township of Millcreek,
Erie County, PA
Executrix: Meda M. Lee, 18808
Sparkling Water Rd., Apt. 303,
Germantown, MD 20874
Attorney: Christine Hall McClure,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**NATH, IRENE,
deceased**

Late of the Township of
Millcreek, County of Erie and
Commonwealth of Pennsylvania
Executor: Stephen Jacob Nath,
c/o 3305 Pittsburgh Avenue, Erie,
Pennsylvania 16508
Attorney: Darlene M. Vlahos,
Esquire, 3305 Pittsburgh Avenue,
Erie, Pennsylvania 16508

**NATHER, PAUL R.,
deceased**

Late of the City of Erie, County
of Erie
Co-Administrators: Tamara J.
Engle, 2435 Roosevelt Highway,
Hamlin, NY 14464 and Kevin
L. Nather, Sr., 1016 Washington
Place, Erie, PA 16507
Attorney: John C. Meleragno,
Esquire, Meleragno & Placidi,
502 West Seventh Street, Erie,
Pennsylvania 16502

**OWENS, JEAN K.,
deceased**

Late of the City of Erie
Executor: Michael J. Owens, 3816
Stellar Drive, Erie, PA 16506
Attorney: Jerome C. Wegley,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**PETERSON, JEFFREY M.,
deceased**

Late of the Township of
Summit, County of Erie and
Commonwealth of Pennsylvania
Co-Administrators: Ronald F.
Peterson, and Virginia J. Peterson,
c/o 3305 Pittsburgh Avenue, Erie,
Pennsylvania 16508
Attorney: Darlene M. Vlahos,
Esquire, 3305 Pittsburgh Avenue,
Erie, Pennsylvania 16508

**QUINN, JOHN J., a/k/a
JOHN J. QUINN, JR.,
deceased**

Late of Millcreek Township,
County of Erie, Pennsylvania
Executrix: Colleen Breen, c/o
Robert G. Dwyer, Esq., 120 West
Tenth Street, Erie, PA 16501
Attorney: Robert G. Dwyer,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**RAWA, KAZIMIERA, a/k/a
MYRA RAWA,
deceased**

Late of the City of Erie, County
of Erie, Pennsylvania
Administratrix: Mary Alfieri
Richmond, Esq., 900 State Street,
Suite 215, Erie, PA 16501
Attorney: Mary Alfieri Richmond,
Esq., 900 State Street, Suite 215,
Erie, PA 16501

**RISTOVSKI, LENKA,
deceased**

Late of the Township of
Springfield, County of Erie, State
of Pennsylvania
Executrix: Violeta Brickner, 4306
Scott Road, East Springfield,
Pennsylvania 16411
Attorney: James R. Steadman,
Esq., 24 Main St. E., Girard,
Pennsylvania 16417

**ROGALA, MARLENE ANN,
deceased**

Late of the City of Erie
Executrix: Lynn Marie Zastawney,
3510 Bon View Drive, Erie, PA
16506
Attorney: Thomas C. Hoffman,
II, Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**SNYDER, THOMAS D., a/k/a
THOMAS DAVID SNYDER,
deceased**

Late of the Township of
Washington, County of Erie and
State of Pennsylvania
Executrix: Shelly S. Jamieson,
c/o David R. Devine, Esq., 201
Erie Street, Edinboro, PA 16412
Attorney: David R. Devine, Esq.,
201 Erie Street, Edinboro, PA
16412

**STEFANOWICZ, PAUL T.,
deceased**

Late of the City of Erie
Administrator: Daniel C.
Stefanowicz
Attorneys: Marsh, Spaeder Baur
Spaeder & Schaaf, LLP, Will J.
Schaaf, Esquire, Attorneys at
Law, Suite 300, 300 State Street,
Erie, PA 16507

**STRANEVA, KATHERINE A.,
a/k/a KATHERINE STRANEVA,
deceased**

Late of the City of Erie
Executor: Gary G. Straneva,
c/o 3820 Liberty Street, Erie,
Pennsylvania 16509
Attorney: James J. Bruno, 3820
Liberty Street, Erie, PA 16509

**SWENCKI, CAROLINE E.,
a/k/a CAROL E. SWENCKI,
deceased**

Late of the City of Erie
Executrix: Cynthia A. Pelkowski,
1020 East 34th Street, Erie, PA
16504
Attorney: Michael A. Fetzner,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

Matthew J. Parini ----- (814) 397-4479
Law Offices of Matthew Parini ----- (f) (814) 217-6821
502 West Seventh Street
Erie, PA 16502 ----- *mattparini@gmail.com*

Jonathon G. Alberstadt ----- (800) 552-6070
Erie Insurance Group ----- (f) (814) 461-2917
12121 Tech Road
Silver Springs, MD 20904 ----- *jonathon.alberstadt@erieinsurance.com*

Stephen E. Sebald ----- (814) 453-5004
Carney & Good ----- (f) 453-3506
254 West Sixth Street
Erie, PA 16507 ----- *sesattorney@gmail.com*

New Email Address

John F. Mizner ----- *jfm@miznerfirm.com*

Change of Name

Rebeka Alpern is now **Rebeka Seelinger**

The Erie County Bar Foundation and its Justice Samuel J. Roberts Scholarship Fund
continue to be in need of contributions to support this scholarship program.

Have you made your contribution yet?

If not, you can find information about the scholarship and make an online contribution at
www.eriebar.com or contact the ECBF at 459-3111.

IF THERE ARE ANY NEW ATTORNEYS IN ERIE INTERESTED IN JOINING
THE ERIE COUNTY BAR ASSOCIATION, PLEASE
CALL 459-3111 AND AN APPLICATION WILL BE MAILED TO YOU OR GO TO OUR
WEBSITE AT WWW.ERIEBAR.COM AND FILL OUT THE ONLINE APPLICATION.

IF YOU KNOW OF ANY ADDRESS CHANGES
PLEASE CONTACT THE LEGAL JOURNAL OFFICE AT 459-3111
OR ADMIN@ERIEBAR.COM. THANK YOU.

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In order to continue to provide effective, efficient service to our Pennsylvania clients, particularly those in Northwestern Pennsylvania, I am pleased to announce that the firm of **GENTILE-MEINERT & ASSOCIATES, INC.**, has opened our Cleveland office, located at, 600 Superior Avenue East, Cleveland, OH 44114, which will complement our Erie County office, located at 1001 State Street, Erie PA 16501.

Headquartered in the Pittsburgh area, **GENTILE-MEINERT & ASSOCIATES, INC.**, is also licensed in Ohio and West Virginia, with offices in Monaca, and Greensburg, PA Cleveland, OH, as well as a satellite office in Denver, Colorado.

Our staff includes attorneys, former federal, state and local law enforcement professionals and former military personnel – specializing in:

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Robert G. DelGreco, Jr.
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James B. Brown, Esquire
Cohen & Grigsby

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Louis W. Gentile, President

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