

Erie County Legal Journal

May 13, 2011

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Commonwealth v. White

Erie County Legal Journal

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

Managing Editor: Heidi M. Weismiller
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Erie County Bar Association

Calendar of Events and Seminars

THURSDAY, MAY 19, 2011

Presentation of a Custody Evaluation in a Complex Custody Trial
PBI Groupcast Seminar

Erie County Bar Association

8:30 a.m. – 4:30 p.m. (8:00 a.m. reg.)

Lunch is Included

\$274 (member) \$254 (admitted after 1/1/07)

\$294 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:

\$249 (member) \$229 (admitted after 1/1/07) \$269 (nonmember)

5 hours substantive / 1 ethics

FRIDAY, MAY 20, 2011

Trial Evidence: Artistry & Advocacy in the Courtroom

PBI Groupcast Seminar

Erie County Bar Association

8:30 a.m. – 3:30 p.m. (8:00 a.m. reg.)

Lunch is Included

\$344 (member) \$324 (admitted after 1/1/07)

\$364 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:

\$319 (member) \$299 (admitted after 1/1/07) \$339 (nonmember)

6 hours substantive

WEDNESDAY, MAY 25, 2011

PA's New Adoption Amendments

PBI Groupcast Seminar

Erie County Bar Association

9:00 a.m. – 12:15 p.m. (8:30 a.m. reg.)

\$224 (member) \$204 (admitted after 1/1/07)

\$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 1/1/07) \$219 (nonmember)

2 hours substantive / 1 ethics

TUESDAY, JUNE 7, 2011

Control Your Process, Control Your Costs – New Protocols in Arbitration

PBI Groupcast Seminar

Erie County Bar Association

9:00 a.m. – 12:15 p.m. (8:30 a.m. reg.)

\$224 (member) \$204 (admitted after 1/1/07)

\$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 1/1/07) \$219 (nonmember)

1.5 hours substantive / 1.5 ethics

MONDAY, JUNE 13, 2011

12th Annual Estate & Elder Law Symposium

PBI Video Seminar

Erie County Bar Association

9:00 a.m. – 5:00 p.m. (8:30 a.m. reg.)

\$149 (member) \$129 (admitted after 1/1/07)

\$169 (nonmember)

6 hours substantive

THURSDAY, JUNE 16, 2011

What Every Employer Needs to Know Now about Health Care Reform

PBI Video Seminar

Erie County Bar Association

9:00 a.m. – 12:30 p.m. (8:30 a.m. reg.)

\$129 (member) \$109 (admitted after 1/1/07)

\$149 (nonmember)

3 hours substantive

MONDAY, JUNE 20, 2011

Forensics for the Criminal Practitioner

PBI Video Seminar

Erie County Bar Association

9:00 a.m. – 12:30 p.m. (8:30 a.m. reg.)

\$129 (member) \$109 (admitted after 1/1/07)

\$149 (nonmember)

3 hours substantive

WEDNESDAY, JUNE 22, 2011

Dealing with the Problem Employees

PBI Groupcast Seminar

Erie County Bar Association

8:30 a.m. – 12:45 p.m. (8:00 a.m. reg.)

\$254 (member) \$234 (admitted after 1/1/07)

\$274 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:

\$229 (member) \$209 (admitted after 1/1/07) \$249 (nonmember)

4 hours substantive

TUESDAY, JUNE 28, 2011

Boundary Law in PA

PBI Groupcast Seminar

Erie County Bar Association

8:30 a.m. – 12:45 p.m. (8:00 a.m. reg.)

\$254 (member) \$234 (admitted after 1/1/07)

\$274 (nonmember)

Early Registration - If you register more than 2 days before this presentation you will qualify for this Early Registration Fee:

\$229 (member) \$209 (admitted after 1/1/07) \$249 (nonmember)

4 hours substantive

2011 BOARD OF DIRECTORS

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In Memoriam



Daniel J. Kuhn

March 6, 1929 - April 6, 2011

Daniel J. Kuhn passed away on Wednesday, April 6, 2011. He was born at home in Harborcreek, PA on March 6, 1929 to the late Eugene and Viola G. Kuhn.

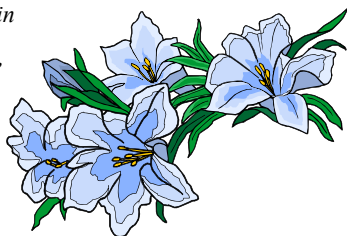
Dan graduated from a one room schoolhouse at Little Hope in Greenfield Township. Thereafter he graduated from North East Joint High School and Gannon College. He was also a graduate of Washington and Lee School of Law in Lexington, VA.

Attorney Kuhn practiced law for many years in Erie and Crawford Counties with his brother Eugene P. Kuhn at Kuhn and Kuhn Law Offices and served as Deputy District Attorney for Erie County for a period of time. He was a former member of both the Erie and Crawford County Bar and the American Bar Association. He also spent the early part of his career working for State Farm Insurance in the Claims Department and for the U.S. Army Corps of Engineers. He was a veteran of the Korean War and served in the United States Far East Air Force in Korea and Japan and traveled to Korea, Japan, Taiwan and the Philippines.

Dan and wife Virginia Blore, celebrated their 50th wedding anniversary on June 25, 2010.

He is survived by his wife Mrs. Virginia Blore Kuhn and five children, Natalie Kuhn of Columbus, OH, Phillip Kuhn of Waterford, PA, Valerie (Mark) Rose of Waterford, PA, John (Kaylee) Kuhn of Coral Gables, FL, and Craig (Kim) Kuhn of Reston, VA. He has seven grandchildren; Danny, Abigail and Andrew Rose of Waterford, PA, Amanda, Jessica and Benjamin Kuhn of Coral Gables, FL and Haley Kuhn of Reston, VA. He is also survived by a brother William C. Kuhn and his wife Eleanor of Sharon, PA, and a sister Dorothy Heidecker of Harborcreek, PA and several nieces and nephews. He was predeceased by a brother Eugene P. Kuhn.

A Mass of Christian Burial was held at All Saints Parrish in Waterford with Interment at Lowville Cemetery in Lowville, PA. The family requests memorials be made to the All Saints Parrish, 11264 Route 97, Waterford, PA 16441 or to the Stancliff Hose Co. P.O.B. 275 Waterford, PA 16441.



COMMONWEALTH OF PENNSYLVANIA

v.

ROBERT WILLIAM WHITE

CRIMINAL / SEARCH & SEIZURE / INSPECTION OF VESSELS

Under 30 Pa.C.S. § 901(a)(10), a waterways conservation officer has the power to stop and board any boat for the purpose of conducting a safety and compliance inspection.

CRIMINAL / SEARCH & SEIZURE / INSPECTION OF VESSELS

Water conservation officers must have reasonable suspicion, if not probable cause, of criminal activity before an officer is permitted to stop and board a boat for purposes other than safety and compliance inspections.

CRIMINAL / VESSELS / LIGHTING REQUIREMENTS

The lighting regulations adopted by the Fish and Boat Commission [58 Pa. Code § 95.3], which require boats at night to carry and exhibit lights prescribed by the federal Inland Navigational Rules Act of 1980 (33 §§ USCA 2001 -- 2073), do not prohibit the concurrent use of a spotlight and navigation lights.

CRIMINAL / PROBABLE CAUSE / VESSELS / LIGHTING REQUIREMENTS

The waterways conservation officer did not have probable cause or reasonable suspicion to stop the defendant's boat for failure to exhibit navigation lights where the officer saw the boat's navigation lights were working properly upon his approach to the boat and could have advised the defendant of his concern that the operation of the vessel's spotlight obscured the boat's navigation lights without boarding the boat to conduct an investigation.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY,
PENNSYLVANIA No. 2455-2010

Appearances: Nathaniel E. Strasser, Esq., Attorney for Commonwealth
J. Timothy George, Esq., Attorney for Defendant

OPINION

Connelly, J., January 27, 2011

This matter is before the Court pursuant to Robert William White's (hereinafter "Defendant") Omnibus Pretrial Motion for Relief. A hearing was held after which both Defendant and the Commonwealth submitted briefs.

Statement of Facts

At 9:50 p.m. on July 3, 2010, Defendant was operating a watercraft near Gull Point in Lake Erie when Water Conservation Officer James M.

Smolko (hereinafter "WCO Smolko") observed, approached, followed and then ultimately boarded Defendant's boat. WCO Smolko, who was operating a marked Patrol Boat, testified that he activated his light and tapped the airhorn to initiate the stop after he observed that Defendant's boat was not displaying the proper navigation lights. *N.T., Preliminary Hearing, p. 6*. At the time of the stop, WCO Smolko was approaching the port side of Defendant's boat. *Id.*

WCO Smolko testified Defendant's boat was utilizing a spotlight on the bow and he could not see any other lighting on the vessel. *Id. at pp. 6-7*. WCO Smolko testified this was the sole reason for boarding Defendant's boat and he did not observe any unsafe maneuvering. *Id. at pp. 13, 14, 18*. He stated that because Defendant's 'spotlight washed out Defendant's boat's navigation lights it restricted Defendant's visibility and every other vessel's ability to navigate at night.

WCO Smolko said he could not see Defendant's boat's red and green navigational lights until he was right alongside the craft and Defendant shut the spotlight off. *Id. at p. 16*. In fact, all of the required navigational lights were on and working at the time of the stop. *Id. at p. 17*.

WCO Smolko testified that he did not know if there were other boats around Defendant's boat at the time of the stop, but he received no complaints from other boaters in regards to Defendant's boat. *Id. at pp. 14-15*.

After boarding Defendant's boat, WCO Smolko conducted an inspection and noticed open containers at the helm and an alleged odor of alcohol about Defendant's person. *Id. at p. 8*. After identifying Defendant as the operator, WCO Smolko asked Defendant whether he consumed any alcohol, administered sobriety tests and ultimately asked Defendant to submit to chemical testing. *Id. at p. 9*.

Defendant was transported to Lampe Marina where his blood was drawn by Emergycare. Defendant's blood alcohol was determined to be 0.124 percent. *Id. at p. 10*.

Defendant was charged with Boating Under the Influence¹, Reckless Operation of Watercraft², Negligent Operation of Watercraft³ and a violation of General Boating Regulations⁴. Defendant filed an Omnibus Pretrial Motion alleging that because Defendant's operation of the watercraft violated no law, the stop was unconstitutional and therefore all evidence obtained as a result of the unlawful boarding of Defendant's boat should be suppressed.

¹ 30 P.S. 5502(A.1) and 30 P.S. 5502(A)(1)

² 30 P.S. 5501(A)

³ 30 P.S. 5501(B)

⁴ 30 P.S. 5123 (A)(5)

Analysis of Law

I. Motion to Suppress

The Commonwealth contends Officer Smolko did not need reasonable suspicion or probable cause to stop Defendant's boat for the purpose of determining whether the Defendant's boat complied with the general boating regulations. The Commonwealth cites *30 Pa.C.S.A. § 901(a)(10)* which provides "Every waterways conservation office shall have the power and duty to stop and board any boat ... for the purpose of inspection for compliance." *30 Pa.C.S.A. § 901(a)(10)*.

WCO Smolko testified that the only reason he stopped Defendant's boat was because the spotlight washed out the vessel's red and green navigational lights. *N.T., Preliminary Hearing, pp. 17-18*. Defendant asserts because WCO Smolko never testified or made note of the fact that he stopped the boat to conduct a safety inspection, the Commonwealth improperly relies on *30 Pa.C.S.A. § 901(a)(10)*. Defendant avers WCO Smolko stopped the boat because he erroneously believed that using a forward-mounted spotlight coincident with navigation lights violated Pennsylvania law. *Defendant's Supplement, p. 3*.

There is no evidence in the record that suggests WCO Smolko was conducting a safety or compliance inspection of Defendant's boat.⁵ The Court finds the Commonwealth's reliance on *30 Pa.C.S.A. § 901(a)(10)* to be unsupported by the record. There is no indication in the criminal complaint that he stopped the boat for a compliance inspection. *N.T., Preliminary Hearing, p. 18*. The record indicates that as WCO Smolko pulled up alongside Defendant's boat, he saw that all of the navigational lights on Defendant's boat were working correctly. However, he continued with the stop. *Id. at p. 16*.

Moreover, the Commonwealth's contention that reasonable suspicion is unnecessary is contrary to the Superior Court's Opinion in *Commonwealth v. Lehman*. The Superior Court held water conservation officers must have reasonable suspicion, if not probable cause, of criminal activity before an officer is permitted to stop and board a boat. *Commonwealth v. Lehman*, 857 A.2d 686, 687 (Pa.Super. 2004), *appeal granted*, 871 A.2d 790 (Pa. 2005), *appeal dismissed*, 886 A.2d 1137 (Pa. 2005).

Alternatively, the Commonwealth argues that WCO Smolko did have probable cause to stop Defendant's boat because he could not see the navigation lights on Defendant's boat. *Commonwealth's Brief in*

⁵ The Commonwealth argues in its brief "[s]ince Officer Smolko stopped Defendant's boat to inspect navigation lights pursuant to Section 5123, which is contained in Part III of the Fish and Boat Code; Officer Smolko did not need probable cause nor reasonable suspicion to stop Defendant's boat." *Commonwealth's Brief in Opposition, p. 3*. However, WCO Smolko's testimony indicates the sole reason he stopped Defendant's boat was his belief that using the mounted spotlight while the boat is under way violates Pennsylvania law. *N.T. Preliminary Hearing, p. 18*. A review of the record and the boating regulations shows the cited reasons are inconsistent.

Opposition, p. 3. The Commonwealth argues that in order to comply with 58 Pa.C.S.A. §95.3, a boat's navigation lights must be visible to other boaters.⁶ *Id.* at p. 4.

58 Pa.C.S.A. §95.3 provides

Lights for boats

(a) *General rule.* A boat from sunset to sunrise and during periods of restricted visibility shall carry and exhibit the lights prescribed by the Inland Navigation Rules Act of 1980 (33 U.S.C.A. §§ 2001 -- 2073). A boat owner may elect to carry and exhibit the lights prescribed by the International Rules in lieu of the Inland Rules but, in that event, the boat owner shall comply in all respects with those standards. See Appendix A. ...

(f) *Locations of lights.* Lights shall be located and have the characteristics as shown in Appendix A.

(1) The masthead light (forward white light in Appendix A, Figures 1, 2 and 7D) shall be at least 1 meter (3 feet 3.4 inches) higher than the colored lights on a boat less than 12 meters (39 feet 4.4 inches) and at least 2.5 meters (8 feet 2.4 inches) above the gunwale on a boat 12 meters (39 feet 4.4 inches) in length but less than 20 meters (65 feet 7.4 inches) in length. The after masthead light (Appendix A, Figure 1 only), if used, shall be higher than the forward masthead light so as to be seen as a separate, distinct light at a distance of 1,000 meters (1,093 yards 1.8 feet) ahead of the boat.

58 Pa.C.S.A. §95.3

The statute is silent about the manner in which the prescribed lights are to be utilized. In fact, Pennsylvania law only requires is that a watercraft operator carry and exhibit the lights prescribed by the Inland Navigational Rules Act. 58 Pa.C.S.A. § 95.3, *et seq.* See also *Commonwealth v. Martin*, 10 Pa. D. & C.5th 129, 133 (Crawford 2010).

In *Martin*, the Crawford County Court of Common Pleas held the use of docking lights concurrent with the use of navigation lights is not illegal in the Commonwealth. *Martin* at 137. The *Martin* Court held that because the officers knew before boarding the boat that Martin's navigation lights were functional and there was no evidence of unsafe boating, the officers lacked an articulable reason to board Martin's boat and "should have waived him off after recommending that he turn his docking lights off once they were satisfied that the navigation lights were functioning properly." *Id.* at p. 136. Finding the officers did not have

⁶ The only support the Commonwealth provides for this interpretation is the American Heritage Dictionary's definition of the word "exhibit". *Commonwealth's Brief in Opposition*, p. 4.

probable cause to stop defendant's vessel and charge him with boating under the influence, the Martin court suppressed the evidence obtained following the illegal stop. *Id. at p. 139*.

Here, just as in Martin, once WCO Smolko approached Defendant's boat and saw that his navigation lights were working properly, he could have advised Defendant of his concern with the operation of his spotlight rather than board Defendant's boat and conduct an investigation. Instead, WCO Smolko boarded Defendant's boat and began the investigation which subsequently led to Defendant's arrest.

The Court finds that WCO Smolko needed probable cause or reasonable suspicion of criminal activity to stop and board Defendant's boat and instantly, the Commonwealth has failed to show such cause existed. Therefore, all of the evidence obtained as a result of the unlawful search and investigation must be suppressed.

II. Writ of Habeas Corpus

Defendant's Petition for Writ of Habeas Corpus is denied. *See Commonwealth v. Keller*, 823 A.2d, 1004,1011-12 (Pa.Super. 2003) (holding the remedy for illegally obtained evidence is suppression of the evidence and its exclusion at trial, not dismissal of the case).

ORDER

AND NOW, TO-WIT, this 27th day of January, 2011, it is hereby **ORDERED, ADJUDGED and DECREED** that for the reasons stated in the foregoing Opinion Defendant's Motion to Suppress Evidence is **GRANTED**. Defendant's Petition for Habeas Corpus is **DENIED**.

BY THE COURT:

/s/ **Shad Connelly, Judge**

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

**May 20, 2011
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

Apr. 29 and May 6, 13

SALE NO. 2

Ex. #15360 of 2010

Marquette Savings Bank

v.

Robert Byrne, Jr.

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 15360 - 2010, Marquette Savings Bank vs. Robert Byrne, Jr., owner of property situate in the City of Erie, Erie County, Pennsylvania being: 1328 West 40th Street, Erie, Pennsylvania.

70 x 98.02 irr.

Assessment Map Number:
(19) 6133-114

Assessed Value Figure: \$64,840.00
Improvement Thereon: Residence
Donald F. Fessler, Jr., Esq.

Marsh Spaeder Baur Spaeder

& Schaaf, LLP
Suite 300, 300 State Street
Erie, Pennsylvania 16507
(814) 456-5301

Apr. 29 and May 6, 13

SALE NO. 4

Ex. #15757 of 2010

NORTHWEST SAVINGS

BANK, Plaintiff,

v.

ANDRE P. OVERTON,

Defendant

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 2010-15757, Northwest Savings Bank vs. Andre P. Overton, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 2916 Walnut Street, Erie, Pennsylvania.

40' x 120' x 40' x 120'

Assessment Map Number:
(19) 6046-303

Assessed Value Figure: \$65,300.00

Improvement Thereon: Residence

Kurt L. Sundberg, Esq.

Marsh Spaeder Baur Spaeder

& Schaaf, LLP

Suite 300, 300 State Street

Erie, Pennsylvania 16507

(814) 456-5301

Apr. 29 and May 6, 13

SALE NO. 5

Ex. #15179 of 2010

Arch Bay Holdings, LLC - Series

2010A, Plaintiff

v.

John F. Burnett and

Barbara A. Burnett, Defendants

REAL PROPERTY SHORT

DESCRIPTION FORM

TO THE SHERIFF OF ERIE COUNTY:

PROPERTY OF: John F. Burnett and Barbara A. Burnett

EXECUTION NO: 15179-10

JUDGMENT AMT: \$113,621.62

ALL the right, title, interest and claim of: John F. Burnett and Barbara A. Burnett

ADDRESS: 3408 Allegheny Road, Erie, PA 16508

MUNICIPALITY: City of Erie

ALL THAT CERTAIN piece of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, known as and being

the northerly forty-nine (49) feet of Lot No. 650 in the Southlands Subdivision, Second Section, being a part of Reserve Tract No. 73 in the City of Erie, Pennsylvania made by the Andrews Land Company, as per map recorded in Erie County Map Book No. 3, pages 82 and 83, and having erected thereon a frame dwelling house known as 3408 Allegheny Road, Erie, Pennsylvania, and bearing County of Erie Index No. (19) 6151-110.

Tax Parcel ID No.: 19-6151-110

Parker McCay, P.A.

Christine A. Pinto, Esquire

Attorney ID# 205622

7001 Lincoln Drive, P.O. Box 974

Marlton, NY 08053

(856) 810-5815

Apr. 29 and May 6, 13

SALE NO. 6

Ex. #15406 of 2010

US BANK, N.A. AS TRUSTEE

FOR THE SASCO 2002-12

TRUST, Plaintiff

v.

TICA BEASON, Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 15406-10

US BANK, N.A., AS TRUSTEE FOR THE SASCO 2002-12 TRUST vs. TICA BEASON

Amount Due: \$17,904.94

TICA BEASON, owner(s) of property situated in the CITY OF ERIE, Erie County, Pennsylvania

being 714 ASH STREET, ERIE, PA 16503-1324

Dimensions: 33 x 120

Acreage: 0.0909

Assessment Map number:

14-010-016-0104.00

Assessed Value: \$21,400.00

Improvement thereon: residential

Phelan Hallinan & Schmieg, LLP

One Penn Center at Suburban

Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215) 563-7000

Apr. 29 and May 6, 13

SALE NO. 7

Ex. #15292 of 2010

GMAC MORTGAGE, LLC,

Plaintiff

**v.
ALBERT BRACKLEY,
Defendant(s)
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 15292-10
GMAC MORTGAGE, LLC vs. ALBERT BRACKLEY
Amount Due: \$60,543.83
ALBERT BRACKLEY, owner(s) of property situated in the City of Erie, Erie County, Pennsylvania being 2121 RASPBERRY STREET, ERIE, PA 16502-2442
Dimensions: 35 x 130
Acreage: 0.1045
Assessment Map number: 19060030012400
Assessed Value: \$47,340.00
Improvement thereon: residential
Phelan Hallinan & Schmieg, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
Apr. 29 and May 6, 13

SALE NO. 8

Ex. #15112 of 2009
**WELLS FARGO BANK, N.A.,
AS TRUSTEE FOR BNC
MORTGAGE LOAN TRUST
2007-4, MORTGAGE PASS-
THROUGH CERTIFICATES,
SERIES 2007-4, Plaintiff**
**v.
ADAM COOVER, Defendant(s)**
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 15112-09
WELLS FARGO BANK, N.A., AS TRUSTEE FOR BNC MORTGAGE LOAN TRUST 2007-4, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-4 vs. ADAM COOVER
Amount Due: \$248,696.07
ADAM COOVER, owner(s) of property situated in TOWNSHIP OF HARBORCREEK, Erie County, Pennsylvania being 3709 HARBOR RIDGE TRAIL, ERIE, PA 16510-5955
Dimensions: 71.47 X 142.93
Acreage: 0.2297
Assessment Map number: 27081211203700
Assessed Value: \$233,800.00

Improvement thereon: residential
Phelan Hallinan & Schmieg, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Apr. 29 and May 6, 13

SALE NO. 9

Ex. #14922 of 2009
**PHH MORTGAGE
CORPORATION, Plaintiff**
**v.
JAMES G. GILLESPIE
LORI M. ADAMS, Defendant(s)**
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14922-09
PHH MORTGAGE CORPORATION vs. JAMES G. GILLESPIE and LORI M. ADAMS
Amount Due: \$147,537.80
JAMES G. GILLESPIE and LORI M. ADAMS, owner(s) of property situated in TOWNSHIP OF MILLCREEK, Erie County, Pennsylvania being 1215 CHELSEA AVENUE, ERIE, PA 16505-3311
Dimensions: 100X125
Acreage: .2870
Assessment Map number: 33-027-162.0-034.00
Assessed Value: 99,440
Improvement thereon: residential
Phelan Hallinan & Schmieg, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

Apr. 29 and May 6, 13

SALE NO. 10

Ex. #13646 of 2010
**WELLS FARGO FINANCIAL
PENNSYLVANIA, INC., Plaintiff**
**v.
STEFANIA SIDOROWICZ, IN
HER CAPACITY AS HEIR OF
CELINA B. LONG, DECEASED
LECH CEBELINSKI, IN HIS
CAPACITY AS HEIR OF
CELINA B. LONG, DECEASED
KLEMENS CEBELINSKI, IN
HIS CAPACITY AS HEIR OF
CELINA B. LONG, DECEASED
ANDRZES CEBELINSKI, IN**

**HIS CAPACITY AS HEIR OF
CELINA B. LONG, DECEASED
KONSTANTY CEBELINSKI, IN
HIS CAPACITY AS HEIR OF
CELINA B. LONG, DECEASED
MIREK CEBELINSKI, IN
HIS CAPACITY AS HEIR OF
CELINA B. LONG, DECEASED
UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND
ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OR UNDER CELINA
B. LONG, DECEASED,
Defendant(s)**
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13646-10
WELLS FARGO FINANCIAL PENNSYLVANIA, INC. VS. STEFANIA SIDOROWICZ, IN HER CAPACITY AS HEIR OF CELINA B. LONG, DECEASED LECH CEBELINSKI, IN HIS CAPACITY AS HEIR OF CELINA B. LONG, DECEASED KLEMENS CEBELINSKI, IN HIS CAPACITY AS HEIR OF CELINA B. LONG, DECEASED ANDRZES CEBELINSKI, IN HIS CAPACITY AS HEIR OF CELINA B. LONG, DECEASED KONSTANTY CEBELINSKI, IN HIS CAPACITY AS HEIR OF CELINA B. LONG, DECEASED MIREK CEBELINSKI, IN HIS CAPACITY AS HEIR OF CELINA B. LONG, DECEASED UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER CELINA B. LONG, DECEASED
Amount Due: \$99,762.03
STEFANIA SIDOROWICZ, IN HER CAPACITY AS HEIR OF CELINA B. LONG, DECEASED LECH CEBELINSKI, IN HIS CAPACITY AS HEIR OF CELINA B. LONG, DECEASED KLEMENS CEBELINSKI, IN HIS CAPACITY AS HEIR OF CELINA B. LONG, DECEASED ANDRZES CEBELINSKI, IN HIS CAPACITY AS HEIR OF CELINA B. LONG, DECEASED KONSTANTY CEBELINSKI, IN HIS CAPACITY

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AS HEIR OF CELINA B. LONG, DECEASED MIREK CEBELINSKI, IN HIS CAPACITY AS HEIR OF CELINA B. LONG, DECEASED UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER CELINA B. LONG, DECEASED owner(s) of property situated in CITY OF ERIE, Erie County, Pennsylvania being 3413 WASHINGTON AVENUE, ERIE, PA 16508-2331
Dimensions: 50 X 125
Acreage: 0.1435
Assessment Map number: 19-061-063.0-124.00
Assessed Value: \$69,790.00
Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000

Apr. 29 and May 6, 13

SALE NO. 11

Ex. #11960 of 2010
NATIONSTAR MORTGAGE LLC, Plaintiff

v.

MICHELLE L. PEACOCK, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11960-10
NATIONSTAR MORTGAGE LLC vs. MICHELLE L. PEACOCK
Amount Due: \$92,806.08
MICHELLE L. PEACOCK, owner(s) of property situated in Erie County, Pennsylvania being 1631 CHERRY STREET, LAKE CITY, PA 16423-1212
Assessment Map number: 28009012001000
Improvement thereon: residential Phelan Hallinan & Schmieg, LLP One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814
(215) 563-7000

Apr. 29 and May 6, 13

SALE NO. 12

Ex. #12887 of 2010

CITIZENS BANK OF PENNSYLVANIA, Plaintiff,

v.

THOMAS E. CAREY, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12887-10 Citizens Bank of Pennsylvania, Plaintiff vs. Thomas E. Carey, Defendant
Thomas E. Carey, owner(s) of property situated in Erie, Erie County, Pennsylvania being 2411 Clark Road, Erie, PA 16510:
All that certain piece or parcel of land situate in the Township of Harborcreek, County of Erie, State of Pennsylvania, being part of the Irvine's Reserve Tract, bounded and described as follows, to wit: BEGINNING at a point in the centerline of Clark Road, which said point is South 26° 56' East 799.24 feet from the northwest corner of Purpart No. 6 of the original Charles Thompson Farm and subsequently of the Rose Kinsinger Farm, which point of beginning is also measured from an iron pin in the center of Clark Road located South 26° 56' East, 9.24 feet from a crosscut on concrete parapet wall;
THENCE, North 53° 22' East and along the southerly line of the premises conveyed by William Kinsinger and wife to G.W. Ambrose and wife by deed recorded in Deed Book 759, Page 389, crossing over an iron pipe in the east line of Clark Road, 558.87 feet, more or less, to an iron pipe to the westerly line of lands formerly of W. and J. Althof; THENCE, South 36° 51.5' East, 157.37 feet to an iron pipe; THENCE South 53° 22' West 586.39 feet to a point in the center of Clark Road; THENCE North 26° 56' West 159.65 feet to the place of beginning.
Assessment Map Number: 27043204008700
Assessed Value figure: \$149,100.00
Improvement thereon: Residential Property
Lauren Berschler Karl, Esquire
355 Fifth Avenue, Suite 400
Pittsburgh, PA 15222
412-232-0808

Apr. 29 and May 6, 13

SALE NO. 13

Ex. #14161 of 2010

CITIZENS BANK OF PENNSYLVANIA, Plaintiff,

v.

KIMBERLY MCCLELLAND AND SCOTT MCCLELLAND, Defendants
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14161-10
Citizens Bank of Pennsylvania, Plaintiff vs. Kimberly McClelland and Scott McClelland, Defendants
Kimberly McClelland and Scott McClelland, owner(s) of property situated in Erie, Erie County, Pennsylvania being 76 Orchard Street, Erie, PA 16508:
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 the southeast corner of the piece at the northwest corner of Norman Way and Orchard Street; THENCE Westwardly along the north line of Norman Way, twenty-eight and five tenths (28.5) feet to the east line of Lot No. 40 of Eliot Subdivision; THENCE northwardly along the east line of Lot No. 40, One Hundred Fifty-three and one-half (153 1/2) feet to a point; THENCE Eastwardly One Hundred-Six (106) feet more or less to a point in the west line of Orchard Street; THENCE Southwardly along the west line of Orchard Street; One Hundred Seventy-five and nine tenths (175.9) feet more or less to the place of beginning.
Assessment Map Number: 18053030030100
Assessed Value figure: \$67,890.00
Improvement thereon: Residential Property
Lauren Berschler Karl, Esquire
355 Fifth Avenue, Suite 400
Pittsburgh, PA 15222
412-232-0808

Apr. 29 and May 6, 13

SALE NO. 16

Ex. #15652 of 2010

U.S. BANK NATIONAL ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA

**HOUSING FINANCE AGENCY,
Plaintiff**

v.

**JOSHUA M. OHL, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 15652-10 U.S. BANK NATIONAL ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. JOSHUA M. OHL, Defendants Real Estate: 236 FAIRVIEW STREET, CORRY, PA Municipality: City of Corry, 4th Ward, Erie County, Pennsylvania See Deed Book 1459, Page 751 Tax I.D. (8) 37-145-1 Assessment: \$ 4,700. (Land) \$40,720. (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

Apr. 29 and May 6, 13

SALE NO. 18

Ex. #10059 of 2011

**Select Portfolio Servicing, Inc.,
Plaintiff**

v.

**Michael Keys
Darlene Milsap-Keys,
Defendant(s)**

SHERIFF'S SALE

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie, and the State of Pennsylvania, being more particularly bounded and described as follows, to wit: BEING Lot Number Ten (10) of the replot of part of Block "F" of the William Spencer Farm Subdivision, as recorded in Erie County Map Book 6 at Page 14, together with the north ten (10) feet of lot number two (2) and also the north ten (10) feet of the east thirty-three (33) feet of lot number (3) of the replot of part of Erie County Map Book 4 at page 437, together with a piece of land one (1) foot by fifteen and eighty-seven hundredths (15.87) feet taken from the southeast corner of lot number nine (9) and more particularly described as follows:

BEGINNING at a point in the southeast corner of said lot number nine (9); THENCE westwardly along the south line of said lot number nine (9), one (1) foot to a point; THENCE northwardly and parallel with the west line of said lot number nine (9) fifteen and eighty-seven hundredths (15.87) feet to a point; THENCE eastwardly and parallel with the south line of said lot number nine (9), one (1) foot to a point in the corner of said lot; THENCE southwardly along the east line of said lot, fifteen and eighty-seven hundredths (15.87) feet to the place of beginning. HAVING erected thereon a one story stone and frame dwelling and being commonly known as 3612 Reed Street, Erie, Pennsylvania and bearing Erie County Tax Index No.: (18) 5375-202.

"AS DESCRIBED IN MORTGAGE BOOK 914 PAGE 279"

BEING KNOWN AS: 3612 Reed Street, Erie, PA 16504

PROPERTY ID NO.: (18) 5375-202 TITLE TO SAID PREMISES IS VESTED IN Darlene Milsap Keys and Michael Keys, wife and husband, as tenants with the right of survivorship by Deed from George J. Dowd and Shirleen G. Dowd, husband and wife dated 08/23/2002 recorded 08/26/2002 in Deed Book 914 Page 275.

Jerome B. Blank, Esquire
PA ID NO 49736

Attorney for the Plaintiff

Udren Law Offices, P.C.

Woodcrest Corporation Center

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

Apr. 29 and May 6, 13

SALE NO. 22

Ex. #12821 of 2006

**WELLS FARGO BANK, NA, AS
TRUSTEE FOR MORGAN
STANLEY CAPITAL I
INC. TRUST 2004-OP1
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES
2004-OP1, 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 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 Goldbeck McCafferty & McKeever Attorney for Plaintiff Suite 5000 - Mellon Independence Center, 701 Market Street Philadelphia, PA 19106-1532 (215) 627-1322

Apr. 29 and May 6, 13

SALE NO. 23

Ex. #14946 of 2009

**Bank of America, N.A.,
v.
Randell B. Coleman
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2009-14946 Bank of America, N.A. vs. Randell B. Coleman, owners of property situated in City of Erie, Erie County, Pennsylvania being 1820 Fairmont Parkway, Erie, PA 16510

Assessment Map number:
18-051-024.0-221.00
Assessed Value figure: \$12,300.00
Assessment Map number:
18-051-024.0-222.00
Assessed Value figure: \$46,940.00
Assessment Map number:
18-051-024.0-223.00
Assessed Value figure: \$12,300.00
Improvement thereon: Residential
Dwelling
Patrick J. Wesner, Esquire
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Apr. 29 and May 6, 13

SALE NO. 24

Ex. #12163 of 2010
U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE,
ON BEHALF OF SASCO
2007-TC1

v.

Mark W. Sult, Deborah A. Sult
and THE UNITED STATES OF
AMERICA c/o the U.S. Attorney
for the Western District of
Pennsylvania
SHERIFF'S SALE

By virtue of a Writ of Execution
filed to No. 12163-10 U.S. BANK
NATIONAL ASSOCIATION,
AS TRUSTEE, ON BEHALF OF
SASCO 2007-TC1 vs. Mark W.
Sult, Deborah A. Sult, and THE
UNITED STATES OF AMERICA
c/o the U.S. Attorney for the
Western District of Pennsylvania,
owners of property situated in
Township of Millcreek, Erie
County, Pennsylvania being 3611
Cameo Way, Erie, PA 16506
Assessment Map number:
33-79-324-2
Assessed Value figure: \$104,620.00
Improvement thereon: Residential
Dwelling
Patrick J. Wesner, Esquire
220 Lake Drive East, Suite 301
Cherry Hill, NJ 08002
(856) 482-1400

Apr. 29 and May 6, 13

SALE NO. 25

Ex. #15609 of 2010
Wells Fargo Bank, N.A.
v.
Clarence N. Still

SHERIFF'S SALE

By virtue of a Writ of Execution file
to No. 15609-10 Wells Fargo Bank,
N.A. vs. Clarence N. Still, owner(s)
of property situated in the City of
Corry, County of Erie, Pennsylvania
being 528 West Church Street,
Corry, PA 16407
0.2 acre
Assessment Map Number:
(8) 34-136-8
Assessed Value figure: \$40,420.00
Improvement thereon: Single
Family Dwelling
Scott A. Dietterick, Esquire
Kimberly A. Bonner, Esquire
Joel Ackerman, Esquire
Ashleigh L. Levy, Esquire
Zucker, Goldberg & Ackerman, LLC
200 Sheffield Street, Suite 101
Mountainside, NJ 07092
(908) 233-8500

Apr. 29 and May 6, 13

SALE NO. 26

Ex. #15688 of 2010
Chase Home Finance LLC,
successor by merger to
Chase Manhattan Mortgage
Corporation, Plaintiff
v.

Brian Burrow and Eli Arnold,
Defendant

SHORT DESCRIPTION

By virtue of a Writ of Execution
filed to No. 15688-10 Chase Home
Finance LLC, successor by merger
to Chase Manhattan Mortgage
Corporation v. Brian Burrow and Eli
Arnold, owners of property situated
in the Township of Millcreek, Erie
County, Pennsylvania being 1318
Hilltop Road, Erie, Pennsylvania
16509.
Tax I.D. No. 33-100-441-2
Assessment: \$ 1,778.70
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

Apr. 29 and May 6, 13

SALE NO. 28

Ex. #10014 of 2010
Deutsche Bank National Trust
Company, as Trustee for
NovaStar Mortgage Funding
Trust, Series 2007-1, Plaintiff
v.

Daniel Ratiu, Defendant
SHORT DESCRIPTION

By virtue of a Writ of Execution
filed to No. 10014-10 Deutsche
Bank National Trust Company, as
Trustee for NovaStar Mortgage
Funding Trust, Series 2007-1 v.
Daniel Ratiu, owners of property
situated in the Township of Second
Ward of the City of Erie, Erie
County, Pennsylvania being 409
East 11th Street, Erie, Pennsylvania
16503.

Tax I.D. No. 15-20-22-118
Assessment: \$83,923.74
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

Apr. 29 and May 6, 13

SALE NO. 29

Ex. #15682 of 2010
Chase Home Finance LLC,
Plaintiff
v.

John C. Thorr and
Karla K. Thorr, Defendant
SHORT DESCRIPTION

By virtue of a Writ of Execution
filed to No. 15682-10 Chase Home
Finance LLC v. John C. Thorr
and Karla K. Thorr, owners of
property situated in the Township
of Millcreek, Erie County,
Pennsylvania being 6137 Meridian
Drive, Erie, Pennsylvania 16509.
Tax I.D. No. 33-188-590-9
Assessment: \$ 59,520.14
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 2080
Philadelphia, PA 19109

Apr. 29 and May 6, 13



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FIRST PUBLICATION**HEATH, DOROTHY YOUNG, deceased**

Late of the Township of Harborcreek, County of Erie, and Commonwealth of Pennsylvania
Executor: Robert L. Young, 1543 West 21st Street, Erie, Pennsylvania 16508
Attorney: Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501

JOINT, BARBARA JO, deceased

Late of the City of Erie
Administrator: Daniel R. Joint, c/o Nicholas, Perot, Smith, Koehler & Wall, P.C., 2527 West 26th Street, Erie, PA 16506
Attorney: Andrew C. Hazi, Esquire, 2527 West 26th Street, Erie, PA 16506

KIMBERLIN, ELIZABETH J., a/k/a ELIZABETH JANE KIMBERLIN, deceased

Late of Fairview Township
Executor: Jerome C. Wegley, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

KOZLOWSKI, GENEVIEVE, deceased

Late of the Township of Lawrence Park, Erie County, Pennsylvania
Executor: Thomas Kozlowski, 9241 Eureka Road, Girard, PA 16417
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

MANGAN, THOMAS C., deceased

Late of Millcreek Township, Erie County, Pennsylvania
Co-Executors: Mark A. Mangan, Thomas Sean Mangan, and James M. Mangan, c/o Richards & Associates, P.C., 100 State St., Suite 440, Erie, PA 16507-1456
Attorney: Roger W. Richards, Esq., Richards & Associates, P.C., 100 State St., Suite 440, Erie, PA 16507-1456

MCCLEARY, DOROTHY, deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Administrator: William E. Simons, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508
Attorney: Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508

PINKSTON, MAE J., deceased

Late of the City of Erie
Executor: Roosevelt Pinkston, Jr., c/o 332 East 6th Street, Erie, PA 16507-1610
Attorney: Evan E. Adair, Esq., Williams and Adair, 332 East 6th Street, Erie, PA 16507-1610

QUIRK, NICHOLAS A., deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administratrix: Andrea L. Quirk, 2937 Peach Street, Erie, PA 16508
Attorney: Peter W. Bailey, Esquire, 336 East Sixth Street, Erie, Pennsylvania 16507

SHADECK, FLORESTINE A., a/k/a FLORESTINE SHADECK deceased

Late of the Township of Millcreek, County of Erie, State of Pennsylvania
Executor: Russell J. Shadeck, 826 West 7th St., Erie, Pennsylvania 16502
Attorney: Grant A. Yochim, Esq., Steadman Law Office, 24 Main St. E., Girard, Pennsylvania 16417

WALBURN, CINDY LOU, deceased

Late of the County of Erie and State of Pennsylvania
Administrator: George P. Walburn, c/o Edward J. Niebauer, Esquire, 558 West 6th Street, Erie, Pennsylvania 16507
Attorney: Edward J. Niebauer, Esquire, Talarico & Niebauer, 558 West 6th Street, Erie, Pennsylvania 16507

ZIELINSKI, TRISHA LYNN, deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administrator: Terry L. Proper, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Scott L. Wallen, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508

SECOND PUBLICATION

**BERLIN, KENNETH L.,
deceased**

Late of the Township of Millcreek,
Erie County, Pennsylvania
Executor: Thomas J. Berlin, 1833
Left Millstone Road, Weston,
WV 26452-8062
Attorney: Christine Hall McClure,
Esq., Knox McLaughlin Gornall
& Sennett, P.C., 120 West Tenth
Street, Erie, PA 16501

**BOLAM, FRANCES L.,
deceased**

Late of the City of Erie, County
of Erie
Executor: David G. Bolam, 7089
Garfield Avenue, Harborcreek,
Pennsylvania 16421
Attorney: W. Richard Cowell,
Esquire, Carney & Good,
254 West Sixth Street, Erie,
Pennsylvania 16507

**CARUSO, CLYTHIA C.,
deceased**

Late of the City of Corry
Co-Executors: Deborah Lee
Baran and Rosario J. Caruso, III
Attorney: Joseph M. Walsh, III,
Shapira, Hutzelman, Berlin, Ely,
Smith and Walsh, 305 West 6th
Street, Erie, PA 16507

**COLE, KATHERINE T.,
deceased**

Late of the City of Erie
Executrix: Diana L. Rollins, 3013
Florida Ave., Erie, PA 16504
Attorney: None

**CONSIDINE, ROSEMARY,
a/k/a ROSEY CONSIDINE,
deceased**

Late of Erie, PA, Erie County, PA
Executor: Rupert Stadtmiller, c/o
Gregory A. Karle, Esquire, 900
State Street, Suite 103, Erie, PA
16501
Attorney: Gregory A. Karle,
Esquire, 900 State Street, Suite
103, Erie, PA 16501

**FEAGLEY, DOROTHY L.,
deceased**

Late of the Township of
Harborcreek, County of Erie and
Commonwealth of Pennsylvania
Co-Executors: Susan M. Watson
and Carolyn J. Brandt, c/o
William J. Schaaf, Esq., Suite
300, 300 State Street, Erie, PA
16507
Attorneys: Marsh, Spaeder,
Baur, Spaeder & Schaaf, LLP,
Attorneys-at-Law, Suite 300, 300
State Street, Erie, PA 16507

**FLOROS, DONNA E.,
deceased**

Late of the Township of Millcreek,
Erie County, Pennsylvania
Executor: James J. Floros,
558 West Sixth Street, Erie,
Pennsylvania 16507
Attorney: Raymond A. Pagliari,
Esq., 558 West Sixth Street, Erie,
Pennsylvania 16507

**GOLDEN, ELSA, a/k/a
ELSA E. GOLDEN,
deceased**

Late of the Township of Fairview,
County of Erie, Pennsylvania
Executrix: Shirley J. Nelligan,
c/o 246 West 10th Street, Erie,
PA 16501
Attorney: Scott E. Miller,
Esquire, 246 West Tenth Street,
Erie, PA 16501

**HEMME, ELIZABETH T., a/k/a
ELIZABETH THEKLA HEMME,
a/k/a ELIZABETH HEMME,
deceased**

Late of the City of Erie
Executor: Joseph Hemme
Attorney: Norman "Bud" Stark,
Esquire, The Stark Law Firm,
100 State Street, Suite 210, Erie,
PA 16507

**HLAVENKA, JOHN W.,
deceased**

Late of Harborcreek Township,
Erie County, Commonwealth of
Pennsylvania
Executrix: Agnes Jean Duska,
827 E. 28th Street, 1st Floor, Erie,
PA 16504
Attorney: None

**REYNOLDS, JOANNE L.,
deceased**

Late of North East Borough, Erie
County, North East, Pennsylvania
Executrix: Gretchen Welsh,
c/o Robert J. Jeffery, Esq., 22
East Main Street, North East,
Pennsylvania 16428
Attorney: Orton & Jeffery, P.C.,
33 West Main Street, North East,
Pennsylvania 16428

**SHALLENBARGER, EDITH,
deceased**

Late of the City of Erie, Erie
County, Pennsylvania
Administratrix: Mary P.
Shallenbarger, 558 West Sixth
Street, Erie, Pennsylvania 16507-
1129
Attorney: Raymond A. Pagliari,
Esq., 558 West Sixth Street, Erie,
Pennsylvania 16507-1129

**VEREB, JOSEPHINE J.,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Executor: Michael P. Vereb
Attorney: Joseph T. Messina,
Esquire, Elderkin, Martin, Kelly
& Messina, 150 East 8th Street,
Erie, PA 16501

**WILT, JAMIE J., a/k/a
JAMIE JOHN WILT,
deceased**

Late of the Township of
Millcreek, County of Erie and
Commonwealth of Pennsylvania
Administratrix: Rashell L. Ulrich
Attorney: Craig A. Markham,
Esquire, Elderkin, Martin, Kelly
& Messina, 150 West 8th Street,
Erie, PA 16501

THIRD PUBLICATION

**BEHAN, BARBARA ANN,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Co-Executors: William J. Behan, John M. Behan, Patrick R. Behan, c/o 150 West Fifth St., Erie, PA 16507
Attorney: Colleen C. McCarthy, Esq., McCarthy, Martone & Peasley, 150 West Fifth Street, Erie, PA 16507

**CASAL, PETER,
deceased**

Late of North East Boro, Erie County, Pennsylvania
Administrator: Lillian Casal, 101 Wall Street 9, North East, PA 16428
Attorney: Virginia Shenkan, Esq., Virginia Shenkan Law Center, P.C., P.O. Box 1130, New Castle, Pennsylvania 16103

**DITRICH, SOPHIE D.,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executrix: Barbara J. Clark, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**KERCHANSKY, STEPHEN D.,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Co-Executors: Karen M. Clark and Daniel C. Kerchansky, c/o 504 State Street, Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**LUBAK, LUCILLE A.,
deceased**

Late of the City of Erie, Erie County, Pennsylvania
Executrix: Gail A. Casillo, 558 West Sixth Street, Erie, Pennsylvania 16507
Attorney: Raymond A. Pagliari, Esq., 558 West Sixth Street, Erie, Pennsylvania 16507

**WHITESEL, LOUANN M.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executor: Fred A. Whitesel, 5401 Old Sterrettania Road, Erie, PA 16506
Attorney: None

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

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600 Grant Street
Pittsburgh, PA 15219-2705 ----- acrilley@edgarsnyder.com

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3075 Camberly Drive
Gibsonia, PA 15044 ----- matthew.fisher1@gmail.com

EFFECTIVE MAY 1, 2011

CHRISTINE A. FUHRMAN KONZEL ----- (814) 452-6800
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Erie, PA 16507 ----- ckonzel@shapiralaw.com

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PO Box 966
Meadville, PA 16335 ----- ronald@mrdebtbuster.com

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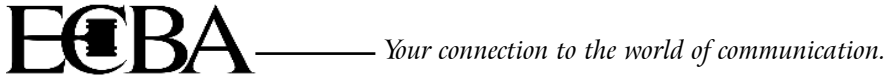


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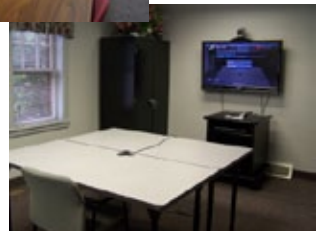
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