

# *Erie County Legal Journal*

November 28, 2014

Vol. 97 No. 48

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**In the Superior Court of Pennsylvania  
T.A.M. v. S.L.M. and D.M.S.**

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# Erie County Legal Journal

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

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Managing Editor: Heidi M. Weismiller

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

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# Erie County Bar Association Calendar of Events and Seminars

## **TUESDAY, DECEMBER 4, 2014**

*Annual Meeting, Member Appreciation Cocktail Party and CLE Programming*  
Lake Shore Country Club

2:45 - 3:45 p.m. - *Ethics Jeopardy* - 1 hour ethics

\$35 (ECBA member) \$53 (nonmember) \$24 (member Judge not needing CLE)

4:00 - 5:00 p.m. - *Avoiding Malpractice* - 1 hour ethics

\$35 (ECBA member) \$53 (nonmember) \$24 (member Judge not needing CLE)

5:30 p.m. - Business Meeting followed by the Cocktail Party

## **MONDAY, DECEMBER 8, 2014**

*Workers' Compensation 101*

Erie County Bar Association headquarters

12:15 p.m. - 1:15 p.m. (lunch/registration - 11:45 a.m.)

\$35 (ECBA member/non-attorney staff) \$53 (nonmember) \$24 (member judges not needing CLE)

Free (attorneys new to the practice of law, passing either the Feb. or Jul. PA Bar Exam)

1 hour substantive

## **THURSDAY, DECEMBER 11, 2014**

*Criminal Law 101*

Erie County Bar Association headquarters

12:15 p.m. - 1:15 p.m. (lunch/registration - 11:45 a.m.)

\$35 (ECBA member/non-attorney staff) \$53 (nonmember) \$24 (member judges not needing CLE)

Free (attorneys new to the practice of law, passing either the Feb. or Jul. PA Bar Exam)

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<http://www.eriebar.com/public-calendar>

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# ANNUAL HOLIDAY DINNER PARTY

*Friday, December 19, 2014  
7:00 p.m. - 11:00 p.m.*

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**T.A.M. Appellant**  
**v.**  
**S.L.M. and D.M.S., Appellees**

IN THE SUPERIOR COURT OF PENNSYLVANIA  
2014 PA Super 255  
No. 844 WDA 2014

Appeal from the Order Entered April 21, 2014  
in the Court of Common Pleas of Erie County  
Civil Division at No(s): 13476-2013

BEFORE: FORD ELLIOTT, ALLEN, and STRASSBURGER,\* JJ.

OPINION BY STRASSBURGER, J.:

FILED NOVEMBER 07, 2014

T.A.M. (Father) appeals from the order entered by the trial court dismissing his complaint for custody after the trial court concluded that Pennsylvania lacks jurisdiction to modify a custody determination. Upon review, we vacate the order of the trial court and reinstate Father's complaint for custody.

S.L.M. (Mother) and Father are the natural parents of Child, who was born in September of 2004. Mother and Father, both of whom lived in Tennessee, were separated, and the two shared custody pursuant to an order entered in Tennessee. It is undisputed that on February 28, 2011, Mother dropped Child off at Father's residence, and Mother has not been seen since. Furthermore, it is undisputed that police are actively investigating Mother's disappearance as a homicide, and Father is considered a person of interest in the case. D.M.S. (Maternal Grandmother), a resident of Erie County, Pennsylvania, initiated a custody action, shortly thereafter, in Tennessee to obtain custody of Child. After a trial, the Tennessee court granted Maternal Grandmother custody of Child, and Child was permitted to relocate to Maternal Grandmother's residence in Erie County, Pennsylvania. Child has lived there since that time.

Father was permitted to have supervised visits with Child under the supervision of his parents (Paternal Grandparents). On October 11, 2012, Maternal Grandmother filed an emergency motion to suspend Father's visitation. In that motion, Maternal Grandmother alleged that Father and Paternal Grandmother urged Child to burn down Maternal Grandmother's home and provided matches to assist Child in doing so. A hearing was conducted in Tennessee; the trial court found Child's testimony about the incident credible and suspended visitation.

On December 6, 2013, Father filed a complaint for custody of Child against Mother and Maternal Grandmother in Erie County, Pennsylvania. In the complaint, Father alleged that Pennsylvania should assume jurisdiction of this case because he has resided in Palm City, Florida since June of 2013, Maternal Grandmother and Child have resided in Pennsylvania since 2011, and Mother's whereabouts are unknown.

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\* Retired Senior Judge assigned to the Superior Court

A custody trial was scheduled for March 10, 2014. On March 6, 2014, Maternal Grandmother filed an Amended Pre-Trial Narrative Statement indicating a challenge to jurisdiction and attaching a Motion to Review Visitation and Child Support filed in the Tennessee Court. The Motion was scheduled for hearing on April 10, 2014 in Tennessee. On the morning of March 7, 2014, [the Erie County trial court] received from Judge Lee Russell, Circuit Judge for the Seventeenth Judicial District of Tennessee, correspondence which indicated that, along with the Motion to Review Visitation and Child support, Judge Russell received a copy of Father's Complaint for Custody filed in Pennsylvania. In his correspondence, Judge Russell explained that Father's representation to [the trial court] of the Tennessee court's "willingness to defer jurisdiction to Pennsylvania" was a misrepresentation. As a result, [the trial court] entered a March 7, 2014 Order staying the Custody Trial in order to give the Tennessee Court the opportunity to address its continuing jurisdiction at the April 10, 2014 hearing.

Subsequent to the April 10, 2014 hearing date, [the trial court] contacted the Tennessee Court and confirmed that the April 10, 2014 hearing went forward as scheduled and that no order was entered to relinquish jurisdiction of custody.

On April 21, 2014, [the trial court] issued its Order dismissing Father's Complaint for Custody. As detailed in the April 21st Order, the Tennessee Court has not relinquished jurisdiction and [the trial court] lacks jurisdiction to modify the Tennessee Court's child custody determination.

Trial Court Opinion, 6/4/2014, at 2 (footnote omitted; citations omitted).

Father timely filed a notice of appeal, along with a concise statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(a)(2)(i). On appeal, Father presents two issues for our review.

1. Did the [trial court] misapply the law in dismissing a Custody Complaint filed by [Father] in the location defined by law as the Home State of [Child] merely because the former home state judge declined to "relinquish jurisdiction?"
2. Did the [trial court] err in not recognizing Pennsylvania as the most appropriate jurisdiction to adjudicate custody of [Child] regardless of the Home State issue and the existing Tennessee custody action?

Father's Brief at 4 (suggested answers omitted).

We are guided by the following standard of review.

A court's decision to exercise or decline jurisdiction is subject to an abuse of discretion standard of review and will not be disturbed absent an abuse of that discretion. Under Pennsylvania law, an abuse of discretion occurs when the court has overridden or misapplied the law, when its judgment is manifestly unreasonable, or when there is insufficient evidence of record to support the court's findings. An abuse of discretion requires clear and convincing evidence that the trial court misapplied the law or failed to follow proper legal procedures.



*Wagner v. Wagner*, 887 A.2d 282, 285 (Pa. Super. 2005) (quoting *Lucas v. Lucas*, 882 A.2d 523, 527 (Pa. Super. 2005) (citation omitted)).

It is undisputed that this matter is governed by the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), 23 Pa.C.S. §§ 5401-5482. Specifically, the issue of interstate jurisdiction to modify a custody determination is governed by section 5423, which provides the following.

Except as otherwise provided in section 5424 (relating to temporary emergency jurisdiction), a court of this Commonwealth may not modify a child custody determination made by a court of another state unless a court of this Commonwealth has jurisdiction to make an initial determination under section 5421 (a)(1) or (2)<sup>1</sup> (relating to initial child custody jurisdiction) and:

(1) the court of the other state determines it no longer has exclusive, continuing jurisdiction under section 5422 (relating to exclusive, continuing jurisdiction) or that a court of this Commonwealth would be a more convenient forum under section 5427 (relating to inconvenient forum); or

**(2) a court of this Commonwealth or a court of the other state determines that the child, the child's parents and any person acting as a parent do not presently reside in the other state.**

23 Pa.C.S. § 5423 (emphasis added; footnote added).

The trial court analyzed these statutes as follows.

[The trial court] is prohibited from modifying Tennessee's custody determination unless Pennsylvania has initial child custody jurisdiction and either (1) Tennessee determines that it no longer has exclusive, continuing jurisdiction or that Pennsylvania would be a more convenient forum; or (2) Pennsylvania determines that all parties have moved away from the initial decree state.

Considering Judge Russell's March 6, 2014 correspondence in conjunction with his decision to proceed with the Motion to Review Visitation and Child Support

<sup>1</sup> This statute provides the following.

(a) **General Rule.**—Except as otherwise provided in section 5424 (relating to temporary emergency jurisdiction), a court of this Commonwealth has jurisdiction to make an initial child custody determination only if:

(1) this Commonwealth is the home state of the child on the date of the commencement of the proceeding or was the home state of the child within six months before the commencement of the proceeding and the child is absent from this Commonwealth but a parent or person acting as a parent continues to live in this Commonwealth;

(2) a court of another state does not have jurisdiction under paragraph (1) or a court of the home state of the child has declined to exercise jurisdiction on the ground that this Commonwealth is the more appropriate forum under section 5427 (relating to inconvenient forum) or 5428 (relating to jurisdiction declined by reason of conduct) and:

(i) the child and the child's parents, or the child and at least one parent or a person acting as a parent, have a significant connection with this Commonwealth other than mere physical presence; and

(ii) substantial evidence is available in this Commonwealth concerning the child's care, protection, training and personal relationships;

23 Pa.C.S. §5421(a)(1) and (2).



filed in the Tennessee Court, it is clear beyond argument that Tennessee has not relinquished jurisdiction of the case. More specifically, the Tennessee Court has not determined either that it no longer has exclusive, continuing jurisdiction or that Pennsylvania would be a more convenient forum.

It is further clear that [the trial court] cannot make a finding that all parties have moved away from Tennessee.... [The trial court] is incapable of entering a finding that Mother does not presently reside in Tennessee.

Trial Court Opinion, 6/4/2014, at 4.

We hold that the trial court abused its discretion in concluding that it cannot make the determination that "Mother does not presently reside in Tennessee." *Id.* As Father points out, Mother's

missing status and, as the Tennessee court asserted, the likelihood of her demise, was the only basis for [Maternal Grandmother] to have any standing to obtain custody. [Mother] is not an actual party in either proceeding, and the prospect that she may still be alive and in Tennessee cannot be the basis to maintain that state's jurisdiction, as a parent who has been missing for 3 years does not have "a significant connection" to that state[.]

Father's Brief at 11.

The comment to the section 5423 makes clear, [t]he modification state is not authorized to determine that the original decree state has lost its jurisdiction. **The only exception is when the child, the child's parents, and any person acting as a parent do not presently reside in the other state.** In other words, a court of the modification state can determine that all parties have moved away from the original state.

23 Pa.C.S. § 5423 (Comment) (emphasis added).

This important exception to section 5423 is consistent with the UCCJEA's effort to prioritize a child's home state as being the preferred basis for jurisdiction. *See R.M. v. J.S.*, 20 A.3d 496 (Pa. Super. 2011). The UCCJEA defines "home state" as:

The state in which a child lived with a parent or a person acting as a parent for at least six consecutive months immediately before the commencement of a child custody proceeding. In the case of a child six months of age or younger, the term means the state in which the child lived from birth with any of the persons mentioned. A period of temporary absence of any of the mentioned persons is part of the period.

23 Pa.C.S.A. § 5402.

Instantly, there is no question that Pennsylvania is Child's home state. She has been living with Maternal Grandmother in Pennsylvania for three years. At this point, all evidence related to Child's well-being is in Pennsylvania. Moreover, based on the sad circumstances of this case, it is likely that Mother currently does not reside in Tennessee, or possibly any state at all.

Thus, Pennsylvania is the home state pursuant to section 5421. No parent or person acting as a parent still resides in Tennessee (Maternal Grandmother resides in Erie, Father resides

in Florida, and Mother has not been heard from since February 28, 2011 and may well be dead). Therefore, under section 5423, a Pennsylvania court has jurisdiction to modify the order of the Tennessee court.<sup>2</sup> *See J.K. v. W.L.K.*, \_\_ A.3d \_\_, 2014 WL 5040279 (Pa. Super, filed October 14, 2014).

Order vacated. Father's complaint for custody reinstated. Case remanded for proceedings consistent with this memorandum. Jurisdiction relinquished.

Judgment Entered.  
/s/ Joseph D. Seletyn, Esq.  
Prothonotary

---

<sup>2</sup> Maternal Grandmother asserts that Father is judge-shopping, willing to play an away game in the home court of Maternal Grandmother, just to get away from Judge Lee Russell, the Tennessee judge who has found Father to be a despicable individual. The judge-shopping charge may well be true, but it is irrelevant to the jurisdictional issue. Moreover, we have no doubt that the courts of this Commonwealth are fully capable of discerning the facts applicable to Child's best interests.

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania  
Docket No. 13043-14

In re: Amanda Elizabeth Matteson  
Notice is hereby given that a petition has been filed in the above named Court, requesting an Order to change the name of Amanda Elizabeth Matteson to Samuel Adam Matteson.

The Court has fixed the 24th day of December, 2014 at 1:30 p.m. in Courtroom G, Room 222 of the Erie County Courthouse, 140 W. 6th St., Erie, PA 16501 as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

Nov. 28

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania  
Docket No. 13182-2014

In re: Hannah Grace Metzler-Sadley and Jonah Zachary Metzler, minors  
Notice is hereby given that a petition has been filed in the above named Court, by Leslie Ann Bebko, requesting an order to change the names of minor children Hannah Grace Metzler-Sadley and Jonah Zachary Metzler to Hannah Grace Bebko and Jonah Zachary Bebko, respectively.

The Court has fixed the 13th day of January, 2015 at 1:30 p.m. in Courtroom G, Room 222 of the Erie County Courthouse, 140 W. 6th St., Erie, PA 16501 as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

Nov. 28

**FICTITIOUS NAME NOTICE**

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

**FICTITIOUS NAME NOTICE**

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on October 6, 2014 for Aphilla's Bakers and Cakery located at 2145 Brooksboro Dr., Erie, PA 16510. The name and address of each individual interested in the business is Phillip J. Gocal Jr., 2145 Brooksboro Dr., Erie, PA 16510. This was filed in accordance with 54 PaC.S. 311.

Nov. 28

**FICTITIOUS NAME NOTICE**

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on October 7, 2014 for Lalli's Four Seasons located at 437 W. 31st St., Erie, PA 16508. The name and address of each individual interested in the business is Brenden Joseph Lalli, 437 W. 31st St., Erie, PA 16508. This was filed in accordance with 54 PaC.S. 311.

Nov. 28

**FICTITIOUS NAME NOTICE**

1. Fictitious Name: Touring Advertisement
2. Address of principal place of business, including street and number: 727 Napier Ave., Erie, PA 16511
3. The real names and addresses, including street and number, of the persons who are parties to the registration: Christopher Jones, 727 Napier Ave, Erie, PA 16511
4. An application for registration of a fictitious name under the Fictitious Names Act was filed on or about November 24, 2014.

Nov. 28

**LEGAL NOTICE**

**ATTENTION: UNKNOWN BIOLOGICAL FATHER INVOLUNTARY TERMINATION OF PARENTAL RIGHTS**

**IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD (J.D.H.) DOB: 12/5/2012**

**BORN TO: TANESHA MARIE HARKLESS**

**72 IN ADOPTION 2014**

If you could be the parent of the above mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, Judge Sambroak, Court Room No. 217-1, City of Erie on February 2, 2015, at 9:30 a.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

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

You have a right to be represented at the Hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer, or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Family/Orphan's  
Court Administrator  
Room 204 - 205  
Erie County Court House  
Erie, Pennsylvania 16501  
(814) 451-6251

**NOTICE REQUIRED BY ACT 101 OF 2010: 23 Pa. C.S §§2731-2742.** This is to inform you of an important option that may be available to you under Pennsylvania law. Act 101 of 2010 allows for an enforceable

voluntary agreement for continuing contact or communication following an adoption between an adoptive parent, a child, a birth parent and/or a birth relative of the child, if all parties agree and the voluntary agreement is approved by the court. The agreement must be signed and approved by the court to be legally binding. If you are interested in learning more about this option for a voluntary agreement, contact the Office of Children and Youth at (814) 451-7726, or contact your adoption attorney, if you have one.

Nov. 28

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**LEGAL NOTICE**

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**NOTICE TO BIDDERS**

The School District of the City of Erie, 148 West 21st Street, Erie, PA 16502 will receive SEALED BIDS for SCHOOL BUSES and LIQUID PROPANE GAS COMMODITY, STORAGE AND DELIVERY SERVICES up to Tuesday, December 11, 2014 at 12:00 p.m., prevailing time, and will be opened in the Board Room at 1:30 p.m. prevailing time, in accordance with the bid forms and specifications to be obtained from the Purchasing Department.

Robin Smith

Secretary

Nov. 28 and Dec. 5

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RVM's Director of Forensics, Greg Cancilla, was recently named Best Individual Expert Witness in Technology for Litigation Support by the *New York Law Journal* Reader Rankings Survey. Greg has performed countless digital forensic investigations and has been called to offer expert testimonies in numerous cases, one of which rendered the largest single plaintiff verdict in the State of Ohio's history - *Ronald Luri v. Republic Services, Inc., et al.*



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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**

**BURR, GRACE B.,  
deceased**

Late of the City of Corry  
*Executor:* Bruce B. Burr, 1362 Hunters Chase, Chambersburg, PA 17202  
*Attorney:* Michael A. Fetzner, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**CHILCOAT, CLIFFORD R.,  
deceased**

Late of North East Township, Erie County, Commonwealth of Pennsylvania  
*Executrix:* Kathleen G. Cessna-Pelc, c/o Leigh Ann Orton, 11 Park Street, North East, PA 16428  
*Attorney:* Leigh Ann Orton, Esq., Knox McLaughlin Gornall & Sennett, P.C., 11 Park Street, North East, PA 16428

**DZESKEWICZ, LORETTA Y.,  
deceased**

Late of McKean Township, County of Erie, and Commonwealth of Pennsylvania  
*Co-Executors:* Chester S. Dzeskewicz, Jr. and Lucy Anne Lenhardt, c/o Andrea G.L. Amicangelo, Esquire, The McDonald Group, L.L.P., 456 West Sixth Street, Erie, PA 16507-1216  
*Attorney:* Andrea G.L. Amicangelo, Esquire, The McDonald Group, L.L.P., 456 West Sixth Street, Erie, PA 16507-1216

**MAGEE, MARY J.,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania  
*Executor:* John W. Magee, 4020 Cochran Street, Erie, PA 16508  
*Attorney:* Thomas C. Hoffman II, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**MILLER, WILMA E.,  
deceased**

Late of the City of Erie, Erie County, Pennsylvania  
*Executor:* Michael R. Miller, c/o 3209 East Avenue, Erie, PA 16504  
*Attorney:* Cathy M. Lojewski, Esq., 3209 East Avenue, Erie, PA 16504

**PAPPAS, ALICE,  
deceased**

Late of Erie, Erie County, Pennsylvania  
*Co-Executors:* James Pappas, Esquire, Pamela Lagace, c/o James Pappas, Esquire, Abood, Russell, Pappas & Rozich, South Street Station Professional Building, 709 Franklin Street, Suite 200, Johnstown, PA 15901  
*Attorney:* James Pappas, Esquire, Abood, Russell, Pappas & Rozich, South Street Station Professional Building, 709 Franklin Street, Suite 200, Johnstown, PA 15901

**RAWA, MEREDYTH E.,  
deceased**

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Judy A. Shuey, 2222 West Grandview Blvd., Erie, PA 16506  
*Attorney:* Thomas E. Kuhn, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview, Blvd., Erie, PA 16506

**WHITECOTTON, ROMAT., a/k/a  
ROMUALDA BOLAKOWSKA  
WHITECOTTON, a/k/a  
ROMA WHITECOTTON  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Teresa Mientkiewicz, 376 W. Townhall Road, Waterford, PA 16441  
*Attorney:* Thomas S. Kubinski, Esquire, The Conrad, F.A. Brevillier House, 502 Parade Street, Erie, PA 16507

**SECOND PUBLICATION**

**BIELAK, STANLEY A., a/k/a  
STANLEY BIELAK,  
deceased**

Late of Erie County, Pennsylvania  
*Executor:* Margie Bielak, 14680 Gourley Road, Waterford, PA 16441  
*Attorney:* William T. Morton, Esquire, 3213 West 26th Street, Erie, Pennsylvania 16506

**BONAMINIO, DINA,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Co-Executors:* Les Fobes, Gary Drozdowski, c/o Kevin M. Monahan, Esq., Suite 300, 300 State Street, Erie, PA 16507  
*Attorneys:* Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507

**HERZOG, ROBERT P.,  
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Co-Executors:* Robert S. Herzog and Betsy A. Frank  
*Attorney:* David J. Rhodes, Esquire, Elderkin Law Firm, 150 East 8th Street, Erie, PA 16501



**HESS, ANTOINETTE C., a/k/a  
ANTOINETTE C. FROST,  
deceased**

Late of the City of Erie  
*Executrix:* Debra A. Woodel,  
1972 Fairmont Parkway, Erie, PA  
16510  
*Attorney:* Michael A. Fetzner,  
Esq., Knox McLaughlin Gornall  
& Sennett, P.C., 120 West Tenth  
Street, Erie, PA 16501

**McMILLAN, DAVID T., a/k/a  
DAVID THOMAS McMILLAN,  
deceased**

Late of the City of Corry, County  
of Erie, Commonwealth of  
Pennsylvania  
*Executor:* David Lindsey, c/o  
Joan M. Fairchild, Esq., 132  
North Center Street, Corry,  
Pennsylvania 16407  
*Attorney:* Joan M. Fairchild, Esq.,  
132 North Center Street, Corry,  
Pennsylvania 16407

**NASON, ALICE,  
deceased**

Late of the Township of  
Millcreek, County of Erie,  
Commonwealth of Pennsylvania  
*Executor:* Arden Nason, c/o  
Quinn, Buseck, Leemhuis,  
Toohey & Kroto, Inc., 2222  
West Grandview Blvd., Erie, PA  
16506-4508  
*Attorneys:* Scott L. Wallen,  
Esq., Quinn Buseck, Leemhuis,  
Toohey & Kroto, Inc., 2222  
West Grandview Blvd., Erie, PA  
16506-4508

**ROBERTS, MARIE L.,  
deceased**

Late of Millcreek Township,  
County of Erie and  
Commonwealth of Pennsylvania  
*Executor:* Thomas P. Roberts, c/o  
Norman A. Stark, Esq., Suite 300,  
300 State Street, Erie, PA 16507  
*Attorney:* Marsh, Spaeder, Baur,  
Spaeder & Schaaf, LLP, Suite  
300, 300 State Street, Erie, PA  
16507

**SIBLEY, GERALDINE E., a/k/a  
GERALDINE H. SIBLEY, a/k/a  
GERALDINE HINKLE SIBLEY,  
a/k/a GERALDINE SIBLEY,  
deceased**

Late of the Township of  
Fairview, County of Erie, State of  
Pennsylvania  
*Executrix:* Marjorie E. Wagner,  
2207 Haybarger Avenue, Erie, PA  
16502  
*Attorney:* James R. Steadman,  
Esq., 24 Main St. E., PO Box 87,  
Girard, PA 16417

**THOMAS, JENNIE,  
deceased**

Late of the City of Erie, County  
of Erie and Commonwealth of  
Pennsylvania  
*Executrix:* Clara Rose Liebel, c/o  
3305 Pittsburgh Avenue, Erie,  
Pennsylvania 16508  
*Attorney:* Melissa L. Larese,  
Esquire, 3305 Pittsburgh Avenue,  
Erie, Pennsylvania 16508

**THIRD PUBLICATION**

**BROWN, KATHRYN B., a/k/a  
BESS KATHRYN BROWN, a/k/a  
KATHRYN BROWN,  
deceased**

Late of the Township of  
Millcreek, County of Erie and  
Commonwealth of Pennsylvania  
*Executor:* Charles E. Brown, c/o  
John P. Eppinger, Esq., Suite 300,  
300 State Street, Erie, PA 16507  
*Attorneys:* Marsh Spaeder Baur  
Spaeder & Schaaf, LLP, Suite  
300, 300 State Street, Erie, PA  
16507

**PERKINS, BARBARA L.,  
deceased**

Late of Fairview Township,  
County of Erie, Commonwealth  
of Pennsylvania  
*Executrix:* Cynthia L. Randall,  
c/o Quinn, Buseck, Leemhuis,  
Toohey & Kroto, Inc., 2222 West  
Grandview Blvd., Erie, PA 16506  
*Attorney:* Valerie H. Kuntz,  
Esq., Quinn, Buseck, Leemhuis,  
Toohey & Kroto, Inc., 2222 West  
Grandview Blvd., Erie, PA 16506

**SOUDERS, MARILYN C., a/k/a  
MARILYN R. SOUDERS,  
deceased**

Late of the City of Erie, County  
of Erie  
*Administrator:* Nancy L. Souders,  
c/o Donald J. Rogala, Esq., 3131  
Zimmerly Rd., Erie, PA 16506  
*Attorney:* Donald J. Rogala, Esq.,  
3131 Zimmerly Rd., Erie, PA  
16506

**STURDIVANT, LESTER R.,  
a/k/a LESTER STURDIVANT,  
a/k/a LESTER ROBERT  
STURDIVANT,  
deceased**

Late of the City of Erie  
*Executor:* Mark A. Sturdivant  
*Attorney:* Michael G. Nelson,  
Esquire, Marsh, Spaeder, Baur,  
Spaeder & Schaaf, LLP, 300  
State Street, Suite 300, Erie,  
Pennsylvania 16507

**SUROVICK, MICHAEL F., a/k/a  
MICHAEL SUROVICK, a/k/a  
MIKE F. SUROVICK,  
deceased**

Late of the Township of Elk  
Creek, County of Erie, State of  
Pennsylvania  
*Administratrix:* Mary E.  
Surovick, 9999 Thrasher Road,  
Cranesville, Pennsylvania 16410  
*Attorney:* Grant M. Yochim,  
Esq., 24 Main St. E., PO Box 87,  
Girard, PA 16417

**TACCONE, MARK R.,  
deceased**

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

*Administrator:* Russell R.  
Taccone, 3838 Station Road,  
Erie, PA 16510

*Attorney:* James R. Steadman,  
Esq., 24 Main St. E., PO Box 87,  
Girard, PA 16417

**USCINSKI, CHARLES,  
deceased**

Late of the City of Erie, County  
of Erie

*Administrator:* Raymond J.  
Uscinski, c/o Donald J. Rogala,  
Esq., 3131 Zimmerly Road, Erie,  
PA 16506

*Attorney:* Donald J. Rogala, Esq.,  
3131 Zimmerly Road, Erie, PA  
16506



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## CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

GREGORY ZIMMERMAN ----- (814) 870-2808  
Erie Insurance Group  
100 Erie Insurance Place  
Erie, PA 16530 ----- *gregory.zimmerman@erieinsurance.com*

JENNIFER JOHNSTON BLAKELY ----- (814) 520-6754  
Blakely and Blakely ----- (f) (814) 923-4129  
2701 Evanston Ave., Suite 100  
Erie, PA 16506 ----- *jennifer.blakely@va.gov*

MELISSA ROMERO ----- (814) 420-5007  
3800 Drexel Drive  
Erie, PA 16506 ----- *cromeromd@yahoo.com*

JOHN B. ENDERS ----- (814) 833-7200  
4402 Asbury Road  
Erie, PA 16506 ----- *jbenders1@yahoo.com*

### FIRM NAME CHANGE

Shapira, Hutzelman, Berlin, Ely, Smith & Walsh is now SHAPIRA, HUTZELMAN,  
SMITH & WALSH

### NEW EMAIL

MICHAEL J. NIES ----- *michaeljnies@yahoo.com*

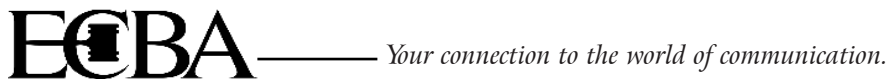
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