

**97 ERIE** 

# **Erie County Legal Journal**

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

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

#### ECBA HOLIDAY CLOSINGS

The ECBA Office will be closed on the following days:

Thursday, December 25 Friday, December 26 Thursday, January 1 Friday, January 2



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The Best Lawyers in America Consumers' Guide Please contact us to discuss referral fee arrangements in injury cases.

ERIE OFFICE 455–3839 Edinboro office 734–6076 Warren office 723–6120 **Office space for rent**. Three blocks west of Court House, upstairs office. Rent includes use of conference room, copier, fax, kitchen and basement. Street parking. Contact 452-4451 to schedule an appointment.

Dec. 12, 19, 26

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Dec. 12, 19, 26

2015 ERIE COUNTY LEGAL JOURNAL PRICES		
Articles of Amendment	\$95	
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#### BANKRUPTCY NOTICE

In re: Anthony Dale Honeycutt Jr. and Mary Elizabeth Honeycutt, Case No. 13-11237-TPA Real property situate in the Township of Fairview, Erie County, Pennsylvania Address: 8240 Avonia Road, Fairview, PA 16415, Erie County Deed Book 1273, Page 0065 Sale Hearing to be held: January 8, 2015, 11:30 a.m. Before Judge Thomas P. Agresti, U.S. Courthouse, Bankruptcy Court, 17 South Park Row, Erie, PA 16501 Objections due by: December 29, 2014 Initial Offer: \$95,000.00 Higher and better offers will be considered at the hearing Hand Money Required: \$5,000.00 Contact John C. Melaragno, Esq., 502 West Seventh Street, Erie, PA 16502, (814) 459-5557 For More Information: www.pawb. uscourts.gov/electronic-accesssales-information-easi

Dec. 19



**INCORPORATION NOTICE** Notice is hereby given that Tuscany Lane Homeowners Association, Inc. has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended.

Richard A. Blakely, Esquire 2701 Evanston Avenue, Suite 100 Erie, PA 16506

Dec. 19

LEGAL NOTICE

NOTICE OF ACTION IN MORTGAGE FORECLOSURE IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA CIVIL ACTION - LAW JPMORGAN CHASE BANK, N.A., Plaintiff VS. RODNEY A. BESSETTI, in his capacity as Administrator and Heir of the Estate of EMILY D. ENDERS UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER EMILY ENDERS, DECEASED, D. Defendants COURT OF COMMON PLEAS

CIVIL DIVISION ERIE COUNTY No. 12408-14

#### NOTICE

To UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER EMILY D. ENDERS, DECEASED

You are hereby notified that on August 29, 2014, Plaintiff, JPMORGAN CHASE BANK, N.A., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of ERIE County Pennsylvania, docketed to No. 12408-14. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 917 EAST 27TH STREET, ERIE, PA 16504-2903 whereupon your property would be sold by the Sheriff of ERIE County. You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

#### NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Notice to Defend: Lawyer Referral & Information Service

P.O. Box 1792 Erie, PA 16507 (814) 459-4411

Dec. 19



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.* 









APPRAISER

### 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 **December 29, 2014** and confirmed Nisi.

January 22, 2015 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>2014</u> ESTATE	ACCOUNTANT	<b>ATTORNEY</b>
292. Merrill T. Dever		
a/k/a Merrill E. Dever	Robin A. Dever, Executrix	John A. Lauer, Esquire
293. Howard P. Bovee	David G. Smitti, Executor	Thomas J. Buseck, Esquire
294. Anthony J. Sweeney, a/k/a		
Anthony J. Sweeney Sr	Geneva J. Weiss, Executrix	S. Craig Shamburg, Esquire
295. Elizabeth B. Haller, a/k/a		
Elizabeth Haller, a/k/a		
Elizabeth B. Kramer Haller .	Karlyn Spell, Executrix	S. Craig Shamburg, Esquire
296. Otylia F. Englert, a/k/a		
Otylia Frances Englert	Jerome R. Englert, Executor	Darlene M. Vlahos, Esquire
297. Drew Rose Jr	S. Craig Shamburg, Administrator	S. Craig Shamburg, Esquire
298. Lindsey G. Kernick, a/k/a		
Lindsay Grace Kernick	Smithfield Trust Company, Trustee	Samual K. Adams, Esquire
299. John Michael Quinlan,		
a/k/a John M. Quinlan		
a/k/a John Quinlan	Roy Gallant, Executor	David R. Devine, Esquire

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

Dec. 19, 26

#### ORPHANS' COURT

#### 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

#### **BROADHEAD, MARY** MARGARET, a/k/a MARY M. BROADHEAD. deceased

Late of North East Borough Executor: Gerald A. Broadhead III, c/o 246 West 10th Street, Erie, PA 16501 Attorney: Evan E. Adair, Esq.,

246 West 10th Street, Erie, PA 16501

#### CAMPBELL, PAUL CHARLES, deceased

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

#### DROPCHO, RITA A., a/k/a RITA DROPCHO.

#### deceased

Late of the City of Erie, County of Erie. State of Pennsylvania Executrix: Kathleen Evanoff, 9681 Sampson Road, Erie, PA 16509 Attorney: James R. Steadman, Esq., 24 Main St. E., PO Box 87. Girard, PA 16417

#### DRUMM, JAMES B., a/k/a JAMES BROOKS DRUMM. a/k/a JAMES DRUMM. deceased

Late of the Township of Millcreek Executor: James B. Drumm Attorney: Michael G. Nelson, Esq., Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, 300 State Street, Suite 300, Erie, Pennsylvania 16507

#### GILMORE, EILEEN G., a/k/a MARY E. GILMORE, a/k/a MARY EILEEN GILMORE. deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsvlvania Executor: John A. Lauer, 100 State Street, Suite 700, Erie, PA 16507-1459 Attornevs: MacDonald, Illig.

Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

#### GLENNON, MARK J.,

#### deceased

Late of Greene Township, County of Erie, Pennsylvania Executrix: Shannon Glennon, 10522 Bennett Road, Erie, PA 16504 Attorney: Tina Fryling, Esq., PO Box 1084, Erie, PA 16512-1084

#### **GUSTAFSON, SHIRLEY L.,** deceased

Late of the City of Erie, Erie County, Pennsylvania Executor: Charles D. Agresti, Esq., Agresti Law Firm, 17 West 10th Street, Erie, Pennsylvania 16501

Attorney: Charles D. Agresti. Esq., Agresti Law Firm, 17 West 10th Street, Erie, Pennsylvania 16501

#### ORPHANS' COURT

#### HILLS, AGNES D., a/k/a AGNES HILLS, deceased

Late of the Township of Springfield, County of Erie, State of Pennsylvania

Executor: Dennis C. Hills, PO Box 74, West Springfield, PA 16443

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

#### HINKLER, THOMAS E., a/k/a THOMAS HINKLER, SR., deceased

Late of the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania Executor: Dennis Hinkler. 6035 Fossilwood Court, Erie, Pennsylvania 16506 Attorney: Peter W. Bailey, Esquire, 336 East Sixth Street, Erie, Pennsylvania 16507

#### KNOBLOCH, NELDA J., deceased

Late of Millcreek Township Executor: Jack M. Gornall, 17 Niagara Pier, Erie, PA 16507 Attorney: Michael A. Fetzner, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

#### SHADE, DORIS C.,

deceased

Late of the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania Executrix: Diane E. Flook Attorney: Kenneth G. Vasil, Esquire, Elderkin Law Firm, 150 East 8th Street, Erie, PA 16501

#### SZPARA, HENRY JOSEPH, a/k/a HENRY J. SZPARA. a/k/a HENRY SZPARA. deceased

Late of the City of Erie. County of Erie, Commonwealth of Pennsylvania Executor: Dennis Szpara, c/o 333 State Street, Suite 203, Erie, PA 16507

Attorney: Wayne G. Johnson, Jr., Esquire, 333 State Street, Suite 203, Erie, PA 16507

#### VOMMARO, JOHN,

#### deceased

Late of Wattsburg, County of Erie, Commonwealth of Pennsylvania *Executrix:* Jill Vommaro, c/o Denise C. Pekelnicky, Esq., 68 East Main Street, North East, PA 16428

*Attorney:* Denise C. Pekelnicky, Esq., 68 East Main Street, North East, PA 16428

### WARUS, LUCY N., deceased

Late of the City of Erie *Executor:* James D. Warus, 324 Lake Avenue, Erie, Pennsylvania 16511 *Attorney:* None

### YONKO, CHRISTOPHER S., deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania Administrator: Ryan Yonko, 5213 Buffalo Road, Erie, PA 16510 Attorneys: MacDonald, Illig, Jones & Britton, LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

#### ZUPANICK, DOROTHY M., a/k/a DOROTHY ZUPANICK, deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania *Executrix:* Mary Carole Sparks, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

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

#### SECOND PUBLICATION

### CONNOLLY, DOROTHY A., deceased

Late of the City of Erie, Commonwealth of Pennsylvania *Executor:* Susan Noonan, c/o Joseph P. Vendetti, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509 *Attorney:* Joseph P. Vendetti, Esq., Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

#### GOLL, SUSAN, a/k/a SUSAN E. GOLL, deceased

Late of the Township of Millcreek, County of Erie and State of Pennsylvania *Executor:* Jackie George, c/o Elizabeth Brew Walbridge, Esq., 1001 State Street, Suite 1400, Erie, PA 16501 *Attorney:* Elizabeth Brew Walbridge, Esq., 1001 State Street, Suite 1400, Erie, PA 16501

#### HALSTEAD, LINDA J., a/k/a LINDA HALSTEAD, deceased

Late of the Township of Girard, County of Erie, State of Pennsylvania *Executrix:* Lana A. Gartner, 239 East Lakeview Blvd., Erie, PA 16504 *Attorney:* Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

#### HEARD, DORIS M., a/k/a DORIS HEARD,

deceased

Late of the Township of Fairview, County of Erie, State of Pennsylvania *Executrix:* Gail M. Panella, 5510 Stone Run Drive, Fairview, PA 16415 *Attorney:* James R. Steadman, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

#### HEBERLE, LAWRENCE J.,

deceased Late of the City of Erie, County of Erie

*Executrix:* Mary Ellen Camp, 4516 Pin Oak Dr., Girard, PA 16417 *Attorney:* None

#### HIMROD, JOHN W.,

#### deceased

Late of the City of Erie *Executor:* Dennis J. Himrod, 209 Halley Avenue, Erie, PA 16511 *Attorney:* Michael A. Fetzner, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

#### KONNERTH, SHARRON JEANNE a/k/a SHARRON J. KONNERTH, a/k/a SHARRON KONNERTH,

#### deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania *Executrix:* Cheryl L. Konnerth, 2005 West 51st Street, Erie, Pennsylvania 16509 *Attorney:* Peter W. Bailey, Esquire, 336 East Sixth Street, Erie, Pennsylvania 16507

#### NIGHMAN, ARTHUR J., deceased

Late of North East Borough, Erie County, North East, Pennsylvania *Executor/Successor Trustee:* Craig S. Nighman, c/o Robert J. Jeffery, Esq., 33 East Main Street, North East, Pennsylvania 16428 *Attorneys:* Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

#### PONIKVAR, MARY ANN, a/k/a MARY A. PONIKVAR, a/k/a MARY PONIKVAR, deceased

Late of the Borough of Girard, County of Erie, State of Pennsylvania

*Executrix:* Betty Northcott, 8920 N. Mocha Place, Tucson, AZ 85743

Attorney: Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

### RANDOLPH, THOMAS,

#### deceased

Late of the City of Erie Administratrix: Geraldine Randolph, c/o Malcolm L. Pollard, 6331 Lake Shore Dr., Erie, PA 16505 Attorney: Malcolm L. Pollard, 6331 Lake Shore Dr., Erie, PA 16505

#### RISTOVSKI, ALEKSANDAR, a/k/a ALEXANDER RISTOVSKI, a/k/a ALEXANDER R. RISTOVSKI, deceased

Late of the Township of Millcreek, County of Erie, State of Pennsylvania *Executrix:* Violeta Brickner, 1037 Copper Drive, Erie, PA 16509

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

#### SWAIN, ROBERT E., a/k/a ROBERT SWAIN, a/k/a ROBERT EDWARD SWAIN, deceased

cceased Late of the Township of Summit, County of Erie, State of Pennsylvania *Executor:* William C. Fogleboch, 4171 Neptune Drive, Erie, PA 16506 *Attorney:* James R. Steadman,

Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

#### TWARGOWSKI, JOSEPH P.,

#### deceased

Late of Harborcreek Township, County of Erie and Commonwealth of Pennsylvania *Executor:* Michael J. Twargoski, c/o Eugene C. Sundberg Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507

Attorneys: Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507

#### ULECKI, DOLORES R., deceased

leceased Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania Administratrix: Karen E. Groucutt, c/o Yochim, Skiba & Nash, 345 West Sixth Street, Erie, PA 16507 Attorney: Gary H. Nash, Esq., Yochim, Skiba & Nash, 345 West Sixth Street, Erie, PA 16507

#### YLISAARI, KAREN S., a/k/a KAREN SUE YLISAARI, a/k/a KAREN YLISAARI,

deceased Late of the Township of Springfield, County of Erie, State of Pennsylvania *Co-Administrators:* Trevor Ylisaari, 153 Bridge Street, Conneaut, Ohio, 44030 and Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417 *Attorney:* Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

#### THIRD PUBLICATION

#### CAREY, MARGARET V., deceased

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

Pennsylvania Executor: Thomas P. Carey, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA

16508-4508 Attorney: Scott L. Wallen, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16508-4508

#### DONNER, JAMES LAWRENCE, a/k/a JAMES L. DONNER, a/k/a JAMES DONNER, deceased

Late of the Township of Millcreek, County of Erie, and Commonwealth of Pennsylvania *Executor:* John L. Donner, c/o Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501 *Attorney:* Robert E. McBride, Esquire, 32 West Eighth Street, Suite 600, Erie, Pennsylvania 16501

#### EADY, CONSTANCE L., a/k/a CONSTANCE LYNETTE EADY, deceased

Late of the City of Erie Administratrix: Wilhelmina McLaurin, 353 East 25th Street, Erie, Pennsylvania 16503 Attorney: None

#### GEHRLEIN, GREGORY R., deceased

Late of the City of Erie, County of Erie

*Executor:* Cory James Gehrlein, 944 Barbara Ann Lane, Ellisville, MO 63021

*Attorney:* Brian D. Arrowsmith, Esquire, Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507

#### HALL, ROBERT M., a/k/a ROBERT HALL, deceased

leceased

Late of the Township of Millcreek, Erie County, PA

*Executrix:* Susan Gleason, c/o 120 West Tenth Street, Erie, PA 16501

*Attorney:* Christine Hall McClure, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

### HICKS, MADELINE R., deceased

Late of the Township of Union, County of Erie, Commonwealth of Pennsylvania

*Executrix:* Amy Baney, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

Attorney: Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

#### KESSLER, MARTHA MARY, a/k/a MARTHA M. KESSLER, deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania *Executrix:* Judith A. Barthelmes, 126 Anderson Drive, Erie, PA 16509-3203

Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

### KEVERLINE, KATHRYN E.,

#### deceased

Late of Greene Township, Erie County, Pennsylvania *Executrix:* Ms. Susan K. Zafiropulos, c/o Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

Attorney: Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

### KUEBLER-EASTMAN, HELEN R., deceased

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

Executor: Scott B. Hurley

*Attorney:* Thomas J. Minarcik, Esquire, Elderkin Law Firm, 150 East 8th Street, Erie, PA 16501

#### MAGEE, MARIAN PISTORY, a/k/a MARIAN J. MAGEE, deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania *Executrix:* Patricia Magee Timko, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508 *Attorney:* Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

### OCHSENBEIN, DENNIS J., deceased

Late of the City of Erie, County of Erie

*Executor:* Debra Ochsenbein, 1327 Oakmont Avenue, Erie, PA 16505

*Attorney:* Kari A. Froess, Esquire, Carney & Good, 254 West Sixth Street, Erie, Pennsylvania 16507-1398

### SCHLOSSER, FREDERICK J., deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania *Executrix:* Carol D. Panitzke *Attorney:* James H. Richardson, Jr., Esquire, Elderkin Law Firm, 150 East 8th Street, Erie, PA 16501

## Erie County Bar Association

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**ECBA Members:** \$150/hour - M-F, 8:30 a.m. - 5:00 p.m. \$200/hour - M-F. all other times, weekends



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