

Erie County Legal Journal

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Village Pub, Inc. v. PA Liquor Control Board

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

TUESDAY, FEBRUARY 3, 2015

ECBA Special Membership Meeting
Judicial Candidates to Speak
Bayfront Convention Center
12:00 p.m.
\$22 / ECBA member

TUESDAY, FEBRUARY 10, 2015

ECBA Live Lunch-n-Learn Seminar
Business Law 101
Erie County Bar Association headquarters
2:15-1:45 p.m. (11:45 a.m. reg./lunch)
\$45 (ECBA member / non-attorney staff)
\$58 (non-member)
\$30 (member judge not needing CLE)
FREE to attorneys new to the practice of law (passing
Feb. or Jul. 2014 PA Bar exam)
1 hour substantive

THURSDAY, FEBRUARY 12, 2015

ECBA Live Lunch-n-Learn Seminar
Family Law 101
Erie County Bar Association headquarters
2:15-1:45 p.m. (11:45 a.m. reg./lunch)
\$45 (ECBA member / non-attorney staff)
\$58 (non-member)
\$30 (member judge not needing CLE)
FREE to attorneys new to the practice of law (passing
Feb. or Jul. 2014 PA Bar exam)
1 hour substantive

TUESDAY, FEBRUARY 24, 2015

ECBA Live Lunch-n-Learn Seminar
Annual Criminal Law Update
Bayfront Convention Center
12:15-1:45 p.m. (11:45 a.m. reg./lunch)
\$67 (ECBA member / non-attorney staff)
\$87 (non-member)
\$47 (member judge not needing CLE)
1.5 hours substantive

2015 ERIE COUNTY LEGAL JOURNAL PRICES

Articles of Amendment	\$95
Change of Name Notice	\$95
Certificate of Authority Notice/Withdrawal	\$95
Dissolution Notice	\$95
Estate Notice	\$110
Fictitious Name Notice	\$95
Incorporation Notice/Organization Notice (short form)	\$95
(long form)	\$105
Notice to the Profession	\$32/inch
Audit List	\$45/inch
All other legal ads	\$19/inch

2015 BOARD OF DIRECTORS

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In Memoriam



Honorable Warren W. Bentz

January 8, 1926 - December 31, 2014



Former Federal Bankruptcy Judge Warren Worthington Bentz passed away Wednesday, December 31, 2014, at the home of his daughter in Elmira, New York.

Bentz was born January 8, 1926 in Hastings, Nebraska. He was the second of four children of Marie E. Weinberg Bentz and Ivan Bentz.

Judge Bentz was preceded in death by his parents and by his brother, Marion Frances Bentz.

He received Naval Officer training in the World War II V-12 program, first attending the University of Virginia for a year, where he was part of the boxing team. Under this program, he was transferred to the University of Michigan in Ann Arbor. While there, Bentz played football under Coach Fritz Crisler and competed in track and field, including pole vaulting and hurdling. He graduated from the University of Michigan in 1945 with a B.S. in Civil Engineering.

In 1951, he married the former Maria Gerasimov and attended Harvard Law School in Cambridge, Mass. Upon his graduation, they moved to Erie, where he accepted a job with local attorney I. J. Cilin. Later, he practiced law with Atty. W. Louis Schlesinger.

In 1984, Bentz was appointed Federal Bankruptcy Judge in the United States District Court for the Western District of Pennsylvania, sitting in Erie and Pittsburgh. He served in this capacity for 25 years until he retired in 2009.

Judge Bentz gave his time to many local organizations. He was a longtime member of the Perry-Keystone Lodge #392, F. & A. M., Zem Zem Shrine, and Scottish Rite, Valley of Erie, and he was awarded the 33rd Degree, a Masonic distinction, its highest honor. He belonged to the Kiwanis Club and served a term as president. He was a member of the Erie County Bar Association, served as its president in 1978 and was honored in 2000 as Chancellor of the Bar. He belonged to the Erie Yacht Club, the Erie Maennerchor, the Society of Professional Engineers and the First United Methodist Church of Erie. For many years, he served on the Board of Directors of the Multiple Sclerosis Society and the YMCA. Judge Bentz loved a good handball game at the downtown Y and won numerous handball tournaments over the years.

He is survived by Maria Bentz, his wife of 63 years, his older brother, George V. Bentz of North Carolina and his younger sister, Margaret Johns of Maryland. Also surviving are his three children: Virginia Bentz, Ph.D., of Ann Arbor, Mich., Dr. Linda Welles and her husband, Dr. Richard Welles, of Elmira, N.Y., and Atty. James Bentz and his wife, Atty. Amy Bentz, of Pittsburgh, Pa. He is survived by eight grandchildren: Cynthia Chestek, Ph.D., and her husband, Christopher Granahan, of Ann Arbor, Mich., Dr. David Chestek and his wife, Joyce Chestek, of Chicago, Ill., Andrew Welles and his wife, Jaclyn Welles, of Horseheads, N.Y., Steven Welles and Thomas Welles of Elmira, N.Y., Victoria Bentz of New York, N.Y., and Eric Bentz and Natalia Bentz of Pittsburgh, Pa. Judge Bentz is survived by two great-grandchildren, Anaya Granahan and Akil Granahan of Ann Arbor, Mich., and many nieces and nephews.

Judge Bentz was a beloved husband, father, grandfather and great-grandfather. He will be sorely missed by his family.

RE: ERIE COUNTY BAR ASSOCIATION JUDICIAL PLEBISCITE

Please find below the Resolution regarding judicial elections that was passed by the membership. Note that any potential judicial candidate must submit a resume to the Executive Director of the Erie County Bar Association no later than February 2, 2015 and will be given the opportunity to address the membership at a February membership meeting to be held on February 3, 2015 at noon.

RESOLUTION

Be it resolved as follows:

I. In any year in which there is an election for initial terms as Common Pleas Judges, the Erie County Bar Association will conduct a plebiscite whereby candidates shall be rated by members of the Bar Association as:

HIGHLY RECOMMENDED; RECOMMENDED; NOT RECOMMENDED;
NO OPINION

II. The evaluation of prospective candidates should be directed primarily to professional qualifications, i.e., competence, integrity and temperament.

Professional competence encompasses such qualities as intellectual capacity; judgment; legal writing and analytical ability; industry; knowledge of the law; scholarship and academic talent; professional contributions; professional experience, including such areas as years in practice, trial experience, work with administrative agencies and arbitration boards, law school teaching and public service.

Temperament encompasses such qualities as compassion; decisiveness; open-mindedness; sensitivity; courtesy; patience; freedom from bias and commitment to justice.

Ratings' Definitions

Highly Recommended

The candidate possesses the highest reputation for competence, integrity and temperament, and would be capable of outstanding performance as judge.

Recommended

Based on competency, integrity, and temperament, the candidate would be able to perform satisfactorily as a judge.

Not Recommended

Based on competence, integrity, or temperament, or any combination thereof, at the present time, the candidate is inadequate to perform satisfactorily as a judge.

If a voting member does not know a candidate well enough to evaluate his or her competence, integrity or temperament, then he or she should indicate **NO OPINION**.

III. The procedure for the conduct of the plebiscite shall be as follows:

1. The Erie County Bar Association shall publish in each edition of the *Erie County Legal Journal* during the month of January, a notice inviting prospective judicial candidates to submit a resume of not more than two 8 1/2 x 11 typewritten pages. The resumes will be submitted to the Erie County Bar Association Executive Director no later than Monday, February 2, 2015.

2. Each potential candidate who has submitted a resume shall be given the opportunity to address the Erie County Bar at a membership meeting to be scheduled in February with each candidate being allocated an equal amount of time.
3. The resumes and appropriate ballots will be distributed to the active membership within three days of the February meeting and shall be returned by mail postmarked no later than fifteen days after the date of distribution.
4. A two-envelope system shall be used. Each voting member shall sign the outer envelope and shall leave the inner envelope unsigned. An accounting firm shall act as teller.
5. Each candidate who agrees not to release the plebiscite results until such time the Erie County Bar Association releases the plebiscite results shall be privately advised of their own results in the plebiscite by the President of the Erie County Bar Association before the end of February.
6. If more than 50% of the February plebiscite ballots have been returned, and if there are any candidates after the last day for filing petitions who did not participate, then a separate ballot as to those persons only shall be distributed to the active membership of the Bar accompanied by ballots to be returned within ten days and tabulated in the same manner as the February plebiscite.
7. The results of any plebiscite for which more than 50% of the ballots are returned shall be published through a press release to be issued as soon as possible after the receipt of the results of the second plebiscite. In the event that a second plebiscite is not necessary, the results of the February plebiscite will be published as soon as possible after the last date for filing petitions for judicial office. Publication of the results shall also be in the form of a paid advertisement to be run on the two Sundays immediately preceding the primary election.
8. There shall be no publication of the results of the February plebiscite as to any person who is not a candidate for judicial office at the time of the publication.
9. The press release and the paid advertisement shall contain raw data only without comment on individual candidates. Raw data shall be actual count and actual percentage of ballots returned. The press release and paid ad shall specify that the results are based on ballots received, not total active membership. However, the publication shall specifically identify those candidates who were found to be "Highly Recommended", "Recommended" or "Not Recommended" by more than 50% of the membership returning ballots. For the purpose of determining whether a candidate has been found to be "Recommended" by more than 50% of the membership returning ballots, votes received by candidates in the category "Highly Recommended", shall be added to the votes received by a candidate in the category "Recommended". The press release and the paid advertisement shall also set forth the definitions of the categories as set forth above.

Jan. 2, 9, 16, 23, 30

CHANCELLOR OF THE BAR NOMINATIONS

The Erie County Bar Association is accepting nominations for Chancellor of the Bar, properly endorsed by at least five members in good standing and confirming that the nominee has practiced at the Erie County Bar for more than 30 years. Chancellor of the Bar is an honorary position; the Chancellor serves on the Association's Nominating Committee.

The ECBA's Law Day Committee and Board of Directors will review the nominations and evaluate each nominee's contributions with respect to ethical practice, attitude toward the Courts and fellow lawyers, participation in civic affairs, community life and activities involving the Erie County Bar Association.

Nominations should be sent to the ECBA office and received/postmarked no later than January 31, 2015.

Jan. 16, 23, 30

NOTICE TO JUDICIAL CANDIDATES

Each Judicial Candidate is asked to complete a Candidate Questionnaire, available from the Erie County Bar Association Office or via this link: [Questionnaire](#). Candidates are requested to complete the Questionnaire on or before the February 3, 2015 ECBA Membership Meeting. Completed Questionnaires will be placed on the ECBA's website as one vehicle for providing additional education of the voting public and the ECBA membership regarding judicial candidates.

LINK: <https://www.eriebar.com/Questionnaire.docx>

Jan. 2, 9, 16, 23, 30

CLE Opportunity – Managing Conflict in Health Care

Karen Engro, Esq., ADR Coordinator for the US District Court for the Western District of PA, Creator of UPMC's Intermediation Program, and Consultant to UPMC, will be hosting a Mediation Training in the Mercy Heritage Room at Mercyhurst University, hosted by the Mercyhurst University Institute for Public Health on Friday, February 6, 2015 from 1-5 p.m. with a cocktail hour to follow. Attendees will earn 3 CLE credits (2 substantive and 1 ethics). The cost is \$100. The training will focus on developing conflict resolution skills in a complex health care setting. Please visit <http://www.mercyhurst.edu/managing-conflict-health-care> in order to register or call Eileen Zinchiak at (814)824-3671.

Jan. 2, 9, 16

ATTENTION ALL ATTORNEYS

Are you or an attorney you know dealing with personal issues related to drug or alcohol dependency, depression, anxiety, gambling, eating disorders, sexual addiction, other process addictions or other emotional and mental health issues?

— **YOU ARE FAR FROM BEING ALONE!** —

*You are invited and encouraged to join a small group of fellow attorneys who meet informally in Erie on a monthly basis. Please feel free to contact ECBA Executive Director Sandra Brydon Smith at 814/459-3111 for additional information. Your interest and involvement will be kept **strictly confidential**.*

VILLAGE PUB, INC. T/A JIMMY Z'S TIME OUT TAVERN, Appellant
v.
PENNSYLVANIA LIQUOR CONTROL BOARD, Appellee

ADMINISTRATIVE LAW / LIQUOR LICENSE RENEWAL / JUDICIAL REVIEW

Renewal of a licensee's liquor license is not an automatic procedure; the Pennsylvania Liquor Code grants the Pennsylvania Liquor Control Board the authority to refuse to renew a liquor license under specified circumstances.

ADMINISTRATIVE LAW / LIQUOR LICENSE RENEWAL / JUDICIAL REVIEW

When considering the manner in which a licensed premises was being operated, the Liquor Control Board may consider activity that occurred on or about the licensed premises or in areas under the licensee's control if the activity occurred when the premises was open for operation and if there was a relationship between the activity outside the premises and the manner in which the licensed premises was operated.

ADMINISTRATIVE LAW / LIQUOR LICENSE RENEWAL / JUDICIAL REVIEW

The Liquor Control Board may consider all past violations of the Liquor Code in a renewal action, no matter how they occurred.

ADMINISTRATIVE LAW / LIQUOR LICENSE RENEWAL / JUDICIAL REVIEW

Licensees are strictly liable for violations of the Liquor Code that occur on the licensed premises.

ADMINISTRATIVE LAW / LIQUOR LICENSE RENEWAL / JUDICIAL REVIEW

A licensee can be held accountable for activity occurring off-premises where there is a causal connection between the licensed premises and the activity.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
 MD 780-2013

Appearances: Frank Sluzis, Esquire, appearing on behalf of Appellant, James Zank,
 operator and sole shareholder of Village Pub, Inc., t/a Jimmy Z's Time
 Out Tavern
 Michael J. Plank, Esquire, appearing on behalf of Appellee, Pennsylvania
 Liquor Control Board, Bureau of Licensing

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Domitrovich, J., July 15th, 2014

After thorough consideration of the entire record regarding Petitioner's request that this Court reverse the Pennsylvania Liquor Control Board's decision not to renew Appellant's liquor license, including, but not limited to, the testimony and evidence presented during the hearings held September 10, 2013 and June 10, 2014, as well as an independent review of the relevant statutory and case law and all counsels' submissions, including their proposed findings of fact and conclusions of law, this Trial Court hereby makes the following Findings of Fact and Conclusions of Law in support of affirming the Pennsylvania Liquor Control Board's decision not to renew Appellant's liquor license:

FINDINGS OF FACT**I. Factual and Procedural History**

1. James Zank is the operator and sole shareholder of Village Pub, Inc., t/a/ Jimmy Z's Time Out Tavern (hereafter referred to as "Appellant"), located at 3406 Buffalo Road, Wesleyville Borough, Erie, Pennsylvania 16510. Mr. Zank has been the operator and sole shareholder since 1989.
2. The Pennsylvania Liquor Control Board (hereafter referred to as "Board") is an agency and instrumentality of the Commonwealth of Pennsylvania, located at 401 Northwest Office Building, Harrisburg, Pennsylvania 17124.
3. Appellant was required to file his license renewal application on or before June 1, 2013, at least sixty (60) days before the expiration of said license. *See 47 Pa. C. S. 4-470(a)*.
4. On July 1, 2013, Appellant filed its application with the Board for renewal of Liquor License No. R-18662 with all of the supporting documents and appropriate filing fees; therefore, his renewal application was deemed untimely.
5. Appellant previously entered into a Conditional Licensing Agreement (hereafter referred to as "CLA") on December 1, 2010 for the license period effective August 1, 2009 through July 31, 2011, which placed the following conditions on Appellant:
 - a. Appellant must become compliant with Responsible Alcohol Management provisions of Liquor Code within ninety (90) days, which includes new employee orientation, training for alcohol service personnel, manager/owner training, displaying of responsible alcohol service signage, and a certification compliance inspection by a representative of the Board's Bureau of Alcohol Education;
 - b. Appellant must use eight (8) security cameras whenever the licensed premises is operating and retain the recordings of said security cameras for no less than 30 days;
 - c. Appellant must employ at least one security guard, who must be present at the licensed premises on Friday and Saturday nights from 9:00 p.m. until closing and must be clothed in such a way as to make their status as security personnel readily apparent,
 - d. Appellant must monitor the exterior of the premises by routinely patrolling the entire exterior of the premises and said patrols must be recorded and retained;
 - e. Appellant must initiate and maintain regular monthly meetings with a representative of the Wesleyville Police Department for soliciting and implementing recommendations on how to orderly operate the establishment, unless the Wesleyville Police Department indicates said meetings are no longer necessary; Appellant must maintain records of said meetings; and
 - f. Appellant must use a transaction scan device to scan the identification cards of all patrons purchasing alcoholic beverages. *See Respondent's Exhibit E, sub-Exhibit B-3, paragraph 6.*

6. On November 9, 2011, the Board renewed the CLA for the license period effective August 1, 2011 through July 31, 2013. *See Respondent's Exhibit E, sub-Exhibit B-4.*
7. The Board sent a letter, dated July 16, 2013, to Appellant stating its objection to the renewal of Appellant's liquor license, pursuant to 47 Pa. C. S. § 4-470, alleging Appellant had "abused his licensing privilege and would no longer be allowed to hold a liquor license based upon violations of the Liquor Code relative to Citation Numbers: 12-1302, 11-1528, 11-0918, 09-1744, 03-0514, 03-0134, 01-0183, 98-0535, 96-1033, and 93-0186, and three reported incidents of disturbance;" and Appellant "breached the Conditional Licensing Agreement by not becoming compliant with the Responsible Alcohol Management Agreement ("RAMP"), did not routinely scan identification cards for all patrons, did not routinely monitor and/or patrol the exterior of the premises, did not hold monthly meetings with Wesleyville Police Department, and did not have the eight required surveillance cameras to monitor activities on the premises." (*See Respondent's Exhibit E, sub-Exhibit B-2*).
8. The following are the adjudicated citations for which Appellant filed a Statement of Waiver, Admission, and Authorization, admitted facts via stipulation, or a hearing was conducted and the charges were sustained:
 - a. Citation 12-1302, which was issued on August 29, 2012, contained three counts – one count of failure to break empty liquor bottles within twenty-four (24) hours; one count of failure to constantly and conspicuously expose restaurant liquor license; and one count of failure to adhere to the Conditional Licensing Agreement, sections 6(b), 6(e), and 6(f). Appellant executed a Statement of Waiver, Admission, and Authorization admitting to these charges. The Administrative Law Judge found that a Board officer on July 11, 2012 purchased alcohol from Appellant's bartender without being asked for identification. A second Board officer entered the establishment and observed nineteen (19) empty liquor bottles stacked behind the bar. The bartender stated the bottles had been there for seven (7) to ten (10) days. The officer also observed the liquor license was not visible as it was hidden behind a jersey for sale and an advertisement and, therefore, the liquor license not conspicuously exposed. The officer also observed only seven (7) security cameras. The officer met with the Wesleyville Chief of Police, who stated that Appellant had not made any effort to contact the Chief during December of 2011 or January, March, April, or May of 2012. Appellant was fined \$900.00. (*See Respondent's Exhibit E, sub-Exhibit B-5*).
 - b. Citation 11-1528, which was issued on September 9, 2011, contained one count of failure to adhere to the Conditional Licensing Agreement, sections 6(a) – (f). Based on Appellant's admissions in a "Stipulation of Fact" submitted by the parties, the Administrative Law Judge found that a Board officer on July 5, 2011 purchased alcohol without being asked for identification. The officer did not observe an identification scanning device anywhere and observed other patrons purchasing alcohol without being asked for identification. The

Administrative Law Judge also found that a Board officer on July 15, 2011 conducted surveillance outside the establishment and did not observe any individual clothed and readily apparent as a security person walk around the premises. The Administrative Law Judge also found that a Board officer on July 28, 2011 met with Mr. Zank and found insufficient new employee training, no proof of manager/owner training, and R.A.M.P. certification was not completed. The officer also observed only four (4) surveillance cameras. Mr. Zank stated he did not know why outside surveillance was not conducted. Mr. Zank did not have Minutes from his meetings with the Wesleyville Police. The officer spoke with the Wesleyville Chief of Police, who stated Mr. Zank had met with the Chief, but no other meetings were held since the CLA went into effect. Appellant was fined \$750.00. (*See id.*).

- c. Citation 11-0918, which was issued on May 27, 2011, contained two counts – one count of failure to maintain complete and truthful records covering the operation of the business for a period of two years and one count of failure to adhere to the Conditional Licensing Agreement, sections 6(a), (b), (c), and (f). Based on Appellant’s admissions in a “Stipulation of Fact” submitted by the parties, the Administrative Law Judge found that Appellant on March 1, 2011 had not obtained R.A.M.P. certification. The Administrative Law Judge also found that Liquor Enforcement Officer Keys and a trainee on March 26, 2011 purchased alcohol without being asked for identification, nor were other patrons asked for identification before purchasing alcohol. Officer Keys did not observe an identification scanner on the premises. Officer Keys observed no one working as a security guard. Officer Keys, while interviewing Mr. Zank, was unable to see the feed for eight (8) security cameras, and video retention was set to ten (10) days. Officer Keys did not observe documentation for Appellant’s R.A.M.P. certification. Mr. Zank did not attend owner/manager training and he did not conduct new employee orientation. The Administrative Law Judge also found that Officer Keys on March 30, 2011 met with the Wesleyville Chief of Police, who stated Mr. Zank had not contacted the Chief. The Administrative Law Judge also found that Appellant on April 4, 2011 had not received R.A.M.P. certification. Appellant was fined \$750.00. (*See id.*).
- d. Citation 09-1744, which was issued on July 24, 2009, contained one count of failure to require patrons to vacate that part of the premises habitually used for the service of alcoholic beverages not later than one-half hour after closing. Appellant executed a Statement of Waiver, Admission, and Authorization admitting to the charge. The Administrative Law Judge found that a Board officer on April 19, 2009, at 1:45 a.m., entered the establishment and observed two (2) bartenders serving twenty (20) patrons. The officer left the premises at 2:37 a.m., with nine (9) patrons present, and conducted surveillance across the street. At 2:47 a.m., the officer observed two (2) patrons leave. At 2:49 a.m., the officer observed one (1) patron leave. At 2:56 a.m., the officer observed three (3) patrons leave. Appellant was fined \$350.00. (*See id.*).

- e. Citation 03-0514, which was issued on March 31, 2003, contained one count of failure to require patrons to vacate that part of the premises habitually used for the service of alcoholic beverages not later than one-half hour after closing. Appellant executed a Statement of Waiver, Admission, and Authorization admitting to the charge. The Administrative Law Judge found that a Liquor Enforcement Officer on January 1, 2003, at 3:08 a.m., observed a male enter Appellant's establishment. At 3:10 a.m., the officer observed two (2) females and a male exit the premises, at which point the officer questioned them and found they were not employed at Appellant's establishment. Appellant was fined \$300.00. (*See id.*).
- f. Citation 03-0134, which was issued on February 7, 2003, contained one count that Appellant sold, furnished and/or gave or permitted such sale, furnishing or giving of alcoholic beverages to a minor. Appellant executed a Statement of Waiver, Admission, and Authorization admitting to the charge. The Administrative Law Judge found that a male on December 31, 2002, at 11:00 p.m., entered Appellant's establishment and purchased a six-pack of beer without question about his age. The male placed the alcohol in his car, where two other males were waiting. The male returned to Appellant's establishment and purchased another six-pack of beer without question about his age. The male was stopped by a police officer with the alcohol in his car. It was determined that all three males in the vehicle were twenty (20) years of age. The driver admitted purchasing the alcohol at Appellant's establishment. Appellant was fined \$1,250.00. (*See id.*)
- g. Citation 01-0183, which was issued on February 2, 2001, contained two counts – one count of failure to require patrons to vacate that part of the premises habitually used for the service of alcoholic beverages not later than one-half hour after closing and one count that Appellant permitted patrons to possess and/or remove alcoholic beverages from that part of the premises habitually used for the service of alcoholic beverages after 2:30 a.m. Appellant executed a Statement of Waiver, Admission, and Authorization admitting to the charges. The Administrative Law Judge found that two Liquor Enforcement Officers on January 13, 2001, at 3:34 a.m., approached Appellant's premises and observed two (2) individuals seated at the bar in the premises. Upon entering, the officers observed four (4) individuals, two (2) of which were in possession of alcohol. The officers departed Appellant's establishment at 3:48 a.m. Appellant was fined \$350.00. (*See id.*).
- h. Citation 98-0535, which was issued on April 14, 1998, contained one count that Appellant sold, furnished and/or gave or permitted such sale, furnishing or giving of alcoholic beverages to a minor. After hearing the testimony presented and upon review of the evidence submitted, the Administrative Law Judge found that three Board officers on February 13, 1998 entered Appellant's establishment in an undercover capacity and observed service of alcoholic beverages to approximately thirty (30) patrons. After conducting an open inspection of Appellant's premises, the officers identified two females

less than twenty-one (21) years of age. Appellant was fined \$1,100.00. (*See id.*).

- i. Citation 96-1033, which was issued June 3, 1996, contained one count that Appellant sold malt or brewed beverages in excess of 192 fluid ounces in a single sale to one person for consumption off-premises. Appellant executed a Statement of Waiver, Admission, and Authorization admitting to the charge. The Administrative Law Judge found that a Board officer on March 31, 1996, at 1:00 a.m., entered Appellant's establishment in an undercover capacity and observed an unidentified male tending bar. A female entered shortly after and stated she wanted to buy as much alcohol as she could for twenty-three dollars (\$23.00). The bartender indicated to the female that she could buy two (2) cases of Milwaukee's Best for twenty-five dollars (\$25.00). The female provided twenty-five dollars (\$25.00) to the bartender, and the bartender returned with four (4) twelve-packs of beer. Appellant was fined \$75.00. (*See id.*).
 - j. Citation 93-0186, which was issued on February 24, 1993, contained one count that Appellant sold, furnished and/or gave or permitted such sale, furnishing or giving of alcoholic beverages to a minor. After hearing the testimony presented and upon review of the evidence submitted, the Administrative Law Judge found that a male on January 20, 1993, at approximately 11:30 p.m., entered Appellant's establishment and took a seat at a table. Between 11:30 p.m. that evening and 1:00 a.m. the following morning, the male consumed two (2) glasses of beer. At 1:00 a.m., several Board officers entered Appellant's establishment and conducted an open inspection. The officers observed the male among thirty-five (35) patrons and determined that the male was twenty (20) years of age. A one-day suspension of Appellant's liquor license was imposed. (*See id.*).
9. Thereafter, pursuant to 47 Pa. C. S. § 4-464, the Bureau scheduled a hearing to address Appellant's liquor license renewal application. Appellant received notice of that hearing by the Bureau's letter dated August 23, 2013. (*See Respondent's Exhibit E, sub-Exhibit B-6*).
 10. The scheduled license renewal hearing occurred at the Homewood Suites by Hilton, 2084 Interchange Road, Erie, Pennsylvania 16501, on September 10, 2013 before hearing examiner, John A. Mulroy, at which James Zank, as operator and sole shareholder of Appellant, appeared and was represented by counsel, Eric J. Mikovch, Esq. and Scott L. Wallen, Esq. The Board was represented by its counsel, Michael J. Plank, Esq. (*See Respondent's Exhibit E*).
 11. On November 20, 2013, the Board denied Appellant's application for renewal of its liquor license. (*See Respondent's Exhibit C*).
 12. Appellant filed an appeal to the Board's denial of its application of renewal on November 22, 2013.
 13. Board filed an Opinion in support of its Order on January 10, 2014. (*See Respondent's Exhibit A*).
 14. A full de novo trial was held on June 10, 2014 in Courtroom G, Room 222, Erie

County Courthouse, Erie, Pennsylvania, before the undersigned judge, at which witnesses were presented, stipulations and exhibits were entered, and arguments were heard. James Zank, owner and sole shareholder of Appellant, appeared and was represented by counsel, Frank Sluzis, Esq. The Board was represented by its counsel, Michael J. Plank, Esq.

II. Testimony from the Administrative Hearing, September 10, 2013

A. Patrolman Shawn Garner, Wesleyville Borough Police Department

i. July 28, 2011 Incident

15. **It should be noted that this incident occurred before the dates specified in the July 16, 2013 objection letter and, because Appellant was not given ten (10) days' notice pursuant to 47 Pa. C. S. § 4-470, this Court will not consider this particular incident.**

ii. November 10, 2012 Incident

16. On November 10, 2012, around 1:30 a.m., Patrolman Garner observed a male seated on the sidewalk directly in front of Appellant's establishment, with his knees towards his head and his head almost between his legs. (*Id.*, page 37, lines 21-25 – page 38, lines 1-11).
17. Five minutes later, Patrolman Garner observed the male in the same position and was concerned about possible health issues or public intoxication. (*Id.*, page 38, lines 12-15).
18. Appellant's establishment was open for business at the time of the incident. (*Id.*, page 38, lines 19-22).
19. Patrolman Garner recognized the male, identified as David Baugh, from prior incidents. (*Id.*, page 39, lines 2-5).
20. Mr. Baugh was severely intoxicated, had slurred speech, smelled heavily of alcohol, and had problems maintaining his balance. (*Id.*, page 39, lines 8-11).
21. Patrolman Garner administered a portable breath test, but Mr. Baugh was not able to provide a sufficient breath sample after three attempts. (*Id.*, page 39, lines 22-25 – page 40, lines 1-9).
22. Mr. Baugh was charged with public drunkenness. (*Id.*, page 40, lines 18-22).
23. Patrolman Garner asked Mr. Baugh whether he had been inside Appellant's establishment, to which Mr. Baugh responded he had been inside Appellant's establishment and had recently consumed his last beverage. (*Id.*, page 41, lines 2-3).
24. On cross examination, it was established Patrolman Garner did not walk into Appellant's establishment to ask why Appellant would serve an intoxicated person or to determine whether or not Mr. Baugh actually consumed his last drink inside Appellant's establishment. (*Id.*, page 45, line 1-9).
25. Patrolman Garner stated he was not called to the incident at Appellant's establishment, but only responded after personal observation. (*Id.*, page 45, lines 10-18).

iii. December 23, 2012 Incident

26. On December 23, 2012, around 11:00 p.m., Patrolman Garner heard a loud noise outside the Wesleyville Police Department. (*Id.*, page 48, lines 1-10).

27. Patrolman Garner opened the side door of the police station and observed a male and a female arguing. (*Id.*, page 49, lines 6-13).
28. Patrolman Garner approached the male, who was leaving from the front of Appellant's establishment. (*Id.*, page 49, lines 23-24).
29. The male, walking eastbound upon the sidewalk, punched two street signs. (*Id.*, page 50, lines 2-4).
30. The male, identified as Anthony Bell, smelled heavily of alcoholic beverages. (*Id.*, page 50, line 13).
31. Patrolman Garner did not charge Mr. Bell, who was very cooperative and apologetic. (*Id.*, page 50, lines 14-18).
32. Both Mr. Bell and the female had been inside Appellant's establishment prior to the incident. (*Id.*, page 50, lines 20-23).
33. On cross examination, Patrolman Garner stated he was not called to the incident at Appellant's establishment but only responded after personal observation. (*Id.*, page 52, lines 15-20).
34. Patrolman Garner did not walk into Appellant's establishment to question the female as to the argument between herself and Mr. Bell. (*Id.*, page 54, lines 16-22).

B. James Zank, owner and proprietor, Village Pub, Inc., t/a Jimmy Z's Time Out Tavern

35. James Zank has been the owner and sole shareholder of Village Pub, Inc., t/a Jimmy Z's Time Out Tavern for twenty-four (24) years. (*Id.*, page 61, lines 1-6).
36. Paragraph Two of the July 16, 2013 letter states Appellant did not become compliant with the Responsible Alcohol Management Agreement, a program that requires RAMP certification for employees, visible signs for intoxicated persons, carding minors, etc. (*Id.*, page 62, lines 13-25).
37. Paragraph Two of the July 16, 2013 letter states Appellant was not scanning identification cards of all patrons. (*Id.*, page 64, lines 2-4).
38. Paragraph Two of the July 16, 2013 letter states Appellant was not monitoring the exterior of the premises by routine patrol at least once every hour. (*Id.*, page 65, lines 7-10).
39. Paragraph Two of the July 16, 2013 letter states Appellant was not holding regular monthly meetings with the Wesleyville Police Department. (*Id.*, page 66, lines 18-20).
40. Mr. Zank stated Appellant, Village Pub, Inc., t/a Jimmy Z's Time Out Tavern, has received a total of ten (10) citations between 1993 and 2012. (*Id.*, page 82, lines 16-22).

III. Testimony from De Novo Trial, June 10, 2014

41. Edward Rickrode, a self-employed barber and current mayor of Wesleyville Borough, testified on behalf of Appellant. Mayor Rickrode stated he is familiar with Appellant's establishment and, from August 1, 2011 to September 2013, frequented the establishment at least once per week. During this time, he did not observe any disturbances inside or outside the establishment. Also, he stated his identification card was scanned every time he entered the establishment. Finally,

he stated he has known Mr. Zank for twenty (20) years or more and Mr. Zank is a patron in Mr. Rickrode's barbershop.

42. Paul Causgrove, a manager at the Barber National Institute, testified on behalf of Appellant. Mr. Causgrove stated he is familiar with Appellant's establishment and, from August 1, 2011 to September 2013, frequented the establishment at least once a month, during dinner or after basketball games. During this time, he did not observe any incidents of disturbances. Also, he stated his identification card was scanned every time he entered the establishment. Finally, he stated he has known Mr. Zank for twenty (20) years or more.
43. Kathy Benim, an x-ray technician, testified on behalf of Appellant. Mrs. Benim stated she is familiar with Appellant's establishment and, from August 1, 2011 to September 2013, frequented the establishment on Thursdays and weekends. During this time, she did not observe any incidents of disturbance. Also, she stated her identification card was scanned every time she entered the establishment. Finally, she stated she has known Mr. Zank for seventeen (17) years.
44. Terry Blakeney, a math professor at the Pennsylvania State University at Behrend, testified on behalf of Appellant. Mr. Blakney stated he is familiar with Appellant's establishment and, from August 1, 2011 to September 2013, frequented the establishment at least twice per week. During this time, he did not observe any incidents of disturbance. Also, he stated his identification card was scanned every time he entered the establishment. Finally, he stated he has known Mr. Zank for twenty-two (22) years.
45. Bonnie Fitzpatrick, a supervisor for the treasury department of Erie Insurance, testified on behalf of Appellant. Mrs. Fitzpatrick stated she is familiar with Appellant's establishment and, from August 1, 2011 to September 2013, frequented this establishment on weekends and during sporting events. During this time, she did not observe any incidents of disturbance. Also, she stated her identification card was scanned every time she entered the establishment. Finally, she stated she has known Mr. Zank for around twenty (20) years and had worked for him previously during that time.
46. Tami Kress, a manager at the Vargo Company, testified on behalf of Appellant. Mrs. Kress stated she is familiar with Appellant's establishment and, from August 1, 2011 to September 2013, frequented the establishment at least once per week. During that time, she did not observe any incidents of disturbance. Also, she stated her identification card was scanned every time she entered the establishment. Finally, she stated she attended birthday celebrations at the establishment and had no problem bringing her family to Appellant's establishment.
47. James Mantyla, President and Chief Executive Officer of Glenwood Alcohol Distributors, testified on behalf of Appellant. Mr. Mantyla stated he is familiar with Appellant's establishment and, from August 1, 2011 to September 2013, sold beverages to Appellant and frequented the establishment at least once per week. During that time, he did not observe any incidents of disturbance. Also, he stated his identification card was scanned every time he entered the establishment.
48. John Muroski, a manufacturing engineer with Ameridrives Coupling, testified

on behalf of Appellant. Mr. Muroski stated he is familiar with Appellant's establishment and, from August 1, 2011 to September 2013, frequented the establishment every day. During that time, he did not observe any incidents of disturbance. Also, he stated his identification card was scanned every time he entered the establishment.

49. John Muroski and James Zank entered into an Asset Purchase Agreement for the sale of Appellant's establishment for the sum of six hundred thousand dollars (\$600,000.00) on September 9, 2013. (See Asset Purchase Agreement, Petitioner's Exhibit 1). Mr. Muroski has knowledge of Appellant's citation history and the Conditional Licensing Agreement in effect at the time. Mr. Muroski is of the opinion that the liquor license held by Appellant would be transferable with the citations attached, is in favor of the liquor license being renewed, and testified that without the liquor license, "the deal would not go forward." The sale and transfer of Appellant's liquor license is included in the Asset Purchase Agreement. *See Petitioner's Exhibit 1, paragraph 1.*

CONCLUSIONS OF LAW

Title 47 of the Pennsylvania Consolidated Statutes, also known as the Pennsylvania Liquor Code, governs the manufacturing, sale, and transportation of liquor, alcohol, and malt or brewed beverages in the Commonwealth of Pennsylvania. *See 47 Pa. C. S. § 1-104(c)*. Specifically, Article IV of the Pennsylvania Liquor Code governs licenses and regulations pertaining to liquor, alcohol, and malt and brewed beverages.

Renewal of a licensee's liquor license is not an automatic procedure. *See U.S.A. Deli, Inc. v. Pennsylvania Liquor Control Bd.*, 909 A.2d 24 (Pa. Commw. Ct. 2006). Section 4-470(a.1) grants the Pennsylvania Liquor Control Board the authority to refuse to renew a liquor license under these circumstances:

- 1) If the licensee, its shareholders, directors, officers, association members, servants, agents or employees have violated any of the laws of this Commonwealth or any of the regulations of the board;
- 2) If the licensee, its shareholders, directors, officers, association members, servants, agents or employees have **one or more adjudicated citations** under this or any other license issued by the board or were involved in a license whose renewal was objected to by the Bureau of Licensing under this section;
- 3) If the licensed premises no longer meets the requirements of this act or the board's regulations; or
- 4) Due to the manner in which this or another licensed premises was operated while the licensee, its shareholders, directors, officers, association members, servants, agents or employees were involved with that license. When considering the manner in which this or another licensed premises was being operated, **the board may consider activity that occurred on or about the licensed premises or in areas under the licensee's control if the activity occurred when the premises was open for operation and if there was a relationship between the activity outside the premises and the manner in which the licensed premises was operated.** The board may take into consideration whether any substantial steps were taken to address the activity occurring on or about the premises.

47 Pa. C. S. § 4-470(a.1) [emphasis added]. The Commonwealth Court has upheld the Board's exercise of discretion under Section 4-470 and has stated that even one (1) past citation or violation may be sufficient to support a decision refusing a renewal application. *Hyland Enterprises, Inc. v. Pennsylvania Liquor Control Bd.*, 158 Pa. Commw. 283, 631 A.2d 789 (Pa. Commw. Ct. 1983). The Commonwealth Court has held that the Board may consider all past violations of the Liquor Code in a renewal action, no matter how they occurred. *Pennsylvania Liquor Control Bd. v. Bartosh*, 730 A.2d 1029 (Pa. Commw. Ct. 1999).

In the instant case, this Trial Court finds and concludes that the Board properly refused to renew Appellant's liquor license, in view of the following four distinct bases:

1. Breach of the Conditional Licensing Agreement ("CLA") by Appellant as a Basis for Nonrenewal

As indicated above, Appellant entered into a Conditional Licensing Agreement ("CLA") on December 1, 2010, during a previous renewal period. The provisions of the CLA required Appellant to: (1) become compliant with the Responsible Alcohol Management provisions of the Liquor Code; (2) have eight security cameras installed and keep recordings for 30 days; (3) employ one security guard on Friday and Saturday nights from 9:00 p.m. until closing; (4) monitor the exteriors by hourly patrols and keep records of said patrols; (5) initiate monthly meetings with Wesleyville Police Department; and (6) use a transaction scan device to scan patron's identification cards. *See Respondent's Exhibit E, sub-Exhibit B-3, paragraph 6*. Paragraph 7 of the CLA states that "[Appellant] understands that failure to adhere to this Agreement may result in citation(s) by the Bureau, and/or non-renewal of this license by the Board." *Respondent's Exhibit E, sub-Exhibit B-3, paragraph 7*. Furthermore, Paragraph 8 of the CLA states that "[Appellant] further understands that these terms will remain in effect both on the license and on the premises unless and until a subsequent agreement is reached with the Board rescinding these restrictions." *Respondent's Exhibit E, sub-Exhibit B-3, paragraph 8*. The Board renewed the CLA on November 9, 2011 for the license period effective August 1, 2011. *Respondent's Exhibit E, sub-Exhibit B-4*. As there were no subsequent agreements between Appellant and the Board to rescind the CLA, the provisions remained in effect.

Appellant has received three (3) separate citations on separate occasions for various violations of the CLA. The first citation for breach of the CLA provisions was Citation 11-0918. According to this citation, Appellant did not obtain R.A.M.P. certification; patrons' identification cards were not scanned prior to purchasing alcoholic beverages and no identification scanner was located on the premises; Appellant did not have a security guard working on the premises; Appellant did not have eight (8) functioning security cameras and the video retention was set to 10 days; and Appellant did not conduct hourly patrols of the premises. *See Respondent's Exhibit E, sub-Exhibit B-5*. These violations began as early as March 1, 2011, ninety (90) days after CLA was entered into. *See id.*

The second citation for breach of the CLA provisions was Citation 11-1528. According to this citation, patrons' identification cards were not scanned prior to purchasing alcoholic beverages and no identification scanner was located on the premises; Appellant did not have

a security guard working on the premises; Appellant did not obtain R.A.M.P. certification; Appellant did not have eight (8) functioning security cameras; Appellant did not conduct hourly patrols of the premises; and Appellant did not maintain minutes from meetings with Wesleyville Police Department. *See id.*

The third citation for breach of the CLA provisions was Citation 12-1302. According to this citation, patrons' identification cards were not scanned prior to purchasing alcoholic beverages; Appellant did not have eight (8) functioning security cameras; and Appellant did not hold regular monthly meetings with the Wesleyville Police Department during December of 2011 or January, March, April, and May of 2012. *See id.*

Appellant argues the date and time of the observations made in conjunction with the citations are "a mere snapshot in time and are not indicative of a genuine pattern of non-compliance." *Appellant's Memorandum of Law, page 2.* Appellant further argues "no evidence exists to establish that [Appellant] committed a willful and deliberate breach of the CLA." *Id.* However, as stated in paragraph 7 of the CLA entered into between Appellant and the Board, failure to adhere to the Agreement may result in citations and/or non-renewal of Appellant's license. *See Respondent's Exhibit E, sub-Exhibit B-3, paragraph 7.* Furthermore, Section 4-470 states:

The board may enter into an agreement with the applicant concerning additional restrictions on the license in question. If the board and the applicant enter into such an agreement, such agreement shall be binding on the applicant. **Failure by the applicant to adhere to the agreement will be sufficient cause to form the basis for a citation under section 471 and for the nonrenewal of the license under this section.**

47 Pa. C. S. § 4-470 [emphasis added].

Considering the terms of the CLA in the instant case and the language of Section 4-470, and in view of that case law that a general pattern of non-compliance is clearly not required for non-renewal based on violations of a CLA, the only evidence required for non-renewal by the Board would be that there is a failure to adhere to the provisions of a CLA. In the instant case, this Trial Court finds that the three (3) adjudicated citations in the instant case clearly demonstrate Appellant's failure to comply with the provisions of the CLA. Therefore, this Trial Court concludes Appellant's breach of the CLA on three separate occasions provides a sufficient basis for non-renewal of Appellant's liquor license.

2. Appellant's Citation History as a Basis for Nonrenewal

Licensees are held strictly liable for violations of the Liquor Code that occur on the licensed premises. *Pennsylvania Liquor Control Bd. v. TLK*, 518 Pa. 500, 544 A.2d 931 (1988). As stated above, the Commonwealth Court has held that a single citation or violation of the Liquor Code may be sufficient to support a decision refusing a renewal application. *Hyland*, 158 Pa. Cmwlth. 283, 631 A.2d 789 (Pa. Commw. Ct. 1983). In deciding whether or not to renew a liquor license, the Board may consider the licensee's entire citation history to see if a pattern of activity has emerged which merits the non-renewal of the liquor license. *St. Nicholas Greek Catholic Russian Aid Society v. Pennsylvania Liquor*

Control Bd., 41 A.3d 953 (Pa. Commw. Ct. 2012).

In addition to the adjudicated citations for violations of the CLA, Appellant, in the instant case, has received nine¹ (9) adjudicated citations during its twenty-four (24) years in operation in Wesleyville, Pennsylvania as follows:

- 1) Citation 12-1302², issued August 29, 2012, one count failure to break empty liquor bottles and one count failure to constantly and conspicuously expose restaurant liquor license under transparent glass;
- 2) Citation 11-0918³, issued May 27, 2011, one count failure to maintain complete and truthful records covering operation of licensed premises for two (2) years;
- 3) Citation 09-1744, issued July 24, 2009, one count failure to require patrons to vacate premises no later than one-half hour after closing;
- 4) Citation 03-0514, issued March 31, 2003, one count failure to require patrons to vacate premises no later than one-half hour after closing;
- 5) Citation 03-0134, issued February 7, 2003, one count sold/furnished alcoholic beverage to a minor;
- 6) Citation 01-0183, issued February 2, 2001, one count failure to require patrons to vacate premises no later than one-half hour after closing and one count allowing patrons to possess and/or remove alcoholic beverages after closing;
- 7) Citation 98-0535, issued April 14, 1998, one count sold/furnished alcoholic beverage to a minor;
- 8) Citation 96-1033, issued June 3, 1996, one count sold malt or brewed beverage in excess of one hundred ninety-two (192) fluid ounces in a single sale; and
- 9) Citation 93-0186, issued February 24, 1993, one count sold/furnished alcoholic beverage to a minor.

See Respondent's Exhibit E, sub-Exhibit B-5. These adjudicated citations, in the instant case, contain eleven (11) different violations, including, but not limited to, three (3) instances of sale of alcoholic beverage to a minor; three (3) instances of not requiring patrons to vacate premises after closing; and, as stated above, three (3) instances of not adhering to the provisions of the CLA. In addition to the numerous other violations, these adjudicated citations in the instant case demonstrate a pattern of non-compliance with the laws as set forth under the Pennsylvania Liquor Code. *See St. Nicholas*, 41 A.3d at 959. Furthermore, the Board was authorized, pursuant to Section 4-470(a.1), to refuse a renewal application since the licensee had "one or more adjudicated citations under this or any other license issued by the Board." *See 47 Pa. C. S. § 4-470(a.1)(2).* Therefore, this Trial Court concludes the Appellant's citation history provides a sufficient basis for non-renewal of Appellant's liquor license.

¹ Citation 11-1528, issued on September 9, 2011, only contained one count of failure to adhere to the conditions of the CLA, and was discussed above.

² Citation 12-1302 also contained one count of failure to adhere to the conditions of the CLA and was discussed above.

³ Citation 11-0918 also contained one count of failure to adhere to the conditions of the CLA and was discussed above.

3. Illegal Activity At or Near Appellant's Premises as a Basis for Nonrenewal

A licensee can be held accountable for activity occurring off-premises where there is a causal connection between the licensed premises and the activity. *Commonwealth v. Graver*, 461 Pa. 131, 334 A.2d 667 (1975). A licensee may be held accountable for non-Liquor Code violations (like those under the Crimes Code), if it can be established that there was a pattern of illegal activity on the licensed premises about which the licensee knew or should have known, and the licensee failed to take substantial steps to prevent such activity. *Philly International Bar, Inc. v. Pennsylvania Liquor Control Bd.*, 973 A.2d 1, 5 (Pa. Commw. Ct. 2008). The Commonwealth Court has held there is no magic number, type of incident, or span of time that constitutes a pattern of conduct to require the Board to refuse or renew a liquor license. *Paey Associates, Inc. v. Pennsylvania Liquor Control Bd.*, 78 A.3d 1187, 1199 (Pa. Commw. Ct. 2013).

In the instant case, two incidents of disturbance occurred on or about Appellant's premises, as indicated in the Trial Court's Findings of Fact above. The first incident occurred on November 10, 2012, around 1:30 a.m. At this time, Patrolman Garner observed a male seated on the sidewalk directly in front of Appellant's establishment. *See Findings of Fact, nos. 16-25, pages 8-9*. Appellant's establishment was open at the time. *See id.* Approximately five (5) minutes later, Patrolman Garner observed the male seated in the same position. *See id.* Patrolman Garner approached the male, who exhibited slurred speech and smelled heavily of alcohol. *See id.* Patrolman Garner recognized the male from previous encounters. *See id.* Patrolman Garner attempted to administer a portable breath test, but the male was unable to provide a sufficient sample. *See id.* Patrolman Garner asked the male if he had been inside Appellant's establishment, to which the male responded he had been inside and had recently consumed his last beverage. *See id.* The male was charged with public drunkenness. *See id.* Patrolman Garner was not called to the incident and did not interview anyone inside Appellant's establishment as to the incident.

The second incident in the instant case occurred on December 23, 2012, around 11:00 p.m. At this time, Patrolman Garner heard a loud noise outside the police station, located one (1) block from Appellant's establishment. *See Findings of Fact, nos. 26-34, pages 9-10*. Patrolman Garner stepped outside and observed a male and a female arguing near Appellant's establishment and that the male had punched two street signs. *See id.* Patrolman Garner approached the couple, who informed him that they had been in Appellant's establishment and were arguing. *See id.* The male smelled of alcoholic beverages, but was not charged as he was cooperative with Patrolman Garner. *See id.* Patrolman Garner was not called to the incident and did not interview anyone inside Appellant's establishment as to the incident.

These two incidents, which include, but are not limited to, public intoxication and verbal arguments, with the police involvement in these incidents, are sufficient to show a pattern of conduct on or about Appellant's premises. Although Appellant offered the testimony of several patrons of the establishment, who stated that they had not observed any incidents of disturbance on or about the premises, *see Findings of Fact, nos. 41-49, pages 11-12*, Appellant did not offer evidence of remedial measures. If Appellant would have followed the provisions of the Conditional Licensing Agreement, which included hourly patrols of the premises and the hiring of a security guard, Appellant would have known about the

disturbances and could have taken remedial measures, even if those measures were only to contact the police. Therefore, these illegal activities at or near Appellant's premises provide a sufficient basis for the Board's non-renewal of Appellant's liquor license.

4. Appellant's Late Filed Renewal Application as a Basis for Nonrenewal

Section 4-470 states that "all applications for renewal of licenses under the provisions of this article shall be filed with tax clearance from the Department of Revenue and the Department of Labor and Industry and requisite license and filing fees **at least sixty days before the expiration date of same...**" 47 Pa. C. S. § 4-470(a) [emphasis added]. In the instant case, for the current renewal period of August 1, 2013 to July 31, 2015, Appellant had to file his license renewal application by June 1, 2013. Appellant did not file his license renewal application until thirty (30) days later, on July 1, 2013. His stated reason for late filing was that he "misplaced his license forms." See *Respondent's Exhibit E, sub-Exhibit B-1*.

Appellant in the instant case argues the Board accepted the late-filed renewal application, including all application fees and late-filing additional fees, and there was no evidence that the Board was prejudiced by the late-filed application. However, this Trial Court concludes that Appellant has held its liquor license since 1986, a span of time which encompassed numerous renewal periods, and demonstrated Appellant's prior understanding and familiarity with the renewal process. This history indicates Appellant was careless in filing his application for the current renewal period. Furthermore, Appellant's reason for the late filing, i.e. "Misplaced My License Forms," did not constitute a "reasonable cause" permitted under Section 4-470. See 47 Pa. C. S. § 4-470. Finally, "because of the peculiar nature of this business, one who applies for and receives permission from the Commonwealth to carry on the liquor trade assumes the **highest degree of responsibility** to his fellow citizens." *Commonwealth v. Koczwara*, 397 Pa. 575, 155 A.2d 825 (1959) [emphasis added]. By failing to file a renewal application form in a timely fashion, a relatively miniscule task, this Trial Court concludes Appellant failed to uphold his responsibility as a holder of a liquor license issued by the Commonwealth. Therefore, Appellant's late filed renewal application provides a sufficient basis for the Board's non-renewal of Appellant's liquor license.

For all of the foregoing reasons, this Court enters the following Order:

ORDER

AND NOW, to wit, this 15th day of July, 2014, after thorough consideration of the entire record regarding Petitioner's request that this Court reverse the Pennsylvania Liquor Control Board's decision not to renew Appellant's liquor license, including, but not limited to, the testimony and evidence presented during the hearings held September 10, 2013 and June 10, 2014, as well as an independent review of the relevant statutory and case law and all counsels' submissions, including their proposed findings of fact and conclusions of law, as well as stipulations of fact and exhibits, it is hereby **ORDERED, ADJUDGED AND DECREED** that the instant appeal is **DENIED** in light of this Trial Court's Findings of Fact and Conclusions of Law set forth above. The Order of the Pennsylvania Liquor Control Board denying Appellant's request to renew its liquor license is **AFFIRMED**.

BY THE COURT:

/s/ Stephanie Domitrovich, Judge

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

1. Fictitious Name: HBA Project Management, LLC
 2. Principal Place of Business: 8021 Gulf Road, North East, PA 16428
 3. The name and address of the entity who is party to the registration: Envirologix Project Management, 8021 Golf Road, North East, PA 16428
 4. The application for registration of the Fictitious Name was filed with the Pennsylvania Department of State under the Fictitious Name Act on or about August 21, 2014.
- Ted J. Padden, Esquire
17 West 10th Street
Erie, Pennsylvania 16501

Jan. 16

INCORPORATION NOTICE

ERIE REGIONAL MANUFACTURER PARTNERSHIP has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988. Knox McLaughlin Gornall & Sennett, P.C.
120 West Tenth Street
Erie, Pennsylvania 16501

Jan. 16

INCORPORATION NOTICE

Notice is hereby given that Hi-T Fence Systems, Inc. has been incorporated under the provisions of the Business Corporation Law of 1988, as amended. Paul J. Carney, Jr., Esq.
43 North Main Street
Union City, Pennsylvania 16438

Jan. 16

INCORPORATION NOTICE

Notice is hereby given that Kraft and Jute Incorporated has been incorporated under the provisions

of the Pennsylvania Business Corporation Law of 1988. Michael J. Agresti, Esquire
17 West 10th Street
Erie, PA 16501

Jan. 16

LEGAL NOTICE

Notice is hereby given that a hearing for involuntary transfer of vehicle ownership for a red 1970 Honda CT90 motorcycle, VIN: CT90304499 will be held on March 2, 2015 at 2pm in Courtroom G of the Erie County Court House, 140 W. 6th St., Erie, PA 16501.

Jan. 16

LEGAL NOTICE

NOTICE OF SHERIFF'S SALE IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
NO. 11351-11

WELLS FARGO BANK, N.A., AS TRUSTEE FOR ABFC 2006-OPT1 TRUST, ASSET BACKED FUNDING CORPORATION ASSET-BACKED CERTIFICATES, SERIES 2006-OPT1

Vs.

MATTHEW J. STALEY AND DENNIS J. STALEY, DECEASED NOTICE TO: UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER DENNIS J. STALEY, DECEASED

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

Being Premises: 3904 STANLEY AVENUE, ERIE, PA 16504-2404 Being in the 5th Ward of the City of Erie, County of ERIE, Commonwealth of Pennsylvania, 18052003020700

Improvements consist of residential property.

Sold as the property of MATTHEW J. STALEY AND DENNIS J. STALEY, DECEASED

Your house (real estate) at 3904 STANLEY AVENUE, ERIE, PA 16504-2404 is scheduled to be sold at the Sheriff's Sale on 03/20/2015 at 10:00 AM, at the ERIE County Courthouse, 140

west 6th Street, Room 18, Erie, PA 16501-1077, to enforce the Court Judgment of \$81,301.21 obtained by, WELLS FARGO BANK, N.A., AS TRUSTEE FOR ABFC 2006-OPT1 TRUST, ASSET BACKED FUNDING CORPORATION A S S E T - B A C K E D CERTIFICATES, SERIES 2006-OPT1 (the mortgagee), against the above premises.

PHELAN HALLINAN, LLP
Attorney for Plaintiff

Jan. 16

LEGAL NOTICE

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at 32 South Washington St., North East, PA 16428 being more fully described at Erie County Deed Book Volume 1461, Page 1450.

SAID SALE to be held in **ROOM 209 AT THE ERIE COUNTY COURTHOUSE, 140 WEST SIXTH STREET, ERIE, PA** at **10:00 a.m.** prevailing, standard time, on **FEBRUARY 9, 2015.**

All that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Map No. 36004035000901 recorded in Erie County, Pennsylvania. Seized and taken in execution as the property of Jesse N. Straight and Brandi M. Houle, at the suit of the United States of America, acting through the Under Secretary of Rural Development, on behalf of Rural Housing Service, United States Department of Agriculture, to be sold on Writ of Execution as Civil Action No. 1:14-CV-00191.

TERMS OF SALE: Successful bidder will pay ten percent (10%) by certified check or money order and the remainder of the bid within thirty (30) days from the date of the sale and in the event bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is

resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, Room 241, U.S. Post Office & Courthouse, Pittsburgh, PA 15219. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Steve Frank, United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

Jan. 16, 23, 30 and Feb. 6

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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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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

**JANUARY 23, 2015
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.

John T. Loomis

Sheriff of Erie County

Jan. 2, 9, 16

SALE NO. 1

Ex. #12095 of 2014

**MARQUETTE SAVINGS
BANK, Plaintiff
v.**

**DOUGLAS MELTER, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 12095-14, Marquette Savings Bank vs. Douglas Melter, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 1204 East 20th Street, Erie, Pennsylvania.

40' X 105' X 40' X 105'

Assessment Map Number:
(15) 2106-220

Assessed Value Figure: \$25,000.00
Improvement Thereon: Residence
Eugene C. Sundberg, Jr., Esq.

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

Jan. 2, 9, 16

SALE NO. 2

Ex. 11196 of 2014

**MARQUETTE SAVINGS
BANK, Plaintiff
v.**

**DANIEL A. ROGERS, SR. and
EMMA C. ROGERS, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 11196-14, Marquette Savings Bank vs. Daniel A. Rogers, Sr. and Emma C. Rogers, owners of property situate in the City of Erie, Erie County, Pennsylvania being: 1151 East 27th Street, Erie, Pennsylvania.

35' X 135' X 35' X 135'

Assessment Map Number:
(18) 5044-106

Assessed Value Figure: \$54,600.00
Improvement Thereon: Residence
Eugene C. Sundberg, Jr., Esq.
Marsh Spaeder Baur Spaeder
& Schaaf, LLP
Suite 300, 300 State Street
Erie, Pennsylvania 16507
(814) 456-5301

Jan. 2, 9, 16

SALE NO. 3

Ex. #12150 of 2014

**NORTHWEST SAVINGS
BANK, Plaintiff,
v.**

**SHARON J. AMBROSE,
Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 2014-12150, Northwest Savings Bank vs. Sharon J. Ambrose, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 1420 Drake Drive, Erie, Pennsylvania.

120' X 170' X 120' X 170'

Assessment Map Number:
(21) 38-57-8

Assessed Value Figure: \$177,940.00
Improvement Thereon: Residence
Kurt L. Sundberg, Esq.
Marsh Spaeder Baur Spaeder

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

Jan. 2, 9, 16

SALE NO. 4

Ex. #10422 of 2014

**NORTHWEST SAVINGS
BANK, Plaintiff
v.**

**PAUL T. GRYGIER, THOMAS
CASS and KELSEY KUTRUFF,
Sole Heirs of JACQUELINE A.
GRYGIER, Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 2014-10422, Northwest Savings Bank vs. Paul T. Grygier, et al., owners of property situate in the City of Erie, Erie County, Pennsylvania being: 3971 Pine Avenue, Erie, Pennsylvania.

0.2458 acres

Assessment Map Number:
(18) 5383-217

Assessed Value Figure: \$97,720.00
Improvement Thereon: Residence
Kurt L. Sundberg, Esq.
Marsh Spaeder Baur Spaeder
& Schaaf, LLP
Suite 300, 300 State Street
Erie, Pennsylvania 16507
(814) 456-5301

Jan. 2, 9, 16

SALE NO. 5

Ex. #12151 of 2014

**NORTHWEST SAVINGS
BANK, Plaintiff
v.**

**AUTUMN J. MOFFETT,
Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed at No. 2014-12151, Northwest Savings Bank vs. Autumn J. Moffett, owner of property situate in the City of Erie, Erie County, Pennsylvania being: 1127 West 7th Street, Erie, Pennsylvania.

42.25' X 165' X 42.25' X 165'

Assessment Map Number:
(17) 4034-112

Assessed Value Figure: \$61,470.00
Improvement Thereon: Residence
Kurt L. Sundberg, Esq.
Marsh Spaeder Baur Spaeder
& Schaaf, LLP

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

Jan. 2, 9, 16

SALE NO. 6

Ex. #31286 of 2014

**ERIE BANK, a DIVISION OF
CNB BANK, Plaintiff**

v.

**PAUL FOSTER, Defendant
LEGAL DESCRIPTION**

Parcel 1

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

COMMENCING at a point on the north line of West 24th Street, ninety (90) feet East of the east line of Chestnut Street; thence North and parallel with the east line of Chestnut Street one hundred (100) feet to a point; thence East and parallel with the north line of West 24th Street ten (10) feet to a point; thence North and parallel with the east line of Chestnut Street thirty-five (35) feet to a point; thence East and parallel with the north line of West 24th Street thirty (30) feet to a point; thence South and parallel with the east line of Chestnut Street one hundred thirty-five (135) feet to the north line of West 24th Street; thence west and parallel with the north line of West 24th Street forty (40) feet to the place of beginning and being a part of the "Acheson" Out Lot Number 108 of the Town of Erie as originally laid out.

Having erected thereon a single family dwelling.

BEING the same premises that vested in Paul Foster by deed dated November 19, 2004 and recorded on November 23, 2004 in Erie County Deeds and Records Book 1192 page 295, and being known as 352 W. 24th Street, Erie, PA 16502 and Parcel No. (19) 60-11-123.

Parcel 2

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

BEGINNING at a point in the North

line of Twenty-third Street, two hundred thirty-one and nine-tenths (231.9) feet West of the West line of Wallace Street; thence Northwardly parallel with the west line of Wallace Street, one hundred thirty-five (135) feet to a point; thence Westwardly parallel with the North line of Twenty-third Street, twenty-eight and one tenth (28.1) feet to a point; thence Southwardly parallel with the West line of Wallace Street, one hundred thirty-five (135) feet to a point in the North line of Twenty-third Street; thence Eastwardly along the north line of Twenty-third Street, twenty-eight and one tenth (28.1) feet to a place of beginning. The within described premises having erected thereon two family frame fiat and being commonly known as 440 East 23rd Street, Erie, Pennsylvania.

Further identified as Erie County Tax Index Number (18) 05.0-018.0-238.00.

BEING the same premises conveyed by Gerald J. Kielar and Carla A. Kielar, his wife, to Paul Foster by deed dated October 5, 2006, and recorded October 20, 2006, in Erie County Deed Book 1370, Page 526. Mark G. Claypool, Esquire
PA ID #63199

Knox McLaughlin Gornall & Sennett, P.C.

120 West Tenth Street
Erie, Pennsylvania 16501
(814) 459-2800

Jan. 2, 9, 16

SALE NO. 8

Ex. #12458 of 2014

**PNC Bank, National Association,
Plaintiff**

v.

**TAMMIE L. BRINK
TIMOTHY J. BRINK,
Defendant(s)**

**SHORT DESCRIPTION FOR
ADVERTISING**

ALL THAT CERTAIN LOT OF LAND SITUATE IN TOWNSHIP OF FAIRVIEW, ERIE COUNTY, PENNSYLVANIA:

BEING KNOWN AS 8574 Luther Road, Girard, PA 16417

PARCEL NUMBER: 21-73-130-.6-01
IMPROVEMENTS: Residential

Property

Udren Law Offices, P.C.

Amanda L. Rauer, Esquire

PA. I.D. #307028

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

Jan. 2, 9, 16

SALE NO. 9

Ex. #13200 of 2013

**Deutsche Bank Trust Company
Americas, as Trustee for Saxon
Asset Securities Trust 2003-3,
Mortgage Loan Asset Backed
Certificates, Series 2003-3,
Plaintiff**

v.

**DIANE L. CROWL a/k/a DIANE
CROWL, Defendant(s)**

**SHORT DESCRIPTION FOR
ADVERTISING**

ALL THAT CERTAIN LOT OF LAND SITUATE IN TOWNSHIP OF CONNEAUT, ERIE COUNTY, PENNSYLVANIA:

BEING KNOWN AS 10230 Knapp Road, Albion, PA 16401

PARCEL

NUMBER:

04016042001501

IMPROVEMENTS: Residential Property

Udren Law Offices, P.C.

David Neeren, Esquire

PA. I.D. #204252

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

Jan. 2, 9, 16

SALE NO. 11

Ex. #10707 of 2014

**PNC Bank, National Association,
Plaintiff**

v.

**MARION SANDERS A/K/A
MARION SANDERS, JR.,
A/K/A MARION DEWAYNE
SANDERS A/K/A MARION D.
SANDERS, Defendant(s)**

**SHORT DESCRIPTION FOR
ADVERTISING**

ALL THAT CERTAIN LOT OF LAND SITUATE IN CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA

BEING KNOWN AS 1450 East 8th Street, Erie, PA 16503

PARCEL NUMBER: 14-1104-129

IMPROVEMENTS: Residential
Property
Udren Law Offices, P.C.
Nicole LaBletta, Esquire
PA. I.D. #202194
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

Jan. 2, 9, 16

SALE NO. 14

Ex. #10644 of 2014

**KAROL A. SCHMITT, Plaintiff
v.**

**WILLIAM ADAMS and
MARY SANDUSKY ADAMS,
Defendants**

SHORT DESCRIPTION

ALL that certain piece or parcel of land situate in the Township of Fairview, Erie County, Pennsylvania, having erected thereon a one-story single family dwelling being commonly known as 6356 West Lake Road, Erie, Pennsylvania, and bearing Erie County Tax Parcel No. (21) 29-16-41.07.

BEING the same premises conveyed to Karol A. Schmitt, by deed dated August 25, 1983, and recorded in the Office of the Recorder of Deeds for Erie County on August 26, 1983, at Deed Book 1507, page 70.

David E. Holland
Pa. Supreme Court ID No. 23793
MacDonald, Illig, Jones &
Britton LLP
100 State Street, Suite 700
Erie, Pennsylvania 16507-1459
(814) 870-7755

Jan. 2, 9, 16

SALE NO. 15

Ex. #12851 of 2013

**Michael V. Stewart and
Cheryl A. Stewart, Plaintiffs
v.**

**Joseph Foltyn, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12851-13, Michael V. Stewart and Cheryl A. Stewart vs. Joseph Foltyn, owner of property situated in McKean Township, Erie County, Pennsylvania being 4585 East Stancliff Road, McKean, Pennsylvania 16426.
14.7050 acres.

Assessment Map number:
31021073000400
Assessed Value Figure: \$120,100.00
Improvement Thereon: Residential
Building
David R. Devine, Esq.,
201 Erie Street
Edinboro, PA 16412
(814)734-5032
Supreme Court ID 25024

Jan. 2, 9, 16

SALE NO. 17

Ex. #12130 of 2014

**PHH Mortgage Corporation
v.**

**Amy B. Spangler and United
States of America
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12130-14, PHH Mortgage Corporation vs. AMY B. Spangler and United States of America and, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 3014 Walnut Street, Erie, PA 16508
0.0895

Assessment Map number: 19-6046-201
Assessed Value figure: \$74,730.00
Improvement thereon: a residential dwelling
Bradley J. Osborne
Shapiro & DeNardo, LLC
Attorney for Movant/Applicant
3600 Horizon Drive, Suite 150
King of Prussia, PA 19406
(610)278-6800

Jan. 2, 9, 16

SALE NO. 18

Ex. #11996 of 2014

**JPMorgan Chase Bank, National
Association, Plaintiff
v.**

**Richard J. Bohrer, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11996-14, JPMorgan Chase Bank, National Association vs. Richard J. Bohrer
Amount Due: \$75,827.67
Richard J. Bohrer, owner(s) of property situated in ERIE CITY, 5TH, Erie County, Pennsylvania being 314 East 32nd Street, Erie, PA 16504-1549
Dimensions: 50.86 x IRR
Acreage: 0.2178

Assessment Map number:
18050080010700
Assessed Value: 71,900.00
Improvement thereon: residential
Phelan Hallinan, LLP
One Penn Center at
Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215)563-7000

Jan. 2, 9, 16

SALE NO. 19

Ex. #12199 of 2014

**PHH Mortgage Corporation,
Plaintiff
v.**

**Jared P. Clink
Tia R. Oday, Defendant(s)
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12199-14
PHH Mortgage Corporation vs. Jared P. Clink, Tia R. Oday
Amount Due: \$60,117.03
Jared P. Clink, Tia R. Oday, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 422 Dunn Boulevard, Erie, PA 16507-1914

Dimensions: 40.5 X 110.8
Acreage: 0.1030
Assessment Map number:
14010040020000
Assessed Value: 78,160.00
Improvement thereon: residential
Phelan Hallinan, LLP
One Penn Center at
Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215)563-7000

Jan. 2, 9, 16

SALE NO. 21

Ex. #11910 of 2014

**PHH Mortgage Corporation,
Plaintiff
v.**

**Michele P. Harris, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11910-2014, PHH Mortgage Corporation vs. Michele P. Harris
Amount Due: \$90,630.99
Michele P. Harris, owner(s) of property situated in UNION CITY BOROUGH, Erie County,

Pennsylvania being 50 West High Street, Union City, PA 16438-1230
 Dimensions: 71x118
 Acreage: 3428
 Assessment Map number: 42007025000100
 Assessed Value: \$ 108,850.00
 Improvement thereon: residential
 Phelan Hallinan, LLP
 One Penn Center at
 Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215)563-7000

Jan. 2, 9, 16

SALE NO. 22

Ex. #11658 of 2014

Deutsche Bank National Trust Company, Solely as Trustee for Mastr Specialized Loan Trust 2006-2 Mortgage Pass-Through Certificates, Series 2006-2, Plaintiff

v.

Larry B. Hiwiler, Jr., Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11658-14, Deutsche Bank National Trust Company, Solely as Trustee for Mastr Specialized Loan Trust 2006-2 Mortgage Pass-Through Certificates, Series 2006-2 vs. Larry B. Hiwiler, Jr
 Amount Due: \$120,177.98
 Larry B. Hiwiler, Jr, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 412 West 10th Street, Erie, PA 16502
 Dimensions: 52.5 x 165
 Acreage: 0.1989
 Assessment Map number: 16030025014000
 Assessed Value: 134,360.00
 Improvement thereon: residential
 Phelan Hallinan, LLP
 One Penn Center at
 Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215)563-7000

Jan. 2, 9, 16

SALE NO. 23

Ex. #10223 of 2014

Wells Fargo Bank, N.A., Plaintiff v.

Scott D. Jaskiewicz, Defendant(s) SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10223-14, Wells Fargo Bank, N.A. vs. Scott D. Jaskiewicz
 Amount Due: \$28,554.70
 Scott D. Jaskiewicz, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 1528 Linwood Avenue, Erie, PA 16510-1026
 Dimensions: 60 X 138
 Acreage: 0.1901
 Assessment Map number: 18051014022900
 Assessed Value: 55,610.00
 Improvement thereon: residential
 Phelan Hallinan, LLP
 One Penn Center at
 Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215)563-7000

Jan. 2, 9, 16

SALE NO. 24

Ex. 12098 of 2012

US Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-through Certificates, Series 2006-NC1, Plaintiff

v.

William A. McCommons J. Christopher Miller, as Individual and Life Tenant, Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12098-12, US Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-through Certificates, Series 2006-NC1 vs. William A. McCommons, J. Christopher Miller, as Individual and Life Tenant
 Amount Due: \$82,401.39
 William A. McCommons, J. Christopher Miller, as Individual and Life Tenant, owner(s) of property situated in TOWNSHIP OF MCKEAN, Erie County, Pennsylvania being 8910 Main Street, McKean, PA 16426-1410
 Dimensions: 85 ft. x 264 ft.
 Acreage: 0.5152 Acres
 Assessment Map number: 32004004000500

Assessed Value: \$82,400.00
 Improvement thereon: residential
 Phelan Hallinan, LLP
 One Penn Center at
 Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215)563-7000

Jan. 2, 9, 16

SALE NO. 25

Ex. #11609 of 2014

Citifinancial Servicing LLC, A Delaware Limited Liability Company, Plaintiff v.

Darlene A. Montroy a/k/a Darlene Smith, Defendant(s) SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 11609-14, Citifinancial Servicing LLC, A Delaware Limited Liability Company vs. Darlene A. Montroy a/k/a Darlene Smith a/k/a Darlene A. Smith
 Amount Due: \$50,129.50
 Darlene A. Montroy a/k/a Darlene Smith a/k/a Darlene A. Smith, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 2905 Holland Street, Erie, PA 16504-1043
 Dimensions: 67 x 115
 Acreage: 0.1769
 Assessment Map number: 18050082012100
 Assessed Value: 71,640.00
 Improvement thereon: residential
 Phelan Hallinan, LLP
 One Penn Center at
 Suburban Station, Suite 1400
 1617 John F. Kennedy Boulevard
 Philadelphia, PA 19103-1814
 (215)563-7000

Jan. 2, 9, 16

SALE NO. 26

Ex. #10831 of 2014

Bank of America, N.A., Plaintiff v.

Cislyn Munroe, Defendant(s) SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10831-14, Bank of America, N.A. vs. Cislyn Munroe
 Amount Due: \$4,036.84
 Cislyn Munroe, owner(s) of property situated in ERIE CITY,

Erie County, Pennsylvania being
1224 East 20th Street, Erie, PA
16503-2408
Dimensions: 40 x 105
Acreage: 0.0964
Assessment Map number:
15021006022600
Assessed Value: 31,300
Improvement thereon: residential
Phelan Hallinan, LLP
One Penn Center at
Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215)563-7000

Jan. 2, 9, 16

SALE NO. 27

Ex. #11559 of 2014

Citifinancial Servicing LLC,

Plaintiff

v.

David A. Parker, Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution
filed to No. 11559-14, Citifinancial
Servicing LLC vs. David A. Parker
Amount Due: \$129,212.22

David A. Parker, owner(s) of
property situated in MILLCREEK
TOWNSHIP, Erie County,
Pennsylvania being 2929 West 24th
Street, Erie, PA 16506-2317
Dimensions: 66

Acreage: 150
Assessment Map number:
33052214000500

Assessed Value: 101,150.00

Improvement thereon: residential
Phelan Hallinan, LLP

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

Jan. 2, 9, 16

SALE NO. 28

Ex. #11351 of 2011

**Wells Fargo Bank, N.A., as
Trustee for Abfc 2006-Opt1
Trust, Asset Backed Funding
Corporation Asset-Backed
Certificates, Series 2006-Opt1,**

Plaintiff

v.

Matthew J. Staley

**Dennis J. Staley, Deceased,
Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution
filed to No. 11351-11, Wells Fargo
Bank, N.A., as Trustee for Abfc
2006-Opt1 Trust, Asset Backed
Funding Corporation Asset-Backed
Certificates, Series 2006-Opt1 vs.
Matthew J. Staley

Amount Due: \$81,301.21

Matthew J. Staley, owner(s) of
property situated in Erie County,
Pennsylvania being 3904 Stanley
Avenue, Erie, PA 16504-2404
Dimensions: 50 X 120

Acreage: 0.1377

Assessment Map number:
18052003020700

Assessed Value: \$78,000

Improvement thereon: residential
Phelan Hallinan, LLP

One Penn Center at
Suburban Station, Suite 1400

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

(215)563-7000

Jan. 2, 9, 16

SALE NO. 29

Ex. #11722 of 2014

Green Tree Servicing LLC

v.

Sonja L. Thompson Defendant(s)

SHERIFF'S SALE

By virtue of a Writ of Execution
filed to No. 11722-14 Green
Tree Servicing LLC vs. Sonja L.
Thompson

Amount Due: \$85,410.58

Sonja L. Thompson, owner(s) of
property situated in ERIE CITY,
Erie County, Pennsylvania being
317 East 27th Street, Erie, PA
16504-1007

Assessment Map number:
18050078011600

Assessed Value: \$58,800.00

Improvement thereon: Residential
Phelan Hallinan, LLP

One Penn Center at
Suburban Station, Suite 1400

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

(215)563-7000

Jan. 2, 9, 16

SALE NO. 30

Ex. #13480 of 2013

**PHH Mortgage Corporation f/k/a
Cendant Mortgage Corporation,**

Plaintiff

v.

**Gary K. Tomporowski, in
His Capacity as Heir of Gary
Tomporowski a/k/a Gary G.
Tomporowski, Deceased Derek
M. Tomporowski, in His Capacity
as Heir of Gary Tomporowski
a/k/a Gary G. Tomporowski,
Deceased, Jackie Wilson, in
Her Capacity as Heir of Gary
Tomporowski a/k/a Gary
G. Tomporowski, Deceased
Unknown Heirs, Successors,
Assigns, and All Persons, Firms,
or Associations Claiming Right,
Title or Interest From or Under
Gary Tomporowski a/k/a Gary
G. Tomporowski, Deceased,
Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution
filed to No. 13480-13

PHH Mortgage Corporation f/k/a
Cendant Mortgage Corporation

vs. Gary K. Tomporowski, in
His Capacity as Heir of Gary
Tomporowski a/k/a Gary G.

Tomporowski, Deceased, Derek
M. Tomporowski, in His Capacity

as Heir of Gary Tomporowski a/k/a
Gary G. Tomporowski, Deceased,

Jackie Wilson, in Her Capacity as
Heir of Gary Tomporowski a/k/a

Gary G. Tomporowski, Deceased,
Unknown Heirs, Successors,

Assigns, and All Persons, Firms,
or Associations Claiming Right,

Title or Interest From or Under
Gary Tomporowski a/k/a Gary G.

Tomporowski, Deceased
Amount Due: \$66,154.80

Gary K. Tomporowski, in
His Capacity as Heir of Gary

Tomporowski a/k/a Gary G.
Tomporowski, Deceased, Derek

M. Tomporowski, in His Capacity
as Heir of Gary Tomporowski a/k/a

Gary G. Tomporowski, Deceased,
Jackie Wilson, in Her Capacity as

Heir of Gary Tomporowski a/k/a
Gary G. Tomporowski, Deceased,

Unknown Heirs, Successors,
Assigns, and All Persons, Firms,

or Associations Claiming Right,
Title or Interest From or Under

Gary Tomporowski a/k/a Gary
G. Tomporowski, Deceased,

owner(s) of property situated in

WESLEYVILLE BOROUGH, Erie County, Pennsylvania being 3319 Edison Avenue, Erie, PA 16510-1907

Dimensions: 93 X 107.1

Acreage: 0.2211

Assessment Map number: 50002039000300

Assessed Value: 80,900.00

Improvement thereon: residential

Phelan Hallinan, LLP

One Penn Center at

Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215)563-7000

Jan. 2, 9, 16

SALE NO. 31

Ex. #10842 of 2013

**Bank of America, N.A., as
Successor by Merger to BAC
Home Loans Servicing, LP
f/k/a Countrywide Home Loans
Servicing, LP, Plaintiff**

v.

**Richard D. Williams, Jr
Violet Williams, Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10842-2013, Bank of America, N.A., as Successor by Merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP vs. Richard D. Williams, Jr, Violet Williams

Amount Due: \$116,864.17

Richard D. Williams, Jr, Violet Williams, owner(s) of property situated in CONNEAUT TOWNSHIP, Erie County, Pennsylvania being 14170 West Cherry Hill Road, Albion, PA 16401-9749

Parcel # 04001001000701

Dimensions: 2.740 x 2.945

Acreage: 2.7400

Assessed Value: 118,500.00

Parcel # 04001001000700

Dimensions: 93.066 x 93.306

Acreage: 93.0660

Assessed Value: 67,600.00

Assessment Map number: 04001001000700, 04001001000701

Improvement thereon: residential

Phelan Hallinan, LLP

One Penn Center at

Suburban Station, Suite 1400

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

(215)563-7000

Jan. 2, 9, 16

SALE NO. 32

Ex. #13890 of 2012

Wells Fargo Bank, N.A., Plaintiff

v.

**Candy M. Wright
Roy L. Wright a/k/a Roy L.
Wright, Jr., Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13890-12, Wells Fargo Bank, N.A. vs. Candy M. Wright, Roy L. Wright a/k/a Roy L. Wright, Jr.

Amount Due: \$47,256.92

Candy M. Wright, Roy L. Wright a/k/a Roy L. Wright, Jr., owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 1253 West 21st Street, Erie, PA 16502-2311

Dimensions: 33 x 135

Acreage: 0.1023

Assessment Map number: 19062001021700

Assessed Value: \$56,100

Improvement thereon: Residential

Phelan Hallinan, LLP

One Penn Center at

Suburban Station, Suite 1400

1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814

(215)563-7000

Jan. 2, 9, 16

SALE NO. 33

Ex. #11232 of 2014

**By virtue of a Writ of Execution
No. 2014-11232, U.S. BANK
NATIONAL ASSOCIATION,
AS TRUSTEE FOR THE
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff**

v.

**MICHAEL J. ANYSZ AND
KAYLA L. SONNEY, Defendants
SHERIFF'S SALE**

Real Estate: 3024 W. 11TH STREET, ERIE, PA 16505

Municipality: Millcreek Township

Erie County, Pennsylvania

See Deed Book 2010-017286

Tax I.D. (33) 29-61-14.01

Assessment: \$18,100.00 (Land)

\$51,400.00 (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

Jan. 2, 9, 16

SALE NO. 35

Ex. #10681 of 2014

**U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE
FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY,
Plaintiff**

v.

**DIANA L. GROTERS,
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution No. 10681-14, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. DIANA L. GROTERS, Defendants

Real Estate: 1255 WEST 21ST STREET, ERIE, PA 16502

Municipality: City of Erie (formerly Township of Millcreek) Erie County, Pennsylvania

Dimensions: 135 x 33

See Deed Book 2010-9979

Tax I.D. (19) 6201-218

Assessment: \$10,900. (Land)

\$52,530. (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

Jan. 2, 9, 16

SALE NO. 36

Ex. #11285 of 2014

**U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE
FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY,
Plaintiff**

v.

**JENDI A. FRYE AND SHAWN
MULVIN, Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution No. 2014-11285

U.S. BANK NATIONAL

ASSOCIATION, AS TRUSTEE
FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY,
Plaintiff vs. JENDI A. FRYE AND
SHAWN MULVIN, Defendants
Real Estate: 6034 GLADE DRIVE,
ERIE, PA 16505

Municipality: Township
of Millcreek, Erie County,
Pennsylvania, Lot 17, Kearsarge
Park, Andrews Land Company,
Subdivision of Kuntz Farm, part of
Tract 346, D.B. 227, Pg. 742
See Deed Book 2010-030047
Tax I.D. (33) 189-593-16.01
Assessment: \$25,400. (Land)
\$108,900. (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

Jan. 2, 9, 16

SALE NO. 37

Ex. #11113 of 2014

MIDFIRST BANK, Plaintiff

v.

BRADEN AMBROSE-NOTO

JASON NOTO, Defendants

SHERIFF'S SALE

By virtue of a Writ of Execution
No. 11113-14 MIDFIRST BANK,
Plaintiff vs. BRADEN AMBROSE-
NOTO JASON NOTO, Defendants
Real Estate: 319 WEST 7TH
STREET, ERIE, PA 16502

Municipality: City of Erie, Erie
County, Pennsylvania
See Deed Book 567, Page 42
Tax I.D. (17) 4010-110
Assessment: \$8,800. (Land)
\$86,400. (Bldg)

Improvement thereon: a residential
dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Jan. 2, 9, 16

SALE NO. 38

Ex. #12105 of 2014

**U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE
FOR THE PENNSYLVANIA**

**HOUSING FINANCE AGENCY,
Plaintiff**

v.

MICHELLE M. PAUL,

Defendants

SHERIFF'S SALE

By virtue of a Writ of Execution
No. 2014-12105, U.S. BANK
NATIONAL ASSOCIATION,
AS TRUSTEE FOR THE
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff vs.
MICHELLE M. PAUL, Defendants
Real Estate: 555 WEST 3RD
STREET, ERIE, PA 16507
Municipality: City of Erie, Erie
County, Pennsylvania
See Deed Book 2007-023148
Tax I.D. (17) 4018-121
Assessment: \$8,400.00 (Land)
\$80,100.00 (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

Jan. 2, 9, 16

SALE NO. 39

Ex. #11682 of 2014

**U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE
FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY,
Plaintiff**

v.

**ANNMARIE STEVENSON
and DANIEL J. STEVENSON,**

Defendants

SHERIFF'S SALE

By virtue of a Writ of Execution
No. 2014-11682, U.S. BANK
NATIONAL ASSOCIATION,
AS TRUSTEE FOR THE
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff
vs. ANNMARIE STEVENSON
and DANIEL J. STEVENSON,
Defendants
Real Estate: 3899 FAIRVIEW
COURT, FAIRVIEW, PA 16415
Municipality: Fairview Township
(formerly Borough of Fairview),
Erie County, Pennsylvania
Weislogel Subdivision No. 1, Lot 26
Map Book 6, Page 27

See Deed Book 1587, Page 2072

Tax I.D. (21) 78-10-50
Assessment: \$29,300. (Land)
\$111,920. (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

Jan. 2, 9, 16

SALE NO. 40

Ex. #10363 of 2014

**U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE
FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY,
Plaintiff**

v.

THOMAS B. TUIITE, Defendants
SHERIFF'S SALE

By virtue of a Writ of Execution
No. 2014-10363, U.S. BANK
NATIONAL ASSOCIATION,
AS TRUSTEE FOR THE
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff vs.
THOMAS B. TUIITE, Defendants
Real Estate: 516 EAST 28TH
STREET, ERIE, PA 16504
Municipality: City of Erie, Erie
County, Pennsylvania
See Deed Book 2010-24484
Tax I.D. (18) 5068-114
Assessment: \$17,400. (Land)
\$34,470. (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

Jan. 2, 9, 16

SALE NO. 41

Ex. #12000 of 2014

**U.S. Bank National Association,
(Trustee for the Pennsylvania
Housing Finance Agency,
pursuant to a Trust Indenture
dated as of April 1, 1982),
Plaintiff,**

v.

**Richard A. Monroe, Jr.,
Defendant**

SHERIFF'S SALE

By virtue of a Writ of Execution

filed to No. 2014-12000, U.S. Bank National Association, et al vs. Richard A. Monroe, Jr., owner of property situated in City of Erie, Erie County, Pennsylvania being 2613 Plum Street, Erie, PA 16508. Dimensions: 6,075 Sq. ft.; .14 Acres Assessment Map Number: 19060041021200
Assess Value figure: \$72,600.00
Improvement thereon: Dwelling
Attorney for Plaintiff
215 Fourth Avenue
Pittsburgh, PA 15222
(412) 281-1725

Jan. 2, 9, 16

SALE NO. 42

Ex. #12036 of 2014
U.S. Bank National Association,
(Trustee for the Pennsylvania
Housing Finance Agency
pursuant to a Trust Indenture
dated as of April 1, 1982),
Plaintiff

v.

Justin D. Russell and Ann H.
Russell, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 2014-12036, U.S. Bank National Association, et al vs. Justin D. Russell and Ann H. Russell, owner(s) of property situated in the Borough of Edinboro, Erie County, Pennsylvania being 708 Aspen Way, Edinboro, PA 16412. Dimensions: 14,250 Sq. ft.; .33 Acres Assessment Map Number: (11) 7-32-3-22
Assess Value figure: \$122,610.00
Improvement thereon: Dwelling
Louis P. Vitti, Esquire
Attorney for Plaintiff
215 Fourth Avenue
Pittsburgh, PA 15222
(412) 281-1725

Jan. 2, 9, 16

SALE NO. 45

Ex. #11440 of 2014
FRANKLIN AMERICAN
MORTGAGE COMPANY,
Plaintiff
v.
KEVIN R. GARFIELD,
Defendant(s)
DESCRIPTION

All that certain piece or parcel

of land situate in the City of Erie, County of Erie and Commonwealth of Pennsylvania, numbered and known as Lot No. 52 of the Andrews Land Company Subdivision of Land Lighthouse property, Third Section, as same appears of record in Erie County, Pennsylvania, Map Book No. 2, page 139, said Lot having a frontage of thirty-six (36) feet on the east side of Lighthouse Street and a depth of one hundred five (105) feet and having erected thereon a dwelling house.

Also all that certain piece or parcel of land situate in the City of Erie, County of Erie, and Commonwealth of Pennsylvania, and being bounded and described as follows to wit: Being Lot No. 51 of the Andrews Land Company Subdivision of Land Lighthouse property in the Third Section as is recorded in Map Book 2, pages 138 and 139, and being part of Reserve Tract No. 38. PARCEL NO.: (14) 1044-227
PROPERTY ADDRESS: 315 Lighthouse Street Erie, PA 16507
KML Law Group, P.C.
Attorney for Plaintiff
Suite 5000 - BNY Independence Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

Jan. 2, 9, 16

SALE NO. 46

Ex. #10833 of 2014
PNC BANK, NATIONAL
ASSOCIATION, Plaintiff

v.

ACSINIA KISH, Defendant(s)
DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at the intersection of the south line of 2nd Street and the west line of Lighthouse Street; thence southwardly along Lighthouse Street, 28.77 feet to a point; thence westwardly parallel with 2nd Street, 94 feet to a point; thence northwardly parallel with Lighthouse Street, 28.77 feet to a point on 2nd Street thence eastwardly along 2nd Street, 94

feet to the place of beginning. Said lot being part of Lot No. 94 of the ANDREWS LAND COMPANY SUBDIVISION of Land Light House Park, First Section.
PROPERTY ADDRESS: 202 Lighthouse Street Erie, PA 16507
KML Law Group, P.C.
Attorney for Plaintiff
SUITE 5000 - BNY Independence Center, 701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

Jan. 2, 9, 16

SALE NO. 47

Ex. #12248 of 2014
GREEN TREE SERVICING
LLC, Plaintiff
v.

CHARLES R. KITELINGER,
Defendant(s)
DESCRIPTION

All that certain piece or parcel of land situate in the Second Ward of the Borough of Union City, County of Erie and State of Pennsylvania, more particularly bounded and described as follows, to-wit: BEGINNING at the intersection of the south line of Parade Street with the east line of Hazen Street; Thence in an easterly direction along the south line of Parade Street to the west line of land now or formerly owned by Levi D. Hall, et ux, a distance of 83 feet; Thence in a southerly direction along the west line of land, now or formerly owned by Levi D. Hall, et ux, a distance of 55 feet to a stake; Thence in a westerly direction parallel with the south line of Parade Street to the east line of Hazen Street; Thence in a northerly direction along the east line of Hazen Street to the place of beginning, a distance of 55 feet. The above described property has a frame dwelling house and other improvements erected thereon and is property commonly known as No. 40 Parade Street, Union City, Pennsylvania, Bearing Erie County Tax Index No. (42) 15-75-1. PROPERTY ADDRESS: 40 Parade Street Union City, PA 16438
KML Law Group, P.C.
Attorney for Plaintiff
Suite 5000 - BNY Independence

Center, 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

Jan. 2, 9, 16

SALE NO. 48

Ex. #13417 of 2013

BANK OF AMERICA, N.A.,

Plaintiff

v.

NEIL R. MANDO, Defendant(s)

DESCRIPTION

ALL that certain piece or parcel of land situate in Sixth Ward of the City of Erie, County of Erie, and Commonwealth of Pennsylvania, being known as Lot Number Fifty (50) of Sink's Re-Subdivision of Blocks "C", "D" and "E" in Niemeyer Gardens as more fully set forth in Erie County Map Book No. 3, page 11, said lot having a frontage of forty (40) feet on the north side of Thirtieth Street and a uniform depth of ninety-five (95) feet

SAID premises commonly known as 1322 West 30th Street, Erie, Pennsylvania, 16504 and are further identified by Erie County Assessment Index Number (19) 62223-427.

BEING the same premises conveyed to the Mortgagor by deed which is intended to be recorded forthwith. PROPERTY ADDRESS: 1322 West 30th Street Erie, PA 16508

KML Law Group, P.C.

Attorney for Plaintiff

SUITE 5000 - BNY Independence

Center, 701 Market Street
Philadelphia, PA 19106-1532

(215) 627-1322

Jan. 2, 9, 16

SALE NO. 49

Ex. #12393 of 2014

**PNC BANK, NATIONAL
ASSOCIATION,SUCCESSOR
IN INTEREST TO NATIONAL
CITY REAL ESTATE
SERVICES, LLC, SUCCESSOR
BY MERGER TO NATIONAL
CITY MORTGAGE, INC.,
FORMERLY KNOWN AS
NATIONAL CITY MORTGAGE
CO., Plaintiff**

v.

**JANE G. ROWLAND F/K/A
JANE G. DALEY, Defendant(s)**

DESCRIPTION

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

BEGINNING at a point on the south side of Waterford street, located at the northeast corner of land formerly owned by T. Pratt, now or formerly owned by Margaret Roberts; thence southwardly, along the east line of said land formerly owned by T. Pratt and now or formerly owned by Margaret Roberts, a distance of 200 feet to a point; thence eastwardly, along the north line of sold by Minnie E. Anderson to Elmer E. Hare by deed recorded in the Recorder's Office of the Erie County, on September 13, 1909, in DBV 175 page 338, a distance of 50 feet to land formerly owned by James Preston Estate or land formerly of Eugene Cottrell, being land now or formerly owned by C. H. Pratt; thence northwardly along said land formerly owned by Eugene Cottrell and land now or formerly owned by C. H. Pratt a distance of 200 feet to the south line of Waterford Street; thence westwardly, along the south line of Waterford Street, a distance of 50 feet to the place of beginning. UNDER AND SUBJECT to reservations, restrictions, easements and rights of way as recorded in prior instruments of record.

PROPERTY ADDRESS: 58
Waterford Street Union City, PA 16438

KML Law Group, P.C.

Attorney for Plaintiff

Suite 5000 - BNY Independence

Center, 701 Market Street
Philadelphia, PA 19106

(215) 627-1322

Jan. 2, 9, 16

SALE NO. 50

Ex. #12175 of 2014

**JPMORGAN CHASE BANK,
NATIONAL ASSOCIATION,
Plaintiff**

v.

**RYAN L. THORNTON,
Defendant(s)**

DESCRIPTION

All That Certain Piece Of Land Situate In The First Ward Of The Borough Of North East, County Of Erie And Commonwealth Of Pennsylvania, Bounded And Described As Follows, To Wit:

Beginning At A Point In The North Line Of Gibson Street At A Distance Of One Hundred Forty-Three And Three Tenths (143.3) Feet North 88 Degrees 10 Minutes East From Its Intersection With The Old Borough Line; Thence North 1 Degree 15 Minutes West Three Hundred Six And Forty One Hundredths (306.41) Feet To A Point In The North Borough Line; Thence North 64 Degrees 0 Minutes East Fifty Four And Eighty Two Hundredths (54.82) Feet To A Point; Thence South 1 Degree 15 Minute East Three Hundred Twenty-Eight And Eighty Three Hundredths (328.83) Feet To The North Line Of Gibson Street; Thence South 88 Degrees 10 Minutes West Along The North Line Of Gibson Street Fifty (50) Feet To The Place Of Beginning, And Being Known As Lot No. 2 Of That Certain Plot Dated The 10th Day Of December, 1947 And Known As Gibsonia Heighs, Said Plot Having Been Prepared By E.I. Sprague, Registered Engineer And Surveyor For Forest W. Hopkins And Louis W. Minte, Owners.

Excepting From This Transfer The Following Parcel Which Has Previously Been Conveyed By George H. Riefstahl, His Wife, To Milvan Construction Company, By Deed Dated December 24, 1971, More Fully Described As Follows:

All That Certain Piece Or Parcel Of Land Lying And Being Situate In The First Ward Of North East Borough, Erie County, Pennsylvania, Being More Particularly Described As Follows, To Wit:

Beginning At A Point On The South Bounds Of Bank Street, Said Point Being North Sixty Four Degrees, Zero Minutes (64 Degrees 0 Minutes) East, One Hundred Sixty And Twelve Hundredths (160.12) Feet From The Intersection Of The South Bounds Of Bank Street With The East Bounds Of

Tannery; Street Said Point Also Being The Northeast Corner Of Property Of Milvan Construction Corporation More Fully Described In Erie County Deed Book 1046 At Page 83; Thence Continuing On Said Bounds North Sixty Four Degrees, Zero Minutes (64 Degrees 1 Minutes) East, Fifty And Eighty Two Hundredths (54.82) Feet To A Point; Thence South One Degree, Fifteen Minutes (1 Degree 15 Minute) East, One And Hundred Fifty Four And Forty One Hundredths (154.41) Feet To A Point; Thence South Eighty Eight Degrees, Ten Minutes (88 Degrees 10 Minutes) West Fifty (50) Feet To A Point On The East Line Of Property Of Milvan Construction Corporation, More Fully Described In Erie County Deed Book 1046 At Page 83; Thence North One Degree, Fifteen Minutes (1 Degree 15 Minute) West, Along The East Line Of Property Of Milvan Construction Corporation, One Hundred Thirty Two (132) Feet To A Point And The Place Of Beginning. Containing Seven Thousand One Hundred And Sixty (7160) Square Feet Of Land, Being The Same More Or Less And Being The North Portion Of Lot No. 2 Of The Certain Plot Dated The 10th Day Of December, 1947 And Known As Gibsonia Heights.

PROPERTY ADDRESS: 136 Gibson Street North East, PA 16428 KML Law Group, P.C.
Attorney for Plaintiff
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106
(215) 627-1322

Jan. 2, 9, 16

SALE NO. 51**Ex. #10650 of 2014**

**GREEN TREE SERVICING
LLC, Plaintiff**
v.

JAMIE D. URSO, Defendant(s)**DESCRIPTION**

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

Beginning at a point in the west line of Dexter Avenue (formerly Arbuckle Avenue) 310 feet south of the intersection of the west line of Dexter Avenue (formerly Arbuckle Avenue) and the south line of East 41st Street; thence south 25 degrees 20 minutes east along the west line of Dexter Avenue (formerly Arbuckle Avenue) 62 feet to a point; thence south 64 degrees 40 minutes west 135 feet to a point; thence north 25 degrees 20 minutes west 62 feet to a point; thence north 64 degrees 40 minutes east 135 feet to the west line of Dexter Avenue (formerly Arbuckle Avenue), the point of beginning; being all of Lot No. 18, the adjoining southerly 10 feet in width of Lot No. 17 and the adjoining parts of Lots Nos. 22, 23, 24, and 25 in Block 12 of the Arbuckle Heights Subdivision, according to a plot thereof recorded in Erie County Map Book 2, page 354.

PROPERTY ADDRESS: 4134 Dexter Avenue Erie, PA 16504
KML Law Group, P.C.
Attorney for Plaintiff
SUITE 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106-1532
(215) 627-1322

Jan. 2, 9, 16

SALE NO. 52**Ex. #11425 of 2014**

**CitiMortgage, Inc., successor
by merger with ABN AMRO
Mortgage Group, Inc.**
v.

Brian DeSanto a/k/a**Brian J. DeSanto****SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11425-14, CitiMortgage, Inc., successor by merger with ABN AMRO Mortgage Group, Inc. vs. Brian DeSanto a/k/a Brian J. DeSanto, owners of property situated in Erie County, Pennsylvania 959 West 37 Street, Erie, PA 16508
Assessment Map number: (19)-6114-110
Improvement thereon: Residential Dwelling
Robert W. Williams, Esquire

1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400

Jan. 2, 9, 16

SALE NO. 53**Ex. #11284 of 2014**

**Wells Fargo Bank, N.A.,
successor by merger to Wachovia
Bank, N.A.**
v.

David L. Langdon and**Christine A. Langdon****SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11284-14 Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A. vs. David L. Langdon and Christine A. Langdon, owners of property situated in McKean Township, Erie County, Pennsylvania being 2420 Greenlee Road, Waterford, PA 16441

Assessment Map number: (31) 7-43-10.04
Improvement thereon: Residential Dwelling

Robert W. Williams, Esquire
1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400

Jan. 2, 9, 16

SALE NO. 54**Ex. #11240 of 2014**

**CITIFINANCIAL SERVICING,
LLC**
v.

Joyce Ann Martin a/k/a**Joyce Martin****SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11240-14 CITIFINANCIAL SERVICING, LLC vs. Joyce Ann Martin a/k/a Joyce Martin, owner of property situated in Erie County, Pennsylvania being 724 West 50th Street, Erie, PA 16509

Assessment Map number: 33-119-460-23
Improvement thereon: Residential Dwelling

Robert W. Williams, Esquire
1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400

Jan. 2, 9, 16

SALE NO. 55

Ex. #11273 of 2014

**U.S. BANK NATIONAL
ASSOCIATION AS TRUSTEE
FOR STRUCTURED ASSET
SECURITIES CORPORATION
SASCO MORTGAGE
LOAN TRUST 2001-12
MORTGAGE PASS-THROUGH
CERTIFICATES SERIES
2002-12**

v.

**STEVEN J. OOSTERKAMP, JR.,
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2014-11273, U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION SASCO MORTGAGE LOAN TRUST 2002-12 MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2002-12 vs. Steven J. Oosterkamp, Jr., owner of property situated in Erie County, Pennsylvania being 1126 East 11th Street, Erie, PA 16503
Assessment Map number: 15-020-048.0-306.00
Improvement thereon: Residential Dwelling
Robert W. Williams, Esquire
1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400

Jan. 2, 9, 16

SALE NO. 56

Ex. #10941 of 2011

BEAL BANK S.S.B.

v.

**ROY W. PETERS and
JUNE M. PETERS
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2011-10941, Beal Bank S.S.B. vs. Roy W. Peters and June M. Peters, owners of property situated in Erie County, Pennsylvania being 4369 South Cemetery Road a/k/a 4369 South Cemetery Road, North East, PA 16428
Assessment Map number: (37) 22-92-1-02
Improvement thereon: Residential Dwelling
Robert W. Williams, Esquire
1 E. Stow Road

Marlton, NJ 08053
(856) 482-1400

Jan. 2, 9, 16

SALE NO. 57

Ex. #12118 of 2014

**Deutsche Bank National Trust
Company, as Trustee for
Soundview Home Loan Trust
2005-OPT4, Asset-Backed
Certificates, Series 2005-OPT4
C/O Ocwen Loan Servicing LLC.**

v.

**Alexander Cubero
Larue Tasha Cubero
LEGAL DESCRIPTION**

All that certain piece or parcel of land situate in the Township of North East, County of Erie, Commonwealth of Pennsylvania, bounded and described as follows, to-wit:
BEGINNING at the southeast corner of land deeded by Raymond A. Eastman and Marjorie E. Eastman to, William C. Walker and Katherine Walker and being part of Tract 158 (incorrectly designated Tract 58 in prior deed) of North East Township, in the east line of said tract and the center of the Cemetery Road; thence, south 64 degrees, 0 minutes west, two hundred twenty-two and twenty-two hundredths (22.22) feet to a point in the south line of the original property and the north line of Hinkler, Formerly B.R. Pierce; thence north 0 degrees, 44 minutes west, parallel with the center of the Cemetery road, two hundred twenty and no hundredths (22.00) feet; thence North 64 degrees, 0 minutes East, two hundred twenty-two and twenty-two hundredths (22.22) feet to the center of said road; thence south 0 degrees, 44 minutes east along the centerline of said road, two hundred twenty and no hundredths, (22.00) feet to the place of beginning. Containing one (1) acre of land, be the same more or less. (The last call and the last sentence were mistakenly omitted in the prior deed.)
Said premises having erected thereon a dwelling commonly known as 4078 South Cemetery Road, North East, Pennsylvania 16428 and bearing Erie County

Index No. (37) 19-94-13.

PROPERTY ADDRESS: 4078 Cemetery Road, North East, PA 16428

PARCEL 37019094001300

BEING the same premises Douglas P. Hammerman and Brenda Hammerman, husband and wife, husband and wife by Deed dated September 23, 2005, and recorded September 27, 2005, in the Office of the Recorder of Deeds in and for Erie County in Deed Book 1273, Page 752, granted and conveyed unto Alexander Cubero and Larue Tasha Cubero, as tenants by the entireties with the right of survivorship in the survivor thereof. William E. Miller, Esquire
Stern & Eisenberg, P.C.
1581 Main Street, Suite 200
The Shops at Valley Square
Warrington, PA 18976
(215) 572-8111

Jan. 2, 9, 16

SALE NO. 58

Ex. #12135 of 2014

**U.S. Bank Trust, N.A., as Trustee
for LSF8 Master Participation
Trust, by Caliber Home Loans,
Inc., as its attorney in fact,
Plaintiff**

v.

**Janet Esser a/k/a Janet M. Esser,
Defendant**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 12135-14 U.S. Bank Trust, N.A., as Trustee for LSF8 Master Participation Trust, by Caliber Home Loans, Inc., as its attorney in fact v. Janet Esser, a/k/a Janet M. Esser, owners of property situated in the Township of Waterford, Erie County, Pennsylvania being 318 East 4th Street, Waterford, Pennsylvania 16441.
Tax I.D. No. 46007029000106
Assessment: \$ 141,722.19
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 1400
Philadelphia, PA 19109
215-790-1010

Jan. 2, 9, 16

SALE NO. 59

Ex. #13308 of 2009

**BAC Home Loans Servicing, LP
fka Countrywide Home Loans
Servicing LP, Plaintiff
v.**

**Amy Raupach, Defendant
SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 13308-09, BAC Home Loans Servicing, LP fka Countrywide Home Loans Servicing LP v. Amy Raupach, owners of property situated in the Township of Corry, Erie County, Pennsylvania being 531 West Church Street a.k.a P.O. Box 170, Corry, Pennsylvania 16407.

Tax I.D. No. (8) 34-137-13

Assessment: \$ 47,486.95

Improvements: Residential Dwelling

McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 1400
Philadelphia, PA 19109
215-790-1010

Jan. 2, 9, 16

SALE NO. 61

Ex. #12186 of 2014

**LSF8 Master Participation Trust
c/o Caliber Home Loans, Inc.,
Plaintiff
v.**

**Tina M. Washok a/k/a
Tina Washok, Defendant
SHORT DESCRIPTION**

By virtue of a Writ of Execution filed to No. 12186-14, LSF8 Master Participation Trust c/o Caliber

Home Loans, Inc. v. Tina M. Washok, a/k/a Tina Washok, owners of property situated in the Township of Erie, Erie County, Pennsylvania being 3215 Perry Street, Erie, Pennsylvania 16504.

Tax I.D. No. 18-5055-128

Assessment: \$ 142,210.84

Improvements: Residential Dwelling

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Jan. 2, 9, 16



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NOTICE BY
PATRICK L. FETZNER

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

The following Executors, Administrators, Guardians and Trustees have filed their Accounts in the Office of the Clerk of Records, Register of Wills and Orphans' Court Division and the same will be presented to the Orphans' Court of Erie County at the Court House, City of Erie, on **Monday, January 26, 2015** and confirmed Nisi.

February 19, 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>2015</u>	<u>ESTATE</u>	<u>ACCOUNTANT</u>	<u>ATTORNEY</u>
8.	Robert Wall, a/k/a Robert S. Wall	Jack M. Wall, Executor	Gary H. Nash, Esquire
9.	Frank R. Genovese	Ralph Genovese, Trustee	John F. Mizner, Esquire Thomas J. Buseck, Esquire

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

Jan. 16, 23

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

**CIOTOLI, LOUISE,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administratrix C.T.A.: Gail B. Runyan, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**DeDIONISIO, DONALD D., a/k/a
DONALD DeDIONISIO,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Marie E. Scupski, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

**DURCHMAN, MARION G.,
a/k/a MARION DURCHMAN,
deceased**

Late of the Township of Harborcreek, County of Erie, Commonwealth of Pennsylvania
Executor: Neal G. Durchman, c/o Sterrett Mott Breski & Schimek, 1001 State Street, Suite 1400, Erie, PA 16501
Attorney: John J. Shimek, III, Esq., Sterrett Mott Breski & Schimek, 1001 State Street, Suite 1400, Erie, PA 16501

**McCORMICK, BARBARA T.,
deceased**

Late of the Township of Fairview, County of Erie, Commonwealth of Pennsylvania
Executor: Matthew J. Minnaugh, 1545 West 38th Street, Erie, PA 16508-2347
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**REICHEL, MARGARET K.,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania
Executor: Richard L. Reichel, II, 3208 State Street, Erie, PA 16508
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**SIGLER, JOSEPHINE M.,
deceased**

Late of Harborcreek Township
Executrix: Phyllis J. Kirchner, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**SWEENEY, MICHAEL L., SR.,
deceased**

Late of the City of Erie
Executor: Michael L. Sweeney, Jr., c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**THERASSE, JOSEPH RALPH,
a/k/a JOSEPH R. THERASSE,
deceased**

Late of Washington Township, Erie County, Pennsylvania
Co-Administrators: Leah J. Therasse, Joseph E. Therasse and David J. Therasse, 214 Erie St., Edinboro, PA 16412
Attorney: None

**WASSELL, KENNETH,
deceased**

Late of the City of Erie, Erie County, Commonwealth of Pennsylvania
Executor: Catherine Wassell, c/o Jerome C. Wegley, Esquire, 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

SECOND PUBLICATION

**CONSOLO, JAMES J.,
deceased**

Late of Corry
Executor: James L. Consolo, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**JUANG, MARGARET M. FAN,
a/k/a MARGARET F. JUANG,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania
Administrators CTA: Oliver Juang and Lillian Juang, c/o Jeremy C. Wegley, 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

THIRD PUBLICATION

**DAVIS, MAX,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executrix: Susan R. Tolin
Attorney: Craig A. Zonna, Esquire, Elderkin Law Firm, 150 East 8th St., Erie, PA 16501

**EASTON, HAZEL V.,
deceased**

Late of the Township of
Harborcreek, County of Erie and
Commonwealth of Pennsylvania
Executrix: Sharon M. Easton-
Lomax
Attorney: David J. Rhodes,
Esquire, Elderkin Law Firm, 150
East 8th Street, Erie, PA 16501

**PAKULSKI, FRANK J.,
deceased**

Late of the Township of
Millcreek, County of Erie and
Commonwealth of Pennsylvania
Executrix: Vicki Risjan
Attorney: David J. Rhodes,
Esquire, Elderkin Law Firm, 150
East 8th Street, Erie, PA 16501

**PAPANIKOS, MARY,
deceased**

Late of the Township of
Fairview, County of Erie and
Commonwealth of Pennsylvania
Executor: William Papanikos
Attorney: David J. Rhodes,
Esquire, Elderkin Law Firm, 150
East 8th Street, Erie, PA 16501

**PEPICELLO, GERALDINE T.,
deceased**

Late of Harborcreek Township,
County of Erie, Commonwealth
of Pennsylvania
Co-Administrators: Joseph A.
Pepicello, 7000 Firman Road,
Erie, PA 16510 and Robert M.
Pepicello, 6799 Macoun Way,
North East, PA 16428
Attorney: None

**Dennis
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JEFFREY J. COLE ----- jeff@jeffcolelaw.com
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