

*Erie
County
Legal
Journal*

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Commonwealth v. Johnson

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

MONDAY, JUNE 22, 2015

ECBA Golf Tournament
Lake Shore Country Club
1:00 p.m. shotgun start
\$99/ECBA member



Erie County Bar
Association



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To view PBI seminars visit the events calendar on the ECBA website
<http://www.eriebar.com/public-calendar>

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COMMONWEALTH OF PENNSYLVANIA
 V.
 JUSTIN R. JOHNSON, DEFENDANT

EVIDENCE SUPPRESSION / CANINE SNIFF OF A VEHICLE

Only reasonable suspicion, not probable cause, is required for a canine sniff of a vehicle.

EVIDENCE SUPPRESSION / CANINE SNIFF OF A VEHICLE

The presence of a canine unit at a scene prior the existence of reasonable suspicion does not impact the validity of a search, as the existence of reasonable suspicion is assessed independent of the preparative steps of the officers.

EVIDENCE SUPPRESSION / CANINE SNIFF OF A VEHICLE

A warrantless search of the passenger area of a vehicle incident to a recent occupant’s arrest is constitutional if the police have reason to believe the vehicle contains evidence relevant to the crime of arrest.

EVIDENCE SUPPRESSION / CANINE SNIFF OF A VEHICLE

A court must assess what facts were known to the officers at the time the search was conducted to determine if they had reason to believe the vehicle contained such evidence, and not what was ultimately found or subsequently discovered facts.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
 CRIMINAL DIVISION NO. 2848 OF 2014

Appearances: Wayne G. Johnson, Jr., Esq., Attorney for Defendant

MEMORANDUM OPINION

Cunningham, William R., J. April 10, 2015

The present matter is a Motion to Suppress filed by the Defendant, Justin R. Johnson. After an evidentiary hearing and the submission of briefs, the Motion to Suppress is **DENIED**.

FACTUAL FINDINGS

On July 23, 2014, Detective Adam Hardner of the Millcreek Police Department was conducting surveillance near the Defendant’s residence at the Granada Apartments with four other police officers. *Suppression Hearing Transcript, March 2, 2015 (“N.T.”)*, pp. 5-7. A canine unit was also present. *N.T. pp. 13, 17*. Prior to that day, Detective Hardner obtained an arrest warrant for the Defendant, which charged him with two counts of delivery of a controlled substance, two counts of possession of a controlled substance, and one count of possession of drug paraphernalia. *N.T. p. 7*. The charges arose out of two separate transactions when the Defendant allegedly sold crack cocaine to Detective Hardner. *N.T. pp. 7-8*.

Earlier on July 23, 2014, Detective Hardner requested an informant, with whom he had previously worked and found reliable, contact the Defendant to order a quantity of crack cocaine. *N.T. pp. 12-13*. The informant agreed to do so and made arrangements with the Defendant to make the drug sale that day. *N.T. p. 12*. The police were originally going to follow the Defendant to the meeting with the informant and conduct a “buy bust,” meaning the Defendant would be arrested immediately after consummating the sale. *N.T. pp. 12-13*.

However, upon learning from the informant that the Defendant may be in possession of a black semiautomatic handgun, Detective Hardner decided to act on the existing arrest warrant prior to the sale to ensure the safety of all involved. *N.T. p. 13.*

When the Defendant left his apartment complex driving a brown Ford Explorer, the officers conducted a traffic stop to execute the arrest warrant. *N.T. p. 9.* The Defendant was in the driver's seat and Mary Powell, who also sold Detective Hardner crack cocaine on two occasions, was in the passenger seat. *N.T. p. 9-10.* Pursuant to the arrest warrant, the officers ordered the Defendant out of the car and took him into custody. *N.T. p. 10.* Mary Powell was arrested based on the prior offenses committed in Detective Hardner's presence. *N.T. p. 10.* The Defendant and Ms. Powell were briefly searched, placed in a marked police car, and transported to the Millcreek police department. *N.T. pp. 10, 15, 18.*

A canine walk-around search of the Ford Explorer was conducted and the canine alerted that contraband was in the vehicle. *N.T. p. 13.* Based on the canine's positive indication, the arrests of the passengers, the belief that the Defendant was on his way to conduct a drug sale and possibly armed, the officers searched the interior of the vehicle and discovered a black semi-automatic handgun underneath the front passenger seat. *N.T. pp. 14-15.*

Unbeknownst to the officers on the scene, a search of the Defendant at the police station yielded a plastic baggie containing cocaine that had been hidden in his shoe. *N.T. pp. 14-15.*

CONCLUSIONS OF LAW

A. Canine Search

While probable cause is required to conduct a canine sniff of a person, reasonable suspicion is sufficient to conduct a canine sniff of a vehicle. *Commonwealth v. Rogers*, 849 A.2d 1185, 1191 (2004). Reasonable suspicion exists where an officer can articulate specific observations which, in conjunction with reasonable inferences derived from those observations, led him reasonably to conclude, in light of his experience, that criminal activity is afoot. *Commonwealth v. Caban*, 60 A.3d 120, 127 (Pa.Super. 2012). To determine whether an officer had reasonable suspicion at the time of the search, a court must look at the totality of the circumstances and any reasonable inferences that the officer may have drawn in light of his experience. *Id.* As a result, even a combination of innocent facts, when taken together, may constitute reasonable suspicion permitting further investigation by a police officer. *Commonwealth v. Kemp*, 961 A.2d 1247, 1255 (Pa.Super. 2008).

The Defendant argues that the higher standard of probable cause is required for a canine search of a vehicle, citing the recent Pennsylvania Supreme Court decision in *Commonwealth v. Gary*, 91 A.3d 102 (2014). There is no language in *Gary* stating that anything more than reasonable suspicion, as articulated in *Rogers*, is required to conduct a canine search of a vehicle. While the Supreme Court did find that the canine search was based on probable cause, the Supreme Court did not indicate that reasonable suspicion would not have been sufficient. Instead, the canine search was a factual predicate on which the Supreme Court based its analysis of the exigency requirement. The argument that *Gary* raised the standard required to conduct a canine search is inconsistent with the holding in *Gary*, which removed the exigency requirement to conduct a warrantless search of a vehicle.

The canine sniff of the Defendant's vehicle is valid, as the facts available to the officers at the time of the search were sufficient to meet the probable cause standard, and therefore

surpass the standard of reasonable suspicion. A police officer has probable cause to conduct a search when the facts available to him would warrant a person of reasonable caution to believe that contraband or evidence of a crime is present. *Florida v. Harris*, 133 S. Ct. 1050, 1055 (2013). A fluid concept, probable cause exists where there is a fair probability that the reasonable, prudent person would act. *Id.*

The officers initiated a traffic stop in order to execute an arrest warrant for charges related to the possession and intent to deliver controlled substances. Detective Hardner knew that the Defendant and Mary Powell sold crack cocaine to him. The officers were aware that the Defendant was on his way to conduct a sale of crack cocaine and was likely armed. The informant's information had previously proven reliable and led to arrests and convictions of other drug dealers.

Detective Hardner has been a detective for over eight years. *N.T. p. 4.* He has been part of the special investigations unit, which primarily investigates narcotics, for over two years. *N.T. pp. 4-5.* He has had numerous occasions to make arrests for drug-related offenses and has attended a week long narcotics school for training. *N.T. p. 5.* Viewing the circumstances through Detective Hardner's experience, there was probable cause for the search.

The Defendant argues that the presence of the canine unit at the scene prior to the traffic stop being initiated negates the validity of the search. This argument is unpersuasive. When and from where the canine unit was summoned does not impact the validity of the search, as the police still have to establish the legal justification for any search. Once the officers determined that a search was warranted, the sniff occurred. The same search would have occurred, albeit with a delay, if the officers had to call in the canine unit from another location because the facts known to the officers at the time of the search were sufficient to meet the required standard.

Therefore, the canine sniff of the vehicle was a valid search.

B. Search Incident to Lawful Arrest

The gun was discovered pursuant to an independent and valid search incident to the lawful arrest of the Defendant. A warrantless search of the passenger area of a vehicle incident to a recent occupant's arrest is constitutional if, *inter alia*, the police have reason to believe that the vehicle contains "evidence relevant to the crime of arrest." *Arizona v. Gant*, 556 U.S. 332 (2009).

Here, the police searched the interior of the Ford Explorer soon after the Defendant's arrest based on the belief that the vehicle contained evidence relevant to the crime of arrest. The Defendant was arrested on charges relating to the possession and delivery of crack cocaine. At the time of the arrest, the arresting officers believed the Defendant was on his way to sell crack-cocaine to an informant. As such, it is reasonable to believe the Defendant would have controlled substances on his person or in his car.

After nothing was found on the Defendant's person contemporaneous with his arrest, the officers reasonably believed the Defendant's car contained controlled substances. This fact, in addition to the positive indication by the canine, supported the belief that the evidence of the crime of possession of a controlled substance would be located in the car. The fact that cocaine was found on the Defendant when he was searched at the police department

has no bearing on the belief that evidence would be found in the car because the officers at the scene were unaware of its discovery at the station. Similarly, the fact that a weapon, not drugs, was found as a result of the search has no effect on its validity. The facts known to the officers prior to the search are the same regardless of what the search yielded. The discovery of the gun was therefore a product of a valid and legal search.

CONCLUSION

The canine search of the Defendant's car was based on probable cause, which subsumes the standard of a reasonable suspicion of criminal activity. The search of the passenger area was an independently valid search incident to arrest based on the reasonable belief that the vehicle the Defendant was driving at the time of his arrest contained evidence related to the crime of arrest.

For the reasons stated herein, the Defendant's Motion to Suppress is **DENIED**.

BY THE COURT:

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

BANKRUPTCY NOTICE

IN RE: HASSAN N. FARAH
 UNITED STATES BANKRUPTCY
 COURT FOR THE WESTERN
 DISTRICT OF PENNSYLVANIA
 BANKRUPTCY CASE NO. 14-
 23775-CMB

NOTICE OF SALE HEARING
 TO SELL REAL PROPERTY
 PLEASE TAKE NOTICE that
 Jacqueline B. Martinez, a secured
 creditor in the above-captioned
 case, has filed a Motion for Entry
 of an Order Approving Sale of
 Property Free and Clear of Liens
 and Encumbrances, seeking court
 approval to sell the following real
 property: All real property situate
 in the Township of Springfield,
 Erie County, Pennsylvania,
 recorded in the Office of the
 Recorder of Deeds of Erie County,
 Pennsylvania, at Deed Book 2012,
 Deed Page 003331, consisting of
 approximately 15.8 acres, having
 erected thereon an approximately
 1,400 square foot residence and
 other outparcels, being identified
 as Parcel Identification Number
 39008029000100, and being
 commonly known as 13057 West
 Lake Road, East Springfield,
 PA 16411. The initial bid shall
 be the credit bid of Martinez, in
 the amount of \$11,868.88 plus
 outstanding attorneys' fees and
 costs.

A sale hearing is scheduled for July
 7, 2015, at 2:30 p.m., before Judge
 Carlota M. Bohm in Courtroom B,
 54th Floor, U.S. Steel Building,
 600 Grant Street, Pittsburgh, PA,
 at which time higher/better offers
 will be considered and Objections
 to the sale will be heard. On
 or before June 30, 2015, any
 Objections to the sale described
 in the Motion shall be filed with
 the U.S. Bankruptcy Court, 5414
 U.S. Steel Tower, 600 Grant Street,
 Pittsburgh, PA 15219, with a copy
 served on the Debtor, United States
 Trustee, all secured creditors, and
 all interested parties.
 Additional information is available
 by contacting Bernstein-Burkley,
 PC, Attn: Allison L. Carr, Esq., 707
 Grant Street, Suite 2200, Pittsburgh,
 PA 15219, 412-456-8100. Further

information regarding this sale
 may be found on the Court's
 EASI Website: <http://www.pawb.uscourts.gov/easi.htm>

Jun. 19

BANKRUPTCY NOTICE

UNITED STATES
 BANKRUPTCY COURT
 WESTERN DISTRICT OF
 PENNSYLVANIA
 IN RE: ERIE HOCKEY CLUB
 LIMITED, Debtor.

ERIE HOCKEY CLUB LIMITED,
 Movant,
 v.

JAW HOCKEY ENTERPRISES
 LP, ONTARIO MAJOR JUNIOR
 HOCKEY CORPORATION,
 REEBOK CCM HOCKEY US
 INC.; ONTARIO HOCKEY
 LEAGUE; OFFICIAL
 COMMITTEE OF UNSECURED
 CREDITORS; ERIE COUNTY
 CONVENTION CENTER
 AUTHORITY; WXKC-FM,
 WQHZ-FM, WXTA-FM, WXKC
 HD2 WRIE C/O CUMULUS
 MEDIA, LLC-ERIE; WFNN 1330
 OWNED AND OPERATED BY
 CONNOISSEUR PROPERTIES;
 5050CENTRAL DELAWARE,
 INC.; AARON'S INC.; HAPPY
 92.7; LOCALEDGE; TIME
 WARNER CABLE; ALLY; DARIN
 BASSIN; TOSHIBA FINANCIAL
 SERVICES; AND PARTIES TO:
 EMPLOYMENT CONTRACTS
 (EXHIBIT "D"); CORPORATE
 PARTNERSHIP AGREEMENTS
 (EXHIBIT "E"); CORPORATE
 PARTNERSHIP CONTRACTS
 (EXHIBIT "F"); CORPORATE
 PARTNERSHIP TRADE
 AGREEMENTS (EXHIBIT "G");
 CORPORATE SPONSORSHIP
 AGREEMENTS (EXHIBIT "H");
 CURRENT OHL STANDARD
 PLAYER CONTRACTS
 (EXHIBIT "I"); FORMER
 OHL STANDARD PLAYER
 CONTRACTS (EXHIBIT "J");
 INSURANCE POLICY HOLDERS
 (EXHIBIT "K"); 2015-2016
 SEASON TICKET HOLDERS
 (EXHIBIT "L"), Respondents.
 CASE NO. 15-10380(TPA)
 CHAPTER 11

Attachment "1"

**NOTICE OF AUCTION AND
 HEARING ON THE SALE OF
 SUBSTANTIALLY ALL ASSETS
 OF DEBTOR**

To the creditors and parties in
 interest of the above-captioned
 debtor:

PLEASE TAKE NOTICE that,
 on May 29, 2015, Erie Hockey
 Club Limited (the "Debtor") filed a
 motion seeking approval of, among
 other things (A) bidding procedures
 (the "Bidding Procedures") in
 connection with the sale (the "Sale")
 of substantially all of its assets;
 (B) a break-up fee for the stalking
 horse bidder; (C) procedures for the
 assumption and assignment of the
 Debtor's executory contracts and
 unexpired leases; and (D) the form
 of notice of sale with the United
 States Bankruptcy Court for the
 Western District of Pennsylvania
 (the "Bankruptcy Court"). On June
 9, 2015, the Bankruptcy Court
 approved the Bidding Procedures
 by the Order attached hereto as
 Exhibit "A" (Docket No.) (the
 "Bidding Procedures Order").

**PLEASE TAKE FURTHER
 NOTICE** that, with the exception
 of certain Excluded Assets (defined
 in the Stalking Horse APA, a copy
 of which is attached to the Sale
 Motion as Exhibit "A"), the Debtor
 is offering substantially all of its
 business assets including, but not
 limited to, the Erie Otters Hockey
 Club franchise, which is a member
 of the Ontario Hockey League
 (the "Assets") for sale pursuant
 to an *Expedited Motion for Order
 Approving Sale of Substantially all
 Personal Property of the Debtor
 Free and Clear of Liens, Claims,
 Encumbrances and Interests
 Outside the Ordinary Course of
 Business, (ii) Authorizing Debtor
 to Assume and Assign Certain
 Executory Contracts and Unexpired
 Leases, and (iii) Granting Related
 Relief* (the "Sale Motion") that was
 filed on May 29, 2015 (Docket No.
 147).

**PLEASE TAKE FURTHER
 NOTICE** that, all interested parties
 are invited to submit a Qualified
 Bid and to make offers to purchase
 the Assets in accordance with the

terms of the Bidding Procedures Order. The deadline to submit bids (the "Bid Deadline") is **June 24, 2015 at 4:00 P.M. (prevailing Eastern Time)** along with a Good Faith Deposit in the amount of One Million US Dollars (\$1,000,000) cash.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Bidding Procedures Order, an auction for the sale of the Assets and sale hearing shall occur on **July 10, 2015 at 10:00 A.M.** in the Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, Pennsylvania 16501 (the "Auction"). If the Debtor does not receive a Minimum Upset Bid of at least Seven Million Six Hundred Twenty-Five Thousand US Dollars (\$7,625,000) prior to the Bid Deadline, the Auction will not occur, and the Debtor will proceed only with the sale hearing.

PLEASE TAKE FURTHER NOTICE that, interested parties

requesting information about the Assets and/or desiring to conduct due diligence should contact Robert L. Caporale of Game Plan Special Services LLC, 1710 West 23rd Street, Miami Beach, Florida 33140; email: bobcap@gameplanllc.com, tel: (305) 695-1512.

PLEASE TAKE FURTHER NOTICE that, this Notice is subject to the complete terms and conditions of the Bidding Procedures Order, and the Sale Motion, which shall control in the event of any conflict, and the Debtor encourages parties in interest to review carefully such documents in their entirety. Copies of these pleadings may be obtained by written request to counsel to the Debtor, c/o Nicholas R. Pagliari, Esquire, MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, PA 16507; npagliari@mjb.com. In addition, copies of the aforementioned pleadings may be found on the Bankruptcy Court's website, www.pawb.uscourts.gov,

and are on file with the Bankruptcy Court and available for inspection during regular business hours at the office of the Clerk of the Bankruptcy Court, U.S. Courthouse, 17 South Park Row, Erie, Pennsylvania 16501. Finally, notice of and information about the sale can also be found on the Bankruptcy Court's Electronic Access to Sales Information (EAST) website, <http://www.pawb.uscourts.gov/easi.htm>.

Dated: June , 2015
Respectfully submitted,
/s/ Nicholas R. Pagliari
Pa. Supreme Court ID No. 87877
MacDonald, Illig, Jones & Britton LLP
100 State Street, Suite 700
Erie, Pennsylvania 16507-1459
(814) 870-7754
FAX (814) 454-4647
npagliari@mjb.com
Attorneys for Debtor, Erie Hockey Club Limited

Jun. 19

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CHANGE OF NAME NOTICE
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA

NO. 10912-2015

IN RE: PATRICK R. CORNELIO

Notice is hereby given that a petition has been filed in the above-named Court, requesting an Order to change the name of Patrick Robba Cornelio to Patrick Robba Ladu.

The Court has fixed the 6th day of July, 2015 at 9:30 a.m. in Courtroom G, Room 222, on the 2nd floor of the Erie County Courthouse, 140 W. 6th St., Erie, PA 16501 as the time and place for the hearing on said petition (continued from May 22, 2015), when and where all interested parties may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

Jun. 19

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: Soma Movement Arts
2. Principal business address: 2601 Peach Street, 2nd Floor, Erie, PA 16508
3. Names and address of the persons who are parties to the registration: Patricia N. Clutter, 5131 Belle Village Dr. East, Erie, PA 16509 and Lani Weissbach, 3834 Eliot Rd., Erie, PA 16508
4. The Fictitious Name was filed with the Pennsylvania Department of State under the Fictitious Names Act on or about June 3, 2015.

Jun. 19

LEGAL NOTICE

Kimberly Kent Haehn or anyone with an interest in the 1975 Hillcrest mobile home located at 53 Cherrywood Lane, Erie, PA 16509.

Please call Linda @ 814-602-8041 or appear at the court hearing scheduled July 17th 2015 - Court room 222-G Judge Domitrovich @ 3:00 PM

Jun. 19

LEGAL NOTICE

Tyler Brandon Lydic or anyone with an interest in the 1971 Apollo mobile home located at 28 Cherrywood Lane, Erie, PA 16509. Please call Linda @ 814-602-8041 or appear at the court hearing scheduled July 17th 2015 - Court room 222-G Judge Domitrovich @ 3:00 PM

Jun. 19

LEGAL NOTICE

Eduardo Jose Gonzalez or anyone with an interest in the 1971 Mark IV mobile home located at 55 Cherrywood Lane , Erie, PA 16509 Please call Linda @ 814-602-8041 or appear at the court hearing scheduled July 17th 2015 - Court room 222-G Judge Domitrovich @ 3:00 PM

Jun. 19

LEGAL NOTICE

Erie County
Court of Common Pleas
Number: 11374-15
Notice or Action in Mortgage Foreclosure

LSF8 Master Participation Trust, Plaintiff v. Janice M. Kirksey, Known Surviving Heir of Lesley S. Burrows, Deceased Mortgagor and Real Owner, Kathleen Hurtado Burrows, Known Surviving Heir of Lesley S. Burrows, Deceased Mortgagor and Real Owner, Anna M. Burrows, a/k/a Anna Burrows, Mortgagor and Known Surviving Heir of Lesley S. Burrows, Deceased Mortgagor and Real Owner, Lesley S. J. Burrows, Known Surviving Heir of Lesley S. Burrows, Deceased Mortgagor and Real Owner, David A. Burrows, Known Surviving Heir of Lesley S. Burrows, Deceased Mortgagor and Real Owner and Unknown Surviving Heirs of Lesley S. Burrows, Deceased Mortgagor and Real Owner, Defendants

TO: Unknown Surviving Heirs of Lesley S. Burrow's Deceased Mortgagor and Real Owner. Premises subject to foreclosure: 4006 Essex Avenue, Erie, Pennsylvania 16504. NOTICE: If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you. You should take this notice to your lawyer at once. If you do not have a lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer. If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee. **Lawyer Referral Service, PO Box 1792, Erie, PA 16507 (814) 459-4411.** McCabe, Weisberg & Conway, P.C., Attorneys for Plaintiff, 123 S. Broad St., Ste. 1400, Phila., PA 19109, 215-790-1010.

Jun. 19

**AUDIT LIST
NOTICE BY
KENNETH J. GAMBLE**

**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, June 29, 2015** and confirmed Nisi.

July 23, 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>
152.	Samuel D. Steen	Audrey M. Steen, Administratrix	Christine Hall McClure, Esquire
153.	Mary D. Sensor	Stephen M. Sensor, Administrator	Joseph B. Spero, Esquire
154.	Frank M. Marucci	Catherine M. Conniff, Executrix	Darlene M. Vlahos, Esquire
155.	Eric A. Christiansen	Beatrice C. Christiansen, Administratrix	John C. Brydon, Esquire
156.	Edward Joseph Czerwinski	Richard L. Czerwinski, Executor	John F. Mizner, Esquire
157.	Edward J. Czerwinski Trust	Richard L. Czerwinski, Trustee	John F. Mizner, Esquire

KENNETH J. GAMBLE
Clerk of Records
Register of Wills &
Orphans' Court Division

Jun. 19, 26

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**BASHAW, HELEN K.,
deceased**

Late of the North East Borough, Erie County, North East, Pennsylvania

Executrix/Successor Trustee: Helen L. Nemeth, c/o Robert J. Jeffery, Esq., 33 East Main Street, North East, Pennsylvania 16428
Attorney: Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**DiMARIE, FRANK L.,
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania
Executrix: Doria L. Allen, c/o Joseph B. Spero, Esquire, 3213 West 26th Street, Erie, Pennsylvania 16506

Attorney: Joseph B. Spero, Esquire, 2313 West 26th Street, Erie, Pennsylvania 16506

**GRAHAM, GILBERT R.,
deceased**

Late of the City of Erie
Executrix: Bonnie Woodard, c/o 2601 Darlington Road, Beaver Falls, PA 15010

Attorney: Allen Andrascik, Esquire, 2601 Darlington Road, PO Box 1555, Beaver Falls, PA 15010

**HARPSTER, P. IRENE, a/k/a
PHYLLIS IRENE HARPSTER,
a/k/a IRENE HARPSTER, a/k/a
PHYLLIS I. HARPSTER,
deceased**

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

Executrix: Karen S. Williams, 11370 Shaddock Road, North East, Pennsylvania 16428

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

**HOBBS, JAMES F.,
deceased**

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

Executor: Donald M. Hobbs, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

Attorney: Scott L. Wallen, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**KALISZEWSKI, MATTHEW
JOSEPH, a/k/a
MATT KALISZEWSKI,
deceased**

Late of the City of Erie, Erie County, Pennsylvania

Administratrix: Dorothy R. Kaliszewski, PO Box 3674, Erie, PA 16508

Attorney: None

**KARDOS, REGIS J., JR.,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania

Administrator: Richard J. Kardos, 447 Jackson Street, Conneaut, OH 44030

Attorney: Jeffrey K. Millin, Esq., Shafer Law Firm, 890 Market St., Meadville, PA 16335

**KARLE, HAROLD A.,
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania
Executrix: Laurie A. Hilyer, c/o Joseph B. Spero, Esquire, 3213 West 26th Street, Erie, Pennsylvania 16506

Attorney: Joseph B. Spero, Esquire, 3213 West 26th Street, Erie, Pennsylvania 16506

**KING, PATRICIA E., a/k/a
PATRICIA KING,
deceased**

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

Executor: David A. King, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508

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

**MERRITT, MARILYN JEAN,
a/k/a MARILYN J. ULRICH,
deceased**

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

Executor: Gordon Merritt, c/o Yochim, Skiba & Nash, 345 West 6th Street, Erie, PA 16507

Attorney: Gary V. Skiba, Esquire, Yochim, Skiba & Nash, 345 West 6th Street, Erie, PA 16507

**SULLIVAN, HENRY J., a/k/a
HENRY JOSEPH SULLIVAN,
deceased**

Late of the City of Erie, Erie County, Pennsylvania

Executor: Maureen M. Koseff, 7400 North Shore Drive, Erie, PA 16511

Attorneys: Watts & Pepicelli, P.C., 916 Diamond Park, Meadville, PA 16335

**SWARM, WINONA T., a/k/a
WINONA F. SWARM, a/k/a
FRAN SWARM,
deceased**

Late of the Township of Concord, Erie County, Pennsylvania
Executrix: Barbara Lynn Gates, 20640 Welch Hill Road, Corry, PA 16407
Attorney: William E. Barney, Esq., 200 North Center Street, Corry, Pennsylvania 16407

**SWARTWOOD, MONA J.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Shelly Dee Swartwood-Cantor, c/o 3305 Pittsburgh Avenue, Erie, Pennsylvania 16508
Attorney: Darlene M. Vlahos, Esquire, 3305 Pittsburgh Avenue, Erie, PA 16508

**ZIBRINYI, HELEN,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executor: Katherine T. Zibrinyi, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Scott L. Wallen, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

SECOND PUBLICATION

**AMENTA, COSMO
CARLETON, a/k/a
COSMO C. AMENTA,
deceased**

Late of the Township of Greenfield, County of Erie, State of Pennsylvania
Administrator: Lawrence J. Amenta, 649 Pine Tree Drive, Girard, PA 16417
Attorney: James R. Steadman, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**BOSTAPH, BERTHA A.,
deceased**

Late of the City of Erie, County of Erie, State of Pennsylvania
Executor: Lana Mattocks, c/o 78 East Main Street, North East, PA 16428
Attorney: John C. Brydon, Esq., Brydon Law Office, 78 East Main Street, North East, PA 16428

**DOMBROWSKI, JOAN F.,
deceased**

Late of the Township of Millcreek, County of Erie, Pennsylvania
Co-Executors: Claudia A. Dombrowski, SSJ and Gerald J. Dombrowski, c/o 3939 West Ridge Road, Suite B-27, Erie, PA 16506
Attorney: James L. Moran, Esquire, 3939 West Ridge Road, Suite B-27, Erie, PA 16506

**DOUBLE, DARRELL T.,
deceased**

Late of Lawrence Park Twsp., Erie County, Erie, Pennsylvania
Administratrix: Stephanie A. Okleja, c/o Edward Orton, 33 East Main Street, North East, Pennsylvania 16428
Attorneys: Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**FITTING, BARBARA J.,
deceased**

Late of the Township of Waterford, County of Erie and Commonwealth of Pennsylvania
Executrix: Martha Ann Nelson, c/o James E. Marsh, Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorneys: Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507

**GAMBILL, LYDIA ELLEN,
a/k/a LYDIA GAMBILL,
a/k/a ELLEN GAMBILL,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Co-Executors: Vernon Leslie Gambill and Linda Love, 1428 E. 32nd St., Erie, PA 16504
Attorney: None

**HERRING, JOAN P.,
deceased**

Late of the City of Erie, Erie County, Erie, Pennsylvania
Administratrix: Susan E. Gould, c/o Robert J. Jeffery, Esq., 33 East Main Street, North East, Pennsylvania 16428
Attorneys: Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**HOLMES, PHILLIP DAVID,
deceased**

Late of the Township of Harborcreek, Erie County, Pennsylvania
Executor: Carole Holmes, c/o Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507
Attorney: Joseph P. Martone, Esquire, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

**HORTON, NONA A., a/k/a
NONA HORTON,
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania
Executor: Thomas R. Horton, 9225 Prince William Street, Manassas, Virginia 20110
Attorney: Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**LANGER, LORAYNE I.,
deceased**

Late of Millcreek Township
Executrix: Diane Fitzgerald, c/o Attorney Terrence P. Cavanaugh, 3336 Buffalo Road, Erie, PA 16510
Attorney: Terrence P. Cavanaugh, Esq., 3336 Buffalo Road, Erie, PA 16510

**LONG, JOHN C.,
deceased**

Late of the Township of North East, County of Erie, State of Pennsylvania
Executor: Randall Long, c/o 78 East Main Street, North East, PA 16428
Attorney: John C. Brydon, Esq., Brydon Law Office, 78 East Main Street, North East, PA 16428

**MUNN, CARSON F.,
deceased**

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

Executor: Kevin M. Krivonak, c/o 78 East Main Street, North East, PA 16428

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

**PHILLIPS, DONNA L.,
deceased**

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

Executrix: Tammy Sanfilippo, 20400 Limber Creek Drive, Meadville, PA 16335

Attorney: Edwin W. Smith, Esq., Shapira, Hutzelman, Smith & Walsh, 305 West Sixth Street, Erie, PA 16507

**PROPER, DEBRA J.,
deceased**

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

Administrator: Brian K. McIntyre, c/o 504 State Street, Suite 300, Erie, PA 16501

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

**ROGERSON, RACHEL H. a/k/a
RACHEL HITCHCOCK
ROGERSON, f/k/a
RACHEL H. LOCKWOOD,
deceased**

Late of Waterford Township, County of Erie

Executor: Ronald Jagta, 12884 Hood Road, Waterford, PA 16441

Attorney: Thomas A. Testi, Esq., 3952 Avonia Road, P.O. Box 413, Fairview, PA 16415

**SAMOKAR-LEE, HELEN R.,
deceased**

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

Executrix: Tanya L. Spencer, c/o 3939 West Ridge Road, Suite B-27, Erie, PA 16506

Attorney: James L. Moran, Esquire, 3939 West Ridge Road, Suite B-27, Erie, PA 16506

**SHAFFER, MARIAN LUCILLE,
deceased**

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

Executor: Pamela A. Shaffer, c/o Attorney Elizabeth Brew Walbridge, 1001 State St., Suite 1400, Erie, PA 16501

Attorney: Elizabeth Brew Walbridge, Esq., 1001 State St., Suite 1400, Erie, PA 16501

**TUNNEY, FRANK J., a/k/a
FRANCIS J. TUNNEY, a/k/a
FRANK TUNNEY
deceased**

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

Executor: Paul S. Tunney, 8772 Auburn Road, Chardon, OH 44024-8712

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

**ZAMIROSKI, HENRY J.,
a/k/a HENRY ZAMIROSKI,
deceased**

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

Administrator: Ricky M. Zamiroski, c/o Sterrett Mott Breski & Shimek, 1001 State Street, Suite 1400, Erie, PA 16501

Attorney: Gregory W. Breski, Esq., Sterrett Mott Breski & Shimek, 1001 State Street, Suite 1400, Erie, PA 16501

THIRD PUBLICATION

**ALEXA, MATTHEW,
deceased**

Late of Erie, Erie County, PA
Administrator: Mark W. Alexa, c/o Gerald J. Villella, Esquire, 150 East Eighth Street, 2nd Floor, Erie, PA 16501

Attorney: Gerald J. Villella, Esquire, 150 East Eighth Street, 2nd Floor, Erie, PA 16501

**BUSH, ANNA MAE,
deceased**

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

Administrator: Laura A. Brokos, PO Box 166, Fairview, PA 16415
Attorney: None

**DEVARENNE, BONNIE L.,
deceased**

Late of the Township of Fairview, Erie County, Pennsylvania

Executor: Joseph P. Devarenne, III, 232 S. Lafayette Park Place, Unit 402, Los Angeles, CA 90057
Attorney: Randy L. Shapira, Esq., 305 West Sixth Street, Erie, PA 16507

**DiLORETO, EVELYN TAYLOR,
a/k/a EVELYN T. DiLORETO,
deceased**

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

Executor: Gregory T. DiLoreto, 1516 Perimeter Road, M-105, West Palm Beach, FL 33406-1454

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

**EWER, CHARLOTTE F.,
deceased**

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

Executor: Kent G. Ewer, c/o Norman A. Stark, Esq., Suite 300, 300 State Street, Erie, PA 16507

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

**GATES, MERLE L.,
deceased**

Late of Fairview Township, County of Erie

Executor: Thomas A. Testi, Esq., 3952 Avonia Road, PO Box 413, Fairview, PA 16415

Attorney: Thomas A. Testi, Esq., 3952 Avonia Road, PO Box 413, Fairview, PA 16415

**HEILE, MARY ANN H., a/k/a
MARY ANN HEILE,
deceased**

Late of the City of Erie, County of Erie

Executor: Deborah J. Stefanucci, 232 Wood Street, Meadville, Pennsylvania 16335

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

**HOLODNAK, MABEL L.,
deceased**

Late of Harborcreek Township, County of Erie, Commonwealth of Pennsylvania

Administrator: Deborah A. Angelo, 7025 Clark Rd., Erie, PA 16510

Attorney: None

**KIGHTLINGER, MARGARET G.,
deceased**

Late of the Township of Millcreek, Erie County, PA

Executrix: Suzanne R. Bello, c/o 120 West 10th Street, Erie, PA 16501

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

**KOHLER, JOHN J.,
deceased**

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

Executor: Thomas S. Kubinski, Esq., The Conrad - F.A. Brevillier House, 502 Parade Street, Erie, PA 16507

Attorney: Thomas S. Kubinski, Esquire, The Conrad - F.A. Brevillier House, 502 Parade Street, Erie, PA 16507

**KOHLER, LINDA M. BASTOW,
a/k/a LINDA M. BASTOW,
deceased**

Late of Fairview, County of Erie and Commonwealth of Pennsylvania

Executor: Kimberly Ann Halstead, c/o Eugene C. Sundberg, Esq., Suite 300, 300 State Street, Erie, PA 16507

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

**PRANSKY, GEORGE N.,
deceased**

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

Executrix: Carolyn Mosher, c/o Paul J. Carney, Jr., Esq., 224 Maple Avenue, Corry, PA 16407

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

**TODDY, JERRY W., a/k/a
JERRY TODDY,
deceased**

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

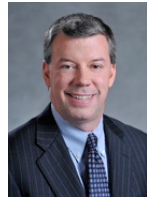
Administratrix: Shirley Church, 116 Tammy Lane, P.O. Box 342, Benton TN 37307

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

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