

Erie County Legal Journal

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Needham v. Commonwealth of Pennsylvania, Department of Transportation

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, MAY 24, 2016

ECBA Live Seminar
Sentencing Updates

Bayfront Convention Center

8:30 a.m. - 11:45 a.m. (registration/breakfast - 8:00 a.m.)

\$135 (ECBA member/non-attorney staff)

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\$69* Professional (non-attorney)
3 hours substantive

THURSDAY, JUNE 23

ECBA Annual Golf Tournament
Lawrence Park Golf Club

1:00 p.m. shotgun start

more details coming soon

THURSDAY, JULY 26, 2016

ECBA Mid-Year Membership Meeting
Sheraton Hotel

Guest Speaker: Hon. John E. Jones, III
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MARK RICHARD NEEDHAM

v.

**COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF
TRANSPORTATION**

*TRANSPORTATION LAW / PRIVATE VEHICLES / VEHICLE REGISTRATION /
GENERAL OVERVIEW*

The Pennsylvania Commonwealth Court's scope of review regarding license suspension cases "is limited to determining whether the trial court's findings of fact are supported by competent evidence and whether the trial court committed an error of law or an abuse of discretion in reaching its decision. The standard for sustaining an appeal based on delay requires an appellant to show (1) an unreasonable delay chargeable to PennDOT led the appellant to believe that their operating privileges would not be impaired; and (2) prejudice would result by having the operating privileges suspended after such delay.

*TRANSPORTATION LAW / PRIVATE VEHICLES / OPERATOR LICENSES /
GENERAL OVERVIEW*

Although the Department of Transportation is required to send out suspension notices within a "reasonable time," whether its delay in doing so is "unreasonable" depends upon the circumstances of the particular case.

*TRANSPORTATION LAW / PRIVATE VEHICLES / OPERATOR LICENSES /
GENERAL OVERVIEW*

When the Department of Transportation fails to take responsibility for moving a case forward under circumstances where it is reasonable for it to be expected to do so, the delay is attributable to the Department. Where the other party is reasonably expected to move things forward, attribution must follow as well. The moving party has the burden to move the case forward.

*TRANSPORTATION LAW / PRIVATE VEHICLES / OPERATOR LICENSES /
REVOCATION & SUSPENSION*

Once a licensee raises the delay defense, PennDOT must then prove that the delay was caused by some factor other than mere administrative inaction. If PennDOT meets this burden, the licensee's appeal should be dismissed. If the Department fails to meet this burden, then the burden shifts to the licensee to prove prejudice.

*TRANSPORTATION LAW / PRIVATE VEHICLES / OPERATOR LICENSES /
GENERAL OVERVIEW*

In determining whether there was an unreasonable delay attributable to PennDOT, the relevant time period is that between the point at which DOT receives notice of the licensee's conviction from the judicial system and the point at which PennDOT notifies the licensee that their license has been suspended or revoked.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
NO. 10205-2015

Appearances: W. Charles Sacco, Esq., on behalf of Mark Richard Needham (Appellant)
Terrance M. Edwards, Esq., on behalf of the Commonwealth of
Pennsylvania Department of Transportation (Appellee)

OPINION

Domitrovich, J., August 5th, 2015

The instant matter is before the Pennsylvania Commonwealth Court on Mark Richard Needham's (hereafter referred to as "Appellant") appeal from this Trial Court's Order dated June 1st, 2015, whereby this Trial Court dismissed Appellant's civil License Suspension Appeal. By its Order dated June 1st, 2015, this Trial Court concluded the Pennsylvania Department of Transportation (hereafter referred to as "PennDOT") properly and timely reinstated Appellant's two (2) separate civil license suspensions by Notice dated December 29th, 2014, and Appellant did not offer any evidence to demonstrate the nearly five (5) year delay was chargeable to PennDOT, nor did Appellant offer any evidence offered to indicate circumstances existed making it reasonable to shift the burden of moving Appellant's civil License Suspension Appeal forward to PennDOT.

I. Procedural History

In May of 2009, Appellant was charged with Driving under the Influence: General Impairment – 2nd Offense, in violation of 75 Pa. C. S. §3802(a)(1); Driving Under the Influence: High Rate of Alcohol (BAC .10 - .16) – 2nd Offense, in violation of 75 Pa. C. S. §3802(b); and Maximum Speed Limits,¹ in violation of 75 Pa. C. S. §3362(a)(1). On October 26th, 2009, following a Non-Jury Criminal Trial before the Honorable Shad Connelly, Appellant was found guilty on all charges. Sentencing occurred on November 30th, 2009, at which Appellant was sentenced on Count 2 (Driving under the Influence: High Rate of Alcohol (BAC .10 - .16) – 2nd Offense, in violation of 75 Pa. C. S. §3802(b)) to sixty (60) days of Electronic Monitoring and four (4) months of probation.²

Appellant filed a Notice of Appeal regarding his criminal convictions to the Pennsylvania Superior Court on December 2nd, 2009. PennDOT imposed two (2) separate civil license suspensions by Notice dated February 10th, 2010, wherein PennDOT notified Appellant of his right to appeal the two (2) separate civil license suspensions in the Court of Common Pleas (Civil Division) within thirty (30) days of the date of Notice, February 10th, 2010. *See PennDOT's Exhibit 1, Sub-Exhibit 8, pg. 3.* Instead, Appellant chose to file a Motion for Supersedeas in his criminal action, and Judge Shad Connelly, by Order dated February 19th, 2010, granted a supersedeas at the criminal docket. Appellant's criminal sentences were affirmed by the Pennsylvania Superior Court on May 25th, 2010, and Appellant filed a Petition for Allowance of Appeal to the Pennsylvania Supreme Court on July 9th, 2010. By Order dated December 7th, 2010, the Pennsylvania Supreme Court denied Appellant's Petition for Allowance of Appeal.

PennDOT reinstated Appellant's two (2) separate civil license suspensions by Notice dated December 29th, 2014. Appellant filed a Petition for Appeal from a Suspension of Operating Privileges/Denial of Driver's License/Suspension of Motor Vehicle Registration on January 28th, 2015. A License Suspension Appeal hearing was scheduled for April 29th, 2015 before this Trial Court, at which Appellant appeared and was represented by W.

¹ Under this section, Appellant was charged with exceeding the posted speed limit, i.e. 35 mph, by 11 mph.

² Count 1 (Driving under the Influence: General Impairment – 2nd Offense, in violation of 75 Pa. C. S. §3802(a)(1)) merged with Count 2 (Driving under the Influence: High Rate of Alcohol (BAC .10 - .16) – 2nd Offense, in violation of 75 Pa. C. S. §3802(b)). No further penalties were assessed at Count 3 (Maximum Speed Limits, in violation of 75 Pa. C. S. §3362(a)(1)).

Charles Sacco, Esq., and Chester J. Karas Jr., Esq., appeared on behalf of the Department of Transportation. Following said hearing, at which the issue of undue prejudice regarding delay was argued by both counsel, this Trial Court requested both counsel submit Memoranda of Law. Appellant filed his Memorandum of Law on May 8th, 2015. Chester J. Karas Jr., Esq., filed his Memorandum of Law on May 11th, 2015. On June 1st, 2015, this Trial Court filed its Opinion and Order, whereby this Trial Court dismissed Appellant's civil License Suspension Appeal.

Appellant filed his Notice of Appeal to the Pennsylvania Commonwealth Court on June 26th, 2015. This Trial Court filed its 1925(b) Order on June 26th, 2015. Appellant filed his Statement of Matters Complained of on Appeal July 15th, 2015.

II. Legal Argument

The Pennsylvania Commonwealth Court's scope of review regarding license suspension cases "is limited to determining whether the trial court's findings of fact are supported by competent evidence and whether the trial court committed an error of law or an abuse of discretion in reaching its decision. *Commonwealth of Pennsylvania, Department of Transportation, Bureau of Driver Licensing v. Gombocz*, 909 A.2d 798, 800-801 (Pa. 2006) (citing *Terraciano v. Commonwealth of Pennsylvania, Department of Transportation, Bureau of Driver Licensing*, 753 A.2d 233, 236 (Pa. 2000)). The standard for sustaining an appeal based on delay requires an appellant to show (1) an unreasonable delay chargeable to PennDOT led the appellant to believe that their operating privileges would not be impaired; and (2) prejudice would result by having the operating privileges suspended after such delay. *Id.* Although PennDOT is required to send out suspension Notices within a "reasonable time," whether its delay in doing so is "unreasonable" depends upon the circumstances of the particular case. *Lancos v. Commonwealth of Pennsylvania, Department of Transportation, Bureau of Driver Licensing*, 689 A.2d 342, 344 (Pa. Commw. Ct. 1997). When PennDOT fails to take responsibility for moving a case forward under circumstances where it is reasonable for it to be expected to do so, the delay is attributable to PennDOT. *Gombocz*, 909 A.2d at 801 (citing *Terraciano*, 753 A.2d at 236). Where the other party is reasonably expected to move things forward, attribution must follow as well. *Id.* **The moving party has the burden to move the case forward.** *Id.* [emphasis added].

Furthermore, once a licensee raises the delay defense, PennDOT must then prove that the delay was caused by some factor other than mere administrative inaction. *Cesare v. Commonwealth of Pennsylvania, Department of Transportation, Bureau of Driver Licensing*, 16 A.3d 545, 548-549 (Pa. Commw. Ct. 2011) (citing *Grover v. Commonwealth of Pennsylvania, Department of Transportation, Bureau of Driver Licensing*, 734 A.2d 941, 943 (Pa. Commw. Ct. 1999)). In determining whether there was an unreasonable delay attributable to PennDOT, the relevant time period is that between the point at which DOT receives notice of the licensee's conviction from the judicial system and the point at which PennDOT notifies the licensee that their license has been suspended or revoked. *Pokoy v. Commonwealth of Pennsylvania, Department of Transportation, Bureau of Driver Licensing*, 714 A.2d 1162, 1164 (Pa. Commw. Ct. 1998). If PennDOT meets this burden, the licensee's appeal should be dismissed. *Cesare*, 16 A.3d at 549.

As part of his Statement of Matters Complained of on Appeal, Appellant argues this Trial Court failed to consider his "numerous factors" which he lists that make it reasonable to shift

the burden of moving the instant civil License Suspension Appeal forward to PennDOT: “(1) PennDOT was fully aware of the supersedeas on the criminal docket, which Appellant alleges was improperly obtained to act as a civil supersedeas; (2) PennDOT took no reasonable steps to correct this error, although numerous easily-implemented corrective actions were available; (3) PennDOT ignored its own appellate procedure and created an ‘appellate entity’ doomed to failure; (4) PennDOT failed to monitor this ‘appellate entity’ and allowed it to languish for nearly five (5) years; (5) these actions shifted the burden of moving the instant civil License Suspension Appeal forward to PennDOT; and (6) PennDOT assumed the duty and responsibility for the timely and efficient processing of the instant civil License Suspension Appeal by deviating from normally-accepted appellate procedures.” After a thorough review of the record, as well as a review of relevant statutory and case law, this Trial Court concludes Appellant’s argument is without merit.

Appellant was charged with Count 1 - DUI: General Impairment – 2nd Offense, Count 2 - DUI: High Rate of Alcohol (BAC .10 - .16) – 2nd Offense, and Count 3 - Maximum Speed Limits, was ultimately convicted on Counts 2 and 3 (Count 1 merging with Count 2) and sentenced to sixty (60) days Electronic Monitoring and four (4) months of probation regarding said conviction on November 30th, 2009. Thereafter, Appellant was made aware of the two (2) separate civil license suspensions of his operating privileges by separate Notices sent promptly by PennDOT and dated February 10th, 2010. But rather than appeal the two (2) separate civil license suspensions through civil License Suspension Appeal process in the Civil Division of the Court of Common Pleas, Appellant chose to appeal only the underlying criminal convictions to the Pennsylvania Superior Court and obtained a supersedeas at the criminal docket regarding the two (2) separate civil license suspensions via Motion for Supersedeas in criminal court. PennDOT, honoring the grant of supersedeas regarding the two (2) separate civil license suspensions, restored Appellant’s operating privileges. The Pennsylvania Superior Court affirmed Appellant’s underlying criminal convictions and the Pennsylvania Supreme Court denied Appellant’s Petition for Allowance of Appeal. Thereafter, Appellant failed to challenge the two (2) separate civil license suspensions in the Civil Division of the Court of Common Pleas until nearly five (5) years later, when PennDOT reinstated the two (2) separate civil license suspensions by Notices dated December 29th, 2014. Clearly, Appellant was the moving party, and had the responsibility of moving forward with a civil license suspension appeal. *See Gombocz*, 909 A.2d at 801 (*citing Terraciano*, 753 A.2d at 236).

There is no evidence to indicate the burden of moving Appellant’s civil license suspension action forward had fallen onto PennDOT. *See Gombocz*, 909 A.2d at 801 (*citing Terraciano*, 753 A.2d at 236). Appellant, not PennDOT, requested and obtained the supersedeas on the two (2) separate civil license suspensions in criminal court in order to appeal the underlying criminal convictions. PennDOT, by virtue of the Honorable Shad Connelly’s Order dated February 19th, 2010, simply acknowledged and honored the supersedeas regarding Appellant’s two (2) separate civil license suspensions. As these license suspensions were **civil actions** in nature through the Pennsylvania judicial system, rather than criminal actions, and PennDOT was not a party to Appellant’s criminal action, PennDOT would not have been privy to information regarding Appellant’s appeal of the underlying criminal convictions, including the affirmance of Appellant’s criminal convictions. Appellant has offered no evidence to

indicate an unreasonable delay in the reinstatement of Appellant's two (2) separate civil license suspensions was attributable to PennDOT, nor does the record indicate PennDOT created or accepted a circumstance under which it assumed the responsibility of moving Appellant's case forward. *See id.* As Appellant has not offered any evidence to demonstrate the nearly five (5) year delay was chargeable to PennDOT, nor was any evidence offered to indicate circumstances existed making it reasonable to shift that burden of moving Appellant's civil license suspension action forward to PennDOT, the standard set forth in *Gombocz* has not been met, and PennDOT properly and promptly reinstated Appellant's two (2) separate civil license suspensions by Notice dated December 29th, 2014.

III. Conclusion

For all of the foregoing reasons, this Trial Court finds the instant appeal is without merit.

BY THE COURT:

/s/ Stephanie Domitrovich, Judge

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

MARK RICHARD NEEDHAM, APPELLANT

v.

COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF
TRANSPORTATION, BUREAU OF DRIVER LICENSING

No. 1110 C.D. 2015

SUBMITTED: November 20, 2015

BEFORE: HONORABLE BONNIE BRIGANCE LEADBETTER, Judge¹

HONORABLE P. KEVIN BROBSON, Judge

HONORABLE ROCHELLE S. FRIEDMAN, Senior Judge

OPINION NOT REPORTED

MEMORANDUM OPINION BY

JUDGE LEADBETTER

FILED: May 4, 2016

Licensee Mark Richard Needham appeals from an order of the Court of Common Pleas of Erie County denying his statutory appeal and reinstating the following operating-privilege suspensions imposed by the Department of Transportation, Bureau of Driving Licensing: (1) one-year suspension for conviction of Section 3802(b) of the Vehicle Code (Code), 75 Pa. C.S. § 3802(b) (driving under the influence/high rate of blood alcohol); and (2) fifteen-day add-on suspension for conviction of Section 3362 of the Code, 75 Pa. C.S. § 3362 (speeding).² The sole issue before us is whether common pleas erred in determining that the approximately five-year delay in imposing the suspensions was not attributable to the Department because Licensee requested and secured a supersedeas of those suspensions in the underlying criminal case, thereby assuming the burden of moving his civil license suspension action forward. We affirm.

Following an October 2009 non-jury criminal trial, common pleas found Licensee guilty of violating the aforementioned provisions of the Code. In November 2009, it sentenced him to sixty days of electronic monitoring and four months of probation. In December 2009, Licensee appealed those convictions to the Superior Court. In February 2010, the Department in two separate notices imposed two civil license suspensions as a result of the aforementioned convictions. In pertinent part, the appeal provision of each notice provided as follows: "You have the right to appeal this action to the Court of Common Pleas (Civil Division) within 30 days of the mail date, February 10, 2010, of this letter. . ."³ Instead of filing the statutory appeals with common pleas' civil division, however, then-counsel for Licensee filed a supersedeas request with the court's criminal division, which resulted in the issuance of a February 19, 2010, order granting a supersedeas of the Department's notices

¹ This case was assigned to the opinion writer on or before January 31, 2016, when Judge Leadbetter assumed the status of senior judge.

² The statutory basis for the add-on suspension is Section 1544 of the Code, 75 Pa. C.S. §1544.

³ April 29, 2015, Hearing, Commonwealth Exhibit No. 1, February 10, 2010, Notice of Suspension, Sub-exhibit No. 6, at 2.

of suspension. Despite the procedural irregularity, the Department honored the supersedeas order and restored Licensee's operating privilege pending appeal. In May 2010, the Superior Court affirmed Licensee's criminal sentence. In December 2010, the Supreme Court denied his July 2010 petition for allowance of appeal. Subsequently, Licensee took no action to advise the Department that the appeal process had ended, i.e., the criminal case had come to a conclusion and the February 2010 supersedeas order was no longer in effect.

After the Department conducted an administrative review of its outstanding cases, Licensee's license suspension notices came to its attention. Consequently, in December 2014, the Department once again issued two notices of civil license suspensions based on Licensee's aforementioned convictions. This time, however, the notices of suspension did not contain appeal provisions.⁴ Accordingly, when Licensee filed an appeal of the suspensions with common pleas in January 2015, the court issued a rule to show cause on the Department to establish why the appeal should not be granted and issued a stay of the suspensions pending a hearing. In response, the Department restored Licensee's operating privilege pending appeal.⁵

Following a hearing and submission of legal memoranda, common pleas upheld the suspensions. Specifically, it determined that Licensee, who was the party who requested supersedeas in the criminal division, was the moving party for purposes of any civil license suspension proceedings and, therefore, he was responsible for moving any appeals of his civil license suspensions forward. In so ruling, the court rejected Licensee's argument that the delay in imposing the suspensions should be attributed to the Department both by virtue of its decision to honor the supersedeas and its subsequent administrative review of outstanding license suspension cases. The court further observed that the Department was not a party to the underlying criminal case and thus would not have received notice that the Supreme Court had denied Licensee's petition for allowance of appeal. Licensee's timely appeal to this Court followed.

In order to sustain an appeal of a license suspension based on delay, a licensee must establish that: (1) an unreasonable delay chargeable to the Department led the licensee to believe that his operating privilege would not be impaired; and (2) prejudice would result in having the licensee's operating privilege suspended after that delay. *Terraciano v. Dep't of Transp., Bureau of Driver Licensing*, 753 A.2d 233, 236 (Pa. 2000). Once a licensee raises the delay defense, the Department must then establish that the delay was caused by something other than administrative inaction. *Grover v. Dep't of Transp., Bureau of Driver Licensing*, 734 A.2d 941, 943 (Pa. Cmwlth. 1999). If the Department satisfies this burden,

⁴ At the April 2015 hearing before common pleas, the Department stated that a licensee normally does not have the right to appeal the reinstatement of a suspension. See *Nagelberg v. Dep't of Transp.*, 543 A.2d 634, 635 (Pa. Cmwlth. 1988) (holding that, where common pleas dismissed licensee's appeal, thereby resulting in a final determination, it correctly quashed his attempted second appeal taken over a year later) and *Rinck v. Commonwealth*, 429 A.2d 1255, 1256 (Pa. Cmwlth. 1981) (holding that a licensee who withdraws the appeal of his license suspension cannot later appeal the reinstatement of that suspension). Here, however, the licensee alleged undue delay in reinstating the suspensions and, therefore, *Rinck* is inapplicable. See *Davis v. Dep't of Transp.*, 552 A.2d 338, 340 (Pa. Cmwlth. 1988) (holding that, "where one who withdrew the appeal from his suspension seeks review, not of the merits of the suspension, but to the delay in reinstating it, *Rinck* is inapplicable").

⁵ Had Licensee taken a statutory appeal in 2010, the Department would have afforded him the automatic supersedeas that, with a few exceptions, accompanies a statutory appeal. Section 1550(b)(1)(i) of the Code, 75 Pa. C.S. § 1550(b)(1)(i).

then the licensee's appeal should be dismissed. *Id.* If it does not meet this burden, then the burden shifts to the licensee to establish prejudice. *Id.*

Further, in determining attribution of delay, our Supreme Court has previously identified the moving party and accorded it the burden of moving a case forward. In *Terraciano*, the Court attributed the delay to the Department due to its failure to pursue the licensee's license suspension for seven years following the Department's appeal to Commonwealth Court and our subsequent reversal and remand to common pleas. In so concluding, the Supreme Court determined as follows: "When PennDOT fails to take responsibility for moving a case forward under circumstances *where it is reasonable/or it to be expected to do so*, the delay is attributable to PennDOT." *Terraciano*, 753 A.2d at 236 (emphasis added).

On the other hand, in *Department of Transportation, Bureau of Driver Licensing v. Gombocz*, 909 A.2d 798, 802 (Pa. 2006), the Court ultimately attributed the delay to the licensee, who filed the initial appeal. There, the question of attribution arose only when the Department moved to have the case transferred to another county as required by statute. In attributing the delay to the licensee, the Court reasoned that, despite the Department's motion to transfer being granted, the licensee had not only acknowledged the transfer but also made an effort to obtain a *de novo* hearing. The Court concluded, therefore, that the licensee "acknowledged his position as moving party by attempting to schedule a hearing, and although his efforts failed, it was by no fault of PennDOT." *Id.* at 802. Mindful of its conclusion in *Terraciano* that the delay in that case was attributable to the Department's inaction, the Court in *Gombocz* observed the "inverse" conclusion, "for where *the other party* is reasonably expected to move things forward, attribution will follow as well[.]" 909 A.2d at 801 (emphasis added). Accordingly, the Court attributed the delay in *Gombocz* to the licensee, who had the burden to move the case forward and failed to do so.

Here, we conclude that the inverse situation envisioned by the Court in *Gombocz* is once again present and that Licensee failed to establish that the delay following the Court's denial of his petition for allowance of appeal should be chargeable to the Department. As common pleas determined, Licensee both sought and procured a supersedeas of the civil license suspensions in the criminal case rather than following the statutory procedure to appeal the suspension; thereafter, Licensee also failed to advise the Department that there was no longer an impediment to moving forward with the civil license suspension action. The mere fact that the Department kept track of "Old Open Statutory Appeal Cases" and issued a memo to its staff regarding those outstanding cases was insufficient to cause delay to be attributed to the Department. As that portion of the Department's memo regarding Licensee indicated: "[T]his case was never treated as a license suspension appeal by the civil trial court. The case should be closed out "⁶

Further, the fact that the Department abided by common pleas' supersedeas order in the underlying criminal case is insufficient ground to charge the Department with the ensuing delay. It was Licensee's former attorney who filed a motion in the underlying criminal case requesting a supersedeas of the civil license suspensions, thereby assuming the burden to

⁶ April 29, 2015, Hearing, Commonwealth Exhibit No. I, December 11, 2014 Memo from the Department's Assistant Chief Counsel, Western Regional Office, to Senior Assistant Counsel, Western Regional Office, Sub-exhibit No. 4, at 1.

advance the civil case at the conclusion of the criminal matter.⁷ Accordingly, the situation in the present case is analogous to that in *Gombocz*, where the Supreme Court determined that the licensee was the moving party and that the delay was thus not attributable to the Department.

Accordingly, we affirm.⁸

ORDER

AND NOW, this 4th day of May, 2016, the order of the Court of Common Pleas of Erie County is hereby AFFIRMED.

/s/ **BONNIE BRIGANCE LEADBETTER**

Judge

⁷ The February 2010 supersedeas granted by common pleas' criminal division ceased once Licensee exhausted the appeal process in his criminal case. In addition, as noted above, because he failed to take statutory appeals from the Department's February 2010 notices of suspension, there was no automatic supersedeas of those suspensions in place under Section 1550 of the Code pending a final determination by common pleas in its civil capacity. Accordingly, but for common pleas' issuance of a January 2015 order directing the Department to stay the suspensions, there was no impediment to the Department to stay the suspensions, there was no impediment to the Department's reinstating those suspensions.

⁸ Because Licensee failed to satisfy the first prong of the *Terraciano* test, we do not reach the question of prejudice.



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- Medical
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- Vision
- Customer Service
- Disability
- COBRA and Mini COBRA
- Large Claims Management
- Section 125 and 105 Plans

**BANKRUPTCY NOTICE
IN THE UNITED STATES
BANKRUPTCY COURT FOR
THE WESTERN DISTRICT OF
PENNSYLVANIA**

IN RE: OZ GAS, LTD.

GUY C. FUSTINE, CHAPTER 7
TRUSTEE FOR OZ GAS, LTD.

vs.

CITIZENS BANK, N.A. ET AL.

Case No. 12-10057-TPA

Chapter 7

Hearing Date and Time: May 27,
2016 at 10:00 A.M.

**NOTICE OF HEARING ON
MOTION TO SELL PROPERTY
FREE AND DIVESTED OF
LIENS**

NOTICE IS HEREBY GIVEN
THAT *Trustee* has filed a *Motion
for Order Approving the Sale of
Real Estate, Oil and Gas Leases and
Related Personal Property Free and
Divested of Liens; Approving the
Asset Purchase Agreement; and,
Authorizing the Trustee to Pay Past
Due Royalties ("Sale Motion") at*

Document No. 1570, concerning the
following property:

*Certain real property and oil and
gas leases in Warren and Forest
Counties, Pennsylvania, along
with related personal property,
all associated with the Debtor's
business operations, as more fully
described in the Sale Motion* to Penn
View Exploration, Inc. of Blairsville,
Pennsylvania for \$578,000.00
according to the terms set forth in the
Sale Motion. Additional information
regarding the proposed sale can
also be obtained from the Court's
EASI website at <http://www.pawb.uscourts.gov>

On or before May 16, 2016, any
Objections to the sale shall be filed
with the U.S. Bankruptcy Court, U.S.
Courthouse, Room B160, 17 South
Park Row, Erie, PA 16501, with a
copy served on all interested parties.
A hearing is scheduled for *May
27, 2016 at 10:00 A.M.*, before
Judge Thomas P. Agresti in: The
Erie Bankruptcy Courtroom, U.S.

Courthouse, 17 South Park Row,
Erie, PA 16501 at which time higher/
better offers will be considered and
Objections to the sale will be heard.
Arrangements for inspection prior to
said sale hearing may be made with:
Guy C. Fustine, Esq., Trustee
Knox McLaughlin Gornall
& Sennett, P.C.
120 West Tenth Street
Erie, PA 16501
(814) 459-2800
gustine@kmgslaw.com

May 13

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Our Commercial Bankers are experienced, dedicated, and committed to providing exceptional service. Working in partnership with legal professionals, we provide financial insight and flexible solutions to fulfill your needs and the needs of your clients.

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www.ERIEBANK.net



INCORPORATION NOTICE

NOTICE is hereby given that Lakeland Restaurant and Pub, Inc. has been incorporated under the provisions of the Business Corporation Law of 1988, as amended.

James R. Steadman, Esquire
Steadman Law Offices, P.C.
24 Main Street East
PO Box 87
Girard, PA 16417

May 13

LEGAL NOTICE

NORTHWEST SAVINGS BANK,
Plaintiff
vs.

STEVEN J. O'DELL, Defendant
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA
CIVIL ACTION LAW
NO. 10282-2016

NOTICE

TO: Steven O'Dell, PO Box 185,
Bemus Point, New York 14712
YOU ARE HEREBY NOTIFIED
that, Plaintiff, Northwest Savings
Bank, filed a Complaint endorsed
with a Notice to Defend, against you
in the Court of Common Pleas of Erie
County Pennsylvania, at Docket No.
10282 CD 2016, wherein Plaintiff
seeks to obtain Judgment against you
in the amount of \$208,721.14, plus
interest at the Note rate of interest
until paid in full, plus late charges,
attorneys' fees and costs of suit, and
for such other relief as is necessary
and just.

YOU HAVE BEEN SUED IN
COURT. IF YOU WISH TO
DEFEND AGAINST THE CLAIMS
ASSERTED AGAINST YOU,
YOU MUST TAKE ACTION
WITHIN TWENTY (20) DAYS
BY ENTERING A WRITTEN
APPEARANCE PERSONALLY
OR BY ATTORNEY AND
FILING IN WRITING WITH THE
COURT YOUR DEFENSES OR
OBJECTIONS TO THE CLAIMS
SET FORTH AGAINST YOU. YOU
ARE WARNED THAT IF YOU
FAIL TO DO SO, THE CASE MAY
PROCEED WITHOUT YOU AND A
JUDGMENT MAY BE ENTERED
AGAINST YOU BY THE COURT

WITHOUT FURTHER NOTICE
FOR ANY MONEY CLAIMED IN
THE COMPLAINT OR FOR ANY
OTHER CLAIM OR THE RELIEF
REQUESTED BY THE PLAINTIFF.
YOU MAY LOSE MONEY OR
PROPERTY OR OTHER RIGHTS
IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER
TO YOUR LAWYER AT ONCE. IF
YOU DO NOT HAVE A LAWYER
OR CANNOT AFFORD ONE, GO
TO OR TELEPHONE THE OFFICE
SET FORTH BELOW TO FIND
OUT WHERE YOU CAN GET
LEGAL HELP.

Lawyer Referral
& Information Service
P.O. Box 1792
Erie, PA 16507
814-459-4411

Knox McLaughlin Gornall &
Sennett, P.C.

Mark G. Claypool, Esquire
PA ID No. 63199

120 West Tenth Street
Erie, Pennsylvania 16501

Telephone: 814-459-2800

Fax: 814-453-4530

Attorneys for Plaintiff, Northwest
Savings Bank

May 13

LEGAL NOTICE

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA
CIVIL ACTION – LAW

WELLS FARGO BANK, N.A.,
Plaintiff

vs.

DEBORAH GOODWIN A/K/A
DEBORAH ANN GOODWIN, in
her capacity as Heir of CAROL
ANN BISH, Deceased

UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND
ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OR UNDER CAROL ANN
BISH, DECEASED, Defendants
COURT OF COMMON PLEAS
CIVIL DIVISION
ERIE COUNTY
No. 13303-15

NOTICE

TO UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND
ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OR UNDER CAROL ANN
BISH, DECEASED

You are hereby notified that on
November 25, 2015, Plaintiff,
WELLS FARGO BANK, N.A., filed a
Mortgage Foreclosure Complaint
endorsed with a Notice to Defend,
against you in the Court of Common
Pleas of Erie County Pennsylvania,
docketed to No. 13303-15. Wherein
Plaintiff seeks to foreclose on the
mortgage secured on your property
located at 4030 MCCLELLAND
AVENUE, ERIE, PA 16510-3737
whereupon your property would be
sold by the Sheriff of ERIE County.
You are hereby notified to plead to
the above referenced Complaint on
or before 20 days from the date of
this publication or a Judgment will
be entered against you.

NOTICE

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

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

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

Notice to Defend:

Lawyer Referral
& Information Service
P.O. Box 1792

Erie, PA 16507
Telephone (814) 459-4411
May 13

LEGAL NOTICE

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA

CIVIL ACTION – LAW
CITIFINANCIAL SERVICING

LLC, Plaintiff
vs.

RONALD N. SALA, in his
capacity as Administrator and Heir
of the Estate of FRANK C. SALA
UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND
ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OR UNDER FRANK C.
SALA, DECEASED, Defendants
COURT OF COMMON PLEAS
CIVIL DIVISION
ERIE COUNTY
No. 10194-16

NOTICE

TO UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND
ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OR UNDER FRANK C.
SALA, DECEASED

You are hereby notified that
on January 28, 2016, Plaintiff,
CITIFINANCIAL SERVICING
LLC, filed a Mortgage Foreclosure
Complaint endorsed with a Notice
to Defend, against you in the Court
of Common Pleas of Erie County
Pennsylvania, docketed to No.
10194-16. Wherein Plaintiff seeks to
foreclose on the mortgage secured on
your property located at 1577 WEST
34TH STREET, ERIE, PA 16508
whereupon your property would be
sold by the Sheriff of Erie County.
You are hereby notified to plead to
the above referenced Complaint on
or before 20 days from the date of
this publication or a Judgment will
be entered against you.

NOTICE

If you wish to defend, you must enter
a written appearance personally or
by attorney and file your defenses or

objections in writing with the court.
You are warned that if you fail to
do so the case may proceed without
you and a judgment may be entered
against you without further notice for
the relief requested by the plaintiff.
You may lose money or property or
other rights important to you.

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

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

Notice to Defend:
Lawyer Referral
& Information Service
P.O. Box 1792
Erie, PA 16507
Telephone (814) 459-4411

May 13

SHERIFF SALES

Notice is hereby given that by virtue of sundry Writs of Execution, issued out of the Courts of Common Pleas of Erie County, Pennsylvania, and to me directed, the following described property will be sold at the Erie County Courthouse, Erie, Pennsylvania on

MAY 20, 2016

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

April 29 and May 6, 13

SALE NO. 1

Ex. #13599 of 2015

MARQUETTE SAVINGS

BANK, Plaintiff

v.

REHMITTE, LLC, and LOUIS M.

KARG, Manager, Defendants

SHERIFF'S SALE

By virtue of a Writ of Execution filed at No. 13599-15, Marquette Savings Bank vs. Rehmitte, LLC and Louis M. Karg, owners of property situate in the City of Erie, Erie County, Pennsylvania being: 218 East 32nd Street, Erie, Pennsylvania.

34' X 155' X 34' X 155'

Assessment Map Number:

(18) 5083-127

Assessed Value Figure: \$64,880.00

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

April 29 and May 6, 13

SALE NO. 2

Ex. #13564 of 2015

**The Bank Of New York
Mellon fka The Bank Of New
York, As Trustee For The
Certificateholders Of The
CWABS Inc., Asset-Backed
Certificates, Series 2002-BC3,**

Plaintiff

v.

**MELISSA DVORAK A/K/A
MELISSA S. DVORAK
MICHAEL DVORAK A/K/A
MICHAEL E. DVORAK,**

Defendants

SHORT DESCRIPTION

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

BEING KNOWN AS 1115 Hartt
Road, Erie, PA 16505

PARCEL NUMBER: 33-26-95-9

IMPROVEMENTS: Residential
Property

Udren Law Offices, P.C.

J. Eric Kishbaugh, Esquire

PA ID 33078

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

April 29 and May 6, 13

SALE NO. 3

Ex. #13597 of 2015

**PNC Bank, National Association,
Plaintiff**

v.

**DARLENE M. KANIS A/K/A
DARLENE M. OCHALEK,**

Defendant

SHORT DESCRIPTION

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

BEING KNOWN AS 4845 Conrad
Road, Erie, PA 16510

P A R C E L N U M B E R :

33107480403200

IMPROVEMENTS: Residential

Property
Udren Law Offices, P.C.
Sherri J. Braunstein, Esquire
PA ID 90675
111 Woodcrest Road, Suite 200
Cherry Hill, NJ 08003-3620
856-669-5400

April 29 and May 6, 13

SALE NO. 4

Ex. #10683 of 2015

**Wells Fargo Bank, N.A., as
Trustee for Option One Mortgage
Loan Trust 2003-5 Asset-Backed
Certificates, Series 2003-5,
Plaintiff**

v.

**OSCAR J. LONGO, Defendant
DESCRIPTION**

ALL THAT CERTAIN LOT OF
LAND SITUATE IN BOROUGH
OF EDINBORO, ERIE COUNTY,
PENNSYLVANIA:

BEING KNOWN AS 101 Georgian
Drive, Edinboro, PA 16412

P A R C E L N U M B E R :
11001011002200

IMPROVEMENTS: Residential
Property

Udren Law Offices, P.C.

Elizabeth L. Wassall, Esq.

PA ID 77788

111 Woodcrest Road, Suite 200

Cherry Hill, NJ 08003-3620

856-669-5400

April 29 and May 6, 13

SALE NO. 5

Ex. #12633 of 2014

**The Bank of New York Mellon
f/k/a The Bank of New York
as Trustee for the Benefit of
the Certificateholders of the
CWALT, Inc., Alternative Loan
Trust 2004-18CB, Mortgage
Pass-Through Certificates, Series
2004-18CB, Plaintiff**

v.

**Timothy M. Corey, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2014-12633 The Bank of New York Mellon f/k/a The Bank of New York as Trustee for the Benefit of the Certificateholders of the CWALT, Inc., Alternative Loan Trust 2004-18CB, Mortgage Pass-Through Certificates, Series 2004-18CB vs. Timothy M. Corey,

owner(s) of property situated in Township of Harborcreek, Erie County, Pennsylvania being 3012 Nagle Road, Erie, PA 16510
1797 Square Feet
Assessment Map number: (27) 52-162-10
Assessed Value figure: 91,000.00
Improvement thereon: Residential
Alicia M. Sandoval
Mattleman, Weinroth & Miller, P.C.
401 Route 70 East, Suite 100
Cherry Hill, NJ 08034
(856) 429-5507

April 29 and May 6, 13

SALE NO. 6

Ex. #11634 of 2015

**NATIONAL LOAN
INVESTORS, L.P. assignee
of National City Bank of
Pennsylvania, successor to
Pennbank and Integra Bank,
Plaintiff**

v.

**ROBERT L. THOMSON and
MARY ANN THOMSON a/k/a
MARY ANN REID-BOYD, and
THE UNITED STATES OF
AMERICA, Defendants
SHORT DESCRIPTION**

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE TOWNSHIP OF NORTH EAST, COUNTY OF ERIE, AND COMMONWEALTH OF PENNSYLVANIA:
BEING KNOWN AS: Meehl Road, North East, Pennsylvania 16428
PARCEL NUMBERS: 37-22-100-7.01, 37-22-100-7, and 37-22-100-8.02
IMPROVEMENTS:
RESIDENTIAL/FARM
Kozloff Stoutd
Charles N. Shurr, Jr., Esquire
Attorney I.D. #74813
2640 Westview Drive
Wyomissing, PA 19610
610-670-2552

April 29 and May 6, 13

SALE NO. 7

Ex. #13205 of 2015

**OCWEN Loan Servicing, LLC,
Plaintiff**

v.

**John E. Anderson, Jr.
Elizabeth A. Anderson,
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13205-15 OCWEN Loan Servicing, LLC vs. John E. Anderson, Jr., Elizabeth A. Anderson Amount Due: \$163,492.88
John E. Anderson, Jr., Elizabeth A. Anderson, owners of property situation in GIRARD BOROUGH, Erie County, Pennsylvania being 206 Chestnut Street, Girard, PA 16417-1606.
Dimensions: 99.74 X 330
Acreage: 0.7556
Assessment Map number: 23016053001900
Assessed Value: \$124,530.00
Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000

April 29 and May 6, 13

SALE NO. 8

Ex. #13432 of 2015

**U.S. Bank National Association,
as Trustee for Sasco Mortgage
Loan Trust 2005-Wf2, Plaintiff**

v.

**Charity E. Bowser, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13432-15, U.S. Bank National Association, as Trustee for Sasco Mortgage Loan Trust 2005-Wf2 vs. Charity E. Bowser Amount Due: \$55,241.10
Charity E. Bowser, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 2411 Pennsylvania Avenue, Erie, PA 16503-2325
Dimensions: 43 X 80
Acreage: 0.790
Assessment Map number: 18050043022200
Assessed Value: 43,100
Improvement thereon: Residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 191034814
(215) 563-7000

April 29 and May 6, 13

SALE NO. 9

Ex. #13370 of 2015

Bank of America, N.A., Plaintiff

v.

**William E. Holmes, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13370-15 Bank of America, N.A. vs. William E. Holmes Amount Due: \$63,042.37
William E. Holmes, owner(s) of property situated in Erie County, Pennsylvania being 1062 West 8th Street, Erie, PA 16502
Dimensions: 41.25 X 80
Acreage: 0.0758
Assessment Map number: 17040031014500
Assessed Value: \$72,470.00
Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-4814
(215) 563-7000

April 29 and May 6, 13

SALE NO. 10

Ex. #12398 of 2015

Wells Fargo Bank, N.A., Plaintiff

v.

**Theodore J. Jaggi, Jr., in His
Capacity as Heir of Esther
L. Jaggi a/k/a Esther Jaggi,
Deceased, Unknown Heirs,
Successors, Assigns, and All
Persons, Firms, or Associations
Claiming Right, Title or Interest
From or Under Esther L. Jaggi
a/k/a Esther Jaggi, Deceased,
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12398-2015, Wells Fargo Bank, N.A. vs. Theodore J. Jaggi, Jr., in His Capacity as Heir of Esther L. Jaggi a/k/a Esther Jaggi, Deceased, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Esther L. Jaggi a/k/a Esther Jaggi, Deceased Amount Due: \$45,748.19
Theodore J. Jaggi, Jr., in His Capacity as Heir of Esther L. Jaggi a/k/a Esther Jaggi, Deceased, Unknown Heirs, Successors, Assigns, and All Persons,

Firms, or Associations Claiming Right, Title or Interest From or Under Esther L. Jaggi a/k/a Esther Jaggi, Deceased, owner(s) of property situated in Erie County, Pennsylvania being 338 Marion Street, Corry, PA 16407-1403
Dimensions: 50 X 128
Acreage: 0.1469
Assessment Map number: 07023071001300
Assessed Value: \$64,400.00
Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 191034814
(215) 563-7000

April 29 and May 6, 13

SALE NO. 11

Ex. #14122 of 2012
JPMorgan Chase Bank, N.A.,
s/b/m Chase Home Finance LLC,
Plaintiff
v.

Larry Pytlarz a/k/a Larry A.
Pytlarz, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 14122-12, JPMorgan Chase Bank, N.A., s/b/m Chase Home Finance LLC vs. Larry Pytlarz a/k/a Larry A. Pytlarz
Amount Due: \$221,595.79
Larry Pytlarz a/k/a Larry A. Pytlarz, owner(s) of property situated in FAIRVIEW TOWNSHIP, Erie County, Pennsylvania being 6722 Walnut Creek Drive, Fairview, PA 16415-2047
Dimensions: 126 x 148
Acreage: 0.4281
Assessment Map number: 21-053-095-0011-00
Assessed Value: \$183,960.00
Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-4814
(215) 563-7000

April 29 and May 6, 13

SALE NO. 12

Ex. #10731 of 2015
Wells Fargo Bank, N.A., Plaintiff
v.

Mark A. Sturdivant, in His
Capacity as Executor and
Devisee of The Estate of Lester R.
Sturdivant

Dale R. Sturdivant, in His
Capacity as Devisee of The Estate
of Lester R. Sturdivant
Melissa S. Sturdivant, in Her
Capacity as Devisee of The
Estate of Lester R. Sturdivant,
Defendants

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10731-2015, Wells Fargo Bank, N.A. vs. Mark A. Sturdivant, in his Capacity as Executor and Devisee of The Estate of Lester R. Sturdivant, Dale R. Sturdivant, in his Capacity as Devisee of The Estate of Lester R. Sturdivant, Melissa S. Sturdivant, in Her Capacity as Devisee of The Estate of Lester R. Sturdivant

Amount Due: \$49,814.34
Mark A. Sturdivant, in His Capacity as Executor and Devisee of The Estate of Lester R. Sturdivant, Dale R. Sturdivant, in His Capacity as Devisee of The Estate of Lester R. Sturdivant, Melissa S. Sturdivant, in Her Capacity as Devisee of The Estate of Lester R. Sturdivant, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 2305 Wagner Avenue, Erie, PA 16510-1533

Dimensions: 40 X 132.19
Acreage: 0.1212
Assessment Map number: 18051042040100
Assessed Value: \$67,950.00
Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-4814
(215) 563-7000

April 29 and May 6, 13

SALE NO. 13

Ex. #13890 of 2012
Wells Fargo Bank, N.A., Plaintiff
v.

Candy M. Wright
Roy L. Wright a/k/a Roy L.
Wright, Jr., Defendants
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, Commonwealth of Pennsylvania being 1253 West 21ST Street, Erie, PA 16502-2311
Dimensions: 33 X 135

Acreage: 0.1023
Assessment Map number: 19062001021700
Assessed Value: \$56,100.00
Improvement thereon: residential
Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 191034814
(215) 563-7000

April 29 and May 6, 13

SALE 14

Ex. #12432 of 2015
CITIZENS BANK OF
PENNSYLVANIA, Plaintiff
v.

Cherilyn A. Weber
Edward J. Weber
a/k/a Edward J. Weber, Sr.,
Defendants
DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania. BEING KNOWN AS: 3115 West 24th Street, Erie, PA 16506
PARCEL 03-052-217.0-003.00
Improvements: Residential Dwelling.
Gregory Javardian, Esquire
I.D. No. 55669
1310 Industrial Boulevard
1st Floor, Suite 101
Southampton, PA 18966
(215) 942-9690

April 29 and May 6, 13

SALE NO. 15

Ex. #13256 OF 2015

**LSF9 MASTER
PARTICIPATION TRUST,
Plaintiff**

v.

**JEFFREY G. SERFOZO,
SHEILA A. SERFOZO AND
ALICE B. JOLLY, Defendant
DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Township of Fairview, County of Erie and Commonwealth of Pennsylvania, being part of tract 290, bounded and described as follows, to-wit:

BEGINNING at the southwesterly corner of the piece at a tack in the original centerline of the depot or Lockhaven Road, also known as Pennsylvania route #98, distant thereon north 43° 15' west, one hundred seventy-six and ninety-two hundredths (176.92) feet from the southwesterly corner of the whole piece at the corner common to lands now, or formerly of Mae Johnson Zaun, Marian Pederson and J.W. Jones, said point being distant along said centerline north 43° 15' west, twenty-eight and seven hundredths (28.07) feet from its intersection with the centerline of the Mill Road; THENCE north 43° 15' west along the original centerline of the depot or Lockhaven Road, two hundred three and fifty-two hundredths (203.52) feet to a tack;

THENCE by the residue of the piece, north 49° 22' east, passing over an iron survey point at a distance of twenty-five and three hundredths (25.03) feet, one hundred eighty-one and forty-eight hundredths (181.48) feet to an iron survey point;

THENCE by the same, north 65° 28' 30" east, two hundred forty and seven hundredths (240.07) feet to an iron survey point;

THENCE by the same, south 29° 53' east, two hundred twenty-nine and twenty-five hundredths (229.25) feet to an iron survey point;

THENCE by the same, south 63° 11' west, passing over an iron survey point at a distance of three hundred forty-four and seventy-two hundredths (344.72) feet, three hundred seventy and seventy-eight

hundredths (370.78) feet to the place of BEGINNING.

CONTAINING two and sixty-seven thousandths (2.067) acres of land Being Parcel No. 21-46-61-12 BEING the same premises which Alice B. Jolly, a single person, by Deed dated January 27, 1997, and recorded January 28, 1997, in the Office of the Recorder of Deeds in and for the County of Erie, Deed Book 3694, Book 0237, granted and conveyed unto Alice B. Jolly, a single person, one-half interest, and Jeffrey G. Serfozo and Sheila A. Serfozo, Husband and Wife, as Tenants by the Entireties with the Right of Survivorship, one-half interest, as Joint Tenants With Right of Survivorship as to each one-half interest, in fee.

Keri P. Ebeck, Esquire

PA ID# 91298

Weltman, Weinberg

& Reis, Co., L.P.A.

436 7th Avenue, Suite 2500

Pittsburgh, PA 15219

April 29 and May 6, 13

SALE 16

Ex. #13065 of 2015

MIDFIRST BANK, Plaintiff

v.

**CHARLES M. CALHOUN
AND THE SECRETARY OF
HOUSING AND URBAN
DEVELOPMENT, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 13065-2015 MIDFIRST BANK, Plaintiff v. CHARLES M. CALHOUN AND THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, Defendants

Real Estate: 5423 SEBAGO DRIVE, FAIRVIEW, PA

Municipality: Township of Fairview Erie County, Pennsylvania

Dimensions: 135 x 162

See Deed Book: 888, page 2190

Tax I.D. (21) 61-87.2-10

Assessment: \$28,400 (Land)

\$132,810 (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

April 29 and May 6, 13

SALE NO. 17

Ex. #12988 of 2015

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

v.

**DAVID M. GNACINSKI,
LISA M. GNACINSKI AND
THE UNITED STATES
OF AMERICA AND THE
SECRETARY OF HOUSING
AND URBAN DEVELOPMENT,
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution No. 12988-15, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. DAVID M. GNACINSKI, LISA M. GNACINSKI AND THE UNITED STATES OF AMERICA AND THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, Defendants

ALL THAT CERTAIN parcel of land in the City of Erie, County of Erie, State of Pennsylvania, being the south 25.75 feet of Lot No. 3 and the north 19.25 feet of Lot No. 4 of Perry Park Subdivision, Erie County Map Book 2, page 215.

HAVING THEREON ERECTED A DWELLING KNOWN AS 3412 RASPBERRY STREET, ERIE, PENNSYLVANIA 16508.

TAX PARCEL: (19) 6127-204.

Erie County Deed Book 131, Page 2003.

TO BE SOLD AS THE PROPERTY OF DAVID M. GNACINSKI AND LISA M. GNACINSKI ON JUDGMENT NO. 12988-15.

Leon P. Haller, Esquire

Purcell, Krug & Haller

1719 North Front Street

Harrisburg, PA 17104

(717) 234-4178

April 29 and May 6, 13

SALE NO. 18

Ex. #10027 of 2015

U.S. BANK NATIONAL

**ASSOCIATION, AS TRUSTEE
FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY,
Plaintiff**

v.

**KELLY J. GRINOLDS,
Defendant**

SHERIFF'S SALE

By virtue of a Writ of Execution No. 2015-10027, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. KELLY J. GRINOLDS, Defendant ALL that certain parcel of land in the City of Erie, County of Erie, Pennsylvania being 45 x 100, and HAVING THEREON ERECTED A DWELLING KNOWN AS 2716 ASH STREET, ERIE, PA 16504. TAX PARCEL: (18) 5068-127. Erie County Deed Book 1071, Page 2205.

TO BE SOLD AS THE PROPERTY OF KELLY J. GRINOLDS ON JUDGMENT NO. 2015-10027 Leon P. Haller, Esquire Purcell, Krug & Haller 1719 North Front Street Harrisburg, PA 17104 (717) 234-4178

April 29 and May 6, 13

SALE NO. 20

Ex. #13050 of 2013

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

v.

**JEREMY E. KURCZEWSKI
AND CELLA E. M.**

**KURCZEWSKI, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 2013-13050, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. JEREMY E. KURCZEWSKI AND CELLA E. M. KURCZEWSKI, Defendants

ALL that parcel of land in the Township of Girard, County of Erie, Pennsylvania, beginning at a point on the north side of Ridge Road;

containing about 22,050 square feet of land, and having thereon erected a dwelling known as 9922 OLD RIDGE ROAD, GIRARD, PA 16417.

TAX PARCEL: (24) 11-56-12.

Erie County Deed Book 1608, Page 161.

TO BE SOLD AS THE PROPERTY OF JEREMY E. KURCZEWSKI AND CELLA E. M. KURCZEWSKI ON JUDGMENT NO. 2013-13050.

Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

April 29 and May 6, 13

SALE NO. 21

Ex. #13469 of 2015

MIDFIRST BANK, Plaintiff

v.

**JILL M. REISER AND GEORGE
W. REISER, Defendants
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 13469-15, MIDFIRST BANK, Plaintiff vs. JILL M. REISER and GEORGE W. REISER, Defendants Real Estate: 10330 SHERMAN ROAD, CRANESVILLE, PA 16410 Municipality: Township of Elk Creek, Erie County, Pennsylvania See Deed Instrument No. 2013-004303

Tax I.D. (13) 11-22-2

Assessment: \$23,600. (Land)
\$72,000. (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

April 29 and May 6, 13

SALE NO. 22

Ex. #12368 of 2015

MIDFIRST BANK, Plaintiff

v.

**ANDREW M. ZYBOWSKI AND
CHRISTINE M. ZYBOWSKI,**

Defendants

SHERIFF'S SALE

By virtue of a Writ of Execution No. 12368-15 MIDFIRST BANK, Plaintiff vs. ANDREW M.

ZYBOWSKI AND CHRISTINE M. ZYBOWSKI, Defendants

ALL THAT CERTAIN piece of land situate in City of Erie, County of Erie, Pennsylvania, bounded and being Lot No. 47, Lindy Subdivision of Part of Lot 8 Section 3, Erie County Map Book 3, Pages 140-141. HAVING THEREON ERECTED A DWELLING KNOWN AS 2423 RUDOLPH AVENUE, ERIE, PA 16502.

TAX PARCEL: 19-6213-309.

Erie County Deed Book 1399, Page 1968.

TO BE SOLD AS THE PROPERTY OF ANDREW M. ZYBOWSKI AND CHRISTINE M. ZYBOWSKI ON JUDGMENT NO. 12368-15,

Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

April 29 and May 6, 13

SALE NO. 23

Ex. # 12464 of 2015

**FEDERAL NATIONAL
MORTGAGE ASSOCIATION,
Plaintiff**

v.

**PETER A. MAJOR, Defendant
DESCRIPTION**

ALL THAT CERTAIN PROPERTY SITUATED IN THE CITY OF ERIE, WARD, IN THE COUNTY OF ERIE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED IN A DEED DATED 04/30/2001 AND RECORDED 05/14/2001, AMONG THE LAND RECORDS OF THE COUNTY AND STATE SET FORTH ABOVE, IN DEED VOLUME 773 AND PAGE 1872. Parcel ID No.: 17-4022-202 PROPERTY ADDRESS: 705 Park Avenue S, Erie, PA 16502 KML Law Group, P.C. Suite 5000 - BNY Independence Center 701 Market Street Philadelphia, PA 19106 (215) 627-1322

April 29 and May 6, 13

SALE NO. 24

Ex. #13149 of 2015

**NATIONSTAR MORTGAGE
LLC d/b/a CHAMPION
MORTGAGE COMPANY,
Plaintiff**

v.

NORMA J. SITTER, Defendant

DESCRIPTION

ALL THAT CERTAIN UNIT LOCATED IN SOUTH POINTE CONDOMINIUM, SAID PROPERTY AND THE BUILDING ERECTED THEREON BEING LOCATED IN THE TOWNSHIP OF MILLCREEK, COUNTY OF ERIE AND COMMONWEALTH OF PENNSYLVANIA, AND BEING THE SAME PROPERTY SUBMITTED TO THE PROVISIONS OF THE PENNSYLVANIA UNIFORM CONDOMINIUM ACT BY DECLARATION RECORDED AT ERIE COUNTY RECORD BOOK 528 AT PAGE 1665, AS MOST RECENTLY AMENDED BY THIRD AMENDMENT TO DECLARATION, RECORDED FEBRUARY 24, 1999, AT ERIE COUNTY RECORD BOOK 669 AT PAGE 1333, AND BY PLATS AND PLANS RECORDED FEBRUARY 24, 1999, AS ERIE COUNTY MAP 1999-42 SAID UNIT BEING MORE FULLY DESCRIBED IN SUCH DECLARATION AND THE PLATS AND PLANS AS FOLLOWS UNIT NO. 34, 2532 LILAC COURT ERIE, PENNSYLVANIA, UNDIVIDED PERCENTAGE INTEREST IN COMMON ELEMENTS 1.36% SAID PREMISES COMMONLY KNOWN AS 2532 LILAC COURT, ERIE, PENNSYLVANIA, 16509 AND ARE FURTHER IDENTIFIED BY ERIE COUNTY ASSESSMENT INDEX NUMBER (33) 97-417-11.53.

PROPERTY ADDRESS: 2532 Lilac Court, Unit 34 Erie, PA 16506
KML Law Group, P.C.
Suite 5000 - BNY Independence
Center 701 Market Street
Philadelphia, PA 19106
(215) 627-1322

April 29, and May 6, 13

SALE NO. 25

Ex. #12730 of 2014

**LSF8 Master Participation Trust,
Plaintiff**

v.

**Estate of Christopher S. Yonko
(real owner and mortgagor) and
Sharron A. Yonko (mortgagor),
Defendants**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12730-14 LSF8 Master Participation Trust Plaintiff vs. Estate of Christopher S Yonko (real owner and mortgagor) and Sharron A Yonko (mortgagor) owner(s) of property situated in Erie County, Pennsylvania being: 457 Glenridge Road, Erie, PA 16509

Assessment Map number:
33-118-466-28

Assessed Value figure: \$147,000.00
Improvement thereon: Single Family Home - 1.836 sq ft

Bradley J. Osborne, Esquire
Richard M. Squire & Associates, LLC
115 West Avenue, Suite 104
Jenkintown, PA 19046
(215) 886-8790

April 29 and May 6, 13

SALE NO. 26

Ex. #10906 of 2015

**Deutsche Bank National Trust, et
al., Plaintiff**

v.

**David M. Mattison, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2015-10906, Deutsche Bank National Trust, et al. vs. David M. Mattison, owner(s) of property situated in Washington Township, Erie County, Pennsylvania being 10880 Oliver Road
2530 Square feet; 4.48 acres

Assessment Map number:
45001004001401

Assessed Value figure: 325,640
Improvement thereon: Residential Dwelling

Stephen M. Hladik, Esq.

298 Wissahickon Ave
North Wales, PA 19454
215.855.9521

April 29 and May 6, 13

SALE NO. 27

Ex. #12119 of 2013

**The Bank of New York Mellon, et
al., Plaintiff**

v.

**Gary R. Miles, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2013-12119, The Bank of New York Mellon, et al. vs. Gary R. Miles, owner(s) of property situated in North East Township, Erie, County, Pennsylvania being 11530 East Lake Road
1843 sq. feet; 2.25 acres

Assessment Map number:
37009014000500

Assessed Value figure: 219,400
Improvement thereon: Residential Dwelling

Stephen M. Hladik, Esq.

298 Wissahickon Ave

North Wales, PA 19454

215.855.9521

April 29 and May 6, 13

SALE NO. 28

Ex. #13522 of 2015

**Vinmak, LLC, Plaintiff
v.**

**Michael Osiecki and Yvonne M.
Osiecki, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13522-15, Vinmak, LLC vs. Michael Osiecki and Yvonne M. Osiecki, owner(s) of property situated in Erie City, Erie County, Pennsylvania being 1270 E. 28th Street
40 x 135; 1142; .1240

Assessment Map number:
18051004014000

Assessed Value figure: 55,570
Improvement thereon: Residential Dwelling

Stephen M. Hladik, Esq.

298 Wissahickon Ave

North Wales, PA 19454

215.855.9521

April 29 and May 6, 13

SALE NO. 29

Ex. #12861 of 2015

**The Bank of New York Mellon
Trust Company, National
Association fka The Bank of New
York Trust Company, N.A. as
successor to JPMorgan Chase**

Bank, as Trustee for Residential Asset Securities Corporation, Horne Equity Mortgage Asset-Backed Pass Through Certificates Series 2003-KS10, c/o Omen Loan Servicing, LLC, Plaintiff
v.

John T. Trohoske a/k/a John Trohoske and Sarah C. Trohoske, Defendant

LEGAL DESCRIPTION

All that certain piece or parcel of land situate in the Sixth Ward of the City of Erie (formerly Millcreek Township), County of Erie and Commonwealth of Pennsylvania, being Lot No. Sixty-six (66) in the plan of Lots of George A. Tupper, as recorded in the Recorder's Office of said Erie County in Plan (Map) Book Volume 1, Page 337, having a frontage of thirty-five (35) feet on the easterly side of Washington Avenue and extending back therefrom easterly of the same width on the northerly line one hundred one and four hundredths (101.04) feet, on the southerly line one hundred one and three hundredths (101.03) feet to an alley as shown on the above said plan, having erected thereon a two story frame dwelling house and a frame garage, being commonly known as 3035 Washington Avenue, Erie, Pennsylvania and further identified as Tax Index No. (19) 6225-215

PROPERTY ADDRESS: 3035 Washington Avenue, Erie, PA 16508
PARCEL 19-062-025-0-215.00

BEING the same premises which Paula S. Breter, single by Deed dated May 3, 2004, and recorded May 12, 2004 in the Office of the Recorder of Deeds in and for Erie County in Deed Book 1134, Page 1009, granted and conveyed unto John J. Trohoske and Sarah C. Trohoske, his wife.

Andrew J. Marley, Esquire
Stern & Eisenberg, PC
1581 Main Street, Suite 200
The Shops at Valley Square
Warrington, PA 18976
(215) 572-8111

April 29 and May 6, 13

SALE NO. 30

Ex. #13565 of 2015
U.S. Bank National Association,

as Trustee under the Pooling and Servicing Agreement, dated as of April 1, 2002, ABFC 2002-SB1 Trust, ABFC Asset-Backed Certificates, Series 2002-SB1 c/o Ocwen Loan Servicing, LLC, Plaintiff
v.

Tamara M. Williams, Defendants
LEGAL DESCRIPTION

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: BEGINNING at a point of intersection of the east line of Perry Street with the north line of Twenty-Fourth Street; thence northwardly along the east line of Perry Street, ninety (90) feet; thence eastwardly parallel with Twenty-Fourth Street forty (40) feet; thence southwardly parallel with Perry Street, ninety (90) feet to the north line of Twenty-Fourth Street; thence westwardly along the north line of Twenty-Fourth Street forty (40) feet to the place of beginning, and being part of Lot One Hundred Thirty-One (131).

BEING the same premises which Mel Martinez, Secretary of Housing and Urban Development of Washington, D.C., by Toni Johnson, their attorney-in-fact, by Deed dated October 9, 2001 and recorded on October 16, 2001 in the office of the recorder of deeds in and for Erie County at book 817 page 1191 granted and conveyed unto Tamara M. Williams.
PROPERTY ADDRESS: 902 East 24th Street, Erie, PA 16503
PARCEL 18050038012000
Jessica N. Manis, Esquire
Stern & Eisenberg, PC
1581 Main St, Suite 200
The Shops at Valley Square
Warrington, PA 18976
(215) 572-8111

April 29 and May 6, 13

SALE NO. 32

Ex. #13302 of 2015
Bank of America, N.A., Plaintiff
v.

William Lowery, Defendant
SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 13302-15 Bank of America,

N.A. v. William Lowery, owners of property situated in the Township of Millcreek, Erie County, Pennsylvania being 2718 Carter Avenue, Erie, Pennsylvania 16506.

Tax I.D. No. 33-054-2510-027-00
Assessment: \$144,732.37
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 1400
Philadelphia, PA 19109
215-790-1010

April 29 and May 6, 13

SALE NO. 33

Ex. #12148 of 2015
Reverse Mortgage Solutions, Inc., Plaintiff
v.

Unknown Surviving Heirs of Janet H. Turner, Patrick A. Turner, Known Surviving Heir of Janet H. Turner, Catherine H. Agresti, Known Surviving Heir of Janet H. Turner and Susan E. Turner, Known Surviving Heir of Janet H. Turner, Defendants

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 12148-15 Reverse Mortgage Solutions, Inc. v. Unknown Surviving Heirs of Janet H. Turner, Patrick A. Turner, Known Surviving Heir of Janet H. Turner, Catherine H. Agresti, Known Surviving Heir of Janet H. Turner and Susan E. Turner, Known Surviving Heir of Janet H. Turner, owners of property situated in the Township of County of Erie, Erie County, Pennsylvania being 4314 Washington Avenue, Erie, Pennsylvania 16509.

Tax I.D. No. 19-061-069.0-102.00
Assessment: \$74,875.13
Improvements: Residential Dwelling
McCabe, Weisberg and Conway, P.C.
123 South Broad Street, Suite 1400
Philadelphia, PA 19109
215-790-1010

April 29 and May 6, 13

SALE NO. 34

Ex. #11808 of 2014
Wells Fargo Financial, Pennsylvania, Inc. c/o Wells Fargo Bank, N.A., Plaintiff
v.

Charles A. Wagner and Carole L. Wagner, Defendants

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 11808-14 Wells Fargo Financial Pennsylvania, Inc. c/o Wells Fargo Bank, N.A. v. Charles A. Wagner and Carole L. Wagner, owners of property situated in the Township of Harborcreek Township, Erie County, Pennsylvania being 2818 East 29th Street, Erie, Pennsylvania 16510.

Tax I.D. No. 50-005-059.0-009.00

Assessment: \$103,722.40

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

April 29 and May 6, 13

SALE NO. 35

Ex. #13007 of 2015

**The Huntington National Bank,
Plaintiff**

v.

**Bonnie L. Voyda, Executrix of
the Estate of David Zimmerman,
Defendant**

SHORT DESCRIPTION

By virtue of a Writ of Execution filed to No. 13007-15 The Huntington National Bank v. Bonnie L. Voyda, Executrix of the Estate of David Zimmerman, owners of property situated in the City of Erie, Erie County, Pennsylvania being 903 West 9th Street, Erie, Pennsylvania 16502.

Tax I.D. No. 16030047010800

Assessment: \$55,403.75

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

April 29 and May 6, 13

SALE NO. 36

Ex. #13548 of 2015

ERIE FEDERAL CREDIT

UNION, Plaintiff

v.

BETTY L. STUMPO, Defendant

DESCRIPTION

By virtue of Writ of Execution filed at No. 13548-2015 Erie Federal Credit Union v. Betty L. Stumpo, owner of the following property identified below:

1) Situate in the City of Erie, County of Erie, and Commonwealth of Pennsylvania at 3243 East Avenue, Erie, PA 16504:

Assessment Map No.: (18) 5201-320

Assessed Value Figure: \$52,590.00

Improvement Thereon: Two-Family

Residential Dwelling

Michael S. Jan Janin, Esquire

Pa. I.D. No. 38880

The Quinn Law Firm

2222 West Grandview Boulevard

Erie, PA 16506

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April 29 and May 6, 13



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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**BAHRENBURG, KAREN B.,
deceased**

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

**BALCZON, RAEANN, a/k/a
RAEANN M. BALCZON,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Sarah Balczon, c/o 3210 West 32nd Street, Erie, Pennsylvania 16506-2702
Attorney: Peter W. Bailey, Esquire, 3210 West 32nd Street, Erie, Pennsylvania 16506-2702

**COX, LOIS J., a/k/a LOIS JUNE
COX, a/k/a LOIS COX,
deceased**

Late of the Borough of Girard, County of Erie, State of Pennsylvania
Executrix: June A. Lesko, 497 Shadybrook Circle, Girard, PA 16417
Attorney: Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**DeCOURSEY, RONALD F.,
deceased**

Late of Wattsburg Boro, County of Erie, Commonwealth of Pennsylvania
Administrator: David Ronald DeCoursey, 8139 Venshire Rd., Wattsburg, PA 16442
Attorney: None

**DeMARCO, SANDRA J., a/k/a
SANDRA JOAN DeMARCO,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administratrix: Melissa L. Larese, Esq., c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Melissa L. Larese, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**DESKO, JOANNE,
deceased**

Late of the Township of Girard, County of Erie, State of Pennsylvania
Executor: Todd E. Morton, 502 West 31st Street, Erie, Pennsylvania 16508
Attorney: Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**HAUCK, DORIS E.,
deceased**

Late of Millcreek Township, Erie County, Commonwealth of Pennsylvania
Co-Executrices: Gail J. Barber & Gloria J. Trapp, c/o Leigh Ann Orton, Esq., 11 Park Street, North East, PA 16428
Attorney: Leigh Ann Orton, Esq., Knox McLaughlin Gornall & Sennett, P.C., 11 Park Street, North East, PA 16428

**MILLER, KAREN J.,
deceased**

Late of the Borough of North East, Erie County, Commonwealth of Pennsylvania
Executrix: Karin A. Hill, c/o 11 Park Street, North East, PA 16428
Attorney: Leigh Ann Orton, Esq., Knox McLaughlin Gornall & Sennett, P.C., 11 Park Street, North East, PA 16428

**PATCHEN, DONALD,
deceased**

Late of the City of Union City, Erie County, Pennsylvania
Executor: Elizabeth Bellis, 72 South Street, Union City, PA 16438
Attorney: Scales Law Offices, LLC, 115 South Washington Street, Room 206, PO Box 346, Titusville, PA 16354

**PATTERSON, COLLEENA., a/k/a
COLLEEN PATTERSON, a/k/a
COLLEEN ANN PATTERSON,
a/k/a COLLEEN E. PATTERSON,
a/k/a COLLEEN ESTES, a/k/a
COLLEEN MORTON,
deceased**

Late of the Township of Girard, County of Erie, State of Pennsylvania
Executrix: Kimberly M. Dukich, 3415 Fox Ridge Street, Winterhaven, Florida 33884
Attorney: Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**PONTILLO, PATRICIA A.,
deceased**

Late of the Township of Fairview, Commonwealth of Pennsylvania
Executor: Michelle A. Young, c/o Richard A. Vendetti, Esquire, 3820 Liberty Street, Erie, Pennsylvania 16509
Attorney: Richard A. Vendetti, Esq., Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

**REITINGER, DONALD J.,
deceased**

Late of Millcreek Township,
Erie County, Commonwealth of
Pennsylvania

Co-Executors: Kenneth Reiting
and Linda Heim, 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

**RUDEN, MARGUERITE M.,
deceased**

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

Co-Executrices: Marguerite Timko
Kinney, Valerie Susan Shaffer and
Kimberly Ann Pontillo, c/o Quinn,
Buseck, Leemhuis, Toohey &
Kroto, Inc., 2222 West Grandview
Blvd., Erie, PA 16506

Attorney: Darlene M. Vlahos,
Esq., Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506

**SANDERS, MAYNARD G.,
deceased**

Late of the Borough of Girard, Erie
County, Pennsylvania

Administratrix: Kimberly Hall, c/o
Robert C. Ward, Esq., 307 French
Street, Erie, Pennsylvania 16507
Attorney: Robert C. Ward,
Esq., 307 French Street, Erie,
Pennsylvania 16507

**SHARPE, MARK M., a/k/a
MARK SHARPE,
deceased**

Late of the Township of McKean
Executor: Nicole Hirschmann,
9530 Silverthorn Rd., McKean,
PA 16426

Attorney: None

**STOSSMEISTER, CHARLES N.,
deceased**

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

Executor: Cheryl Lynn Kita,
c/o Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506
Attorney: Colleen R. Stumpf,
Esq., Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506

**TRESLER, ROSE MARY,
deceased**

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

Executor: John C. Brydon, 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

**WALKER, JOHN L., a/k/a
JOHN WALKER,
deceased**

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

Executor: Jeffrey Klemm,
11919 Cherry Hill Road, Albion,
Pennsylvania 16401

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

SECOND PUBLICATION

**BACON, NANCY L., a/k/a
NANCY LANCE BACON,
deceased**

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

Executrix: Catherine B. Koch,
101 Parker Road, Wellesley, MA
02482-2230

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

**COLE, PATRICIA S.,
deceased**

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

Executor: Richard M. Cole, c/o
Denise C. Pekelnicky, Esq.

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

**KULESA, JOSEPH C.,
deceased**

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

Executor: Melvin Edwards, 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

**METZGER, CARL P.,
deceased**

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

Executor: Teresa J. Metzger, c/o
Howard A. Hain, Esq., 821 State
Street, Erie, PA 16501

Attorney: Howard A. Hain,
Esquire, 821 State Street, Erie,
PA 16501

**NEENAN, DAVID M.,
deceased**

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

Executor: Jonathan Neenan, c/o
Denise C. Pekelnicky, Esq.

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

**REICHERT, RONALD,
deceased**

Late of Erie, Erie County,
Pennsylvania

Administrator: Rose Marie
Reichert, 1052 South Hill Road,
Erie, PA 16509

Attorney: Matthew D. Reichert,
Esq., 1406 Peach St., Erie, PA
16501

**ROBERTS, WILLIAM S.,
deceased**

Late of the Township of Harborscreek, County of Erie, State of Pennsylvania
Executrix: Bonnie G. Morton, 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

**STUART, VICTOR,
deceased**

Late of the County of Erie
Executor: Kenneth G. Stuart, 8853 Cruden Bay Ct., Dublin, Ohio 43017
Attorney: None

**WRIGHT, ARCHIE D.,
deceased**

Late of North East Township, Erie County, North East, Pennsylvania
Executrix: Denise M. Wright Newman, 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

**ZIEGLER, ROSE M.,
deceased**

Late of the Township of Summit
Co-Executors: William H. Rearick, 729 Mayhill Ridge, League City, TX 77573 and Kenneth H. Rearick, 277 Westwood Drive, League City, TX 77573
Attorney: Michael A. Fetzner, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

THIRD PUBLICATION

**ANDERSON, LARRY J., a/k/a
LAWRENCE J. ANDERSON,
deceased**

Late of the Township of Greene, County of Erie, Commonwealth of Pennsylvania
Executrix: Christine A. Anderson, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Darlene M. Vlahos, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**BRANDT, THOMAS L.,
deceased**

Late of the City of Erie, County of Erie
Executor: Cynthia R. Brandt, 2904 Glenwood Park Ave., Erie, PA 16508
Attorney: John C. Melaragno, Esquire, Melaragno Placidi Parini & Veitch, 502 West Seventh Street, Erie, Pennsylvania 16502

**CLINTON, RAYMOND E.,
deceased**

Late of Girard Township, County of Erie
Executor: Raymond Keith Clinton, c/o 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

**ESPY, JANE F., a/k/a JANE RAE
ESPY, a/k/a JANE R. ESPY,
deceased**

Late of the Township of Millcreek, County of Erie, State of Pennsylvania
Executrix: Holly J. Deshner, 1190 W. Leesport Road, Leesport, PA 19533
Attorney: Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**GEHRLEIN, DANIEL P.,
deceased**

Late of Greene Township, County of Erie and Commonwealth of Pennsylvania
Executor: David R. Gehrlein, Jr., 2190 New Road, Waterford, PA 16441
Attorney: Gary K. Schonhaler, Esquire, The Conrad - F.A. Brevillier House, 502 Parade Street, Erie, PA 16507

**HEDGES, MICHAEL O., a/k/a
MICHAEL ORRIS HEDGES,
deceased**

Late of Erie, Erie County, Pennsylvania
Administrator: Patricia L. Hedges, c/o Dan W. Susi, Esquire, 714 Sassafras Street, Erie, PA 16501
Attorney: Dan W. Susi, Esquire, 714 Sassafras Street, Erie, PA 16501

**HOPKINS, JUDITH M., a/k/a
J. MARGARET HOPKINS, a/k/a
JUDITH MARGARET HOPKINS,
deceased**

Late of the Township of Springfield, County of Erie, State of Pennsylvania
Administrator: Thomas W. Hopkins, 7600 Rea Road, West Springfield, PA 16443
Attorney: Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**KONETSKY, EDWARD J.,
deceased**

Late of the Township of Harborscreek, County of Erie and Commonwealth of Pennsylvania
Executor: Michael D. Konetsky, c/o William J. Schaaf, Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorneys: Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP, Suite 300, 300 State Street, Erie, PA 16507

**LIPINSKI, MARILYN,
deceased**

Late of the Township of Fairview,
County of Erie, Pennsylvania
Executor: Mark H. Lipinski, 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

**MALEE, DAWN KRISTINE, a/k/a
D. KRISTINE MALEE, a/k/a
DAWN K. MALEE,
deceased**

Late of the Township of
Millcreek, County of Erie, and
Commonwealth of Pennsylvania
Co-Administrators: Daniel J.
Ploszkiewicz and Timothy D.
Malee, c/o 3210 West 32nd Street,
Erie, Pennsylvania 16506-2702
Attorney: Peter W. Bailey, Esquire,
3210 West 32nd Street, Erie,
Pennsylvania 16506-2702

**PIETRASIEWICZ,
WALTER L., II,
deceased**

Late of the Township of Millcreek,
Erie County
Administrator: Karen M.
Pietrasiewicz
Attorney: William J. Kelly, Jr.,
Esquire, 230 West 6th Street, Suite
201, Erie, PA 16507

**SIMS, FRANK G.,
deceased**

Late of the City of Erie, County
of Erie, Commonwealth of
Pennsylvania
Executrix: Sandra Carney, c/o Paul
J. Carney, Jr., Esq., 224 Maple
Avenue, Corry, PA 16407
Attorney: Paul J. Carney, Jr., 224
Maple Avenue, Corry, PA 16407

**SPACHT, EDITH G., a/k/a EDITH
GLORIA LUONGO SPACHT,
a/k/a EDITH LUONGO SPACHT,
deceased**

Late of the Township of North
East, County of Erie and
Commonwealth of Pennsylvania
Executor: Charles D. Spacht
Attorney: Thomas J. Minarcik,
Esquire, Elderkin Law Firm, 150
East 8th Street, Erie, PA 16501

**SULLIVAN, THOMAS JAMES,
a/k/a THOMAS J. SULLIVAN,
deceased**

Late of the City of Erie, Erie
County, PA
Executor: John Patrick Sullivan,
c/o 120 West 10th Street, Erie,
PA 16501
Attorney: Jerome C. Wegley,
Esquire, Knox McLaughlin
Gornall & Sennett, P.C., 120 West
Tenth Street, Erie, PA 16501

**VOGT, JACKIE,
deceased**

Late of the City of Erie, County
of Erie
Administrator: Tracy M. Vogt,
3301 Springcreek Lane, Sandy
Springs, GA 30350
Attorney: John C. Melaragno,
Esquire, Melaragno, Placidi, Parini
& Veitch, 502 West Seventh Street,
Erie, Pennsylvania 16502

**WENZEL, JEANMARIE,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Executor: John M. Wenzel
Attorney: David J. Rhodes,
Esquire, Elderkin Law Firm, 150
East 8th Street, Erie, PA 16501

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