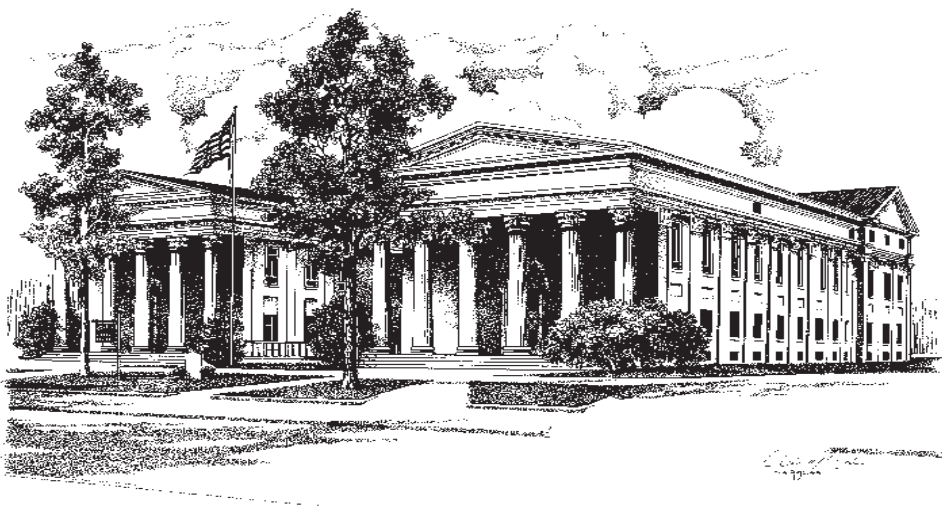


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Commonwealth v. Bowersox

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

WEDNESDAY, JUNE 29, 2016

ECBA Live Lunch-n-Learn Seminar

Navigating Casemaker (a Free PBA Member Benefit!) and Ethics Guidance
Bayfront Convention Center

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

\$67 (ECBA member) \$87 (nonmember) \$47 (member judge not needing CLE)
1.5 hours ethics

THURSDAY, JULY 26, 2016

ECBA Mid-Year Membership Meeting
Sheraton Hotel

Guest Speaker: Hon. John E. Jones, III
more details coming soon

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.

CHRISTOPHER GEORGE BOWERSOX, Defendant*CRIMINAL LAW & PROCEDURE / SUPPRESSION OF EVIDENCE*

Pursuant to Rule 581 of the Pennsylvania Rules of Criminal Procedure, the Commonwealth, not the defendant, shall have the burden of going forward with the evidence and of establishing that the challenged evidence was not obtained in violation of the defendant's rights. The Commonwealth's burden is by a preponderance of the evidence -- the burden of producing satisfactory evidence of a particular fact in issue; and . . . the burden of persuading the trier of fact that the fact alleged is indeed true.

CRIMINAL LAW & PROCEDURE / SEARCH & SEIZURE / WARRANTLESS SEARCHES / INVESTIGATIVE STOPS

Pursuant to 75 Pa. C. S. §6308(b), whenever a police officer is engaged in a systematic program of checking vehicles or drivers or has reasonable suspicion that a violation of this title is occurring or has occurred, he may stop a vehicle, upon request or signal, for the purpose of checking the vehicle's registration, proof of financial responsibility, vehicle identification number or engine number or the driver's license, or to secure such other information as the officer may reasonably believe to be necessary to enforce the provisions of the Motor Vehicle Code.

CRIMINAL LAW & PROCEDURE / SEARCH & SEIZURE / WARRANTLESS SEARCHES / STOP & FRISK / REASONABLE SUSPICION

When considering whether reasonable suspicion or probable cause is required constitutionally to make a vehicle stop, the nature of the violation has to be considered. If it is not necessary to stop the vehicle to establish that a violation of the Vehicle Code has occurred, an officer must possess probable cause to stop the vehicle. Where a violation is suspected, but a stop is necessary to further investigate whether a violation has occurred, an officer need only possess reasonable suspicion to make the stop. Illustrative of these two standards are stops for speeding and DUI. If a vehicle is stopped for speeding, the officer must possess probable cause to stop the vehicle. This is so because when a vehicle is stopped, nothing more can be determined as to the speed of the vehicle when it was observed while travelling upon a highway. On the other hand, if an officer possesses sufficient knowledge based upon behavior suggestive of DUI, the officer may stop the vehicle upon reasonable suspicion of a Vehicle Code violation, since a stop would provide the officer the needed opportunity to investigate further if the driver was operating under the influence of alcohol or a controlled substance.

CRIMINAL LAW & PROCEDURE / STANDARD OF REVIEW

It is within the suppression court's sole province as factfinder to pass on the credibility of witnesses and the weight to be given their testimony.

CONSTITUTIONAL LAW / SEARCH & SEIZURE / PROBABLE CAUSE

To determine whether probable causes exists, the court must consider "whether the facts and circumstances which are within the knowledge of the officer at the time of the arrest, and of which he has reasonably trustworthy information, are sufficient to warrant a man of reasonable caution in the belief that the suspect has committed or is committing a crime."

VEHICLE CODE / VIOLATIONS

Pursuant to 75 Pa. C. S. §3309(1), a vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety.

VEHICLE CODE / VIOLATIONS

Pursuant to 75 Pa. C. S. §3714, any person who drives a vehicle in careless disregard for the safety of persons or property is guilty of careless driving, a summary offense.

CONSTITUTIONAL LAW / SEARCH & SEIZURE / REASONABLE SUSPICION

To establish grounds for reasonable suspicion, the officer must articulate specific observations which, in conjunction with reasonable inferences derived from these observations, led him reasonably to conclude, in light of his experience, that criminal activity was afoot and the person he stopped was involved in that activity. In order to determine whether the police officer has reasonable suspicion, the totality of the circumstances must be considered. In making this determination, a trial court must give due weight to the specific reasonable inferences the police officer is entitled to draw from the facts in light of his experience. The totality of the circumstances test does not limit the inquiry to an examination of only those facts that clearly indicate criminal conduct; rather, even a combination of innocent facts, when taken together, may warrant further investigation by the police officer.

CRIMINAL LAW & PROCEDURE / SEARCH & SEIZURE / WARRANTLESS

SEARCHES / INVESTIGATIVE STOPS

The Pennsylvania Supreme Court has defined three forms of police-citizen interaction: a mere encounter, an investigative detention, and a custodial detention. A mere encounter between police and a citizen need not be supported by any level of suspicion, and carries no official compulsion on the part of the citizen to stop or to respond. An investigatory stop, which subjects a suspect to a stop and a period of detention, but does not involve such coercive conditions as to constitute an arrest, requires a reasonable suspicion that criminal activity is afoot. A custodial detention is an arrest and must be supported by probable cause.

CONSTITUTIONAL LAW / SEARCH & SEIZURE / REASONABLE SUSPICION

A police officer has authority to stop a vehicle when he or she has reasonable suspicion that a violation of the Motor Vehicle Code is occurring or has occurred. Whether an officer had reasonable suspicion that criminality was afoot so as to justify an investigatory detention is an objective one, which must be considered in light of the totality of the circumstances.

EVIDENCE / SCIENTIFIC EVIDENCE / FIELD SOBRIETY TESTS

Field sobriety tests containing the results of a defendant’s performance, such as the “one-leg stand” and “walking in a straight line” tests, are grounded in theories which link an individual’s lack of coordination and loss of concentration with intoxication.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
 CRIMINAL DIVISION NO. CR 9 of 2016

Appearances: Paul S. Sellers, Assistant District Attorney, on behalf of the Commonwealth
 Charbel G. Latouf, Esq., on behalf of Christopher George Bowersox
 (Defendant)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Domitrovich, J.,

June 1st, 2016

After thorough consideration of the entire record regarding Defendant's Omnibus Pre-trial Motion – Motion to Suppress Evidence, including, but not limited to, the testimony and evidence presented during the May 18th, 2016 Suppression Hearing and Attorney Latouf's Memorandum of Law, as well as an independent review of the relevant statutory and case law, this Trial Court hereby makes the following Findings of Fact and Conclusions of Law:

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

1. On October 18th, 2015, around 2:45 a.m., Pennsylvania State Police Trooper Kyle Callahan and his partner, Trooper Gadsby, were travelling southbound on Route 97/Perry Highway in full dress uniform and in a marked Pennsylvania State Police vehicle.
2. At that time, Trooper Callahan was travelling behind a 2004 Jeep Cherokee, which was weaving in its lane.
3. While travelling southbound on Route 97/Perry Highway, the 2004 Jeep Cherokee moved towards the westbound entrance ramp to Interstate 90 and nearly struck the guardrail near the bridge embankment, but swerved abruptly back onto Route 97/Perry Highway.
4. Thereafter, Troopers Callahan and Gadsby activated their police lights and initiated a traffic stop of the 2004 Jeep Cherokee in the Taco Bell parking lot located south of the Interstate 90/Route 97 interchange.
5. Trooper Callahan approached the 2004 Jeep Cherokee and made contact with the driver, identified as Defendant Christopher George Bowersox (hereafter referred to as "Defendant").
6. Trooper Callahan requested Defendant's license, registration and proof of insurance, after which Defendant mistakenly provided his motorcycle license.
7. While speaking with the Defendant, Trooper Callahan detected a strong odor of alcoholic beverages and noticed Defendant's eyes were bloodshot and his speech was slurred.
8. When asked where he was coming from, Defendant acknowledged he was coming from Scooters Bar and Grill and had a couple of drinks while at the establishment.
9. After speaking with Defendant and making several observations about Defendant's demeanor, Trooper Callahan requested Defendant exit his vehicle and submit to several field sobriety tests, to which Defendant complied.
10. Trooper Callahan administered three (3) field sobriety tests to Defendant – the "horizontal gaze nystagmus" ("HGN") test; the "walk-and-turn" test; and the "one leg stand" test.
11. Following the administration of these three (3) field sobriety tests and based upon the observations and conclusions Trooper Callahan took from these tests, Trooper Callahan requested Defendant submit to a portable breath test ("PBT"), to which Defendant complied.

12. Based upon the results of the PBT, which indicated positively for the presence of alcohol, Trooper Callahan placed Defendant under arrest for Driving under the Influence and transported Defendant for a blood draw.
13. Trooper Callahan's mobile video recorder ("MVR") captured the entire encounter, from the time Trooper Callahan was traveling southbound on Route 97/Perry Highway behind Defendant's 2004 Jeep Cherokee until Defendant's arrest.
14. The Erie County District Attorney's Office filed an Information on March 8th, 2016, charging Defendant with Driving under the Influence of Alcohol, General Impairment – Incapable of Safe Driving, First (1st) Offense, in violation of 75 Pa. C. S. §3802(a)(1), and Driving under the Influence, Highest Rate of Alcohol, BAC 0.16%, First (1st) Offense, in violation of 75 Pa. C. S. §3802(c).
15. Defendant, by and through his counsel, Charbel G. Latouf, Esq., filed the instant Omnibus Pre-trial Motion – Motion to Suppress Evidence on April 27th, 2016.
16. A hearing on Defendant's Omnibus Pre-trial Motion – Motion to Suppress Evidence was held on May 18th, 2016, during which this Trial Court heard testimony from Trooper Callahan, observed the MVR, received evidence and heard argument from both counsel. Defendant appeared and was represented by his counsel, Charbel G. Latouf, Esq., and Assistant District Attorney Paul S. Sellers appeared on behalf of the Commonwealth.

CONCLUSIONS OF LAW

II. Legal Argument

Pennsylvania Rule of Criminal Procedure 581 governs the suppression of evidence. Pursuant to Rule 581, the Commonwealth, not the defendant, shall have the burden of going forward with the evidence and of establishing that the challenged evidence was not obtained in violation of the defendant's rights. *See Pa. R. Crim. P. 581(h)*. The Commonwealth's burden is by a preponderance of the evidence. *Commonwealth v. Bonasorte*, 486 A.2d 1361, 1368 (Pa. Super. 1984); *see also Commonwealth v. Jury*, 636 A.2d 164, 169 (Pa. Super. 1993) (the Commonwealth's burden of proof at suppression hearing has been defined as "the burden of producing satisfactory evidence of a particular fact in issue; and . . . the burden of persuading the trier of fact that the fact alleged is indeed true.").

A. The traffic stop initiated by Trooper Callahan of Defendant's vehicle on October 18th, 2015 was lawful as Trooper Callahan possessed the requisite level of proof required to stop Defendant's vehicle for a traffic violation of the Motor Vehicle Code as well as Driving under the Influence.

The general rule regarding the level of suspicion that a police officer must possess before stopping a vehicle is codified at 75 Pa. C. S. §6308(b), which states:

Whenever a police officer is engaged in a systematic program of checking vehicles or drivers or has **reasonable suspicion** that a violation of this title is occurring or has occurred, he may stop a vehicle, upon request or signal, for the purpose of checking the vehicle's registration, proof of financial responsibility, vehicle identification number or engine number or

the driver's license, or to secure such other information as the officer may reasonably believe to be necessary to enforce the provisions of this title.

75 Pa. C. S. §6308; *see also* *Commonwealth v. Ibrahim*, 127 A.3d 819, 822-23 (Pa. Super. 2015). However, not all offenses of the Motor Vehicle Code require mere reasonable suspicion. In *Commonwealth v. Feczko*, the Pennsylvania Superior Court explained the requisite levels of suspicion and concluded the police must possess **probable cause** where a traffic stop will not serve an investigatory purpose. *See Feczko*, 10 A.3d 1285, 1290-91 (Pa. Super. 2010). The Pennsylvania Superior Court further elaborated upon the distinction between Motor Vehicle Code offenses that require **probable cause** and those that require only **reasonable suspicion** in *Commonwealth v. Salter*, 121 A.3d 987 (Pa. Super. 2015). In *Salter*, the Court stated:

When considering whether reasonable suspicion or probable cause is required constitutionally to make a vehicle stop, the nature of the violation has to be considered. If it is not necessary to stop the vehicle to establish that a violation of the Vehicle Code has occurred, an officer must possess probable cause to stop the vehicle. Where a violation is suspected, but a stop is necessary to further investigate whether a violation has occurred, an officer need only possess reasonable suspicion to make the stop. Illustrative of these two standards are stops for speeding and DUI. If a vehicle is stopped for speeding, the officer must possess probable cause to stop the vehicle. **This is so because when a vehicle is stopped, nothing more can be determined as to the speed of the vehicle when it was observed while traveling upon a highway.** On the other hand, if an officer possesses sufficient knowledge based upon behavior suggestive of DUI, the officer may stop the vehicle upon reasonable suspicion of a Vehicle Code violation, **since a stop would provide the officer the needed opportunity to investigate further if the driver was operating under the influence of alcohol or a controlled substance.**

Id at 993; *see also* *Ibrahim*, 127 A.3d at 823-24 [emphasis added].

After consideration of the testimony and evidence presented at the May 18th, 2016 suppression hearing, as well as a thorough review of relevant statutory and case law, this Trial Court concludes Trooper Callahan possessed the requisite level of proof required to initiate a traffic stop of Defendant's vehicle, based upon his credible testimony. *See Commonwealth v. Walton*, 63 A.3d 253, 256 (Pa. Super. 2013) (it is within the suppression court's sole province as fact-finder to pass on the credibility of witnesses and the weight to be given their testimony). First, Trooper Callahan had probable cause to initiate a traffic stop of Defendant's vehicle for violations of the Motor Vehicle Code. To determine whether probable cause exists, the court must consider "whether the facts and circumstances which are within the knowledge of the officer at the time of the arrest, and of which he has reasonably trustworthy information, are sufficient to warrant a man of reasonable caution in the belief that the suspect has committed or is committing a crime." *Ibrahim*, 127 A.3d at 824.

Following the traffic stop and prior to the Preliminary Hearing, Trooper Callahan cited Defendant for violations of Driving on Roadways Laned for Traffic (75 Pa. C. S. §3309(1))

and Careless Driving (75 Pa. C. S. §3714).¹ 75 Pa. C. S. §3309(1) states “a vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from the lane until the driver has first ascertained that the movement can be made with safety.” 75 Pa. C. S. §3309(1). Furthermore, 75 Pa. C. S. §3714 states: “any person who drives a vehicle in careless disregard for the safety of persons or property is guilty of careless driving, a summary offense.” 75 Pa. C. S. §3714(a). On October 18th, 2015, Trooper Callahan was behind Defendant’s 2004 Jeep Cherokee traveling southbound on Route 97/Perry Highway, where he observed Defendant’s vehicle weaving. Defendant’s vehicle also moved towards to the westbound entrance ramp of Interstate 90, nearly striking a guardrail on the bridge embankment, but swerved abruptly back into his lane. Trooper Callahan’s MVR in his police cruiser captured the events clearly and as they unfolded. *See Commonwealth’s Exhibit 1*. Considering Defendant’s vehicle weaving in its lane and swerving abruptly out of an entrance ramp and back into its lane to avoid striking a guardrail, Trooper Callahan had probable cause to initiate a traffic stop of Defendant’s vehicle for the Motor Vehicle Code violations addressed above and no further investigation was necessary as Trooper Callahan clearly observed these violations. *See Ibrahim*, 127 A.3d at 824 (the moment a police officer clearly observed a defendant riding his bicycle westbound on a road that requires all traffic to proceed eastbound, a Motor Vehicle Code violation occurred, no further investigation was necessary and the police officer had probable cause to stop the defendant).

Furthermore, Trooper Callahan possessed reasonable suspicion to initiate a traffic stop for suspicion of Driving under the Influence. To establish grounds for reasonable suspicion, “the officer must articulate specific observations which, in conjunction with reasonable inferences derived from these observations, led him reasonably to conclude, in light of his experience, that criminal activity was afoot and the person he stopped was involved in that activity.” *Commonwealth v. Fulton*, 921 A.2d 1239, 1243 (Pa. Super. 2007). In order to determine whether the police officer has reasonable suspicion, the totality of the circumstances must be considered. *Id.* In making this determination, a trial court must give “due weight...to the specific reasonable inferences the police officer is entitled to draw from the facts in light of his experience.” *Id.* (quoting *Commonwealth v. Cook*, 735 A.2d 673, 676 (1999)). Also, the totality of the circumstances test does not limit the inquiry to an examination of only those facts that clearly indicate criminal conduct; rather, “even a combination of innocent facts, when taken together, may warrant further investigation by the police officer.” *Id.* (quoting *Cook*, 735 A.2d at 676).

Trooper Callahan has three (3) years’ experience with the Pennsylvania State Police and has conducted over one hundred (100) traffic stops for suspected DUI in those three (3) years; therefore, he has considerable experience with DUI traffic stops. Furthermore, Trooper Callahan’s observations while following Defendant’s vehicle, including Defendant’s vehicle weaving in its lane, moving into the westbound entrance ramp for Interstate 90, nearly striking a guardrail on a bridge embankment and swerving abruptly to avoid said guardrail, constitute specific observations which, taken in conjunction with his reasonable inferences derived

¹ These traffic offenses were withdrawn by the Commonwealth at the Preliminary Hearing, and the Commonwealth is no longer pursuing these offenses. However, as these offenses are relevant to the issue of whether Trooper Callahan possessed probable cause to conduct the traffic stop, these offenses will be discussed for that purpose only.

from these observations, led Trooper Callahan to conclude reasonably that Defendant was driving under the influence of alcohol and a traffic stop was necessary to investigate further in order to confirm or dispel these conclusions. *See id* (a police officer, with more than five years' experience, had reasonable suspicion of driving under the influence when he observed a defendant's vehicle swerve out of his lane three times in thirty seconds in dense fog on a road shared with oncoming traffic); *see also Commonwealth v. Sands*, 887 A.2d 261, 272 (Pa. Super. 2005) (an officer with experience in observing and arresting drunk drivers had reasonable suspicion of driving under the influence when he observed a defendant's vehicle cross the fog line three times).

Therefore, this Trial Court concludes Trooper Callahan had the requisite level of proof for initiating a traffic stop on Defendant's vehicle for a traffic violation of the Motor Vehicle Code as well as Driving under the Influence.

B. Trooper Callahan's continued detention of Defendant was proper as the traffic stop was initiated with the requisite level of proof required and Trooper Callahan's additional observations of Defendant at the scene provided reasonable suspicion for the continued detention of Defendant.

The Pennsylvania Supreme Court has defined three forms of police-citizen interaction: a mere encounter, an investigative detention, and a custodial detention. *Commonwealth v. Fuller*, 940 A.2d 476, 478 (Pa. Super. 2007). A **mere encounter** between police and a citizen need not be supported by any level of suspicion, and carries no official compulsion on the part of the citizen to stop or to respond. *Id* at 479 [emphasis added]. An **investigatory stop**, which subjects a suspect to a stop and a period of detention, but does not involve such coercive conditions as to constitute an arrest, requires a reasonable suspicion that criminal activity is afoot. *Id* [emphasis added]. A **custodial detention** is an arrest and must be supported by probable cause. *Id* [emphasis added].

A police officer has authority to stop a vehicle when he or she has reasonable suspicion that a violation of the Motor Vehicle Code is occurring or has occurred. *See 75 Pa. C. S. §6308(b)*; *see also Commonwealth v. Farnan*, 55 A.3d 113, 116 (Pa. Super. 2012) "Whether an officer had reasonable suspicion that criminality was afoot so as to justify an investigatory detention is an objective one, which must be considered in light of the totality of the circumstances." *Id*. (Pa. Super. 2012) (*quoting Commonwealth v. Holmes*, 14 A.3d 89, 95-96 (Pa. Super. 2011)).

This Trial Court concludes Trooper Callahan had reasonable suspicion to initiate and continue the investigatory detention of Defendant. While traveling southbound on Route 97/Perry Highway, Trooper Callahan observed Defendant's 2004 Jeep Cherokee weaving in its lane. The 2004 Jeep Cherokee moved towards the westbound exit ramp of Interstate 90 and nearly struck a guardrail near the bridge embankment, but swerved abruptly back into its lane. The totality of these observations, coupled with the reasonable inferences derived therefrom, prompted Trooper Callahan, who had over one hundred (100) DUI stops in three (3) years with the Pennsylvania State Police, to initiate a traffic stop of Defendant's vehicle on reasonable suspicion of Defendant driving under the influence of alcohol and other Motor Vehicle Code violations. *See Salter*, 121 A.3d 987, 993 (Pa. Super. 2015); *see also Ibrahim*, 127 A.3d 819, 823-24 (Pa. Super. 2015).

Furthermore, subsequent to the traffic stop, Trooper Callahan's reasonable suspicion of DUI continued. After approaching Defendant's vehicle and requesting his driver's license,

registration and proof of insurance, Trooper Callahan detected a strong odor of alcoholic beverages, and observed Defendant's eyes were bloodshot and his speech was slurred. Thereafter, Trooper Callahan requested Defendant exit his vehicle and submit to three (3) field sobriety tests – the “horizontal gaze nystagmus (“HGN”)” test, the “walk-and-turn” test, and the “one-leg stand” test. During Defendant's performance of these three (3) field sobriety tests, Trooper Callahan noted several deficiencies by Defendant, characterized by Trooper Callahan as “clues,” indicating Defendant's intoxication. *See Commonwealth v. Ragan*, 652 A.2d 925, 928 (Pa. Super 1995) (Field sobriety tests containing the results of a defendant's performance, such as the “one-leg stand,” ... and “walking in a straight line” tests, are grounded in theories which link an individual's lack of coordination and loss of concentration with intoxication). Trooper Callahan was also allowed to rely on his observations from the HGN test in determining whether Defendant was driving under the influence of alcohol. *See Commonwealth v. Weaver*, 76 A.3d 562, 567 (Pa. Super. 2013). Following his observations from Defendant's field sobriety tests, Trooper Callahan requested Defendant submit to a portable breath test (“PBT”), which indicated positively for the presence of alcohol.

Therefore, considering the totality of the circumstances, including, but not limited to, the observations of Trooper Callahan and all reasonable inferences drawn therefrom, this Trial Court concludes, based on Trooper Callahan's credible testimony, that there was reasonable suspicion to initiate and continue an investigatory detention of Defendant in order to determine if Defendant had been driving a vehicle under the influence of alcohol, in violation of 75 Pa. C. S. §3802. For all of the foregoing reasons, this Court enters the following Order:

ORDER

AND NOW, to wit, this 1st day of June, 2016, after thorough consideration of the entire record regarding Defendant's Omnibus Pre-trial Motion – Motion to Suppress Evidence, including, but not limited to, the testimony and evidence presented during the May 18th, 2016 Suppression Hearing and counsels' Memoranda of Law, as well as an independent review of the relevant statutory and case law and the proceeding Findings of Fact and Conclusions of Law set forth above pursuant to Pennsylvania Rule of Criminal Procedure 581, it is hereby **ORDERED, ADJUDGED AND DECREED** that Defendant's Omnibus Pre-trial Motion – Motion to Suppress Evidence is hereby **DENIED**.

BY THE COURT:

/s/ Stephanie Domitrovich, Judge



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John Gugliotta
Attorney

Attorney Joins Quinn Law Firm

The Quinn Law Firm is pleased to announce **Attorney John Gugliotta** has joined the firm as Of Counsel and will lead the firm's Intellectual Property, Patent, Copyright and Trademark Departments. Attorney Gugliotta specializes in Intellectual Property Application and Prosecution, with experience in Patent, Copyright, and Trademark protection services and IP counseling including monitoring and guiding of research at the idea stage to determine avenues of patentability, marketability, licensability, and enforceability; referral of inventions to joint venturers, OEM production facilities and independent contractors for production and sale. Attorney Gugliotta is also a Professional Engineer which allows him to better assist clients in the overall protection of technology based Intellectual Property. He received his Bachelor of Science undergraduate degree in Chemical Engineering from Carnegie-Mellon University in 1985. Attorney

Gugliotta earned his Juris Doctorate from Cleveland State University, Cleveland-Marshall College of Law in 1993. He is licensed to practice in the United States District Courts for the Western District of Pennsylvania and Northern District of Ohio, the United States Patent and Trademark Office, the United States Supreme Court, and the State of Ohio.

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**ACTION TO QUIET TITLE
IN THE COURT OF COMMON
PLEAS OF THE 6TH JUDICIAL
DISTRICT OF PENNSYLVANIA
ERIE COUNTY**

**RANDY SCOUTEN AND
RHONDA SCOUTEN, husband
and wife, Plaintiffs**

vs.

**JAMES LEO CAMPBELL,
HAZEL ARLENE CAMPBELL,
husband and wife, and JAMES A.
SHIELDS, and all of their heirs,
successors, personal representatives
and assigns, Defendants**
No. 11592 of 2016

**ACTION TO QUIET TITLE
TO THE DEFENDANTS and all
of their heirs, successors, personal
representatives and assigns**

TAKE NOTICE that the Plaintiffs have filed a Complaint alleging that they are the fee simple owners of certain premises known as 25 Concord Street, Union City, Pennsylvania, which is the subject premises of this Action to Quiet Title, bounded and described as follows:

Beginning at a post in the south line of Concord Street at the northwest corner of lands now or formerly of George H. Palmer; thence south along the west line of lands now or formerly of George H. Palmer to the Erie Railroad sidetrack land; thence west along the Erie Railroad track land twenty-four (24) feet more or less to the east line of land formerly of W.E. Everson, now or formerly owned by Sowers; thence north along the east line of land formerly owned by W.E. Everson, now or formerly owned by Sowers to the south side of Concord Street; thence east along the south side of Concord Street twenty-four (24) feet more or less to the place of beginning and having erected thereon a frame dwelling house and other improvements.

THE AFORESAID DESCRIBED PREMISES ARE IDENTIFIED ON THE ASSESSMENT MAPS OF ERIE COUNTY AS (14) 65-5-41.

The Defendants, James Leo Campbell and Hazel Arlene Campbell, acquired an interest in said premises under Article of Agreement from Theodore M. Treat and Audrey M. Treat dated February 10, 1956 and recorded

March 24, 1956 in Erie County Book 54 Page 219. A Deed was never given to the Defendants and the premises than transferred to Arthur J. Daniels and Elsie N. Daniels by Deed dated December 19, 1968 and recorded in Erie County Deed Book 995 at Page 267.

The Defendant, James A. Shields, acquired an interest in said premises under Deed from Paul M. Greenwood and Martha Greenwood dated February 29, 1980 in Erie County Deed Book 1397 at Page 356. The said James A. Shields then transferred his interest in said property to Nancy Buell on June 3, 1983 by Deed recorded in Deed Book 1549 at Page 598. Mr. Shields marital status was not stated on said Deed.

The Plaintiffs claim the interests of the Defendants should be barred forever. Plaintiffs request that the Court enter an order decreeing that all of the right, title and interest in the subject premises is vested in the Plaintiffs.

WHEREUPON, THE COURT DIRECTED SERVICE UPON THE DEFENDANTS, THEIR HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES AND ASSIGNS, BY PUBLICATION, WITH NOTICE TO BE GIVEN THAT THE HEARING DATE ON SAID COMPLAINT IS SET FOR AUGUST 1, 2016 AT 10:45 A.M. BEFORE JUDGE STEPHANIE DOMITROVICH IN COURT ROOM G – ROOM 222 OF THE ERIE COUNTY COURTHOUSE. FURTHERMORE, A DEFAULT JUDGMENT MAY BE ENTERED AGAINST THE DEFENDANTS, THEIR HEIRS, SUCCESSORS, PERSONAL REPRESENTATIVES AND ASSIGNS SHOULD THERE BE NO ANSWER OR APPEARANCE ON THEIR BEHALF.

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 within twenty (20) days of this Publication. You are warned that if you fail to do so that this 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 rights important to you. The Court of Common Pleas of Erie County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the Court, please contact the Court Administrator's Office. All arrangements must be made at least seventy-two (72) hours prior to any hearing or business before the Court. You must attend the scheduled conference or hearing.

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.

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**P.O. BOX 1792
ERIE, PENNSYLVANIA 16507
(814) 459-4411**

Mon. – Fri. 8:30 a.m. to 3:00 p.m.
Attorney for the Plaintiffs: Joan M. Fairchild, Esquire, 132 North Center Street, Corry, Pennsylvania 16407

Jun. 24

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: DiscernMints
2. Address of principal place of business: 711 West 10th Street, Erie, PA 16502
3. The names and addresses, including street and number, of the parties to the registration: Gary D. Gaither

4. The application for registration of the fictitious name was filed with the Department of State under the Fictitious Name Act on May 6, 2016. Norman A. Stark, Esq.
The Marsh Law Firm
300 State Street, Suite 300
Erie, PA 16507

Jun. 24

INCORPORATION NOTICE

B & R Law Care, Inc. has been incorporated under the provisions of the Business Corporation Law of 1988.
Paul J. Carney, Esq.
224 Maple Ave.
Corry, Pennsylvania 16407

Jun. 24

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about June 7, 2016

T&B DuCharme, Inc.
805 Potomac Ave.
Erie, PA 16505

The corporation has been incorporated under the provisions of the Business Corporation Law of 1988, as amended.

Jun. 24

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**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 **June 27, 2016** and confirmed Nisi.

July 21, 2016 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>2016 ESTATE</u>	<u>ACCOUNTANT</u>	<u>ATTORNEY</u>
139. Sam A. Perry, a/k/a Samuel Arthur Perry	Kenneth C. Perry, Executor	PRO SE
140. Helen R. Kuebler Eastman a/k/a Helen R. Eastman	Scott B. Hurley, Executor	Thomas J. Minarcik, Esquire
141. Frank S. Amoroso	Jean M. Sappington, Executrix	Darlene M. Vlahos, Esquire
142. Gerald A. Volgstadt, II a/k/a Gerald Albert Volgstadt, II	Barbara L. Volgstadt, Administrator C.T.A. ...	Darlene M. Vlahos, Esquire
143. Randolph Q. Sabric	FNB Wealth Management Trust Group, Trustee	Michael Musone, Esquire

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

Jun. 17, 24

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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

**BEDOW, RONALD R.,
deceased**

Late of Waterford, Erie County, Pennsylvania
Administratrix: Sabrina Andrews, 217 Cameron Road, Willow Grove, PA 19090
Attorney: None

**BLEIL, SHIRLEY, a/k/a
SHIRLEY E. BLEIL, a/k/a
SHIRLEY W. BLEIL,
deceased**

Late of the City of Erie, County of Erie, State of Pennsylvania
Executor: James T. Silverthorn, 6131 Wicklow Drive, Burke, Virginia 22015
Attorney: Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

**COATES, MARLIA E., a/k/a
MARLIA COATES,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania
Executor: Harry E. Buell, III, c/o Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501
Attorney: Jeffrey D. Scibetta, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**COOLEY, L.B.,
deceased**

Late of Fairview Township, Erie County, Commonwealth of Pennsylvania
Administrator: Erma C. Martin, 180 West 40th St., Erie, PA 16508
Attorney: None

**COOLEY, RUBY,
deceased**

Late of Fairview Township, Erie County, Commonwealth of Pennsylvania
Administrator: Erma C. Martin, 180 West 40th St., Erie, PA 16508
Attorney: None

**HUDY, RUSSELL E.,
deceased**

Late of the City of Erie, Erie County, PA
Co-Administrators: Kelly M. Hody-Boyles and William P. Boyles, 104 Chasbrier Court, Cary, NC 27518
Attorney: None

**JAMES, HOWELL L.,
deceased**

Late of Millcreek Township, Erie County, Commonwealth of Pennsylvania
Executor: Alan T. James, c/o Robert G. Dwyer, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Robert G. Dwyer, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**KRZESZEWSKI, MARY V., a/k/a
MARY KRZESZEWSKI,
deceased**

Late of the City of Erie, State of Pennsylvania
Executor: Gary Krzeszewski, 725 East 34th St., Erie, PA 16504
Attorney: None

**MAILLE, JOSEPH L., a/k/a
JOSEPH LOUIS MAILLE,
deceased**

Late of Harborcreek Township, Erie County, Commonwealth of Pennsylvania
Administrator: Mary C. Stewart, 6832 Garfield Ave., Harborcreek, PA 16421
Attorney: None

**MAYO, DIANE M.,
deceased**

Late of the City of Erie
Administrator: Erin R. Grimes, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**QUINN, PATRICIA Y., a/k/a
MARY PATRICIA YOUNG
QUINN,
deceased**

Late of Summit Township, County of Erie and Commonwealth of Pennsylvania
Executor: John M. Quinn, Jr., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Thomas E. Kuhn, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**SACK, HAROLD L., a/k/a
HAROLD L. SACK, SR.,
deceased**

Late of Millcreek Township, County of Erie, Commonwealth of Pennsylvania
Executor: David C. Sack, c/o 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Colleen R. Stumpf, Esquire, Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**SIMONELLI, THERESA V.,
deceased**

Late of the City of Erie
Executrix: Deborah Montefiori
Attorney: Andrew J. Sisinni, Esquire, 1314 Griswold Plaza, Erie, PA 16501

**SUSI, FLORENCE E.,
deceased**

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

Executor: Jesse G. Susi, 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

**WEISLOGEL, MARIE-
THERESE,
deceased**

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

Executor: Donald E. Weislogel, c/o 504 State Street, Suite 200, Erie, PA 16501

Attorney: Richard E. Filippi, Esquire, 504 State Street, Suite 200, Erie, PA 16501

SECOND PUBLICATION**ALLGEIER, HELEN E., a/k/a
HELEN ALLGEIER,
deceased**

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

Executor: Michael A. Allgeier, Sr., 9424 Old Waterford Road, Erie, PA 16509

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

**ANDERSON, JEAN W.,
deceased**

Late of the Township of Fairview, Erie County, Pennsylvania

Co-Executrices: Carla J. Hulse, 2022 Four Mile Road, Allegany, NY 14706 and Christie K. Kulesza, 5551 Gardner Drive, Erie, PA 16509

Attorney: Randy L. Shapira, Esquire, 305 West Sixth Street, Erie, PA 16507

**CANELLA, MAE I.,
deceased**

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

Administrator: Brian S. Canella, 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

**CLARKE, WILLIAM A. a/k/a
WILLIAM CLARKE,
deceased**

Late of the Borough of Girard, County of Erie and Commonwealth of Pennsylvania

Executor: Gregory R. Clarke

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

**COPELAND, KAREN L.,
deceased**

Late of the City of Erie, County of Erie

Executor: Susan A. Peterson, 5205 Deepwood Lane, Erie, Pennsylvania 16505

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

**DITZ, GERALD B.,
deceased**

Late of the Township of Millcreek, Erie County, PA

Executrix: Mary Kitz Kalivoda, 4403 West 28th Street, Erie, PA 16506

Attorney: None

**DOUGAN, HUGH,
deceased**

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

Executor: Kenneth Dougan, 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

**FISHER, NANCY L.,
deceased**

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

Co-Executors: Trudy L. Fisher and Patrick A. Fisher, 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

**HAYES, RAYMOND E., JR.,
deceased**

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

Executor: Jason Raygor, c/o Melaragno, Placidi, Parini & Veitch, 502 West Seventh Street, Erie, PA 16502

Attorney: Gene P. Placidi, Esquire, Melaragno, Placidi, Parini & Veitch, 502 West Seventh Street, Erie, PA 16502

**JASKIEWICZ, ANN T.,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania

Executor: Anthony N. Gumo, c/o 3209 East Avenue, Erie, PA 16504
Attorney: Cathy M. Lojewski, Esq., 3209 East Avenue, Erie, PA 16504

**KNIGHTON, JOB D.,
deceased**

Late of Albion Boro, PA

Administrator: Lynda Lord, c/o Adam G. Anderson, Esq., Elliott & Davis, PC, 425 First Avenue, 1st Floor, Pittsburgh, PA 15219

Attorney: Adam G. Anderson, Esq., Elliott & Davis, PC, 425 First Avenue, 1st Floor, Pittsburgh, PA 15219

**LEVINE, HENRY SAMUEL,
deceased**

Late of the City of Erie

Executor: Barry F. Levine, c/o 938 West 52nd Street, Erie, PA 16509
Attorney: Barry F. Levine, Esquire, 938 West 52nd Street, Erie, PA 16509

LEWANDOWSKI, GERTRUDE M., deceased

Late of the City of Erie
Executor: Stanley F. Lewandowski,
 3220 Charlotte St., Erie, PA 16508
Attorney: None

LUCCHETTI, MARIO, deceased

Late of the Township of Millcreek, County of Erie and State of Pennsylvania
Executrix: Renee Elder
Attorney: Gerald J. Villella, Esquire, Dailey, Karle & Villella, 1501 East Eighth Street, 2nd Floor, Erie, PA 16501

MOON, GLENN EDWARD, deceased

Late of the Township of Millcreek, Commonwealth of Pennsylvania
Executor: Glenn Edwin Moon, 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

REINHOEL, MARTHA I., deceased

Late of Millcreek Township, Erie County, Pennsylvania
Executrix: Martha Jane Giacomelli, 3015 Springland Terrace, Erie, PA 16506
Attorney: Edward J. Coyle, Esquire, Buzgon Davis Law Offices, PO Box 49, 525 South Eighth Street, Lebanon, PA 17042

ROSE, ELWIN G., a/k/a ELWIN ROSE, deceased

Late of Greene Township, Erie County, Commonwealth of Pennsylvania
Co-Executrices: Sharon Prince, Dorian Rose and Kristin Searcy, c/o 120 West 10th Street, Erie, PA 16501
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

SCHULTZ, ARTHUR, a/k/a ARTHUR C. SCHULTZ, deceased

Late of the City of Summit Township, County of Erie and Commonwealth of Pennsylvania
Co-Executors: Robert C. Schultz, Jr., & Loretta Schaffner,
Attorney: James H. Richardson, Jr., Esquire, Elderkin Law Firm, 150 East 8th Street, Erie, PA 16501

STOVER, IRENE I., a/k/a IRENE STOVE, deceased

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

WIGGERS, JOHN W., a/k/a JOHN WILLIAM WIGGERS, JR., deceased

Late of Greenfield Township, County of Erie
Executrix: Barbara Ann Nissen, 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

ZIELINSKI, LAWRENCE L., deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executrix: Louise Morris, c/o 504 State Street, Suite 200, Erie, PA 16501
Attorney: Richard E. Filippi, Esquire, 504 State Street, Suite 200, Erie, PA 16501

ZUBER, FLORENCE, deceased

Late of the Township of Fairview, County of Erie, State of Pennsylvania
Executrix: Debra Schuetz, 131 McCurdy Drive, Pittsburgh, Pennsylvania 15235
Attorney: Grant M. Yochim, Esq., 24 Main St. E., PO Box 87, Girard, PA 16417

THIRD PUBLICATION

ALT, PATRICIA A., a/k/a PATRICIA ANN ALT, deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executor: R.C. Chase, 712 Maryland Ave., Erie, PA 16505
Attorney: John E. Gomolchak, Esq., 3854 Walker Blvd., Erie, PA 16509

BOGACKI, RAYMOND H., deceased

Late of Franklin Township, County of Erie and Commonwealth of Pennsylvania
Administrator: Karen E. Bogacki, c/o Brenc Law, 9630 Moses Road, Springboro, PA 16435
Attorney: Andrew S. Brenc, Esq., 9630 Moses Road, Springboro, PA 16435

BRIGGS, RONALD A., deceased

Late of the Township of Waterford, County of Erie and State of Pennsylvania
Administratrix: Margaret L. Briggs, c/o Howard A. Hain, Esq., 821 State Street, Erie, PA 16501
Attorney: Howard A. Hain, Esquire, 821 State Street, Erie, PA 16501

**DION, SHIRLEY A.,
deceased**

Late of the Township of Millcreek
Executor: Peter C. Dion
Attorney: Steven E. George, Esq.,
Shapira, Hutzelman and Smith,
305 West 6th Street, Erie, PA
16507

**FRANKOWSKI, PATRICIA
A., a/k/a PATRICIA ANN
FRANKOWSKI, a/k/a PATRICIA
FRANKOWSKI, a/k/a PATRICIA
A. HART,
deceased**

Late of the City of Erie, County
of Erie and State of Pennsylvania
Executor: Elizabeth A.
Frankowski, 3422 Emerson Ave.,
Erie, PA 16508
Attorney: Aaron E. Susmarski,
Esq., 4030 West Lake Road, Erie,
PA 16505

**GROSS, MARGARET J.,
deceased**

Late of Millcreek Township,
County of Erie, Commonwealth
of Pennsylvania
Executor: William J. Gross, 630
East Grandview Blvd., Erie, PA
16504
Attorney: None

**HAMMERS, THOMAS G.,
deceased**

Late of Erie County, Pennsylvania
Executrix: Jennifer M. Cain, c/o
Peter J. Sala, Esquire, 731 French
Street, Erie, PA 16501
Attorney: Peter J. Sala, Esquire,
731 French Street, Erie, PA 16501

**McLALLEN, VELMA JUNE,
a/k/a VELMA J. McLALLEN,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Co-Executors: Bonnie G. Hess and
Todd M. McLallen, 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

**MITCHELL, DONALD A.,
deceased**

Late of the City of Erie, County of
Erie, Pennsylvania
Administratrix: Patricia G.
Mitchell, 2416 Perry Street, Erie,
PA 16503
Attorney: Robert C. Brabender,
Esquire, 2741 West 8th Street,
Suite 16, Erie, PA 16505

**POLANCY, JOHN T.,
deceased**

Late of the Township of Millcreek,
County of Erie and State of
Pennsylvania
Co-Executors: Karen Lloyd, 6359
Red Pine Ln., Erie, PA 16506 and
Mario John Loreti, 3748 Gable
Court, Erie, PA 16506
Attorney: Richard T. Ruth, Esq.,
1026 West 26th St., Erie, PA 16508

**POLCHLOPEK, HARRIETTE M.,
a/k/a HARRIET POLCHLOPEK,
deceased**

Late of the City of Erie, County
of Erie, Commonwealth of
Pennsylvania
Executrix: Rose Nouri, 808
Pasadena Dr., Erie, PA 16505
Attorney: John E. Gomolchak,
Esq., 3854 Walker Blvd., Erie,
PA 16509

**SMYKOWSKI, JULIA,
deceased**

Late of the Township of Girard,
Erie County, Pennsylvania
Executor: Karen Snodgrass, 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

**THOMPSON, MARLYN EDNA,
a/k/a MARLYN E. THOMPSON,
a/k/a MARILYN E. THOMPSON,
deceased**

Late of the City of Erie, County
of Erie and Commonwealth of
Pennsylvania
Executor: Donald J. Brown
Attorney: Thomas J. Minarcik,
Esquire, Elderkin Law Firm, 150
East 8th Street, Erie, PA 16501

**TOMCZAK, JAMIE A., a/k/a
JAMIE ANN TOMCZAK,
deceased**

Late of the Township of Millcreek,
County of Erie, Commonwealth of
Pennsylvania
Administratrix C.T.A.: Glenda
Bond-Masters, 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

TRUST NOTICES

Notice is hereby given of the
administration of the Trust set forth
below. All persons having claims
or demands against the decedent
are requested to make known the
same and all persons indebted to
said decedent are required to make
payment without delay to the trustees
or attorneys named below:

**SWAGER, DONNA M.,
deceased**

Late of Millcreek Township,
Erie County, Commonwealth of
Pennsylvania
Trustee: PNC Bank, N.A., c/o
Trust Division, 901 State Street,
Erie, PA 16501
Attorney: Frances A. McCormick,
Esq., Knox McLaughlin Gornall &
Sennett, P.C., 120 West 10th Street,
Erie, PA 16501

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

CHARLES D. AGRESTI ----- 814-456-5301
Marsh Spaeder, et al. ----- (f) (814) 456-1112
300 State Street. Suite 300
Erie, PA 16507 ----- *cagresti@marshspaeder.com*

MICHAEL A. AGRESTI ----- 814-456-5301
Marsh Spaeder, et al. ----- (f) (814) 456-1112
300 State Street. Suite 300
Erie, PA 16507 ----- *magresti@marshspaeder.com*

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