

# *Erie County Legal Journal*

**Vol. 99 No. 42**

October 14, 2016



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**99 ERIE 189-195**  
**Commonwealth v. Denial**

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# Erie County Legal Journal

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

Managing Editor: Michael Yonko  
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# Erie County Bar Association

## Calendar of Events and Seminars

### THURSDAY, OCTOBER 20, 2016

Criminal Defense Meeting  
Noon - ECBA Headquarters

### MONDAY, OCTOBER 24, 2016

Board of Directors Meeting  
Noon - ECBA Headquarters

### TUESDAY, OCTOBER 25, 2016

ECBA Live Lunch-n-Learn Seminar

*Beyond the CSI Effect: Forensics in the Real World*  
Courtyard Marriott Hotel

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

\$45 (ECBA member/non-attorney staff)

\$58 (nonmember) \$30 (member judge not needing CLE)

1 hour substantive

### FRIDAY, OCTOBER 28, 2016

Personnel Committee Meeting  
8:30 a.m. - ECBA Headquarters

### TUESDAY, NOVEMBER 1, 2016

ECBA Live Lunch-n-Learn Seminar

*Topics of Relevance for Estate Practitioners*  
Bayfront Convention Center

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

\$45 (ECBA member/non-attorney staff)

\$58 (nonmember) \$30 (member judge not needing CLE)

1 hour substantive

### FRIDAY, NOVEMBER 4, 2016

Annual Admission Ceremonies  
Court of Common Pleas - 11:00 a.m. - Courtroom H  
Federal - 1:00 p.m.

### THURSDAY, NOVEMBER 10, 2016

ECBA Solo/Small Firms Division Meeting  
Noon - ECBA Headquarters

### THURSDAY, NOVEMBER 10, 2016

Young Lawyers Division Happy Hour with New  
Admittees and the ECBA Board of Directors  
4:30 - Voodoo Brewery

### FRIDAY, NOVEMBER 11, 2016

Budget Committee Meeting  
8:30 a.m. - ECBA Headquarters

### MONDAY, NOVEMBER 14, 2016

Workers' Compensation Section Meeting  
Noon - ECBA Headquarters

### MONDAY, NOVEMBER 14, 2016

Bankruptcy Section Meeting  
Noon - Calamari's

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October 7, 14

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**COMMONWEALTH OF PENNSYLVANIA**  
**v.**  
**WILLIAM E. DENIAL***PCRA / JURISDICTION / TIME FOR FILING*

A PCRA petition must be filed within one year of the date judgment becomes final unless the petition alleges and the petitioner proves one of the following exceptions applies: (i) the failure to raise the claim previously was the result of interference by government officials with the presentation of the claim in violation of the Constitution or laws of this Commonwealth or the Constitution or laws of the United States; (ii) the facts upon which the claim is predicated were unknown to the petitioner and could not have been ascertained by the exercise of due diligence; or (iii) the right asserted is a constitutional right that was recognized by the Supreme Court of the United States or the Supreme Court of Pennsylvania after the time period provided in this section and has been held by that court to apply retroactively.

*PCRA / JURISDICTION / TIME FOR FILING*

Any PCRA Petition invoking any of the above exceptions to the timeliness requirement must be filed within sixty (60) days of the date the claim could have been presented.

*PCRA / JURISDICTION / TIME FOR FILING*

The Pennsylvania Supreme Court has stated the statute makes clear that where, as here, a PCRA Petition is untimely, it is the petitioner's burden to plead in the Petition and prove that one of the exceptions of 42 Pa. C. S. §9545(b)(1) applies. That burden necessarily entails an acknowledgment by the petitioner that the PCRA Petition under review is untimely but that one or more of the exceptions apply. It is for the petitioner to allege in his Petition and to prove that he falls within one of the exceptions found in 42 Pa. C. S. §9545(b)(1)(i)-(iii).

*PCRA / JURISDICTION / TIME FOR FILING*

As the PCRA's timeliness requirements are mandatory and jurisdictional in nature, no court may properly disregard or alter them in order to reach the merits of the claims raised in a PCRA Petition that is filed in an untimely manner.

*PCRA / NEWLY DISCOVERED EVIDENCE / GENERAL*

To invoke the "newly-discovered evidence" exception to the PCRA time-bar successfully, a petitioner must establish that: (1) the evidence has been discovered after trial and it could not have been obtained at or prior to trial through reasonable diligence; (2) the evidence is not cumulative; (3) the evidence is not being used solely to impeach credibility; and (4) the evidence would likely compel a different verdict.

*PCRA / NEWLY DISCOVERED EVIDENCE / JUDICIAL OPINIONS*

Pennsylvania courts have expressly rejected the notion that judicial decisions can be considered newly-discovered facts which would invoke the protections afforded by 42 Pa. C. S. §9545(b)(1)(ii). A judicial opinion does not qualify as a previously unknown 'fact' capable of triggering the timeliness exception set forth in 42 Pa. C. S. §9545(b)(1)(ii), which applies only if a petitioner has uncovered facts that could not have been ascertained through due diligence, and judicial determinations are not facts.

*PCRA / LEGALITY OF SENTENCE*

Although legality of sentence is always subject to review within the Pennsylvania Post-Conviction Relief Act, claims must still first satisfy the PCRA's time limits or one of the

exceptions thereto. Even within the PCRA, the time limits described in 42 Pa. Cons. Stat. Ann. § 9545 have been held to apply to questions raising the legality of sentence.

*PCRA / JURISDICTION / LAWSON STANDARD*

The Pennsylvania Superior Court has stated requests for review of a second or subsequent post-conviction petition will not be entertained unless a strong *prima facie* showing is offered to demonstrate that a miscarriage of justice may have occurred... This standard is met only if the petitioner can demonstrate either: (a) the proceedings resulting in his conviction were so unfair that a miscarriage of justice occurred which no civilized society can tolerate; or (b) he is innocent of the crimes charged. A *Lawson* determination is not a merits determination. Like the threshold question of timeliness, whether a second petition satisfies the *Lawson* standard must be decided before a PCRA court may entertain the petition. Like an untimely petition, a *Lawson*-barred petition yields a dismissal. The merits are not addressed.

*COURTS / RETROACTIVITY*

A new constitutional rule applies retroactively in a collateral proceeding only if (1) the rule is substantive, i.e. rules that decriminalize conduct or prohibit punishment against a class of persons, or (2) the rule is a watershed rule of criminal procedure implicating the fundamental fairness and accuracy of the criminal proceeding.

*COURTS / RETROACTIVITY / ALLEYNE*

Neither the United States Supreme Court nor the Pennsylvania Supreme Court has held that *Alleyne* is to be applied retroactively to cases in which the judgment of sentence had become final.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION No. 1957 – 1993, 1958 – 1993

Appearances: William E. Denial, *Pro se*, Appellant  
Elizabeth A. Hirz, Esq. for the Commonwealth, Appellee

**OPINION**

Domitrovich, J., April 1, 2016

The instant matter is currently before the Pennsylvania Superior Court on the Appeal of William E. Denial (hereafter referred to as “Appellant”) from this Trial Court’s Opinion and Order dated January 25, 2016, whereby this Trial Court dismissed Appellant’s fifth Post-Conviction Relief Act Petition (hereafter referred to as “PCRA Petition”). In his fifth PCRA Petition, Appellant argued the mandatory minimum outlined in 42 Pa. C. S. §9718 and applied to his sentence is unconstitutional in light of the Pennsylvania Supreme Court’s decision in *Commonwealth v. Hopkins*, 98 MAP 2013 (June 15, 2013), a progeny of *Alleyne v. United States*, 133 S. Ct. 2151 (2013). This Trial Court dismissed Appellant’s fifth PCRA Petition as patently untimely since he filed said PCRA Petition nearly twenty (20) years after his judgment of sentence became final, and Appellant failed to argue successfully that the “newly-discovered evidence” timeliness exception, pursuant to 42 Pa. C. S. §9545(b)(1)(ii), applied to his fifth PCRA Petition; specifically, Appellant had argued that the Pennsylvania Supreme

Court's decision in *Commonwealth v. Hopkins* constituted newly-discovered evidence" and this Trial Court concluded that argument was without merit as related to Pennsylvania case law, which has continuously rejected judicial decisions as "newly-discovered evidence" for the purpose of invoking 42 Pa. C. S. §9545(b)(1)(ii).

### **Factual and Procedural History**

On April 20, 1994, Appellant was found guilty at docket nos. 1957 – 1993 and 1958 – 1993. On June 1, 1994, this Trial Court sentenced Appellant as follows:

- At docket no. 1957 – 1993:
  - o Count 1 (IDSI – Forcible Compulsion, in violation of 18 Pa. C. S. §3123(a)(1)) – five (5) to ten (10) years' incarceration;
  - o Count 2 (Terroristic Threats, in violation of 18 Pa. C. S. §2706) – six (6) to twenty four (24) months' incarceration consecutive to Count 1;
  - o Count 3 (Indecent Assault without Consent, in violation of §3126(1)) – merged with Count 1; and
  - o Count 4 (Endangering Welfare of Children, in violation of 18 Pa. C. S. §4304) – five (5) years' probation consecutive to Count 4 of docket no. 1958 – 1993.
- At docket no. 1958 – 1993:
  - o Count 1 (Aggravated Indecent Assault without Consent, in violation of 18 Pa. C. S. §3125(1)) – three and one-half (3 ½) to ten (10) years' incarceration consecutive to Count 2 of docket no. 1957 – 1993;
  - o Count 2 (Indecent Assault without Consent, in violation of §3126(1)) – merged with Count 1;
  - o Count 3 (Endangering Welfare of Children, in violation of 18 Pa. C. S. §4304) – five (5) years' probation consecutive to Count 4 of docket no. 1957 – 1993; and
  - o Count 4 (Terroristic Threats, in violation of 18 Pa. C. S. §2706) – six (6) to twenty four (24) months' incarceration consecutive to Count 1 of docket no. 1957 – 1993.

On June 7, 1994, Appellant, by and through his counsel, Dennis V. Williams, Esq., filed a Notice of Appeal to the Pennsylvania Superior Court regarding his judgment of sentence. On November 14, 1995, the Pennsylvania Supreme Court denied Appellant's Petition for Allowance of Appeal. On December 4, 1995, the Pennsylvania Superior Court affirmed Appellant's judgment of sentence.

On June 27, 1996, Appellant, by and through his counsel, Dennis V. Williams, Esq., filed his first PCRA Petition. On October 16, 1996, Appellant, by and through his counsel, Dennis V. Williams, Esq., filed a Notice of Appeal to the Pennsylvania Superior Court. On October 17, 1996, this Trial Court denied Appellant's first PCRA Petition. On July 31, 1997, Appellant filed a Petition for Allowance of Appeal to the Pennsylvania Supreme Court, which was denied on April 6, 1998. On April 8th, 1998, the Pennsylvania Superior Court affirmed this Trial Court's denial of Appellant's first PCRA Petition.

On November 13, 2001, Appellant filed his second PCRA Petition, *pro se*. On January 31, 2002, this Trial Court dismissed Appellant's second PCRA Petition. On February 21, 2002, Appellant filed a *pro se* Notice of Appeal to the Pennsylvania Superior Court. On December 20, 2002, Appellant filed a Petition for Allowance of Appeal to the Pennsylvania Supreme Court, which was denied on April 30, 2003. On May 2, 2003, the Pennsylvania



Superior Court affirmed this Trial Court's dismissal of Appellant's second PCRA Petition.

On May 9, 2003, Appellant filed his third PCRA Petition, *pro se*. On May 12, 2003, William J. Hathaway, Esq., was appointed as Appellant's PCRA counsel. On June 7, 2003, this Trial Court dismissed Appellant's third PCRA Petition and granted Attorney Hathaway's Petition for Leave of Court to Withdraw as Counsel. On July 28, 2003, Appellant filed a *pro se* Notice of Appeal to the Pennsylvania Superior Court. On June 16, 2004, Appellant filed a Petition for Allowance of Appeal to the Pennsylvania Supreme Court, which was denied on February 4, 2005. On February 4, 2005, the Pennsylvania Superior Court affirmed this Trial Court's dismissal of Appellant's third PCRA Petition.

On October 25, 2010, Appellant filed his fourth PCRA Petition, *pro se*. On May 9, 2011, this Trial Court dismissed Appellant's fourth PCRA Petition. On May 19, 2011, Appellant filed a *pro se* Notice of Appeal to the Pennsylvania Superior Court. On April 10, 2012, the Pennsylvania Superior Court affirmed this Trial Court's dismissal of Appellant's fourth PCRA Petition.

On May 11, 2015, Appellant filed a Petition to Assign Counsel and Funds for a Psychiatric Evaluation. On June 8, 2015, this Trial Court dismissed Appellant's Petition to Assign Counsel and Funds for a Psychiatric Evaluation. On August 13, 2015, Appellant filed his fifth PCRA Petition. On September 29, 2015, the Erie County District Attorney's Office filed its Response to Appellant's fifth PCRA Petition. On October 22, 2015, Appellant filed his Response to Commonwealth's Answer to Appellant's fifth PCRA Petition. On December 29, 2015, this Trial Court notified Appellant of its intention to dismiss his fifth PCRA Petition. Appellant filed Objections to this Trial Court's Notice of Intent to Dismiss on January 14, 2016. On January 25, 2016, this Trial Court dismissed Appellant's fifth PCRA Petition.

Appellant filed a Notice of Appeal to the Pennsylvania Superior Court on February 5, 2016. This Trial Court filed its 1925(b) Order on February 9, 2016, and Appellant filed his Concise Statement of Errors Complained of on Appeal on February 23, 2016.

### **Legal Argument**

#### **1. This Trial Court properly dismissed Appellant's fifth PCRA Petition as it is patently untimely and fails to argue successfully any of the timeliness exceptions pursuant to 42 Pa. C. S. §9545(b)(1).**

A PCRA petition must be filed within one year of the date judgment becomes final unless the petition alleges and the petitioner proves one of the following exceptions applies:

- (i) The failure to raise the claim previously was the result of interference by government officials with the presentation of the claim in violation of the Constitution or laws of this Commonwealth or the Constitution or laws of the United States;
- (ii) The facts upon which the claim is predicated were unknown to the petitioner and could not have been ascertained by the exercise of due diligence; or
- (iii) The right asserted is a constitutional right that was recognized by the Supreme Court of the United States or the Supreme Court of Pennsylvania after the time period provided in this section and has been held by that court to apply retroactively.

42 Pa. C. S. §9545(b)(1)(i)-(iii). Any PCRA Petition invoking any of the above exceptions to the timeliness requirement must be filed within sixty (60) days of the date the claim could have been presented. 42 Pa. C. S. §9545(b)(2). The Pennsylvania Supreme Court has stated the statute makes clear that where, as here, a PCRA Petition is untimely, it is the petitioner's burden to plead in the Petition and prove that one of the exceptions of 42 Pa. C. S. §9545(b)(1) applies. *See Commonwealth v. Beasley*, 741 A.2d 1258, 1261 (Pa. 1999). "That burden necessarily entails an acknowledgment by the petitioner that the PCRA Petition under review is untimely but that one or more of the exceptions apply." *Id.* It is for the petitioner to allege in his Petition and to prove that he falls within one of the exceptions found in 42 Pa. C. S. §9545(b)(1)(i)-(iii). *See Commonwealth v. Holmes*, 905 A.2d 507, 511 (Pa. Super. 2006). As the PCRA's timeliness requirements are mandatory and jurisdictional in nature, no court may properly disregard or alter them in order to reach the merits of the claims raised in a PCRA Petition that is filed in an untimely manner. *See Commonwealth v. Taylor*, 933 A.2d 1035, 1042-43 (Pa. Super. Ct. 2007).

Pursuant to 42 Pa. C. S. §9545(b)(3), Appellant's judgment of sentence became final on November 14, 1995, when the Pennsylvania Supreme Court denied Appellant's Petition for Allowance of Appeal. Therefore, Appellant could have filed a timely PCRA Petition on or before November 14, 1996. As Appellant filed his fifth PCRA Petition on August 13, 2015, nearly twenty (20) years after his judgment of sentence became final, Appellant failed to timely file his fifth PCRA Petition. However, Appellant argued his fifth PCRA Petition fell within the "newly-discovered evidence" exception, pursuant to 42 Pa. C. S. §9545(b)(1)(ii). Specifically, Appellant argued the mandatory minimum sentence outlined in 42 Pa. C. S. §9178 and applied to his sentence is unconstitutional in light of the Pennsylvania Supreme Court's decision in *Commonwealth v. Hopkins*, 98 MAP 2013 (June 15, 2015).

To invoke the "newly-discovered evidence" exception to the PCRA time-bar successfully, a petitioner must establish that: (1) the evidence has been discovered after trial and it could not have been obtained at or prior to trial through reasonable diligence; (2) the evidence is not cumulative; (3) the evidence is not being used solely to impeach credibility; and (4) the evidence would likely compel a different verdict. *See Commonwealth v. Holmes*, 905 A.2d 507, 511 (Pa. Super. 2006); *see also Commonwealth v. Medina*, 92 A.3d 1210, 1216 (Pa. Super. 2014). However, an analysis of these elements is unnecessary as Appellant relies on the Pennsylvania Supreme Court's decision in *Commonwealth v. Hopkins* as his "newly-discovered evidence." Pennsylvania courts have expressly rejected the notion that judicial decisions can be considered newly-discovered facts which would invoke the protections afforded by 42 Pa. C. S. §9545(b)(1)(ii). *See Commonwealth v. Cintora*, 69 A.3d 759, 763 (Pa. Super 2013). "A judicial opinion does not qualify as a previously unknown 'fact' capable of triggering the timeliness exception set forth in 42 Pa. C. S. §9545(b)(1)(ii), which applies only if a petitioner has uncovered facts that could not have been ascertained through due diligence, and judicial determinations are not facts." *See Commonwealth v. Watts*, 23 A.3d 980, 986 (Pa. 2011). Therefore, Appellant's reliance on *Commonwealth v. Hopkins* is not sufficient to invoke the "newly-discovered evidence" timeliness exception to the PCRA filing requirements as a judicial decision does not qualify as a "fact" or "evidence" for the purpose of 42 Pa. C. S. §9545(b)(1)(ii) and this Trial Court properly dismissed Appellant's fifth PCRA Petition.

Although Appellant's fifth PCRA Petition focuses on an allegedly illegal and unconstitutional sentence, which generally are not waivable, Appellant's fifth PCRA Petition nevertheless fails as patently untimely. Although legality of sentence is always subject to review within the Pennsylvania Post-Conviction Relief Act, claims must still first satisfy the PCRA's time limits or one of the exceptions thereto. *See Commonwealth v. Voss*, 838 A.2d 795, 800 (Pa. Super. 2003). Even within the PCRA, the time limits described in 42 Pa. Cons. Stat. Ann. § 9545 have been held to apply to questions raising the legality of sentence. *See id.* Therefore, as Appellant's fifth PCRA Petition does not meet the filing requirements and does not meet any of the timeliness exceptions to the filing requirement, Appellant's fifth PCRA, although raising a legality of sentence claim, still fails as untimely and this Trial Court properly dismissed Appellant's fifth PCRA Petition.

Additionally, as the instant PCRA Petition is Appellant's fifth PCRA Petition, Appellant is also required to comply with the mandates of *Commonwealth v. Lawson*, 549 A.2d 107, 112 (Pa. 1988) and its progeny. *See Commonwealth v. Palmer*, 814 A.2d 700, 709 (Pa. Super. 2002). As part of its holding in *Palmer*, the Pennsylvania Superior Court has stated:

Requests for review of a second or subsequent post-conviction petition will not be entertained unless a strong *prima facie* showing is offered to demonstrate that a miscarriage of justice may have occurred... This standard is met only if the petitioner can demonstrate either: (a) the proceedings resulting in his conviction were so unfair that a miscarriage of justice occurred which no civilized society can tolerate; or (b) he is innocent of the crimes charged.

*Id.* at 709. Furthermore, in *Palmer*, the Pennsylvania Superior Court stated:

A *Lawson* determination is not a merits determination. Like the threshold question of timeliness, whether a second petition satisfies the *Lawson* standard must be decided **before** a PCRA court may entertain the petition. Like an untimely petition, a *Lawson*-barred petition yields a dismissal. The merits are not addressed.

*Id.* at 709, footnote 18 [emphasis added]. In his fifth PCRA Petition, Appellant fails to offer a strong *prima facie* demonstrating either the proceedings resulting in his conviction were so unfair that a miscarriage of justice occurred which no civilized society can tolerate or that he is innocent of the crimes charged. Therefore, as Appellant has failed to meet the *Commonwealth v. Lawson* standard, Appellant's fifth PCRA Petition is barred from review. This Trial Court properly dismissed Appellant's fifth PCRA Petition as it is patently untimely and Appellant has failed to state any grounds for which relief may be granted.

**2. Assuming *arguendo* Appellant's fifth PCRA was timely filed, Appellant would not be entitled to relief as the United States Supreme Court's decision in *Alleyne v. United States* has not been held to apply retroactively.**

A new constitutional rule applies retroactively in a collateral proceeding only if (1) the rule is substantive, i.e. rules that decriminalize conduct or prohibit punishment against a class of persons, or (2) the rule is a watershed rule of criminal procedure implicating the fundamental fairness and accuracy of the criminal proceeding. *See Commonwealth v. Riggle*, 119 A.3d 1058, 1065 (Pa. Super. 2015) (citing *Whorton v. Bockting*, 549 U.S. 406 (2007)).

Assuming *arguendo* Appellant did timely file his fifth PCRA Petition, Appellant would

not be entitled to relief as *Alleyne v. United States* has not been held to apply retroactively to cases whose judgments of sentence have become final. The Pennsylvania Superior Court has continuously held the decision of *Alleyne v. United States* is not substantive as it does not prohibit punishment for a class of offenders, nor does it decriminalize conduct; rather, the holding in *Alleyne* procedurally mandates the inclusion of facts in an indictment or information, which will increase a mandatory minimum sentence, and a determination by a fact finder of those facts beyond a reasonable doubt. *See Riggle*, 119 A.3d at 1065. Nor does the holding in *Alleyne* constitute a watershed procedural rule. *See id.*

Finally, assuming the holding in *Alleyne* did announce a new constitutional right, neither the United States Supreme Court nor the Pennsylvania Supreme Court has held that *Alleyne* is to be applied retroactively to cases in which the judgment of sentence had become final. *See Commonwealth v. Miller*, 102 A.3d 988, 995 (Pa. Super 2014). Therefore, Appellant's argument that the holding in *Alleyne v. United States* applies retroactively and this Trial Court abused its discretion by not allowing *Alleyne* to be applied retroactively is without merit.

### **Conclusion**

For all of the foregoing reasons, this Trial Court concludes the instant appeal is without merit and respectfully requests the Pennsylvania Superior Court affirm its Order dated January 25, 2016.

**BY THE COURT:**

/s/ **Stephanie Domitrovich, Judge**

COMMONWEALTH OF PENNSYLVANIA, Appellee  
v.  
WILLIAM E. DENIAL, Appellant

NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P 65.37

IN THE SUPERIOR COURT OF PENNSYLVANIA      No. 207 WDA 2016  
Appeal from the PCRA Order January 26, 2016  
in the Court of Common Pleas of Erie County  
Criminal Division at No(s): CP-25-CR-0001957-1993  
CP-25-CR-0001958-1993

BEFORE: FORD ELLIOTT, P.J.E., SHOGAN, and STRASSBURGER,\* JJ.

MEMORANDUM BY STRASSBURGER, J.:      **FILED AUGUST 29, 2016**

William E. Denial (Appellant) appeals from the January 26, 2016 order which dismissed his fifth petition filed pursuant to the Post Conviction Relief Act (PCRA), 42 Pa.C.S. §§ 9541-9546. We affirm.

In 1994, following convictions for various crimes related to Appellant's sexual abuse of his children, Appellant was sentenced to an aggregate term of nine and one half to 24 years of imprisonment, followed by ten years of probation. This Court denied Appellant relief on direct appeal, and his judgment of sentence became final in 1996 after our Supreme Court denied his petition for allowance of appeal. *Commonwealth v. Denial*, 663 A.2d 246 (Pa. Super. 1995) (unpublished memorandum), *appeal denied*, 670 A.2d 140 (Pa. 1995). Appellant's first four PCRA petitions resulted in no relief.

Appellant filed the petition that is the subject of the instant appeal on August 13, 2015. Therein, he claimed that he is entitled to relief in the form of resentencing because his sentence is illegal under *Alleyne v. United States*, 133 S.Ct. 2151, 186 L.Ed.2d 314 (2013) (holding that a fact which triggers the imposition of a mandatory minimum sentence is an element of the crime and must, therefore, be determined beyond a reasonable doubt by a jury), and *Commonwealth v. Hopkins*, 117 A.3d 247 (Pa. 2015) (applying *Alleyne* to hold that the mandatory minimum sentence found at 18 Pa.C.S. § 6317 (relating to drug activity in a school zone) is unconstitutional). PCRA Petition, 8/13/2015, at ¶¶ 3, 5-7.

The PCRA court issued notice of its intent to dismiss the petition as untimely filed without a hearing, to which Appellant filed a response in opposition. On January 26, 2016, the PCRA court entered an order dismissing Appellant's petition. Appellant timely filed a notice of appeal, and both Appellant and the PCRA court complied with Pa.R.A.P. 1925.

On appeal, Appellant claims, *inter alia*, that the PCRA court erred in not applying the *Alleyne* decision retroactively. Appellant's Brief at 15. However, before we may address Appellant's substantive arguments, we must determine whether his PCRA petition was filed timely.

The timeliness of a post-conviction petition is jurisdictional. *See, e.g., Commonwealth v.*

\* Retired Senior Judge assigned to the Superior Court.

*Lewis*, 63 A.3d 1274, 1280-81 (Pa. Super. 2013) (quoting *Commonwealth v. Chester*, 895 A.2d 520, 522 (Pa. 2006)) (“[I]f a PCRA petition is untimely, neither this Court nor the [PCRA] court has jurisdiction over the petition. Without jurisdiction, we simply do not have the legal authority to address the substantive claims.”).

Generally, a petition for relief under the PCRA, including a second or subsequent petition, must be filed within one year of the date the judgment of sentence is final unless the petition alleges, and the petitioner proves, that an exception to the time for filing the petition is met, and that the claim was raised within 60 days of the date on which it became available. 42 Pa.C.S. § 9545(b).

It is clear that Appellant’s 2015 petition is facially untimely: his judgment of sentence became final in 1996. However, Appellant alleged that his petition satisfied the following timeliness exception: “the facts upon which the claim is predicated were unknown to the Petitioner and could not be ascertained by the exercise of due diligence.” PCRA Petition, 8/13/2015, at 1 (pages unnumbered) (quoting 42 Pa.C.S. § 9545(b)(1)(ii)).

“Our Courts have expressly rejected the notion that judicial decisions can be considered newly-discovered facts which would invoke the protections afforded by section 9545(b)(1)(ii).” *Commonwealth v. Cintora*, 69 A.3d 759, 763 (Pa. Super. 2013) (citing *Commonwealth v. Watts*, 23 A.3d 980, 986 (Pa. 2011)).

Nor does Appellant’s reliance upon *Hopkins* satisfy the newly-recognized-constitutional-right timeliness exception found at 42 Pa.C.S. § 9545(b)(1)(iii), as the *Hopkins* Court did not recognize a new constitutional right, let alone hold that any such right applied retroactively; rather, it merely applied *Alleyne* to hold that a particular mandatory minimum sentence not applied to Appellant was unconstitutional.<sup>1</sup> Furthermore, our Supreme Court has held that *Alleyne* itself does not apply retroactively to cases on collateral review. *Commonwealth v. Washington*, -- A.3d --, 2016 WL 3909088 (Pa. July 19, 2016).

Thus, the *Hopkins* decision does not assist Appellant in establishing a timeliness exception to the PCRA’s limitations, and the PCRA court properly dismissed the petition for lack of jurisdiction.

Order affirmed.

Judgment Entered.

/s/ Joseph D. Seletyn, Esq.

Prothonotary

8/29/16

<sup>1</sup> However, while Appellant’s appeal was pending, our Supreme Court decided *Commonwealth v. Wolfe*, 68 MAP 2015, 2016 WL 3388530 (Pa. June 20, 2016), a case involving 42 Pa.C.S. § 9718, the statute under which Appellant was sentenced. In *Wolfe*, the Court reaffirmed *Hopkins* and held that Section 9718 “is irretrievably unconstitutional on its face, nonseverable, and void” under *Alleyne*. See *Wolfe*, 2016 WL 3388530 at \*10. Nonetheless, *Wolfe* is unavailing to Appellant in establishing a PCRA timeliness exception for the same reasons as *Hopkins* fails to do so.



**FICTITIOUS NAME NOTICE**

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on August 29, 2016 for Critter Path Sporting Clays located at 3191 Wheelertown Rd., Waterford PA 16441. The name and address of each individual interested in the business is Michael David Wise 3191 Wheelertown Rd., Waterford PA 16441. This was filed in accordance with 54 PaC.S.311.

Oct. 14

**LEGAL NOTICE**

NOTICE is hereby given pursuant to Section 607(a) of Act. No 81-1986 that the Erie County Tax Claim Bureau has presented to the Erie County Court of Common Pleas its consolidated return with regard to real estate tax sales for seated lands and/or mobile homes for unpaid real estate taxes for the years 2014 and prior. This return has been confirmed Nisi by the court on October 11, 2016. Any objections or exceptions to the return may be filed by an owner or lien creditor within 30 days after the court made its confirmation Nisi and if no objections or exceptions are filed the return will be confirmed absolutely.

Steven A. Letzelter  
Director of Erie County  
Tax Claim Bureau  
Erie County Courthouse

Oct. 14

**LEGAL NOTICE**

ATTENTION: SHANE SARGENT INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR FEMALE CHILD C.R.S. DOB: 7/10/2015

BORN TO: JERRIE ANN MONTGOMERY a/k/a JERRIE ANN MILES  
66 IN ADOPTION, 2016

If you could be the parent of the above mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever,

are hereby cited to be and appear before the Orphans' Court of Erie County, Pennsylvania, at the Erie County Courthouse, Judge Robert A. Sambroak, Jr., Courtroom No. I #217, City of Erie on January 12, 2017 at 1:30 p.m. and there show cause, if any you have, why your parental rights to the above children should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled Hearing, the Hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the Hearing by a lawyer. 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.

Family/Orphan's Court Administrator  
Room 204 - 205,  
Erie County Court House  
Erie, Pennsylvania 16501  
(814) 451-6251

NOTICE REQUIRED BY ACT 101 OF 2010: 23 Pa. C.S §§2731-2742. This is to inform you of an important option that may be available to you under Pennsylvania law. Act 101 of 2010 allows for an enforceable voluntary agreement for continuing contact or communication following an adoption between an adoptive parent, a child, a birth parent and/or a birth relative of the child, if all parties agree and the voluntary agreement is approved by the court. The agreement must be signed and approved by the court to be legally binding. If you are interested in learning more about this option for

a voluntary agreement, contact the Office of Children and Youth at (814) 451-7726, or contact your adoption attorney, if you have one.

Oct. 14

**LEGAL NOTICE**

ATTENTION: JERRIE ANN MONTGOMERY a/k/a JERRIE ANN MILES

INVOLUNTARY TERMINATION OF PARENTAL RIGHTS

IN THE MATTER OF THE ADOPTION OF MINOR FEMALE CHILD C.R.S. DOB: 7/10/2015  
66 IN ADOPTION, 2016

If you could be the parent of the above mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphans' Court of Erie County, Pennsylvania, at the Erie County Courthouse, Judge Robert A. Sambroak, Jr., Courtroom No. I #217, City of Erie on January 12, 2017 at 1:30 p.m. and there show cause, if any you have, why your parental rights to the above children should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled Hearing, the Hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the Hearing by a lawyer. 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.

Family/Orphan's Court Administrator  
Room 204 - 205,  
Erie County Court House  
Erie, Pennsylvania 16501  
(814) 451-6251

**NOTICE REQUIRED BY ACT 101 OF 2010: 23 Pa. C.S §§2731-2742.**  
This is to inform you of an important option that may be available to you under Pennsylvania law. Act 101 of 2010 allows for an enforceable voluntary agreement for continuing contact or communication following an adoption between an adoptive parent, a child, a birth parent and/or a birth relative of the child, if all parties agree and the voluntary agreement is approved by the court. The agreement must be signed and approved by the court to be legally binding. If you are interested in learning more about this option for a voluntary agreement, contact the Office of Children and Youth at (814) 451-7726, or contact your adoption attorney, if you have one.

Oct. 14

**LEGAL NOTICE**

**ATTENTION: Matthew A. Wyman**  
**IN VOLUNTARY TERMINATION**  
**OF PARENTAL RIGHTS**

**IN THE MATTER OF THE**  
**ADOPTION OF MINOR CHILD:**  
**A.J.W. DOB: 11/7/10**  
**BORN TO: STEPHANIE**  
**DYLEWSKI**  
**78 IN ADOPTION 2016**

Laying aside all business and excuses whatsoever, you are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, 140 West 6th Street, Erie, PA 16501, in front of the Honorable Joseph M. Walsh, III, Court Room No. 208-B, on October 31, 2016, at 10:00 a.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by Stephanie and Nicholas Dylewski. A copy of these documents can be obtained by contacting the Erie County Register of Wills at the Erie County Court House, 140 West 6th Street, Erie, PA 16501 or by contacting Kimberly A.

Oakes, Esquire, MacDonald, Illig, Jones & Britton, LLP, 100 State Street, Suite 700, Erie Pennsylvania 16507.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled Hearing, the Hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the Hearing by a lawyer. 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.

Family/Orphan's Court Administrator  
Room 204 - 205, Erie County  
Court House  
Erie, Pennsylvania 16501  
(814) 451-6251

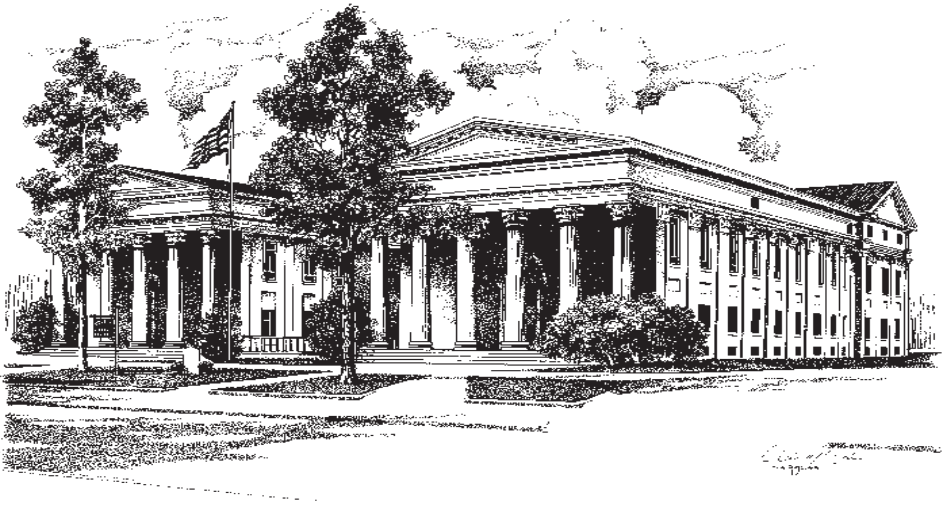
**NOTICE REQUIRED BY ACT 101 OF 2010: 23 Pa. C.S §§2731-2742.**  
This is to inform you of an important option that may be available to you under Pennsylvania law. Act 101 of 2010 allows for an enforceable voluntary agreement for continuing contact or communication following an adoption between an adoptive parent, a child, a birth parent and/or a birth relative of the child, if all parties agree and the voluntary agreement is approved by the Court. The agreement must be signed and approved by the Court to be legally binding. A birth relative is defined only as a parent, grandparent, stepparent, sibling, uncle, or aunt of the child's birth family, whether the relationship is by blood, marriage, or adoption.

This voluntary agreement may allow you to have continuing contact or communication, including, but not limited to: letters and/or e-mails; photographs and/or videos; telephone calls and/or text messages; or supervised or unsupervised visits. If you are interested in learning more about this option for a voluntary

agreement, contact your attorney, if you have one, or contact Kimberly A. Oakes, Esquire at (814) 870-7608.

Oct. 14





**Erie County  
Court of Common Pleas**

# Calender 2017

## **2017 TRIAL TERMS**

February	02/06/17	02/17/17
March	03/06/17	03/17/17
April	04/03/17	04/13/17
May	05/08/17	05/19/17
June	06/12/17	06/23/17
August	08/14/17	08/25/17
September	09/11/17	09/22/17
October	10/09/17	10/20/17
November	11/06/17	11/17/17
December	12/11/17	12/22/17

PULL-OUT

## **2017 CIVIL TRIAL TERM CERTIFICATION DATES**

January Term	October 28, 2016
March Term	December 30, 2016
May Term	February 24, 2017
September Term	June 30, 2017
November Term	August 25, 2017
January 2018 Term	October 27, 2017

## **2017 ARRAIGNMENTS**

January 23, 2017	February 27, 2017
March 27, 2017	April 24, 2017
May 22, 2017	June 26, 2017
July 31, 2017	August 28, 2017
September 25, 2017	October 23, 2017
November 27, 2017	December 18, 2017

PULL-OUT

## **2017 CUSTODY TRIAL TERMS**

January 23-27, 2017  
February 21-24, 2017  
March 27-31, 2017  
April 24-28, 2017  
May 22-26, 2017  
June 26-30, 2017  
July 24-28, 2017  
August 21-25, 2017  
September 25-29, 2017  
October 23-27, 2017  
November 13-17, 2017  
December 18-22, 2017

## **ERIE COUNTY SHERIFF SALE** **SCHEDULE FOR THE YEAR 2017**

<b><u>LAST DATE TO FILE</u></b>	<b><u>DATE OF SALE</u></b>
December 1, 2016	February 17, 2017
January 3, 2017	March 17, 2017
February 1, 2017	April 21, 2017
March 1, 2017	May 19, 2017
April 3, 2017	June 23, 2017
May 1, 2017	July 21, 2017
June 1, 2017	August 18, 2017
July 3, 2017	September 22, 2017
August 1, 2017	October 20, 2017
September 1, 2017	November 17, 2017
November 1, 2017	January 19, 2018

NO SALES IN DECEMBER

## **FEDERAL COURT CIVIL/CRIMINAL** **TRIAL CALENDAR**

January 16, 2017	August 21, 2017
March 6, 2017	October 2, 2017
May 1, 2017	November 6, 2017

## **2017 AUDIT CALENDAR**

### **2016**

November

December

### **Last Day to File Accounts and Petitions for Adjudication**

October 12, 2016

November 09, 2016

### **Last Day to File Objections**

November 23, 2016

December 21, 2016

### **2017**

JANUARY

FEBRUARY

MARCH

APRIL

MAY

JUNE

JULY

AUGUST

SEPTEMBER

OCTOBER

NOVEMBER

DECEMBER

December 07, 2016

January 11, 2017

February 08, 2017

March 08, 2017

April 05, 2017

May 10, 2017

June 07, 2017

July 12, 2017

August 09, 2017

September 06, 2017

October 11, 2017

November 08, 2017

January 18, 2017

February 22, 2017

March 22, 2017

April 19, 2017

May 17, 2017

June 21, 2017

July 19, 2017

August 23, 2017

September 20, 2017

October 18, 2017

November 22, 2017

December 20, 2017

**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

**OCTOBER 21, 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

Sept. 30 and Oct. 7, 14

**SALE NO. 1**

**Ex. #11217 of 2016**

**First National Bank of  
Pennsylvania, Plaintiff  
v.**

**Gregory A. Fromknecht,  
Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11217-2106, First National Bank of Pennsylvania vs. Gregory A. Fromknecht

Gregory A. Fromknecht, owner of property situated in City of Erie, Erie County, Pennsylvania being 1244 West 7th Street, Erie, Pennsylvania 16502

36 x 110,832 square feet

Assessment Map number (17) 4101-317

Assessed Value Figure: 59,520.00  
Improvement Thereon: One Story Brick Dwelling w/ Detached Garage  
Nicholas R. Pagliari, Esq.  
Pa Supreme Court ID No. 87877  
MacDONALD, ILLIG, JONES & BRITTON LLP

100 State Street, Suite 700  
Erie, Pennsylvania 16507-1459  
(814) 870-7754

Attorneys for Plaintiff

Sept. 30, and Oct. 7, 14

**SALE NO. 2**

**Ex. #12187 of 2015**

**SAINT VINCENT ERIE  
FEDERAL CREDIT UNION,  
Plaintiff**

**v.**

**BONNIE A. MUSICA AND  
SAMUEL L. MUSICA,  
Defendants**

**DESCRIPTION**

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

BEGINNING in the center line of the Orr Road as a point Two hundred seventy-five (275) feet West of the intersection of the center line of the Orr Road with the center line of the south Creek Road; thence West, along the center line of the Orr Road, Three hundred twenty-five (325) feet to a point thence North Two hundred seventy-five (275) feet to a point; thence East on a line parallel to the center line of the Orr Road Three hundred twenty-five (325) feet to a point; thence South Two hundred seventy-five (275) feet to the place of beginning. Having erected thereon a dwelling known as 8224 Orr Road, Girard, PA 16417.

BEING the same premises conveyed to Bonnie A. Musica and Samuel L. Musica by Deed dated June 11, 1987 and recorded June 12, 1987 in the Erie County Records Office, Erie, Pennsylvania at Record Book 0014, Page 2197 being known as 8224 Orr Road, Girard, PA 16417-8833; Parcel No. (24) 017-095.0-003.00.  
KNOX McLAUGHLIN GORNALL & SENNETT, P.C.

Mark G. Claypool, Esquire

PA ID #63199  
120 West Tenth Street  
Erie Pennsylvania 16501  
(814) 459-2800

Sept. 30, and Oct. 7, 14

**SALE NO. 3**

**Ex. #11126 of 2015**

**HSBC Bank USA, National  
Association, as Trustee For  
Fremont Home Loan Trust 2005-  
C, Mortgage-Backed Certificates,  
Series 2005-C, Plaintiff**

**v.**

**JOANNE M. GARCIA ALSO  
KNOWN AS JOANNE M.**

**ROMAN, Defendant  
DESCRIPTION**

ALL THAT CERTAIN LOT OF LAND SITUATE IN CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA: BEING KNOWN AS 3524 Maple St., Erie, PA 16508

PARCEL NUMBER: 19-061-006.0-204.00

IMPROVEMENTS: Residential Property

Sept. 30, and Oct. 7, 14

**SALE NO. 4**

**Ex. #10668 of 2016**

**CITIZENS BANK OF  
PENNSYLVANIA, Plaintiff**

**v.**

**LAWRENCE A. D'AMBROSIO,  
Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10668-16, Citizens Bank of Pennsylvania vs. Lawrence A. D'Ambrosio, owner of property situated in the Township of Fairview, Erie County, Pennsylvania Being Commonly Known as: 412 Ravine Drive, Erie, PA 16505.

ALL THAT CERTAIN piece or parcel of land, situate in the Township of Fairview, County of Erie and Commonwealth of Pennsylvania, being Lot No. 132 of the Lake Shore Club District, as shown upon map or plat thereof recorded in Erie County Map Book 3, pages 176-177.

Assessment Map Number: 21031022001300

Assessed Value figure: \$147,600.00  
Improvement thereon: Residential Property

Lauren Berschler Karl, Esquire

Spectra Two  
2591 Wexford-Bayne Road, Suite 201  
Sewickley, PA 15143  
412-837-1164

Sept. 30, and Oct. 7, 14

**SALE NO. 5**

**Ex. #11410 of 2016**

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

**v.**

**LINDA J. ALEXANDER,  
Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution No. 11410-16, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. LINDA J. ALEXANDER, Defendant Real Estate: 25 HARLEY AVENUE, ALBION, PA 16401 Municipality: Borough of Albion, Erie County, Pennsylvania Lot 19, Chestnut Knolls Subdivision, Map No. 1993-206

See Deed Book 2011-000004

Tax I.D. (1) 7-35-39-19

Assessment: \$20,800. (Land)

\$52,700. (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

Sept. 30, and Oct. 7, 14

**SALE NO. 6**

**Ex. #11139 of 2016**

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

**v.**

**SHANE M. LYBROOK SR.,  
Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution No. 11139-16, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. SHANE M. LYBROOK SR., Defendant

Real Estate: 2326 VICTORY DRIVE, ERIE, PA 16510 Municipality: Township of Harborcreek, Erie County, Pennsylvania

Lots Nos. 67, 68, 69 of Evergreen City Subdivision, Map Book 3, Pg. 391

See Deed Instrument 2013-007066

Tax Index Number: (27) 40-143-55

Assessment: \$33,600. (Land)

\$127,060. (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

Sept. 30, and Oct. 7, 14

**SALE NO. 7**

**Ex. #11062 of 2016**

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

**v.**

**MICHAEL C. ROWLAND,  
Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution No. 11062-16, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY vs. MICHAEL C. ROWLAND Real Estate: 24 CHERRY STREET UNION CITY, PA 16438 Municipality: Borough of Union City, Second Ward, Erie County, Pennsylvania

See Deed Book 532, Page 2146.

Tax I.D. (42) 15-74-10

Assessment: \$11,300. (Land)

\$42,000. (Bldg)

Improvements 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

Sept. 30, and Oct. 7, 14

**SALE NO. 8**

**Ex. #11412 of 2016**

**U.S. Bank National Association,  
as Trustee for the Pennsylvania**

**Housing Finance Agency,  
Plaintiff**

**v.**

**KEVIN J. ZARZECZNY,  
Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution No. 11412-16, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. KEVIN J. ZARZECZNY, Defendant Real Estate: 920 PLUM STREET ERIE, PA, 16502

Municipality: City of Erie, Erie County, Pennsylvania Dimensions: 32 ft. x 82 1/2 ft.

See Deed Book 2011-009877

Tax I.D. (16) 3047-103

Assessment: \$7,800. (Land)

\$59,000. (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

Sept. 30, and Oct. 7, 14

**SALE NO. 9**

**Ex. #10142 of 2016**

**Wells Fargo Bank, NA, Plaintiff**

**v.**

**Alan T. Austin; Heidi S. Austin,  
Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10142-16, Wells Fargo Bank, NA, vs. Alan T. Austin; Heidi S. Austin, owner(s) of property situated in The Township of Greene, County of Erie, Commonwealth of Pennsylvania being 4701 Harboregreene Road, Erie, PA 16510

Acreage: 2.0000

Assessment Map Number: 25003012000200

Assessed Value figure: \$168,000.00

Improvement thereon: Single Family Dwelling

Kimberly J. Hong, Esquire, Manley Deas Kochalski LLC P.O. Box 165028

Columbus, OH 43216-5028

(614) 220-5611

Sept. 30, and Oct. 7, 14

**SALE NO. 10**  
**Ex. #12992 of 2015**  
**HSBC Bank USA, National**  
**Association as Trustee for Wells**  
**Fargo Home Equity Asset-**  
**Backed Securities 2007-2 Trust,**  
**Home Equity Asset-Backed**  
**Certificates, Series 2007-2,**  
**Plaintiff**  
**v.**

**Jessica Markiewicz; Daniel**  
**A. Markiewicz, A/K/A Daniel**  
**Markiewicz, Defendants**  
**DESCRIPTION**

By virtue of a Writ of Execution file to No. 2015-12992, HSBC Bank USA, National Association as Trustee For Wells Fargo Home Equity Asset-Backed Securities 2007-2 Trust, Home Equity Asset-Backed Certificates, Series 2007-2 vs. Jessica Markiewicz; Daniel A Markiewicz, AKA Daniel Markiewicz, owner(s) of property situated in The City of Erie, County of Erie, Commonwealth of Pennsylvania being 2942 Myrtle Street, Erie, PA 16508 Acreage: 0.5938 Assessment Map Number: 19060051010200 Assessed Value figure: \$97,800.00 Improvement thereon: Single Family Dwelling Kimberly A. Bonner, Esquire Manley Deas Kochalski LLC P.O. Box 165028 Columbus, OH 43216-5028 (614) 220-5611

Sept. 30, and Oct. 7, 14

**SALE NO. 11**  
**Ex. #10917 of 2016**  
**Wells Fargo Bank, NA, Plaintiff**  
**v.**

**Marcia L. Odom, Defendant**  
**LEGAL DESCRIPTION**  
 By virtue of a Writ of Execution file to No. 2016-10917, Wells Fargo Bank, NA vs. Marcia L. Odom, owner(s) of property situated in The City of Erie, County of Erie, Commonwealth of Pennsylvania being 1119 W. 20th Street, Erie, PA 16502. Square footage: 1320 Assessment Map Number: MAP 60 BLK 34 Assessed Value Figure: \$53,300

Improvement thereon: Single Family Dwelling Kimberly J. Hong, Esquire Manley Deas Kochalski LLC P.O. Box 165028 Columbus, OH 43216-5028 (614) 220-5611

**SALE NO. 12**  
**Ex. #13166 of 2014**  
**Wells Fargo Bank, N.A., Plaintiff**  
**v.**

**Unknown Heirs, and/or**  
**administrators of the Estate of**  
**Christopher R. Roll, Defendants**  
**SHERIFF SALE**

By virtue of a Writ of Execution file to No. 13166-2014, Wells Fargo Bank, N.A. vs. Unknown Heirs, and/or administrators of the Estate of Christopher R. Roll, owner(s) of property situated in The Borough of Girard, County of Erie, Commonwealth of Pennsylvania being 226 Olin Avenue, Girard, PA 16417 0.2388 Assessment Map Number: 23012027000300 Assessed Value figure: \$60,900.00 Improvement thereon: Single Family Dwelling Kimberly J. Hong, Esquire Manley Deas Kochalski LLC P. O. Box 165028 Columbus, OH 43216-5028 (614) 220-5611

Sept. 30, and Oct. 7, 14

**SALE NO. 13**  
**Ex. #12687 of 2014**  
**U.S. Bank National Association,**  
**as Trustee for Home Equity**  
**Asset Trust 2004-6 Home Equity**  
**Pass-Through Certificates, Series**  
**2004-6, Plaintiff**  
**v.**

**Samuel Valentin, a/k/a Samuel**  
**Valentin Mercado, Defendant**  
**SHERIFF SALE**  
 By virtue of a Writ of Execution file to No. 12687-14, U.S. Bank National Association, as Trustee for Home Equity Asset Trust 2004-6 Home Equity Pass-Through Certificates, Series 2004-6 vs. Samuel Valentin, a/k/a Samuel Valentin Mercado, owner(s) of property situated in The City of Erie, County of Erie, Commonwealth of Pennsylvania

being 1615 Hickory Street, Erie, PA 16502 2690 Assessment Map Number: 289 Assessed Value figure: \$34,370.00 Improved thereon: Single Family Dwelling Kimberly J. Hong, Esquire Manley Deas Kochalski LLC P. O. Box 165028 Columbus, OH 43216-5028 614-220-5611

Sept. 30, and Oct. 7, 14

**SALE NO. 14**  
**Ex. #11489 of 2016**  
**Federal National Mortgage**  
**Association ("Fannie Mae"),**  
**Plaintiff**  
**v.**

**Lisa A. Wood and Terrence R.**  
**Wood, Defendants**  
**DESCRIPTION**  
 By virtue of a Writ of Execution filed to No. 2016-11489, Federal National Mortgage Association ("Fannie Mae") vs. Lisa A. Wood and Terrence R. Wood Owner(s) of property situated in Millcreek, Erie County, Pennsylvania, being 4569 Southern Drive, Erie, PA 16506 ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania, and being the easterly 76 feet of Lot 44 of a replot of Southern Hills Subdivision No. 2, according to a map of same recorded in the Recorder's Office of Erie County, Pennsylvania in Map Book 6, Page 4, said premises being more particularly bounded and described as follows, to-wit: BEGINNING at a point in the south line of Southern Drive, distant thereon North 63 degrees 30 minutes East, 32 feet from the intersection of the dividing line between Lots 43 and 44 of the aforesaid subdivision with the south line of Southern Drive; thence South 26 degrees 30 minutes East and passing through Lot 44 of the aforesaid subdivision, 108.58 feet to a point; thence eastwardly along the south line of Lot 44, 76 feet to a point and the east line of Lot 44; thence northwardly along the east line of lot 44, 108.86 feet to a point in the south line of Southern Drive;

thence westwardly along the south line of Southern Drive, 76 feet to a point and the place of beginning. Having erected thereon a single family dwelling known as 4569 Southern Drive, Erie, Pennsylvania. Bearing Erie County Assessment Index Number (33) 61-237-12.  
Assessment Map number: 33061237001200  
Assessed Value figure: \$124,680.00  
Improvement thereon: Residential Dwelling  
Martha E. Von Rosenthal, Esquire / No.52634  
Heather Riloff, Esquire / No. 309906  
Jeniece D. Davis, Esquire / No. 208967  
649 South Avenue, Unit #6  
P.O. Box 822  
Secane, PA 19018  
(610) 328-2887

Sept. 30, and Oct. 7, 14

**SALE NO. 15**

**Ex. #11662 of 2015**

**Nationstar Mortgage LLC,  
Plaintiff  
v.**

**Kimberly Grago-Csir  
Administrator of the Estate  
of John M. Csir, Deceased  
Mortgagor and Real Owner,  
Angela Simmons Known Heir  
of the Estate of John M. Csir,  
Deceased Mortgagor and Real  
Owner, John P. Csir Known Heir  
of the Estate of John M. Csir,  
Deceased Mortgagor and Real  
Owner and Sarah Csir Known  
Heir of the Estate of John M.  
Csir, Deceased Mortgagor and  
Real Owner, Defendants**

**SHERIFF'S**

By virtue of a Writ of Execution filed to No. 11662-2015, Nationstar Mortgage LLC, vs. Kimberly Grago-Csir Administrator of the Estate of John M. Csir, Deceased Mortgagor and Real Owner, Angela Simmons Known Heir of the Estate of John M. Csir, Deceased Mortgagor and Real Owner, John P. Csir Known Heir of the Estate of John M. Csir, Deceased Mortgagor and Real Owner and Sarah Csir Known Heir of the Estate of John M. Csir, Deceased Mortgagor and Real Owner, owners of property situated in Erie City, Erie County, Pennsylvania being 1101 Brown

Avenue, Erie, PA 16502  
Assessment Map number: 19060035010300  
Improvement thereon: Residential Dwelling  
Robert W. Williams, Esquire  
1 E. Stow Road  
Marlton, NJ 08053  
(856) 482-1400

Sept. 30, and Oct. 7, 14

**SALE NO. 16**

**Ex. #11802 of 2015**

**CitiMortgage, Inc., successor by  
merger with Principal Residential  
Mortgage, Inc., Plaintiff  
v.**

**Mark S. Eicher and Heather R.  
Eicher, Defendant(s)**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2015-11802, CitiMortgage, Inc., successor by merger with Principal Residential Mortgage, Inc. vs. Mark S. Eicher and Heather R. Eicher, owners of property situated in Erie City, Erie County, Pennsylvania being 2832 Glendwood Park Avenue, Erie, PA 16508  
Assessment Map number: (18) 5090-110  
Improvement thereon: Residential Dwelling  
Robert W. Williams, Esquire  
1 E. Stow Road  
Marlton, NJ 08053  
(856) 482-1400

Sept. 30, and Oct. 7, 14

**SALE NO. 17**

**Ex. #12476 of 2015**

**CITIFINANCIAL SERVICING  
LLC, A DELAWARE LIMITED  
LIABILITY COMPANY,  
Plaintiff  
v.**

**Carol A. Glance, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12476-2015, CITIFINANCIAL SERVICING LLC, A DELAWARE LIMITED LIABILITY COMPANY vs. Carol A. Glance, owners of property situated in Erie City, Erie County, Pennsylvania being 916 East 38<sup>th</sup> Street, Erie, PA 16504  
Assessment Map number: 18-53-96-116  
Improvement thereon: Residential

Dwelling  
Robert W. Williams, Esquire  
1 E. Stow Road  
Marlton, NJ 08053  
(856) 482-1400  
Sept. 30, and Oct. 7, 14

**SALE NO. 18**

**Ex. #12430 of 2015**

**WELLS FARGO BANK, N.A.**

**v.**

**Angela M. Lewis, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12430-15, WELLS FARGO BANK, N.A. vs. Angela M. Lewis, owner(s) of property situated in Erie City, Erie County, Pennsylvania being 432 East 4<sup>th</sup> Street, Erie, PA 16507  
Assessment Map Number: (14) 1015-133  
Improvement thereon: Residential Dwelling  
Robert W. Williams, Esquire  
1 E. Stow Road  
Marlton, NJ 08053  
(856) 482-1400

Sept. 30, and Oct. 7, 14

**SALE NO. 19**

**Ex. #13589 of 2015**

**CITIFINANCIAL SERVICING  
LLC, A DELAWARE LIMITED  
LIABILITY COMPANY,  
Plaintiff  
v.**

**Floyd A. McKuhn and Evelyn M.  
McKuhn, Defendants**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 13589-15, CITIFINANCIAL SERVICING LLC, A DELAWARE LIMITED LIABILITY COMPANY vs. Floyd A. McKuhn and Evelyn McKuhn, owners of property situated in Corry City, Erie County, Pennsylvania being 549 East Main Street, Corry, PA 16407  
Assessment Map number: 5-28-113-10  
Improvement thereon: Residential Dwelling  
Robert W. Williams, Esquire  
1 E. Stow Road  
Marlton, NJ 08053  
(856) 482-1400

Sept. 30, and Oct. 7, 14



**SALE NO. 20**

**Ex. #13090 of 2015**

**The Bank of New York Mellon,  
f/k/a The Bank of New York, as  
trustee for the certificate holder  
of the CWABS Inc., Asset-Backed**

**Certificates Series 2007-2 by  
Green Tree Servicing LLC,  
Plaintiff**

**v.**

**Tracy Wagner and Daniel E.  
Wagner, Defendant(s)**

**SHERIFF SALE**

By virtue of a Writ of Execution filed to No. 13090-15, The Bank of New York Mellon, f/k/a The Bank of New York, as trustee for the certificate holders of the CWABS Inc., Asset-Backed Certificates Series 2007-2 by Green Tree Servicing LLC vs. Tracy Wagner and Daniel E. Wagner, owners of property situated in Millcreek Township, Erie County, Pennsylvania being 2710 West 31st Street, Erie, PA 16506

Assessment Map Number: (33) 72-291-13

Improvement thereon: Residential Dwelling

Robert W. Williams, Esquire

1 E. Stow Road

Marlton, NJ 08053

(856) 482-1400

Sept. 30, and Oct. 7, 14

**SALE NO. 21**

**Ex. #13303 of 2015**

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

**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,  
Defendant(s)**

**LEGAL DESCRIPTION**

By virtue of a Writ of Execution filed to 13303-2015

Wells Fargo Bank, N.A. 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

Amount Due: \$79,733.66

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, owner(s) of property situated in Erie County, Pennsylvania being 4030 McClelland Avenue, Erie, PA 16510-3737

Square Feet: 864

Acreage: 0.3398

Assessment Map number: 18052047020600

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

Sept. 30, Oct. 7, 14

**SALE NO. 23**

**Ex. #11477 of 2016**

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

**Janet M. Crain a/k/a Janet H.  
Crain, Defendant  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11477-2016, Bank of America, N.A. vs. Janet M. Crain a/k/a Janet H. Crain,

Amount Due: \$40,010.37

Janet M. Crain a/k/a Janet H. Crain, owner(s) of property situated in ERIE CITY, 5TH, Erie County, Pennsylvania being 2619 Prospect Avenue, Erie PA 16510

Dimensions: 80.5 X 140

Acreage: 0.2587

Assessment Map number: 18051041011100

Assessed Value: 75,250.00

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

Sept. 30, and Oct. 7, 14

**SALE NO. 24**

**Ex. #11932 of 2015**

**Embrace Home Loans Inc.,  
Plaintiff**

**v.**

**William J. Edwards, Defendant  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11932-2015, Embrace Home Loans Inc., vs. William J. Edwards Amount Due: \$78,319.92

William J. Edwards, owner(s) of property situated in Erie County, Pennsylvania being 11556 Donation Road, Waterford, PA 16441-9621 Dimensions: 80x110

Acreage: 2264

Assessment Map number: 47-3-9-8.04

Assessed Value: \$126,500

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

Sept. 30, and Oct. 7, 14

**SALE NO. 25**

**Ex. #11244 of 2016**

**Wells Fargo Bank, N.A., s/b/m  
to Wells Fargo Home Mortgage,  
Inc., f/k/a Norwest Mortgage,  
Inc., Plaintiff  
v.**

**Michael P. Lasher a/k/a Michael  
Lasher, Tammy L. Lasher,  
Defendants  
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11244-16, Wells Fargo Bank, N.A., s/b/m to Wells Fargo Home Mortgage, Inc., f/k/a Norwest Mortgage, Inc., vs. Michael P. Lasher, a/k/a Michael Lasher, Tammy L. Lasher

Amount Due: \$52,323.34

Michael P. Lasher, a/k/a Michael Lasher, Tammy L. Lasher, owner(s) of property situated in MILLCREEK TOWNSHIP, Erie County, Pennsylvania being 3022 Westline Street, Erie, PA 16506-3217

Dimensions: 80 X 115.8

Acreage: 0.2127

Assessment Map number: 33073298001600

Assessment Value: \$70,050.00

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

Sept. 30, and Oct. 7, 14

**SALE NO. 26**

**Ex. #10475 of 2016**

**CitiMortgage, Inc., Plaintiff**

v.

**Joshua J. Miller, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 10475-2016, CitiMortgage, Inc., vs. Joshua J. Miller

Amount Due: \$116,366.94

Joshua J. Miller, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 160 Belmont Avenue, Erie, PA 16509

Dimensions: 40 X 120

Acreage: 0.1102

Assessment Map number: 19061021021800

Assessment Value: \$89,700

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

Sept. 30, and Oct. 7, 14

**SALE NO. 27**

**Ex. #11183 of 2016**

**Caliber Home Loans, Inc., f/k/a Vericrest Financial, Inc., Plaintiff**

v.

**Joseph C. Siggia, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11183-16, Caliber Home Loans, Inc., f/k/a Vericrest Financial, Inc. vs. Joseph C. Siggia

Amount Due: \$129,551.61

Joseph C. Siggia, owner of property situated in EDINBORO BOROUGH, Erie County, Pennsylvania being 120 Water Street, Edinboro, PA 16412-2448

Dimensions: 76 X 160

Acreage: 0.2792

Assessment Map number: 11-014-041.0-019.00

Assessed Value: \$121,200

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

Sept. 30, and Oct. 7, 14

**SALE NO. 28**

**Ex. #12860 of 2015**

**Wells Fargo Bank, N.A. as Trustee for Option One Mortgage Loan Trust 2001-D, Asset-Backed Certificates, Series 2001-D, Plaintiff**

v.

**Thomas C. Trapp, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12860-15, Wells Fargo Bank, N.A. as Trustee for Option One Mortgage Loan Trust 2001-D, Asset-Backed Certificates, Series

2001-D vs. Thomas C. Trapp

Amount Due: \$85,505.95

Thomas C. Trapp, owner(s) of property situated in AMITY TOWNSHIP, Erie County, Pennsylvania being 12565 Arbuckle Road, Union City, PA 16438-9023

Amount Due: \$85,505.95

Dimensions: 32X34

Acreage: 2.0810

Assessment Map number: 02-001-002.0-001.01

Assessed Value: \$109,890.00

Improved 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

Sept. 30, and Oct. 7, 14

**SALE NO. 29**

**Ex. #11064 of 2016**

**U.S. Bank National Association, as Trustee for Structured Asset Investment Loan Trust, Mortgage Pass-Through Certificates, Series 2005-3, Plaintiff**

v.

**Philip C. Wolford, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 11064-16, U.S. Bank National Association, as Trustee for Structured Asset Investment Loan Trust, Mortgage Pass-Through Certificates, Series 2005-3 vs. Philip C. Wolford

Amount Due: 114,894.95

Philip C. Wolford, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 538 West 7th Street, Erie, PA 16502-1333

Dimensions: 41.25X165

Acreage: 0.1562

Assessment Map number: 17040016022000

Assessed Value: 125,270.00

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

Sept. 30, and Oct. 7, 14

**SALE NO. 30**

**Ex. #12384 of 2015**

**LSF9 Master Participation Trust, Plaintiff**

v.

**Aaron D. Guarino, Beth A. Guarino and James A. Guarino, Defendant**

**SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 12384-15, LSF9 Master Participation Trust vs. Aaron D. Guarino, Beth A. Guarino and James A. Guarino, owner(s) of property situated in

Erie County, Pennsylvania being 2713 Monroe Street, Erie, PA 16504

Assessment Map number: 18050060012100

Assessed Value figure: 64,200.00

Improvement thereon: Single Family Dwelling, 1,232 sqft

Bradley J. Osborne, Esq.,

Richard M. Squire & Associates, LLC 115 West Avenue, Suite 104

Jenkintown, PA 19046

215-886-8790

Sept. 30, and Oct. 7, 14

**SALE NO. 32**

**Ex. #12915 of 2015**

**U.S. Bank National Association, as Indenture Trustee for Springleaf Mortgage Loan Trust 2012-3, Plaintiff**

v.

**Andrew Silva, Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 12915-15, U.S. Bank National Association, as Indenture Trustee

for Springleaf Mortgage Loan Trust 2012-3 vs. Andrew Silva, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 921 West 16th Street, Erie, PA 16502 0.0973

Assessment Map number: 16030043020800

Assessed Value figure: \$45,000.00

Improvement thereon: a residential dwelling

Sarah K. McCaffery, Esquire  
Shaprio & DeNardo, LLC  
Attorney for Movant/Applicant  
3600 Horizon Drive, Suite 150  
King of Prussia, PA 19406  
(610) 278-6800

Sept. 30, and Oct. 7, 14

**SALE NO. 33**

Ex. #11284 of 2016

**HSBC Bank USA, National  
Association, as Trustee for  
Fremont Home Loan Trust 2006-  
D, Mortgage-Backed Certificates,  
Series 2006-D c/o Ocwen Loan  
Servicing, LLC, Plaintiff**

v.

**Claudette M. Gaines, Defendant  
LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Township of Lawrence Park, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEING lot number two (2) and the southern portion of lot number three (3) of block "1" of Lake Cliff Park addition subdivision in tract number 248 and gore tract, Lawrence Park Township as recorded in Erie County map book 4 at pages 234 and 235. Being part of a replot of lots 14, 15 and lots 16 of block "k" of reedhurts [sic] addition as recorded in Erie County map book 1, page 409. bearing Erie County tax index no. (29) 1-3-14.

ALSO, all that certain piece or parcel of land situate in the Township of Lawrence Park, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit;

Being the northern portion of lot number three (3) of block "1" of lakecliff park addition subdivision in tract number 248 and gore tract, Lawrence Park Township as recorded in Erie County map book 4 at pages

234 and 235. Being a part of a replot of lots 14, 15, and 16 of block "k" of reedhurst addition as recorded in Erie County map book 1, page 408, and bearing Erie County property index number (29) 1-3-1.

HAVING erected thereon a single family dwelling and attached garage commonly known as 2469 Lakeside Drive, Erie, Pennsylvania.

PROPERTY ADDRESS: 2469 Lakeside Drive, Erie, PA 16511

PARCEL:29001003001400

BEING the same premises which AD Depijper and Sherri L. DePijper, his wife by Deed dated June 25, 2003, and recorded June 26, 2003, in the Office of the Recorder of Deeds in and for Erie County in Deed Book 1028, Page 1035, granted and conveyed unto Robert L. Gaines, Jr. and Claudette M. Gaines, his wife as tenants by the entireties with the right of survivorship. Robert L. Gaines Jr. departed this life on 06/05/2014. Jessica N. Manis, ESQUIRE STERN & EISENBERG, PC 1581 Main Street, Suite 200 The Shops at Valley Square Warrington, PA 18976

Sept. 30, and Oct. 7, 14

**SALE NO. 34**

Ex. #11733 of 2015

**Wells Fargo Bank, National  
Association, c/o Ocwen Loan  
Servicing, LLC, Plaintiff**

v.

**Oscar J. Longo, Defendant  
LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Township of Washington, now by annexation in the Borough of Edinboro, County of Erie and Commonwealth of Pennsylvania, being parts of Lots Nos. 54, 55, 56, 57, 58 and 59 in Block "YG" of the Lakeside Park Extension Revised Plan of Lots as recorded in the Recorder's Office of said County in Map Book No. 4, Pages 368 and 369, together being bounded and described as follows, to wit:

BEGINNING at a point on the dividing line between Lots Nos. 58 and 60 in said Plan, said point being 70.0 feet (incorrectly stated in deed as 7010 feet) southwardly along said dividing line from the southerly line

of Hickory Street; thence from said point of beginning thus established, eastwardly through Lots 58, 56, and 54 in said Plan on a line parallel with the southerly line of Hickory Street, a distance of 100.0 feet to a point in the centerline of twenty-foot wide private drive; thence southwardly along the centerline of said private drive a distance of 60.0 feet to a point; thence westwardly through Lots Nos. 55, 57 and 59 in said Plan on a line parallel with the southerly line of Hickory Street a distance of 100.0 feet to a point; thence northwardly along the line dividing Lots Nos. 59 and 58 from Lots Nos. 61 and 60 in said Plan, a distance of 60.0 feet to a point, the place of beginning.

SAID premises have erected thereon a dwelling commonly known as 103 Georgian Drive, Edinboro, Pennsylvania and are further identified by Erie County Assessment Index Number (11) 1-11-3.

PROPERTY ADDRESS: 103 Georgian Drive, Edinboro, PA 16412  
PARCEL 11-001-011.0-003.00

BEING the same premises which Clifford O. Ramsey and Ella R. Ramsey, husband and wife, by Deed dated July 30, 1991 and recorded on August 1, 1991 in the office of the recorder of deeds in and for Erie County at book 171, page 583, granted and conveyed unto Oscar J. Longo.

M. TROY FREEDMAN, ESQUIRE STERN & EISENBERG, PC 1581 Main St, Ste. 200 The Shops at Valley Square Warrington, PA 18976  
(215) 572-8111

Sept. 30, and Oct. 7, 14

**SALE NO. 35**

Ex. #10479 of 2016

**Wells Fargo Bank, N.A. as  
successor by merger to Wells  
Fargo Bank Minnesota, National  
Association, as Trustee for  
Option One Mortgage Loan  
Trust 2002-5, Asset-Backed  
Certificates, Series 2002-5 c/o  
Ocwen Loan Servicing, LLC,  
Plaintiff**

v.

**Unknown Heirs, Executors and  
Devises of the Estate of**

**Edward M. Gangemi a/k/a  
Edward Gangemi and Lisa M.  
Gangemi, Defendant(s)**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, Bounded and described as follows, to wit:

BEGINNING at a point in the south line of East 33rd Street 520' east of the east line of Holland Street; thence southwardly parallel with Holland Street 135' to a point; thence eastwardly parallel with East 33rd Street 40' to a point; thence northwardly parallel with Holland Street 135' to a point in the south line of East 33rd Street; thence westwardly along the south line of East 33rd Street 40' to the place of beginning.

BEING the same premises which Edward and Lisa Gangemi, by Deed dated October 2, 2006 and recorded on May 27, 2009 in the office of the recorder of deeds in and for Erie County at Book 1564 Page 1349 granted and conveyed unto Edward Gangemi. Edward Gangemi has since departed this life on May 21, 2015.

PROPERTY ADDRESS: 253 East 33rd Street, Erie, PA 16504

PARCEL 18053063031100

Attorney for Plaintiff:

EDWARD J. MCKEE, ESQUIRE  
STERN & EISENBERG, PC  
1581 Main St., Suite 200  
The Shops at Valley Square  
Warrington, PA 18976

(215) 572-8111

Sept. 30, and Oct. 7, 14

**SALE NO. 36**

**Ex. #10536 of 2015**

**Deutsche Bank National Trust  
Company, c/o Ocwen Loan  
Servicing, LLC, Plaintiff**

**v.**

**Arthur L. Nesmith, Defendant**

**LEGAL DESCRIPTION**

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

BEING Lots Numbers 14, 15 and 16 in Block 11 in C.K. Riblet's Subdivision, a part of Reserve Tract Number 53, a plot of which

is recorded in the Erie County Pennsylvania Map Book 1, pages 96 and 97 and each of said lots having a frontage of 46' more or less, on Pear Street and a depth of 141' and having erected thereon a two story frame dwelling known as 2326 Pear Street, Erie, Pennsylvania 16510.

Also, All that certain piece or parcel of land situate in the City of Erie, County of Erie and State of Pennsylvania, bounded and described as follows, to-wit: BEING Lot Number 17 in Block 11 in C.K. Riblet's Subdivision, a part of Reserve Tract Number 53, a plot of which is recorded in Erie County Pennsylvania Map Book 1, pages 96 and 97.

Being further identified by Erie County Tax Identification Number (18) 5114-100.

PROPERTY ADDRESS: 2326 Pear Street, Erie, PA 16510

PARCEL 18051014010000

BEING the same premises which Billy J. Thornton and Nell Rita Thornton, his wife, by Deed dated January 30, 1997 and recorded on January 30, 1997 in the office of the recorder of deeds in and for Erie County at book 0481 page 1694 granted and conveyed unto Arthur L. Nesmith, single.

JESSICA N. MANIS, ESQUIRE  
STERN & EISENBERG, PC  
1581 Main St., Ste. 200  
The Shops at Valley Square  
Warrington, PA 18976  
(215) 572-8111

Sept. 30, and Oct. 7, 14

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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**

**BIEBEL, WILLIAM E., a/k/a MSGR. WILLIAM E. BIEBEL, deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Michael T. Gaines, 3135 Morning Sun Court, Erie, PA 16506-5903

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

**BUFFINGTON, JOHN C., deceased**

Late of the Township of Millcreek, County of Erie, State of Pennsylvania  
*Executrix:* Kathryn R. Buffington, 3618 Lancaster Road, Erie, PA 16506

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

**HILL, KENNETH, deceased**

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

*Administratrix:* Darlene M. Vlahos, 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

**HORVATH, HELEN A., deceased**

Late of Millcreek, County of Erie and Commonwealth of Pennsylvania

*Co-Executors:* Sandra E. Post, Richard J. Horvath, Jean M. Cannell, c/o Zanita Zacks-Gabriel, Esq., 402 West 6<sup>th</sup> Street, Erie, PA 16507

*Attorney:* Zanita Zacks-Gabriel, Esq., 402 West 6<sup>th</sup> Street, Erie, PA 16507

**JACKSON, RITA R., deceased**

Late of Erie County, Pennsylvania  
*Co-Executors:* David H. Jackson, and Paul Scott Jackson, c/o Stephen H. Hutzelman, Esq., 305 W. 6th Street, Erie, PA 16507

*Attorney:* Stephen H. Hutzelman, Esq., 305 W. 6th Street, Erie, PA 16507

**JOHNSON, WILLIAM E., deceased**

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

*Administratrix:* Marsha Johnson, 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

**KALINOWSKI, TEVIN A., a/k/a TEVIN ADAM KALINOWSKI, deceased**

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

*Administratrix:* Ann Kalinowski, c/o Elliot J. Segel, Esquire, Segel & Solymosi, 818 State Street, Erie, PA 16501

*Attorney:* Elliot J. Segel, Esquire, Segel & Solymosi, 818 State Street, Erie, PA 16501

**PALERMO, MICHAEL J., deceased**

Late of Millcreek Township, Erie County, Pennsylvania

*Executrix:* Amy Palermo

*Attorney:* Charbel G. Latouf, Esquire, Latouf Law Firm, 246 West 10th Street, Erie, PA 16501

**REDINGER, HAROLD F., JR., deceased**

Late of Millcreek Township, Erie County, Commonwealth of Pennsylvania

*Executor:* Michael J. Redinger, c/o 120 W. 10th Street, Erie, PA 16501

*Attorney:* Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

**ROPELEWSKI, JEROME J., deceased**

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

*Executor:* Mark J. Swanseger, 2085 Berkshire Lane, Erie, PA 16509-1762

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

**SHIOLENO, LEWIS J., SR., deceased**

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

*Executor:* Charles A. Shioleno, c/o Raymond A. Pagliari, Esq., 510 Cranberry St., Suite 301, Erie, Pennsylvania 16507

*Attorney:* Raymond A. Pagliari, Esq., 510 Cranberry St., Suite 301, Erie, Pennsylvania 16507



**TRUST NOTICE**

Notice is hereby given of the administration of the Estate and 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 or Trust are required to make payment without delay to the Executor, Trustee or Attorney named below:

**FREEMAN, RICHARD C., deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Robert L. Freeman  
*Trust:* The Freeman Family Revocable Trust  
*Trustee:* Robert L. Freeman c/o 3213 West 26<sup>th</sup> Street, Erie, PA 16506  
*Attorney:* Joseph B. Spero, Esquire, 3213 West 26<sup>th</sup> Street, Erie, Pennsylvania 16506

**SECOND PUBLICATION****AMATANGELO, VIOLA G., a/k/a VIOLA GLORIA AMATANGELO, a/k/a VIOLA AMATANGELO, deceased**

Late of the Township of Millcreek, County of Erie, and Commonwealth of Pennsylvania  
*Administrator C.T.A.:* Anthony Amatangelo  
*Attorney:* Adam J. Williams, Esquire, 425 West Tenth Street, Erie, PA 16502

**ANTOLIK, ANDREW T., deceased**

Late of the City of Erie  
*Co-Executors:* Andrew J. Antolik and Emily E. Antolik  
*Attorney:* Steven E. George, Esq., Shapira, Hutzelman and Smith, 305 West 6<sup>th</sup> Street, Erie, PA 16507

**COOPER, GOLDEN, deceased**

Late of the Township of Waterford, Erie County, Pennsylvania  
*Administrator:* George Junior Hoag, c/o Matthew J. Lager, Esq., 234 West 6th Street, Erie, PA 16507  
*Attorney:* Matthew J. Lager, Esq., Bernard Stuczynski & Barnett, 234 West 6th Street, Erie, PA 16507

**DeROSE, CHANTAL A., a/k/a CHANTAL A. MINNAUGH DeROSE, a/k/a CHANTAL A. MINNAUGH, a/k/a CHANTAL ARMANDE DeROSE, deceased**

Late of Harborcreek Township, Erie County, Pennsylvania  
*Co-Executors:* Genevieve D. Thompson, Eric S. DeRose, c/o Thomas C. Hoffman II, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501  
*Attorney:* Thomas C. Hoffman II, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**GALVIN, EARL GERARD, a/k/a EARL JERRY GALVIN, deceased**

Late of the Township of Millcreek  
*Executor:* Daniel G. Galvin  
*Attorney:* Steven E. George, Esq., Shapira, Hutzelman and Smith, 305 West 6th Street, Erie, PA 16507

**GROSSHOLZ, LYN, a/k/a LYN A. GROSSHOLZ, deceased**

Late of City of Erie, Erie County  
*Executor:* Gregory Grossholz, c/o Jeffrey D. Scibetta, Esquire, 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

**JONES, CLANTHA deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Carla M. Johnson, c/o William J. Schaaf, Esq., Suite 300, 300 State Street, Erie, PA 16507  
*Attorney:* William J. Schaaf, Esq., MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP., Suite 300, 300 State Street, Erie, PA 16507

**KUBEJA, THOMAS G., deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executor:* David J. Kubeja, 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

**MELLORS, LINDA F., deceased**

Late of Greenfield Township, Erie County, North East, Pennsylvania  
*Administrators:* Robert E. Mellors and Allen E. Mellors, c/o Robert J. Jeffery, Esq., 33 East Main Street, North East, Pennsylvania 16428  
*Attorney:* Robert J. Jeffery, Esq., 33 East Main Street, North East, Pennsylvania 16428

**PRATT, JANET M., deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Co-Executors:* Joseph R. Komisarski and Robin R. Stonitsch, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508  
*Attorney:* Colleen R. Stumpf, Esq., QUINN, BUSECK, LEEMHUIS, TOOHEY & KROTO, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508

**SMOLINSKI, JOSEPH B.,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania  
*Executor:* Joseph R. Bilinski, 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

**THIRD PUBLICATION****BEHNKEN, FREDERICK  
HENRY, a/k/a FREDERICK H.  
BEHNKEN, a/k/a FREDERICK  
BEHNKEN, a/k/a FRED H.  
BEHNKEN,  
deceased**

Late of the Township of North East, County of Erie, and Commonwealth of Pennsylvania  
*Executor:* Paul F. Behnken  
*Attorney:* Adam J. Williams, Esquire, 425 West Tenth Street, Erie, PA 16502

**CUTRI, EDWARD P.,  
deceased**

Late of Waterford Borough  
*Executor:* Randall P. Cutri, c/o 246 West 10<sup>th</sup> Street, Erie, PA 16501  
*Attorney:* Evan E. Adair, Esq., 246 West 10<sup>th</sup> Street, Erie, PA 16501

**DAVIS, RICHARD A.,  
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania  
*Executrix:* Sally J. Davis, n/k/a Sally J. Sartin, 408 East 34<sup>th</sup> Street Erie, PA 16504

*Attorney:* Edwin W. Smith, Esq., SHAPIRA, HUTZELMAN & SMITH, 305 West Sixth Street, Erie, PA 16507

**DUNN, CHARLES E., a/k/a  
CHARLES DUNN,  
deceased**

Late of the Borough of Albion, County of Erie, State of Pennsylvania  
*Co-Executors:* James E. Dunn, 2936 Placid Pointe Road, Conneaut, OH 44030 and Jeffrey K. Dunn, 205 Oregon Avenue, Erie, PA 16505

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

**GORR, BEVERLY S.,  
deceased**

Late of Millcreek Township  
*Executor:* Kelly S. Conboy, c/o 246 West 10<sup>th</sup> Street, Erie, PA 16501  
*Attorney:* Evan E. Adair, Esq., 246 West 10<sup>th</sup> Street, Erie, PA 16501

**KING, MILLICENT M.,  
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania  
*Executrix:* Karen E. Young, c/o Denis W. Krill, P.C. 309 French Street, Erie, Pennsylvania 16507-1542  
*Attorney:* Denis W. Krill, Esquire, 309 French Street, Erie, Pennsylvania 16507-1542

**LYONS, GEORGE E., a/k/a  
GEORGE EDWARD LYONS,  
deceased**

Late of Fairview Township  
*Administratrix:* Grace E. Horton, 3707 Guilford Drive, Erie, PA 16506  
*Attorney:* None

**NELSON, ERNEST L., JR.,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Administrator:* Douglas Nelson, c/o 504 State Street, Suite 300, Erie, PA 16501  
*Attorney:* Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**NESTOR, JUDITH A.,  
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Tracy A. Johns, c/o James E. Marsh, Esq., Suite 300, 300 State Street, Erie, PA 16507  
*Attorney:* James E. Marsh, Esq., MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP., Suite 300, 300 State Street, Erie, PA 16507

**PADOVANI, ANTHONY J. JR.,  
deceased**

Late of Waterford, County of Erie and Commonwealth of Pennsylvania  
*Administrator:* Scott Litz, c/o Michael A. Agresti, Esq., Suite 300, 300 State Street, Erie, PA 16507  
*Attorney:* Michael A. Agresti, Esq., MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP., Suite 300, 300 State Street, Erie, PA 16507

**PETRI, DONALD G.,  
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Executrix:* Diane L. Canfield, 3514 Stoughton Road, Erie, PA 16506-2735  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**RENSHAW, THOMAS J.,  
deceased**

Late of Lawrence Park Township, County of Erie, Commonwealth of Pennsylvania  
*Administratrix:* Martha Renshaw, c/o Elliot J. Segel, Esquire, Segel & Solymosi, 818 State Street, Erie, PA 16501  
*Attorney:* Elliot J. Segel, Esquire, Segel & Solymosi, 818 State Street, Erie, PA 16501



**SOBCZAK, LINDA E.,  
deceased**

Late of the City of Erie, Erie  
County, Pennsylvania  
*Administratrix:* Nancy Guth, c/o  
Mary Alfieri Richmond, Esq.,  
Jones School Square - First Floor,  
150 East 8th Street, Erie, PA 16501  
*Attorney:* Mary Alfieri Richmond,  
Esq., Jones School Square - First  
Floor, 150 East 8th Street, Erie  
PA 16501

**STRUBLE, ELIZABETH M.,  
deceased**

Late of the City of Erie, Erie  
County, Pennsylvania  
*Executor:* Charles R. Struble, 159  
Laurel Lane, Kersey, PA 15846  
*Attorney:* George L. Daghir, Esq.,  
DAGHIR AND DAGHIR, 20  
North Michael Street, St. Marys,  
PA 15857

**STULL, BARBARA A.  
MITCHELL,  
deceased**

Late of the City of Erie, County  
of Erie  
*Executor:* James A. Stull,  
10032 Oliver Road, McKean,  
Pennsylvania 16426  
*Attorney:* Kari A. Froess, Esquire,  
CARNEY & GOOD, 254 West  
Sixth Street, Erie, Pennsylvania  
16507

**SZKLENSKI, CHARLENE A.,  
deceased**

Late of the City of Harborcreek,  
County of Erie, and  
Commonwealth of Pennsylvania  
*Executrix:* Sandra L. Zampogna  
*Attorney:* Kenneth G. Vasil,  
Esquire, ELDERKIN LAW FIRM,  
150 East 8th Street, Erie, PA 16501

**WATSON, BETH ANN, A/K/A  
BETH ANN VARGO,  
deceased**

Late of Erie, Pennsylvania  
*Administrator:* Kenneth Watson  
c/o Chad F. McMillen, Esquire,  
2131 Brodhead Road, Aliquippa,  
PA 15001  
*Attorney:* Chad F. McMillen,  
Esquire, 2131 Brodhead Road,  
Aliquippa, PA 15001

## CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

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