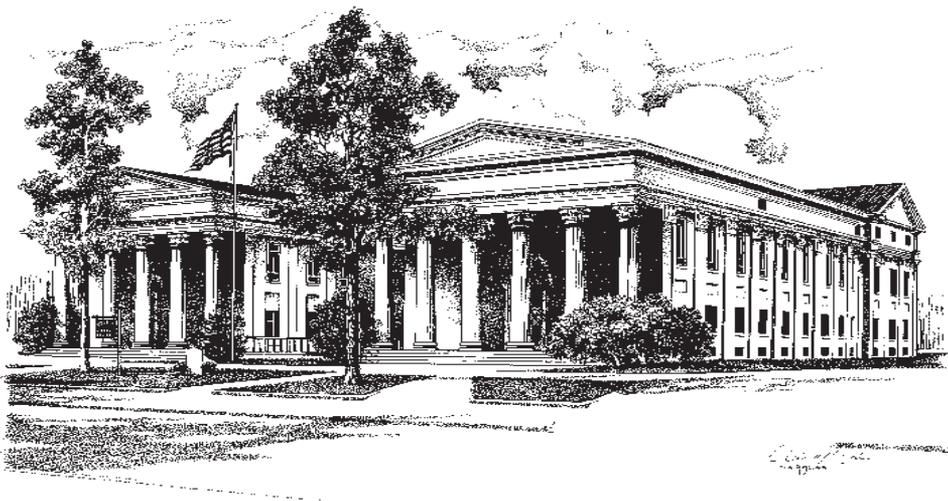


*Erie
County
Legal
Journal*

March 3, 2017

Vol. 100 No. 9



100 ERIE 22 - 26
Commonwealth v. Barnett

Erie County Legal Journal

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

Managing Editor: Michael Yonko
Administrator of Publications: Paula J. Gregory

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INDEX

NOTICE TO THE PROFESSION	4
OPINION	7
COURT OF COMMON PLEAS	
Legal Notices	13
Sheriff Sales	15
ORPHANS' COURT	
Estate Notices	22
CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS	26

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Erie County Bar Association

Calendar of Events and Seminars

MONDAY, MARCH 6, 2017

ECBA Board of Directors Meeting
Noon
ECBA Headquarters

THURSDAY, MARCH 9, 2017

Young Lawyer Happy Hour with the Family Law, Real Estate and Estate & Trusts Sections
5:30 p.m.
1201 Kitchen

FRIDAY, MARCH 24, 2017

ECBA Live Seminar
The Isis Age: From Nuremburg to Religious Freedom for All
Manufacturer & Business Association
Conference Center
4:00 p.m.- 5:30 p.m. (registration 3:45 p.m.)
\$70 (ECBA member/non-attorney staff)
\$90 (nonmember)
\$49 (member judge not needing CLE)
1.5 hours substantive

WEDNESDAY, MARCH 29, 2017

Defense Bar Meeting
Noon
ECBA Headquarters

THURSDAY, MARCH 30, 2017

ECBA Live Lunch-n-Learn Seminar
Roth Conversions:
Is paying the tax now a good idea?
Bayfront Convention Center
12:15 - 1:15 p.m. (registration/lunch - 11:45 a.m.)
\$47 (ECBA member/non-attorney staff)
\$60 (nonmember)
\$33 (member judge not needing CLE)
1 hour substantive

FRIDAY, APRIL 15, 2017

Good Friday
ECBA Office Closed

MONDAY, APRIL 24, 2017

ECBA Board of Directors Meeting
Noon
ECBA Headquarters

WEDNESDAY, APRIL 26, 2017

Criminal Section Meeting
3:00 p.m.
Judge Cunningham's Courtroom

SATURDAY, APRIL 29, 2017

Law Day 5k Run/Walk
9:00 a.m.
more information and registration available at www.eriebar.com

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



Erie County Bar Association



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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
MOTION COURT DATES FOR JUDGE THOMAS P. AGRESTI
ERIE AND PITTSBURGH DIVISION CASES**

MARCH 2017 NOTICE

The following is a list of *March 2017, April 2017, and May 2017* motion court dates and times to be used for the scheduling of motions pursuant to *Local Rule 9013-5(a)* before **Judge Thomas P. Agresti** in the Erie and Pittsburgh Divisions of the Court. The use of these dates for scheduling motions consistent with the requirements of *Local Rule 9013-5(a)* is summarized below and on Judge Agresti's website at: *www.pawb.uscourts.gov*. ***The motions will be heard in the Erie Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501 and Courtroom C, 54th Floor, U.S. Steel Building, 600 Grant Street, Pittsburgh, PA 15219.***

Counsel for a moving party shall select one of the following dates and times for matters subject to the "self-scheduling" provisions of the *Local Bankruptcy Rules* and the Judge's procedures, insert same on the notice of hearing for the motion, and serve the notice on all respondents, trustee(s) and parties in interest. Where a particular type of motion is listed at a designated time, filers shall utilize that time for the indicated motions(s) *unless*: (a) special arrangements have been approved in advance by the Court, or, (b) another motion in the same bankruptcy case has already been set for hearing at a different time and the moving party chooses to use the same date and time as the previously scheduled matter.

SCHEDULE CHAPTERS 13 MOTIONS ON:

Select the following times, EXCEPT for the specific matters to be scheduled at 11:30 a.m.:

Wednesday, March 1, 2017	9:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, March 29, 2017	10:00 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, April 26, 2017	10:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, May 24, 2017	11:00 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
	11:30 a.m.:	Ch. 13 Sale, Financing and Extended Impose Stay

NOTE: Chapter 12 matters are now scheduled on Ch. 11/7 Motion Court days, only.

SCHEDULE CHAPTERS 12, 11 & 7 MOTIONS ON:

Select the following times, EXCEPT for Ch. 7 Motions to Extend/Impose Stay scheduled only at 11:00 am, and, all sale motions and all Ch. 12 matters which are only to be scheduled at 11:30 a.m.:

Thursday, March 9, 2017	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, March 23, 2017	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, April 6, 2017	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters
Monday, April 17, 2017	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters,
Thursday, May 4, 2017		including all Ch. 7 Motions to Extend/Impose Stay
Thursday, May 18, 2017	11:30 a.m.:	Ch. 11 and 7 Sale motions and all Chapter 12 matters at this time, only

ALL OF THE ABOVE DATES ARE SUBJECT TO REVISION. Please check each month for any changes in the dates that have been published previously. THIS SCHEDULE CAN BE VIEWED ON PACER (Public Access to Court Electronic Records) and on the Court's Web Site (www.pawb.uscourts.gov).

Michael R. Rhodes
Clerk of Court

Mar. 3

LIVE
SEMINAR



ERIE COUNTY BAR ASSOCIATION

The Isis Age: From Nuremberg to Religious Freedom for All

Friday, March 24, 2017

Manufacturer & Business Association Conference Center
2171 West 38th Street, Erie, PA

Speakers

Sean J. McLaughlin, Esquire

Executive Vice President and General Counsel - Erie Insurance
Board Member - The Robert H. Jackson Center

Gregory L. Peterson, Esquire

Partner - Phillips and Lytle, LLP
Co-Founder of the Robert H. Jackson Center

At the conclusion of the film, a panel discussion will be held with board members from the Robert H. Jackson Center: Gregory L. Peterson, a partner at Phillips Lytle LLP and the Hon. Sean J. McLaughlin, former federal judge in the U.S. District Court for the Western District of Pennsylvania. Following the discussion, all are welcome to a cocktail reception with members of the bar and guests.

Registration: 3:30 p.m.
Seminar - 4:00 - 5:30 p.m.
Open Bar - 5:30 - 6:30 p.m.

Cost: \$70 (ECBA member/non-attorney staff)
\$90 (nonmember)
\$49 (member judge not needing CLE)

CLE: 1.5 hours substantive

Join us as we examine elements of the Free Speech and Equal Protection Clauses of the Constitution through the life and legacy of Supreme Court Justice Robert H. Jackson. As a U.S. Solicitor General, U.S. Attorney General, Supreme Court Justice and Chief U.S. Prosecutor at Nuremberg, Justice Jackson addressed issues of law that resonant on the world stage today.

The program will begin at 4:00 pm with a screening of "Liberty Under Law: The Robert H. Jackson Story." The documentary will include references to Jackson's majority opinion in *West Virginia State Board of Education v. Barnette*, 319 U.S. 624 (1943)(religious freedom), his notable dissent in *Korematsu v. United States*, 323 U.S. 214 (1944) (racial profiling as a defensive tactic), his role in the creation of the first International Military Tribunal (IMT) at Nuremberg (due process) and the seminal *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579 (1952)(scope of Executive powers).

Reservations due to the ECBA by Thursday, March 16, 2017.

Online!
REGISTRATION
Available at
www.eriebar.com



14th Annual Law Day 5K Run/Walk Saturday, April 29, 2017

Presented by the
ECBA

ERIE COUNTY BAR ASSOCIATION
IN COOPERATION WITH
THE ERIE RUNNERS CLUB



9:00 a.m. - Erie County Courthouse
140 West Sixth Street

Pre-registration Entry Fees:

\$20.00 (adults w/shirt)
\$15.00 (adults/no shirt)
\$15.00 (12 and under w/shirt)
\$10.00 (12 and under/no shirt)

**POSTMARK DEADLINE
TO PRE-REGISTER IS
FRIDAY, APRIL 14, 2017**

Race Premium: Top-quality, wicking t-shirt.
You must be pre-registered to be guaranteed a shirt.

Day-of-Race Entry Fees: \$20 (adult)
 \$15 (12 or under)



*Part I of the
2017 Summer Triple Crown Series*

Packet Pick-up:

There will be a packet pick-up for pre-registered runners and walkers on Friday, April 28 from 3:00 to 6:30 p.m. at the Erie County Bar Association Headquarters, 302 West Ninth Street. Registrations for the event will also be accepted during this time. Day-of-Race registration and Chip pick-up will begin on Saturday, April 29 at 8:00 a.m. at the new Perry Square Event Platform.

Event benefits the ECBA's *Attorneys & Kids Together Program*,
supporting the educational needs of local students living in homeless situations,
and the Erie Runners Club Scholarship Fund.

Register ONLINE at www.eriebar.com.

COMMONWEALTH OF PENNSYLVANIA

v.

RICHARD LEE BARNETT, Defendant

CRIMINAL PROCEDURE / SUPPRESSION OF EVIDENCE / BURDEN OF PROOF

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. The Commonwealth's burden is by a preponderance of the evidence and 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."

CRIMINAL PROCEDURE / SUPPRESSION OF EVIDENCE / LEGITIMATE EXPECTATION OF PRIVACY

To prevail on a motion to suppress, the defendant must show that he has a privacy interest which has been infringed upon. A defendant moving to suppress evidence has the preliminary burden of establishing standing and a legitimate expectation of privacy. Whether defendant has a legitimate expectation of privacy is a component of the merits analysis of the suppression motion. *Id.* The determination whether defendant has met this burden is made upon evaluation of the evidence presented by the Commonwealth and the defendant.

CRIMINAL PROCEDURE / SUPPRESSION OF EVIDENCE / LEGITIMATE EXPECTATION OF PRIVACY

An expectation of privacy is present when the individual, by his conduct, exhibits an actual (subjective) expectation of privacy, and that the subjective expectation is one that society is prepared to recognize as reasonable. The constitutional legitimacy of an expectation of privacy is not dependent on the subjective intent of the individual asserting the right but on whether the expectation is reasonable in light of all the surrounding circumstances. Additionally, a determination of whether an expectation of privacy is legitimate or reasonable entails a balancing of interests.

CRIMINAL PROCEDURE / SUPPRESSION OF EVIDENCE / LEGITIMATE EXPECTATION OF PRIVACY

If the evidence shows there was no privacy interest, the Commonwealth need prove no more; in terms of the trial court's review, it need go no further if it finds the defendant has not proven a reasonable expectation of privacy.

CRIMINAL PROCEDURE / SUPPRESSION OF EVIDENCE / LEGITIMATE EXPECTATION OF PRIVACY

Only when a defendant has the ability and right to exclude others from entrance to an internal area would a reasonable expectation of privacy arise.

CRIMINAL PROCEDURE / SUPPRESSION OF EVIDENCE / LEGITIMATE EXPECTATION OF PRIVACY / COMMON AREA

Generally, a subjective expectation of privacy as to that which is located in an area of common access will be deemed to be unreasonable.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
CRIMINAL DIVISION - NO. CR 1321 of 2015

Appearances: Jeremy C. Lightner, Assistant District Attorney, for the Commonwealth
Michael A. DeJohn, Esq., on behalf of Richard Lee Barnett (Defendant)

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Domitrovich, J., November 8, 2016

After thorough consideration of the entire record regarding Defendant's Motion to Suppress *Nunc Pro Tunc*, including, but not limited to, the testimony and evidence presented during the October 4, 2016 Suppression Hearing and the Memoranda of Law submitted by counsel, 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

1. On April 19, 2015 between 8:00 a.m. and 4:00 p.m., City of Erie Police Officers Mark Nelson and Steven DeLuca, together with three (3) other City of Erie Police Officers, arrived at 601 ½ East 13th Street, Erie, Pennsylvania 16503.
2. Officers Nelson and DeLuca knocked on the door and made contact with the resident of 601 ½ East 13th Street, identified as Keosha Qualls.
3. Officers Nelson and DeLuca advised Ms. Qualls they were looking for Richard Lee Barnett (hereafter referred to as "Defendant," who was wanted on felony warrant and who was believed to be residing at 601 ½ East 13th Street at the time.
4. Officers Nelson and DeLuca asked Ms. Qualls for her consent to search her apartment, and Ms. Qualls, who was very cooperative, did provide her consent to a full search of her apartment.
5. Defendant was not found by Officers Nelson, DeLuca or the other City of Erie Police officers in the apartment.
6. Ms. Qualls stated there was a basement, shared by other members of the apartment complex and accessible by a common hallway and stairwell.
7. According to Ms. Qualls, "anyone had access to the basement."
8. Ms. Qualls gave her consent to search the basement, stating she "didn't believe Defendant was there."
9. The basement area was unfinished and used as a storage area for the neighbor's items.
10. There was no indication that someone was living in the basement as there was no bed, television, refrigerator, closet, clothes or other personal items.
11. During a search of the basement, Officers DeLuca and Bielak located Defendant, who was hiding in the basement, and took Defendant into custody.
12. A handgun was located on a box near Defendant's location in the basement, and the handgun was photographed and retrieved as evidence.
13. After Defendant was taken into custody, Keosha Qualls was taken into custody for "Hindering Apprehension" and was interviewed at the City of Erie Police Department.¹

¹ According to Officers Nelson and DeLuca, who conducted the interview with Keosha Qualls at the City of Erie Police Department, the audio/video recording of Ms. Qualls' interview was unsuccessful due to a malfunction with the recording system.

14. Ms. Qualls, who did sign a Miranda Warnings form prior to the interview, said Defendant had a Coach bag with firearms inside and gave her consent to a search of the basement for a second time.

15. During this second search of the basement, Officer DeLuca found two (2) additional handguns, which had been placed underneath some boxes near where Defendant had been found and taken into custody, but did not find a Coach bag with firearms.

16. On June 17, 2015, the District Attorney's Office filed a Criminal Information, charging Defendant with one count of Receiving Stolen Property (18 Pa. C. S. §3925(a)); three counts of Firearms not to be carried without a License (18 Pa. C. S. §6106(a)(1)); one count of Possession of a Small Amount of Marijuana (35 P.S. §780-113(a)(31)(i)); one count of Possession of Drug Paraphernalia (35 P.S. §780-113(a)(32)); and one count of Possession of Firearm with Altered Manufacturer's Number (18 Pa. C. S. §6110.2(a)).

17. On September 7, 2016, Defendant, by and through his counsel, Michael A. DeJohn, Esq., filed Motion to Suppress *Nunc Pro Tunc*.

18. A hearing on Defendant's Motion to Suppress *Nunc Pro Tunc* was held on October 4, 2016, during which this Trial Court heard testimony from Officer Mark Nelson, Officer Steven DeLuca and Keosha Qualls; received evidence and heard argument from both counsel. Defendant appeared and was represented by his counsel, Michael A. DeJohn, Esq., and Assistant District Attorney Jeremy C. Lightner appeared on behalf of the Commonwealth.

19. Following the October 4th Suppression Hearing, this Trial Court requested counsel submit Memoranda of Law regarding the relevant issues in this Suppression Hearing.

20. Attorney DeJohn submitted his Memorandum on Law on October 18, 2016.

21. Assistant District Attorney Lightner submitted his Memorandum of Law on October 26, 2016.

CONCLUSIONS OF LAW

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. Defendant Richard Lee Barnett did not demonstrate successfully he had a "legitimate expectation of privacy" in the basement area of 601 ½ East 13th Street.

To prevail on a motion to suppress, the defendant must show that he has a privacy interest which has been infringed upon. *Commonwealth v. Benson*, 10 A.3d 1268, 1272 (Pa. Super. 2010). A defendant moving to suppress evidence has the preliminary burden of establishing standing and a legitimate expectation of privacy. *See id* (citing *Commonwealth v. Burton*, 973 A.2d 428, 435 (Pa. Super. 2009)). Whether defendant has a legitimate expectation of privacy is a component of the merits analysis of the suppression motion. *Id*. The determination whether defendant has met this burden is made upon evaluation of the evidence presented

by the Commonwealth and the defendant. *Id.*

Regarding what constitutes a “legitimate expectation of privacy,” the Pennsylvania Superior Court has held:

An expectation of privacy is present when the individual, by his conduct, exhibits an actual (**subjective**) **expectation of privacy**, and that the **subjective expectation** is one that society is **prepared to recognize** as reasonable. The constitutional legitimacy of an expectation of privacy is not dependent on the subjective intent of the individual asserting the right but on whether the expectation is reasonable in light of all the surrounding circumstances. Additionally, a determination of whether an expectation of privacy is legitimate or reasonable entails a balancing of interests.

Commonwealth v. Caple, 121 A.3d 511, 517 (Pa. Super. 2015) (citing *Commonwealth v. Brundidge*, 620 A.2d 1115, 1118 (Pa. 1993)). If the evidence shows there was no privacy interest, the Commonwealth need prove no more; in terms of the trial court's review, it need go no further if it finds the defendant has not proven a reasonable expectation of privacy. *Commonwealth v. Enimpah*, 106 A.3d 695, 702 (Pa. 2014).

First, there is no evidence to demonstrate Defendant has a subjective expectation of privacy in the basement area of 601 ½ East 13th Street. During his search of the basement area, City of Erie Police Officer Steven DeLuca stated he did not observe any signs someone was living in the basement area, such as a bed, television, refrigerator, closet, clothes or other personal items. Keosha Qualls, Defendant's girlfriend who resides at 601 ½ East 13th Street, indicated the basement area is shared by other tenants of the property by a common hallway and stairwell. As stated by Ms. Qualls, “anyone had access to the basement.” Ms. Qualls acknowledged she did not store any of her items in the basement and was unsure of what was stored in the basement, but believed some of the neighbor's possessions were stored in the basement. There was no evidence presented to demonstrate Defendant was also living in the apartment or had any real interest in the apartment or other areas of the apartment building. Based upon the evidence presented, Defendant has not demonstrated a subjective expectation of privacy in the basement area of 601 ½ East 13th Street.

Assuming *arguendo* Defendant has demonstrated successfully a subjective expectation of privacy in the basement of 601 ½ East 13th Street, this expectation of privacy is not one that society would deem reasonable. Only when a defendant has the ability and right to exclude others from entrance to an internal area would a reasonable expectation of privacy arise. *Commonwealth v. Reed*, 851 A.2d 958, 962 (Pa. Super. 2004) (citing *Katz v. United States*, 389 U.S. 347 (1967)). The entryway into the basement area of 601 ½ East 13th Street does not have a door; therefore, there was no way to exclude others from entering the basement. Furthermore, as stated above, the basement area was accessible to all tenants of the apartment building by a common hallway and stairwell and was available to all tenants for storage of personal items. “Generally, a subjective expectation of privacy as to that which is located in an **area of common access** will be deemed to be unreasonable.” *Commonwealth v. Grundy*, 859 A.2d 485, 489 (Pa. 2004) (quoting *Commonwealth v. Carelli*, 546 A.2d 1185, 1192 (Pa. Super. 1988) [emphasis added]). Therefore, Defendant has not demonstrated an expectation of privacy in the basement area of 601 ½ East 13th Street which society would deem reasonable, as others could not be excluded from access to the basement area and said basement area was an area of common access to all tenants of the apartment building.

Therefore, this Trial Court concludes Defendant has not demonstrated successfully he had a legitimate expectation of privacy in the basement area of 601 ½ East 13th Street. For all of the foregoing reasons, this Court enters the following Order:

ORDER

AND NOW, to wit, this 8th day of November, 2016, after thorough consideration of the entire record regarding Defendant's Motion to Suppress *Nunc Pro Tunc*, including, but not limited to, the testimony and evidence presented during the October 4, 2016 Suppression Hearing and the Memoranda of Law submitted by counsel, as well as an independent review of the relevant statutory and case law and the 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 Motion to Suppress *Nunc Pro Tunc* is hereby **DENIED**.

BY THE COURT:

/s/ **Stephanie Domitrovich, Judge**

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ECBA Members:

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\$200/hour - M-F, all other times, weekends

LEGAL NOTICE

INVOLUNTARY TERMINATION
OF PARENTAL RIGHTS
SS: THE COMMONWEALTH OF
PENNSYLVANIA

TO: Terry Greene:

CITATION

At the instance of prospective adoptive parents, Beary W. Clark and Shirley Barcus-Clark, a Trial has been scheduled in Courtroom No. 208-B before Judge Joseph M. Walsh, III, Erie County Courthouse, 140 West 6th Street, Erie, Pennsylvania on March 21, 2017 at 9:30 am to determine whether your parental rights shall be terminated as to your child:

Damion N. Jones

A copy of the Petition requesting your rights to be terminated, along with a proposed Order is attached.

YOUR PRESENCE IS REQUIRED AT THE HEARING

You are warned that if you fail to appear at the scheduled Trial, the Trial will go on without you and the Court may end your rights to your child without your being present.

If you wish to oppose the termination of your parental rights, you, or your Attorney, are to immediately notify the Family/Orphan's Court Administration, Room 205, Erie County Courthouse, Erie, PA or at (814) 451-6251.

WITNESS THE HONORABLE John J. Trucilla, President Judge of the Orphans' Court of Erie County, Pennsylvania, this 11th Day of January, 2017.

Kenneth J. Gamble
Clerk of Records
Orphans' Court Division
Pro Se
#8A in Adoption 2017

Mar. 3

LEGAL NOTICE

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at 4709 Cedar Drive, North East, PA 16428 being more fully described at Erie County Deed Book Volume 1153, Page 0607.

SAID SALE to be held at the Erie County Courthouse, Room 209, 140 W. Sixth Street, Erie, PA 16501 at 10:00 a.m. prevailing, standard time, on March 8, 2017.

All that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Map No. 37041088016000 recorded in Erie County, Pennsylvania. Seized and taken in execution as the property of Jennifer Ann Hamills aka Jennifer A. Hamills, at the suit of the United States of America, acting through the Under Secretary of Rural Development, on behalf of Rural Housing Service, United States Department of Agriculture, to be sold on Writ of Execution as Civil Action No. 16-200 Erie.

TERMS OF SALE: Successful bidder will pay ten percent (10%) by certified check or money order upon the property being struck down to such bidder, and the remainder of the bid within thirty (30) days from the date of the sale and in the event the bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, 700 Grant Street, Suite 2360, Pittsburgh, PA 15219. Bidder must have deposit funds immediately available and on his person in order to bid, bidder will not be permitted to leave the sale and return with deposit funds. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Steve Frank, United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

Feb. 10, 17, 24, and March 3

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SHERIFF SALES

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

**MARCH 17, 2017
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

Feb. 24, and Mar. 3, 10

SALE NO. 1

**Ex. #12820 of 2016
ERIE COMMUNITY CREDIT
UNION, Plaintiff**

v.

**HELEN J. RUSSELL a/k/a
HELEN J. BISHOP, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed at No. 12820-2016, Erie Community Credit Union vs. Helen J. Russell a/k/a Helen J. Bishop, owner of property situate in the Township of Millcreek, Erie County, Pennsylvania being 4312 West 12th Street, Erie, Pennsylvania 16505
0.1658 acres
Assessment Map Number: (33) 20-108-6

Assessed Value Figure: \$67,300.00
Improvement Thereon: One Story Single Family Dwelling
Jennifer B. Hirneisen, Esquire
Pa. Supreme Court ID No. 93345
MacDonald, Illig, Jones
& Britton LLP
100 State Street, Suite 700
Erie, Pennsylvania 16507-1459
(814) 870-7703

Attorneys for Plaintiff

Feb. 24, and Mar. 3, 10

SALE NO. 2

**Ex. #31710 of 2016
NORTHWEST BANK f/k/a
NORTHWEST SAVINGS
BANK, Plaintiff,**
v.

**WOODWRIGHT PROPERTIES,
LLC, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed at No. 31710-2016, Northwest Bank, f/k/a Northwest Savings Bank vs. Woodwright Properties, LLC, owner of property situate in the Township of Washington, Erie County, Pennsylvania being 5050 Kinter Hill Road, Edinboro, Pennsylvania.

0.1958 acres

Assessment Map Number: (45) 30-49-10

Assessed Value Figure: \$91,300.00
Improvement Thereon: Single Family Dwelling w/attached garage
Nicholas R. Pagliari, Esquire
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

Feb. 24, and Mar. 3, 10

SALE NO. 3

**Ex. #11379 of 2016
PNC BANK, NATIONAL
ASSOCIATION, Plaintiff**
v.

**BRIAN M. ROBSON, Defendant
DESCRIPTION**

All that certain piece or parcel of land situate in the Township of Greenfield, County of Erie and Commonwealth of Pennsylvania, and being part of Tract 15, being more particularly

bounded and described as follows, to-wit: Beginning at the Southeast corner of the piece in the center line of Storey Road, distance thereon North 00 degrees, 26 minutes West eight hundred forty (840) feet from its intersection with the center line of Station Road, along the center line of Storey Road, thence North 00 degrees, 26 minutes West along the center line of Storey Road, a distance of two hundred and no hundredths (200.00) feet to a point; thence South 89 degrees, 28 minutes West passing over an iron survey point at a distance of twenty-five and no hundredths (25.00) feet, a total distance of eight hundred two and fifty hundredths (802.50) feet to a point; thence South 00 degrees, 26 minutes East, a distance of two hundred and no hundredths (200.00) feet to a point; thence North 89 degrees, 28 minutes East passing over an iron survey point at a distance of seven hundred seventy-seven and fifty hundredths (777.50) feet, a total distance of eight hundred two and fifty hundredths (802.50) feet to the centerline of Storey Road and the place of beginning, containing 3.684 acres of land therein.

PARCEL NUMBER(s): 26-008-0230-01604

PROPERTY ADDRESS: 9104 Storey Rd., North East, PA 16428

KML Law Group, P.C.
Attorney for Plaintiff
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106-1532
(215) 627-1322

Fax (215) 627-7734

Feb. 24, and Mar. 3, 10

SALE NO. 4

**Ex. #11367 of 2016
MIDFIRST BANK, Plaintiff**
v.

**TINA L. COMBS, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution No. 11367-16, Midfirst Bank, Plaintiff v. Tina L. Combs, Defendant Real Estate: 9646-9650 NORTH STREET, WATTSBURG, PA 16442 Municipality: Borough of Watsburg, Erie County, Pennsylvania

Dimensions: 88 x 132
 See Deed Book 1164, Page 1925
 Tax I.D. (48) 1-5-4.01
 Assessment: \$22,300. (Land)
 \$77,340. (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

Feb. 24, and Mar. 3, 10

SALE NO. 6

Ex. #12798 of 2016
WELLS FARGO BANK, NA
Plaintiff

v.

Jennifer Lynn Nicolia, Defendant
DESCRIPTION

By virtue of a Writ of Execution filed to No. 2016-12798, Wells Fargo Bank, NA vs. Jennifer Lynn Nicolia, owners of property situated in the City of Erie, County of Erie, Commonwealth of Pennsylvania being 2309 Poplar Street, Erie, PA 16502.
 1488
 Assessed Value Figure: \$55,900.00
 Improvement thereon: Single Family Dwelling
 Kimberly J. Hong, Esquire
 Manley Deas Kochalski LLC
 P.O. Box 165028
 Columbus, OH 43216-5028
 614-220-5611

Feb. 24, and Mar. 3, 10

SALE NO. 7

Ex. #12567 of 2016
Wells Fargo Bank, NA, Plaintiff

v.

Scott D. Steen, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 2016-12567, Wells Fargo Bank, NA vs. Scott D. Steen, owner of property situated in The City of Erie, County of Erie, Commonwealth of Pennsylvania being 4322 Alvin Street, Erie, PA 16510
 1384
 Assessed Value figure: \$80,270.00
 Improvement thereon: Single Family Dwelling
 Kimberly J. Hong, Esquire

Manley Deas Kochalski LLC
 P.O. Box 165028
 Columbus, OH 43216-5028
 614-220-5611
 Feb. 24, and Mar. 3, 10

SALE NO. 8

Ex. #12189 of 2016
U.S. Bank National Association,
as Trustee under Pooling and
Servicing Agreement dated as of
December 1, 2004 MASTR Asset-
Backed Securities Trust 2004-
WMC3 Mortgage Pass-Through
Certificates, Series 2004-WMC3,
Plaintiff

v.

BETTE A. DOOLITTLE
a/k/a BETTE ANN
DOOLITTLE, KNOWN
HEIR OF ROLLA BENTON
a/k/a ROLLA H. BENTON
a/k/a ROLLA HOWARD
BENTON, CHRISTOPHER
BENTON, PERSONAL
REPRESENTATIVE OF THE
ESTATE OF ROLLA BENTON
a/k/a ROLLA H. BENTON a/k/a
ROLLA HOWARD BENTON,
ERIC BENTON a/k/a ERIC
L. BENTON, SR., KNOWN
HEIR OF ROLLA BENTON
a/k/a ROLLA H. BENTON a/k/a
ROLLA HOWARD BENTON
ESTATE OF ROLLA BENTON
a/k/a ROLLA H. BENTON
a/k/a ROLLA HOWARD
BENTON, LAURA HALL a/k/a
LAURA L. HALL, KNOWN
HEIR OF ROLLA BENTON,
a/k/a ROLLA H. BENTON
a/k/a ROLLA HOWARD
BENTON, UNKNOWN
HEIRS, SUCCESSORS,
ASSIGNS AND ALL PERSONS,
FIRMS OR ASSOCIATIONS
CLAIMING RIGHT, TITLE
OR INTEREST FROM OR
UNDER ROLLA BENTON
a/k/a ROLLA H. BENTON a/k/a
ROLLA HOWARD BENTON,
Defendant(s)

DESCRIPTION

ALL THAT CERTAIN LOT OF LAND SITUATE IN TOWNSHIP OF SPRINGFIELD, ERIE COUNTY, PENNSYLVANIA: BEING KNOWN AS 11466 Old Albion Rd., Girard, PA 16417

PARCEL NUMBER:
 39021088000500
 IMPROVEMENTS: Residential Property
 J. Eric Kishbaugh, Esquire
 PA I.D. 12189-16
 UDREN LAW OFFICES, P.C.
 Woodcrest Corporate Center
 111 Woodcrest Road, Suite 200
 Cherry Hill, NJ 08003-3620
 856-669-5400
 Feb. 24, and Mar. 3, 10

SALE NO. 9

Ex. #13453 of 2015
Federal National Mortgage
Association ("Fannie Mae")
Plaintiff,

v.

Carrie A. Burek, Defendant
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 2015-13453, Federal National Mortgage Association ("Fannie Mae") Plaintiff, vs. Carrie A. Burek, Defendant, Owner(s) of property situated in Erie, Erie County, Pennsylvania, being 2522 Poplar Street, Erie, PA 16502.
 All that certain piece or parcel of land situate in the Sixth Ward of the City of Erie, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the west line of Poplar Street, 195.05 feet northwardly from the point of intersection of the west line of Poplar Street with the north line of Twenty-sixth Street; thence westwardly, parallel with Twenty-sixth Street, 126.885 feet to a point; thence northwardly, parallel with Poplar Street, 35 feet to a point; thence eastwardly parallel with Twenty-sixth Street 126.885 feet to the west line of Poplar Street; thence southwardly along the west line of Poplar Street, 35 feet to the place of beginning, having erected thereon a two-story frame dwelling being commonly known as 2522 Poplar Street, Erie, Pennsylvania and bearing Erie County Tax Index No. (19) 6023-104.
 THIS deed is taken under and subject to easements, restrictions and right of ways of record and/or those that are visible to a physical

inspection.

PARTIES of the First Part herein have no actual knowledge of any hazardous waste as defined in Act No. 1980-97 of the Commonwealth of Pennsylvania, having been or which is presently being disposed of, on or about the property described in this deed.

Assessment Map number: 19-060-023, 0-104,00

Assessed Value figure: \$66,800.00
Improvement thereon: Residential Dwelling

Martha E. Von Rosenstiel, Esq./No. 52634

Heather Riloff, Esq./No. 309906

Jeniece D. Davis, Esq./No. 208967

James French, Esq./No. 319597

649 South Avenue, Unit #6

P.O. Box 822

Secane, PA 19018

(610) 328-2887

Feb. 24, and Mar. 3, 10

SALE NO. 10

Ex. #11882 of 2016

**Federal National Mortgage Association ("Fannie Mae"),
Plaintiff**

v.

**Gerard Jaskiewicz and Susan Jaskiewicz, Defendant
SHERIFF'S SALE**

By virtue of a Writ of Execution filed to No. 2016-11882, Federal National Mortgage Association ("Fannie Mae") Plaintiff vs. Gerard Jaskiewicz and Susan Jaskiewicz, Defendants, owners of property situated in Erie, Erie County, Pennsylvania, being 19 West Lakeview Boulevard, Erie, PA 16508.

ALL that certain piece or parcel of land, situate in Tract 69 City of Erie, Erie County, Pennsylvania, being Lots 2, 3 and 4 as shown on a map entitled 'A Replot of Lots No. 1-5 Manhattan Hills Subdivision' by James M. Stahl dated August 1, 1983 and recorded in Erie County Map Book 25, page 101, and being more particularly bounded and described as follows to wit:

Beginning at an iron survey point set on the southerly line of Lakeview Boulevard, a 60.00 foot right-of-way, said point being

the northwesterly corner of Lot 6 as shown on said Map Book 25, page 101; thence S 26 degrees 25 minutes 15 seconds E along the westerly line of said Lot 6, passing over an iron survey point set at a distance of 184.00 feet, in all a total distance of 189.00 feet to a point on the northerly line of lands now or formerly of Gregory L. & Mary N. Myers, Deed Book 1606, page 291; thence S 63 degrees 47 minutes 20 seconds W along said northerly line of Gregory L. & Mary N. Myers a distance of 23.80 feet to a point at the northeasterly corner of lands now or formerly of Alan L. & Laura W. Glaser, Record Book 214, page 786; thence S 63 degrees 46 minutes 00 second W along the northerly line of said lands of Alan L. & Laura W. Glaser a distance of 260.25 feet to an iron survey point set at the southeasterly corner of Lot 1 as shown on said Map Book 25, page 101; thence N 26 degrees 25 minutes 15 seconds W along the easterly line of said Lot 1 a distance of 202.28 feet to an iron survey point set on the southerly line of said Lakeview Boulevard; thence N 66 degrees 26 minutes 45 seconds E along said southerly line of Lakeview Boulevard a distance of 284.41 feet to the point of beginning. Containing 1.275 acres of land. Said premises being more commonly known as 19 West Lakeview Boulevard, Erie, PA.

Assessment Map number: 18-053-046.0-401.00

Assessed Value figure: \$384,320.00

Improvement thereon: Residential Dwelling

Martha E. Von Rosenstiel, Esq./No. 52634

Heather Riloff, Esq./No. 309906

Jeniece D. Davis, Esq./No. 208967

James French, Esq./No. 319597

649 South Avenue, Unit #6

P.O. Box 822

Secane, PA 19018

(610) 328-2887

Feb. 24, and Mar. 3, 10

SALE NO. 11

Ex. #13448 of 2015

Lsf9 Master Participation Trust,

Plaintiff,

v.

**Jacqueline A. Ciano,
Defendant(s)**

SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 13448-15, Lsf9 Master Participation Trust vs. Jacqueline A. Ciano

Amount Due: \$144,822.88

Jacqueline A. Ciano, owner(s) of property situated in Erie County, Pennsylvania being 611 West 6th Street, Erie, PA 16507-1130

Dimensions: 60 X 120

Acreeage: 0.1653

Assessment Map number: (17) 4019-205

Assessed Value: \$159,400.00

Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP One Penn Center at Suburban Station, Suite 1400

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

(215) 563-7000

Feb. 24, and Mar. 3, 10

SALE NO. 12

Ex. #11364 of 2016

**Wells Fargo Bank, NA, Plaintiff
v.**

**Alicia A. Coletta, Defendant(s)
SHERIFF SALE**

By virtue of a Writ of Execution filed to No. 11364-16, Wells Fargo Bank, NA vs. Alicia A. Coletta

Amount Due: \$156,820.11

Alicia A. Coletta, owner(s) of property situated in HARBORCREEK TOWNSHIP, Erie County, Pennsylvania being 6675 Garfield Avenue, Harborcreek, PA 16421-1411

Acreeage: 0.5785

Assessment Map number: 27-033-126.0-003.00

Assessed Value: \$149,960.00

Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP One Penn Center at Suburban Station, Suite 1400

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

(215) 563-7000

Feb. 24, and Mar. 3, 10

SALE NO. 13
Ex. #10765 of 2012
US Bank National Association,
as Trustee for Structured Asset
Securities Corporation Mortgage
Pass-Through Certificates, Series
2006-NC1, Plaintiff,

v.
Roslyn M. Cromer, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 10765-12, US Bank National Association, as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2006-NC1 vs. Roslyn M. Cromer Amount Due: \$86,798.50

Roslyn M. Cromer, owner(s) of property situated in TOWNSHIP OF CITY OF ERIE, Erie County, Pennsylvania being 920 West 5th Street, Erie, PA 16507-1011 Dimensions: 41.25 X 165 Acreage: .1572

Assessment Map number: 17040029023200 Assessed Value: \$47,640.00

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

Feb. 24, and Mar. 3, 10

SALE NO. 14
Ex. #12628 of 2016
Deutsche Bank National
Trust Company, as Trustee
for Soundview Home Loan
Trust 2005-Opt4, Asset-Backed
Certificates, Series 2005-Opt4,
Plaintiff

v.
Alexander Cubero, Larue Tasha
Cubero, Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12628-16, Deutsche Bank National Trust Company, as Trustee for Soundview Home Loan Trust 2005-Opt4, Asset-Backed Certificates, Series 2005-Opt4 vs. Alexander Cubero, Larue Tasha Cubero

Amount Due: \$86,611.89
 Alexander Cubero, Larue Tasha

Cubero, owner(s) of property situated in NORTH EAST TOWNSHIP, Erie County, Pennsylvania being 4078 Cemetery Road, a/k/a 4078 South Cemetery Road, North East, PA 16428-3849 Acreage: 1.0000

Assessment Map number: 37019094001300 Assessed Value: \$106,100.00

Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP One Penn Center at Suburban Station, Suite 1400 1617 John F. Kennedy Boulevard Philadelphia, PA 19103-1814 (215) 563-7000

Feb. 24, and Mar. 3, 10

SALE NO. 15
Ex. #12876 of 2016
Lsf9 Master Participation Trust,
Plaintiff

v.
Norman E. Tufts, Helen A. Tufts,
Defendant(s)
SHERIFF'S SALE

By virtue of a Writ of Execution filed to No. 12876-16, Lsf9 Master Participation Trust vs. Norman E. Tufts, Helen A. Tufts Amount Due: \$66,973.75

Norman E. Tufts, Helen A. Tufts, owner(s) of property situated in MILLCREEK TOWNSHIP, Erie County, Pennsylvania being 3108 Atlantic Avenue, Erie, PA 16506-3422.

Dimensions: 38 X 138 Acreage: 0.1204 Assessment Map number: 33073303001700

Assessed Value: \$89,800.00 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

Feb. 24, and Mar. 3, 10

SALE NO. 16
Ex. #12574 of 2012
BAYVIEW LOAN SERVICING,
LLC, Plaintiff

v.
CLAUDIA B. STINELY,
PATRICK G. STINELY

UNITED STATES OF
AMERICA, Defendants
DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE CITY OF ERIE, COUNTY OF ERIE AND STATE OF PENNSYLVANIA BEING KNOWN AS: 1417 WEST 44TH STREET, ERIE, PA 16509-1271

PARCEL # 19-6135-210 Improvements: Residential Dwelling POWERS KIRN & ASSOCIATES, LLC Matthew J. McDonnell, Esquire Id. No. 313549 Attorneys for Plaintiff Eight Neshaminy Interplex Suite 215 Trevose, PA 19053 (215) 942-2090

Feb. 24, and Mar. 3, 10

SALE NO. 17
Ex. #12334 of 2012
U.S. BANK TRUST NATIONAL
ASSOCIATION, AS TRUSTEE
OF AMERICAN HOMEOWNER
PRESERVATION TRUST
SERIES 2014B, Plaintiff

v.
THE UNKNOWN HEIRS
AND ADMINISTRATORS OF
THE ESTATE OF TAMMY S.
WISE, DAVID F. WISE JR.,
Defendant(s)
DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE CITY OF ERIE, COUNTY OF ERIE, AND COMMONWEALTH OF PENNSYLVANIA. BEING KNOWN AS: 1036 EAST 33RD STREET, ERIE, PA 16504

PARCEL # (18) 5201-326 Improvements: Residential Dwelling POWERS KIRN & ASSOCIATES, LLC Matthew J. McDonnell, Esquire Id. No. 313549 Attorneys for Plaintiff Eight Neshaminy Interplex Suite 215 Trevose, PA 19053 (215) 942-2090

Feb. 24, and Mar. 3, 10

TRACT, AND A DEPTH OF 200 FEET, UNLESS USED FOR RESIDENTIAL PURPOSES; ALSO TO COTTAGES OR OVERNIGHT RENTAL USE, AND NO JUNK YARD OR ANYTHING THAT CREATES A NUISANCE OR PUBLIC LIABILITY TO THE AREA. THERE SHALL BE A SETBACK OF 35 FEET FROM THE NORMAL SIDEWALK LINE OF ANY BUILDING.

HAVING ERECTED THEREON A TWO-STORY FRAME BUILDING AND INTERGRAL TWO-CAR GARAGE, ALL COMMONLY KNOWN AS 443 EDGE PARK DRIVE, LAKE CITY, PENNSYLVANIA. BEARING TAX INDEX NO. (28) 2-2.1-21. PROPERTY ADDRESS: 443 Edge Park Drive, Lake City, PA 16423-1710

PARCEL; 28002002002100 BEING the same premises which Julie Hoyt and James B. Hoyt, her husband by Deed dated November 3, 1997, and recorded November 3, 1997, in the Office of the Recorder of Deeds in and for Erie County in Deed Book 0527, Page 1273, granted and conveyed unto Brian D. Thornton and Sherry R. Thornton, his wife.

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

Feb. 24, and Mar. 3, 10

SALE NO. 22

Ex. #10103 of 2016
The Huntington National Bank,
Plaintiff

v.

Robert A. Miller, II Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10103-2016, The Huntington National Bank v. Robert A. Miller, II, owner of property situated in the Township of Franklin, Erie County, Pennsylvania being 10167 RT 98, Edinboro, Pennsylvania 16412. Tax I.D. No. 22008021001400 Assessment: \$50,600.00 Improvement: Residential Dwelling

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

Feb. 24, and Mar. 3, 10

SALE NO. 23

Ex. #12138 of 2016
Caliber Home Loans, Inc.,
Plaintiff

v.

David S. Roberts and Angela Roberts, Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 12138-2016, Caliber Home Loans, Inc. vs. David S. Roberts and Angela Roberts, owners of property situated in the Township of Waterford, Erie County, Pennsylvania being 12855 Route 19 S, Waterford, Pennsylvania 16441. Tax I.D. No. 47026082001200 Assessment: \$124,764.51

Improvements: Residential Dwelling

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

Feb. 24, and Mar. 3, 10

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Rick L. Clayton, CPA • Christopher A. Elwell, CPA • Ryan Garofalo, CPA

Confidential inquiries by phone or email to mrsinfo@mrs-co.com.

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

BITTING, VALENTINE V., a/k/a VALENTINE BITTING, deceased

Late of the Township of Millcreek, County of Erie, State of Pennsylvania
Administrator: Robert K. Bitting, 1605 Moland Road, Alfred Station, NY 14803
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

BORATEN, AMELIA N., deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executrix: Edrye M. Boraten, 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

CARLSON, DOROTHY R., a/k/a DOROTHY CARLSON, deceased

Late of the Township of Fairview, County of Erie, State of Pennsylvania
Co-Executrices: Linda S. Lentz, 6785 Avonia Road, Fairview, PA 16415 and Carol C. Amick, 3620 Bear Creek Road, Fairview, PA 16415
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

COPELAND, WALTER B., deceased

Late of the Township of Conneaut, County of Erie and State of Pennsylvania
Executor: Alan W. Copeland, 10335 Clifton Drive, Lake City, PA 16423
Attorney: James R. Steadman, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

FICHENA, REGINA M., deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administratrix: Carla A. Rupp, c/o 504 State Street, 3rd Floor, Erie, PA 16501
Attorney: Michael J. Nies, Esquire, 504 State Street, 3rd Floor, Erie, PA 16501

GOLDEN, THOMAS JOSEPH, a/k/a THOMAS J. GOLDEN, a/k/a THOMAS GOLDEN, deceased

Late of the Township of Millcreek, County of Erie, Pennsylvania
Executor: Michael A. Nelligan, c/o 6350 Meadowrue Lane, Erie, PA 16505-1027
Attorney: Scott E. Miller, Esquire, 6350 Meadowrue Lane, Erie, PA 16505-1027

HART, HAL HENRY, a/k/a HAL H. HART, deceased

Late of Wesleyville Borough, Erie County, Commonwealth of Pennsylvania
Executor: Nicholas F. Blosssey, c/o 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

KOLATOROWICZ, MADELINE M., deceased

Late of the City of Erie, County of Erie
Executor: Brian Johnson
Attorney: Barbara J. Welton, Esquire, 2530 Village Common Dr., Suite B, Erie, PA 16505

KOSOBUCKI, BARBARA A., deceased

Late of the City of Erie
Executor: Donald J. Kosobucki, Jr., 3900 Hannon Road, Erie, PA 16510
Attorney: David J. Mack, Esq., 510 Parade Street, Erie, PA 16507

PALO, DENNIS L., deceased

Late of Springfield Township, Erie County, Commonwealth of Pennsylvania
Executor: Judith A. Koehler, 6462 Wild Oak Bay Blvd., Condo #247, Bradenton, FL 34210
Attorney: Adam C. Hellwig, Esq., PO Box 73, Portville, NY 14770

PAPE, MARLENE M., a/k/a MARLENE MARIE PAPE, deceased

Late of the City of Erie, Erie County, Pennsylvania
Executor: Robert A. Pape, Jr., c/o Nadia A. Havard, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501
Attorney: Nadia A. Havard, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

RAGAN, GEORGE R., deceased

Late of the City of Erie, Erie County, Pennsylvania
Administrator: Michael R. Ragan, 89 Lake Meade Drive, East Berlin, PA 17316
Attorney: Michael C. Giordano, Esquire, 221 W. Main Street, Mechanicsburg, PA 17055

**SADLER, RICHARD PHILIP,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administrator: Nancy M. Sadler, c/o The McDonald Group, L.L.P., 456 West Sixth Street, Erie, PA 16507-1216
Attorney: Valerie H. Kuntz, Esq., The McDonald Group, L.L.P., 456 West Sixth Street, Erie, PA 16507-1216

**SKREKLA, MICHAEL J.,
deceased**

Late of the Borough of North East
Executor: Michael J. Skrekla, II, 8545 Oxbow Road, North East, PA 16428
Attorney: David J. Mack, 510 Parade Street, Erie, PA 16507

**SMITH, DONALD R., a/k/a
DONALD ROBERT SMITH,
deceased**

Late of the Township of Millcreek, Erie County, Pennsylvania
Administrator C.T.A.: Donald Thomas Smith, 5936 Southland Drive, Erie, PA 16509
Attorney: Randy L. Shapira, Esq., 305 West Sixth Street, Erie, PA 16507

**SOZVLORDO, MICHAEL D.,
deceased**

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

**WHITE, HELEN M., a/k/a
HELEN WHITE,
deceased**

Late of the Township of Conneaut, County of Erie, State of Pennsylvania
Executor: David D. White, 10835 Whittaker Road, Albion, Pennsylvania 16401
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**WIENCZKOWSKI, ROBERT A.,
deceased**

Late of the Township of Millcreek, Erie County
Executrix: Charlotte Wienczkowski
Attorney: William J. Kelly, Jr., Esquire, 230 West Sixth Street, Suite 201, Erie, PA 16507

**WINNIE, VIRGINIA,
deceased**

Late of the Township of North East, County of Erie and Commonwealth of Pennsylvania
Administrator: Dominick A. Sisinni, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459
Attorney: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

SECOND PUBLICATION

**ARNDT, RUTH M., a/k/a RUTH
MARIE ARNDT,
deceased**

Late of the Township of Summit, County of Erie, Commonwealth of Pennsylvania
Co-Executors: Craig J. Arndt and Jacob D. Szoszorek, 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

**ARNOLD, SHARON J., a/k/a
SHARON ARNOLD,
deceased**

Late of Summit Township, Erie County, Commonwealth of Pennsylvania
Executor: James R. Arnold, c/o Jerome C. Wegley, 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**BOWES, EDWARD J., SR.,
deceased**

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

**COVATTO, CHRISTINE A.,
a/k/a CHRISTINE A. WALLER
a/k/a CHRISTINE A. WALLER
COVATTO,
deceased**

Late of the Township of Millcreek, County of Erie, State of Pennsylvania
Administrator: Donald A. Covatto, 2802 Lafayette Road, Erie, PA 16506
Attorney: James R. Steadman, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**DUBOWSKI, DANIEL W.,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Administratrix: Kathy Dubowski, c/o 504 State Street, Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**FLUEGEL, REBECCA, a/k/a
REBECCA JEAN FLUEGEL,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executor: Andrew M. Fluegel, c/o Eugene C. Sundberg Jr., Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: Eugene C. Sundberg Jr., Esq., MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP, Suite 300, 300 State Street, Erie, PA 16507

**FORNE, DOMINICK,
deceased**

Late of the City of Erie, Erie County, Pennsylvania
Executor: Mark Moore, c/o Bruce W. Bernard, Esq., 234 West 6th Street, Erie, PA 16507
Attorney: Bruce W. Bernard, Esq., Bernard Stuczynski & Barnett, 234 West 6th Street, Erie, PA 16507

**HENRY, RUTH W.,
deceased**

Late of City of Erie, County of Erie, Commonwealth of Pennsylvania
Executor: Linda M. Nearhoof
Attorney: Barbara J. Welton, Esquire, 2530 Village Common Dr., Suite B, Erie, PA 16505

**KARLE, CONSTANCE M.,
deceased**

Late of City of Erie, County of Erie and State of Pennsylvania
Executor: Christine Karle
Attorney: Gregory A. Karle, Esquire, Dailey, Karle & Villella, 150 East Eighth Street, 2nd Floor, Erie, PA 16501

**LOMAX, RUFUS,
deceased**

Late of Erie City, Erie County, PA
Administratrix: Deborah A. Lomax, 232 Wallace St., Erie, PA 16507
Attorney: Jennifer M. Merx, Esq., Skarlatos Zonarich LLC, 17 S. 2nd St., 6th Fl., Harrisburg, PA 17101

**PALKOVIC, DOROTHY G.,
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania
Executor: Thomas A. Scully, c/o Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509
Attorney: Richard A. Vendetti, Esq., Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

**SCHOLZ, HENRY R. SR.,
deceased**

Late of Girard Borough, Erie County, Commonwealth of Pennsylvania
Executor: Henry R. Scholz, Jr., 5150 Merilee Dr., Erie, PA 16506
Attorney: None

**SCHWENK, LAURA J.,
deceased**

Late of Millcreek Township, County of Erie and Commonwealth of Pennsylvania
Executrix: Christine Kubaney, c/o Norman A. Stark, Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: Norman A. Stark, Esq., MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP., Suite 300, 300 State Street, Erie, PA 16507

**THOMPSON, MICHAEL,
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania
Administrator: Anthony B. Andrezeski, 815 East 28th Street, Erie, PA 16504
Attorney: Ronald J. Susmarski, Esq., 4030 West Lake Road, Erie, PA 16505

**WUENSCHER, RICHARD D.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Rose M. Rohler
Attorney: David J. Rhodes, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

THIRD PUBLICATION

**BALSIGER, KEITH R.,
deceased**

Late of the City of Erie
Executrix: Emily Rosenberg, 519 Williams Street, Clearfield, PA 16830
Attorney: David J. Mack, 510 Parade Street, Erie, PA 16507

**BROOKS, THERESA J., a/k/a
THERESA BROOKS,
deceased**

Late of Greene Township, County of Erie, and Commonwealth of Pennsylvania
Executor: William J. Brooks, Jr.
Attorney: Thomas J. Buseck, Esquire, The McDonald Group, L.L.P., 456 West Sixth Street, Erie, PA 16507-1216

**CAMPBELL, BARBARA A.,
a/k/a BARBARA A. BROCKWAY
CAMPBELL,
deceased**

Late of Erie County, Pennsylvania
Administrator: Randy Brockway, c/o Peter J. Sala, Esquire, 731 French Street, Erie, PA 16501
Attorney: Peter J. Sala, Esquire, 731 French Street, Erie, PA 16501

**DROP, EDWARD A.,
deceased**

Late of Millcreek Township
Executor: Patrick Drop, 637 Ardmore Avenue, Erie, PA 16506
Attorney: David J. Mack, 510 Parade Street, Erie, PA 16507

**DWYER, ETHEL MAE, a/k/a
ETHEL G. DWYER, a/k/a PATTY
DWYER,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania
Executrix: Loretta D. Schaal, 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

**GEERTSON, HARRY O.,
deceased**

Late of the Township of North East, County of Erie, State of Pennsylvania
Executrix: Sheri J. Lint, c/o 78 East Main Street, North East, PA 16428
Attorney: John C. Brydon, Brydon Law Office, 78 East Main Street, North East, PA 16428

**GRATTON, HELEN M.,
a/k/a HELEN MARGARET
GRATTON,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executor: James N. Gratton, Jr., c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Melissa L. Larese, Esq., c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**HOH, DOROTHY CECILIA,
a/k/a DOROTHY C. HOH,
deceased**

Late of the Township of Greenfield, County of Erie and Commonwealth of Pennsylvania
Co-Executors: Michael J. Hoh and Pamela J. Gillespie, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Darlene M. Vlahos, Esq., c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**KLEIN, JEROME C., SR., a/k/a
JEROME C. KLEIN, a/k/a JERI
KLEIN,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Marlene Klein, c/o 504 State Street, 3rd Floor, Erie, PA 16501
Attorney: Michael J. Nies, Esquire, 504 State Street, 3rd Floor, Erie, PA 16501

**LA ROCK, WILLIAM H.,
deceased**

Late of the City of Erie, County of Erie, Pennsylvania
Executrix: Andrea S. Sommers, c/o 150 East 8th Street, Erie, PA 16501
Attorney: Gregory L. Heidt, Esquire, 150 East 8th Street, Erie, PA 16501

**PEEPLES, DOROTHY J., a/k/a
DOROTHY PEEPLES a/k/a DOT
PEEPLES,
deceased**

Late of the City of Erie
Executrix: Rebecca Wright Burnett
Attorney: Michael G. Nelson, Esquire, Marsh, Spaeder, Baur, Spaeder & Schaaf, LLP., 300 State Street, Suite 300, Erie, Pennsylvania 16507

**ROBERTS, ROSEMARY,
deceased**

Late of the City of Erie, Erie County, Pennsylvania
Executrix: Mary B. Colt, c/o Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**SCHULTZ, ANNA M., a/k/a
ANN M. SCHULTZ,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executor: James Schultz, 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

**SHILLING, CHRISTOPHER M.,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administrator: James K. Randolph c/o 504 State Street, Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**STARR, JoANNE V.,
deceased**

Late of Millcreek Township, Erie County, Pennsylvania
Executor: Douglas M. Starr, 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

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

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.....New Email: lmontagnalaw@gmail.com

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CORRECTION TO ALPHA BOOK LISTING

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