

*Erie  
County  
Legal  
Journal*

September 1, 2017

Vol. 100 No. 35



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**100 ERIE 103-108**  
**Commonwealth v. Eller**

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# Erie County Legal Journal

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

Managing Editor: Megan E. Black  
Administrator of Publications: Paula J. Gregory

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# Erie County Bar Association

## Calendar of Events and Seminars

### MONDAY, SEPTEMBER 4, 2017

Labor Day  
ECBA Office Closed  
Erie County and Federal Courthouses Closed

### MONDAY, SEPTEMBER 11, 2017

Wills for Heroes Committee Meeting  
3:00 p.m.  
ECBA Headquarters

### TUESDAY, SEPTEMBER 12, 2017

Judicial Committee Meeting  
Noon  
ECBA Headquarters

### MONDAY, SEPTEMBER 25, 2017

ECBA Board of Directors Meeting  
Noon  
ECBA Headquarters

### TUESDAY, SEPTEMBER 26, 2017

Estate & Trust Section Leadership Committee Meeting  
Noon  
ECBA Headquarters

### TUESDAY, SEPTEMBER 26, 2017

ECBA Live Seminar  
*The Slants - Taking Their Trademark & First Amendment Rights Case to the U.S. Supreme Court*  
Gannon University Palumbo Academic Center  
\$47 (ECBA members wanting CLE)  
Free to Gannon Students, the Public and Attorneys not wanting CLE  
1 hour substantive

### WEDNESDAY, SEPTEMBER 27, 2017

Defense Bar Meeting  
Noon  
ECBA Headquarters

### WEDNESDAY, SEPTEMBER 27, 2017

Bankruptcy Section Brown Bag Lunch  
Noon  
Federal Courthouse

### THURSDAY, SEPTEMBER 28, 2017

Solo/Small Firm Division Meeting  
Noon  
Plymouth Tavern



Erie County Bar Association



@eriepabar

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

### 2017 BOARD OF DIRECTORS ————— Craig Murphey, President

Eric J. Purchase, First Vice President  
Bradley K. Enterline, Second Vice President  
Melissa H. Shirey, Past President  
Matthew B. Wachter, Treasurer  
Steven E. George, Secretary

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Nicholas R. Pagliari  
Mary Alfieri Richmond  
William C. Wagner

**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**

**SEPTEMBER 2017 NOTICE**

The following is a list of *September 2017, October 2017, and November 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)* and Judge Agresti's *Procedure B(1)-(3)* summarized below and on Judge Agresti's webpage at: [www.pawb.uscourts.gov](http://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, *only*, 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, September 13, 2017	9:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Thursday, October 12, 2017	10:00 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, November 8, 2017	10:30 a.m.:	Open for all Erie and Pittsburgh Ch. 13 matters
Wednesday, November 29, 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, September 14, 2017	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, October 5, 2017	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, October 19, 2017	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters
Thursday, November 2, 2017	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters,
Thursday, November 16, 2017		including all Ch. 7 Motions to Extend/Impose Stay
	11:30 a.m.:	Ch. 11 and 7 Sale Motions and all Ch. 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](http://www.pawb.uscourts.gov)).***

Michael R. Rhodes  
Clerk of Court

Sept. 1

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### **ECBA NOMINATING COMMITTEE TO MEET**

In accordance with Article V, Section (2) of the Erie County Bar Association (ECBA) By-Laws, the membership is hereby notified that the Nominating Committee will meet on **Friday, September 15, 2017** at 8:30 a.m. at the ECBA Headquarters. Any Association member wishing to nominate a candidate for any of the following offices may do so in writing to the ECBA office prior to the September 15th meeting: Second Vice-President (1 year term); Treasurer (1 year term); Three Board Members (3 year terms each).

Positive leadership characteristics of nominees include, among other things, a willingness to devote the necessary time to this commitment; integrity, intelligence, vision, decisiveness, reliability, open-mindedness; interest in and support of the ECBA and its mission, exhibited through current or recent involvement in the Association's work; is an ethical and respected member of the ECBA; unlikely to embarrass the ECBA by words or deeds; works well with staff.

It will be the duty of the Nominating Committee to place in nomination the names of one candidate for each seat to be filled by election. Nominations to be considered will come from the membership and from the Nominating Committee itself. No other nominations may be made from the floor at the election meeting.

Sept. 1, 8

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**COMMONWEALTH OF PENNSYLVANIA**

**v.**

**DAVID H. ELLER**

*CRIMINAL PROCEDURE / SUPPRESSION MOTIONS*

Once a motion to suppress is filed, it is the Commonwealth’s burden to prove by a preponderance of the evidence that the challenged evidence was not obtained in violation of the defendant’s rights.

*CONSTITUTIONAL LAW / SEARCH AND SEIZURE*

The taking of a blood sample from a motorist suspected of DUI is a search governed by the Fourth Amendment to the United States Constitution and Article I, Section 8 of the Pennsylvania Constitution.

*CONSTITUTIONAL LAW / SEARCH AND SEIZURE*

The search of a person’s blood may be obtained by the person’s consent, provided that the consent is voluntary and there is a total absence of duress and coercion, express or implied.

*DRIVING UNDER THE INFLUENCE / CONSTITUTIONAL LAW /*

*75 PA.C.S.A. § 3804(c)*

The criminal penalties contained at 75 Pa.C.S.A. §3804 (c) for refusing to submit to a blood test are not applicable to Pennsylvania Motorists, even though they remain a part of the statute.

*DRIVING UNDER THE INFLUENCE / CONSTITUTIONAL LAW /*

*75 PA.C.S.A. § 1547(b)(2)*

The holding in *Birchfield*, renders the duties of a police officer, prescribed by 75 Pa.C.S.A. §1547 (b)(2)(ii), inapplicable as it pertains to a request of a motorist to provide a blood sample as part of a DUI investigation.

*CRIMINAL PROCEDURE / DRIVING UNDER THE INFLUENCE / STATUTES / TECHNICAL DEFENSES / DURESS / COERCION*

A motorist’s presumptive knowledge of the Motor Vehicle Code provision imposing criminal penalties for refusing to submit to a blood test, do not rise to the level of duress and/or coercion when the motorist is requested to give a blood sample, as the motorist should also be expected to know the current state of case law invalidating that statutory provision.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION

No. 3669 of 2016

Appearances: Grant T. Miller, Esq., for the Commonwealth  
Damon C. Hopkins, Esq., for the Defendant

**OPINION**

Brabender, J.,

July 7, 2017

The matter is before the Court on the Defendant’s Omnibus Pretrial Motion for Relief. Following a hearing, and upon consideration of the parties’ briefs, the Motion shall be denied.

**FINDINGS OF FACT**

1. The Defendant, David Eller, was arrested on December 19, 2016 and the Commonwealth subsequently charged him with Driving Under the Influence (highest rate of alcohol, BAC

0.16% or greater), first offense, a misdemeanor.<sup>1</sup>

2. On February 1, 2017, Defendant filed an Omnibus Pretrial Motion to suppress the blood that was taken from him at the hospital and all test results derived from the blood draw.

3. Within the suppression motion, Defendant claimed his consent to the blood draw was improperly coerced and invalid for two reasons.

a. First, Defendant contends any consent was not properly informed and was improperly coerced because the officer failed to inform him, pursuant to 75 Pa.C.S.A. §1547(b)(2)(ii), that if he refused to submit to chemical testing, then upon conviction or plea for violating 75 Pa.C.S.A. §3802(a)(1) (concerning DUI, general impairment), he would be subject to the (enhanced criminal) penalties at 75 Pa.C.S.A. §3804(c). Defendant asserts the failure to inform him of the substance of §1547(b)(2) left open the “possibilities of rampant speculation” about the consequences of refusing the test, which worked as a form of improper coercion of consent.

b. Second, Defendant asserts he had presumptive knowledge of the enhanced penalties at 75 Pa.C.S.A. §3804(c), and this caused unconstitutional coercion of his consent to the blood draw. Despite Defendant’s acknowledgment *Birchfield v. North Dakota*, 136 S.Ct. 2160 (2016) and *Commonwealth v. Evans*, 153 A.3d 323 (Pa. Super. 2016) rendered unconstitutional the enhanced penalties provision at 75 Pa.C.S.A. §3804(c), Defendant asserts he had presumptive knowledge of §3804(c) because the Pennsylvania legislature has failed to repeal or amend it subsequent to *Birchfield*.

4. A hearing on the motion was held on March 15, 2017. At the suppression hearing, the Commonwealth presented the testimony of Officer Sebulak. Admitted in evidence as Commonwealth Ex. A was PennDOT form DL-26B (6-16) containing the warnings the officer read verbatim to Defendant.

5. The testimony presented at the suppression hearing established the following:

On December 19, 2016, Millcreek Township Police Officer Scott Sebulak, who has extensive training and experience in investigating DUI cases, was dispatched to Country Fair at the corner of West 26th Street and Zuck Road in Erie, Pennsylvania. The officer had received the report a possibly intoxicated, older white male driver, was sitting in an older Chevy pick-up truck in the parking lot. Upon arrival, Officer Sebulak observed a male stumble and walk toward the vehicle described in the dispatch, and enter the vehicle on the driver’s side. After Defendant entered the vehicle, the officer made contact.

Defendant agreed to speak to the officer. The officer informed Defendant of the reason for the dispatch. The officer asked Defendant where he had come from, and where he was headed to. Defendant told the officer he was headed home. While answering the officer’s questions in the parking lot, Defendant had some difficulty finding his words and the odor of alcohol emanated from his breath. Defendant admitted he had consumed alcohol and had about three or four drinks; he had driven himself to the parking lot; and was the sole occupant. Defendant estimated he arrived at Country Fair approximately 10 minutes before the officer arrived.

The officer asked Defendant to recite the alphabet, which Defendant was successful at until near the end of the alphabet. Defendant offered to repeat the alphabet; however, the officer advised this was unnecessary. Next, the officer asked Defendant to exit the vehicle

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<sup>1</sup> 75 Pa.C.S.A. §3802(c).

to perform field sobriety tests. Defendant exited the vehicle. Defendant demonstrated some balance problems. The officer asked Defendant to perform the walk and turn test and the heel to toe test, both of which the Defendant refused to perform. The officer arrested Defendant for DUI and placed him inside the patrol vehicle.

The officer asked Defendant for the keys to his vehicle, to which the Defendant responded by informing the officer he could not arrest Defendant for DUI if the officer could not locate the keys. The keys were located in Defendant's center console and the truck was secured. During the transport to the hospital, Defendant asked the officer questions including the reason Defendant was stopped; whether Defendant had fallen asleep behind the wheel; and whether the officer was Millcreek Police or Erie Police.

Upon arrival at the hospital, the officer read to Defendant verbatim the warnings on the PennDOT form DL-26B which outlined civil penalties but mentioned no criminal penalties for refusal of a blood test. No other warnings were given. Defendant did not sign the form, but consented to the blood draw. The officer made the notation, "Refused to Sign" on the form. After hospital paperwork was completed, Defendant and the officer went to the hospital lab where Defendant's blood was drawn.

On cross examination, the officer testified warnings he read omitted the statutory language at 75 Pa.C.S.A. §1547(b)(2)(ii) concerning the criminal penalties at 75 Pa.C.S.A. §3804(c). The officer had been previously advised to only read the warnings on the form. The officer did not obtain a warrant for the blood draw.

On redirect examination, the officer testified to the protocol following the United States Supreme Court decision in *Birchfield*. As of June, 2016, the PennDOT form DL-26B was revised. Post-*Birchfield*, the procedure has been to only read the warnings on the revised PennDOT form. See *Notes of Testimony; Commonwealth Ex. A*.

6. The hearing on the suppression motion was continued for the submission of briefs. Also, Defendant submitted supplemental correspondence with an attachment on April 17, 2017.

7. Within Defendant's brief, the Defendant explained:

a. The Pennsylvania legislature's failure to remove or modify the enhanced penalties provision for blood test refusals at §3804(c), despite the holdings of *Birchfield* and *Evans*, leaves Pennsylvania drivers to expect they face increased criminal penalties for refusing an officer's request for a blood test. By virtue of a Pennsylvania driver's presumed knowledge of the Motor Vehicle Code, including the enhanced penalties provision at 75 Pa.C.S.A. §3804(c), any consent for a DUI blood test is invalid because there cannot be a 'total absence of duress and coercion, express or implied' while §3804(c) remains in its present form.

b. The Commonwealth's "solution" to the holdings of *Birchfield* and *Evans*, has been to instruct officers to omit from their warnings the substance of §1547(b)(2)(ii) regarding the criminal penalties at 75 Pa.C.S.A. §3804(c). Defendant asserts this approach is deficient because it fails to remove the coercion caused by the mere existence of the penalties provision.

c. In Defendant's view, while 75 Pa.C.S.A. §3804(c) remains in its present form, for consent to chemical testing to be valid, the police must expressly inform a driver that he/she would not face any criminal penalties for refusing a blood test. Absent this, the threat of the criminal penalties at §3804(c) renders any consent to a blood draw invalid as coerced and involuntary.

8. Within the Commonwealth's Brief, the Commonwealth explained:
- a. PennDOT form DL-26B (6-16) was amended post-*Birchfield* to eliminate reference to criminal penalties for refusal to submit to a blood test.
  - b. The factual scenario in *Commonwealth v. Evans, supra*, is distinguishable. In *Evans*, the Superior Court determined the police officer's advisory to Appellant was defective because the police officer advised the Appellant of potential criminal penalties upon refusal to a chemical test. However, in the instant case, the police officer made no mention of any criminal penalties prior to obtaining Defendant's consent to the blood draw.
  - c. Defendant expressed no qualms about refusing the officer's request to perform Standard Field Sobriety Tests (SFSTs). Taking this fact into consideration under the totality of the circumstances, a reasonable person would be able to determine Defendant's consent to chemical testing of his blood was the product of an essentially free and unconstrained choice.
  - d. Regarding Defendant's claim his presumed knowledge of the law, specifically 75 Pa.C.S.A. §3804(c), caused unconstitutional coercion of Defendant's consent to the blood draw, it follows Defendant also had presumed knowledge 75 Pa.C.S.A. §1547(b)(2)(ii) was deemed unconstitutional and Defendant faced no criminal penalties for refusing to submit to chemical testing of his blood. Defendant's presumed awareness he faced no criminal penalties for refusal to submit to a blood draw invalidates any argument Defendant's consent was coerced on that basis.
  - e. Defendant's proposal that, while the current version of §3804(c) remains in place, an officer must inform the driver he/she will not face any criminal penalties for refusing a blood test is fraught with problems. This would require an officer to inform a driver about the unconstitutional nature of a provision, then explain what the statute should, but does not yet provide. The proposal would not be feasible in most situations.

### CONCLUSIONS OF LAW

1. "Once a motion to suppress has been filed, it is the Commonwealth's burden to prove, by a preponderance of the evidence, that the challenged evidence was not obtained in violation of the defendant's rights." *Commonwealth v. Wallace*, 42 A.3d 1040, 1047-1048 (pa. 2012). *See also, Pa.R. Crim.P. 581 (H)*.
2. "The Fourth Amendment to the [United States] Constitution and Article I, Section 8 of [the Pennsylvania] Constitution protect citizens from unreasonable searches and seizures." *Commonwealth v. Evans*, 153 A.3d 323, 327 (pa. Super. 2016), citing *Commonwealth v. McAdoo*, 46 A.3d 781, 784 (Pa. Super. 2012).
3. The taking of a blood sample from a motorist suspected of DUI is a search governed by the Fourth Amendment to the United States Constitution, *Birchfield v. North Dakota*, 136 S.Ct. 2160, 2184-2185 (2016); *Commonwealth v. Kohl*, 615 A.2d 308, 315 (Pa. 1992), and Article I, Section 8 of the Pennsylvania Constitution, *Commonwealth v. Kohl*, 615 A.2d at 315.
4. The search of a person's blood may be obtained by "seeking a warrant for a blood test when there is sufficient time to do so in the particular circumstances or from relying on the exigent circumstances exception to the warrant requirement when there is not." *Birchfield*, 136 S.Ct. at 2184. Also, the search of a person's blood may reasonably occur pursuant to the person's consent, provided the consent is voluntary, as "determined from the totality of

all the circumstances.” *Birchfield*, 136 S.Ct. at 2186, citing *Schneckloth v. Bustamonte*, 412 U.S. 218, 227 (1973).

5. Our courts have recognized:

In determining the validity of a given consent, the Commonwealth bears the burden of establishing that a consent is the product of an essentially free and unconstrained choice - not the result of duress or coercion, express or implied or a will overborne - under the totality of the circumstances. The standard for measuring the scope of a person’s consent is based on an objective evaluation of what a reasonable person would have understood by the exchange between the officer and the person who gave the consent. Such evaluation includes an objective examination of the maturity, sophistication and mental or emotional state of the defendant. Gauging the scope of a defendant’s consent is an inherent and necessary part of the process of determining, on the totality of the circumstances presented, whether the consent is objectively valid, or instead the product of coercion, deceit, or misrepresentation.

*Commonwealth v. Evans*, 153 A.3d at 327, citing *Commonwealth v. Smith*, 77 A.3d 562, 573 (pa. 2013)(internal citations, quotations, and corrections omitted).

6. Implied consent laws which “impose criminal penalties on the refusal to submit to [a blood] test” are unduly coercive and unconstitutional. *Birchfield*, 136 S.Ct. at 2186.

7. 75 Pa.C.S.A. §3804(c), the enhanced penalties provision of the Vehicle Code referenced by Pennsylvania’s implied consent statute, 75 Pa.C.S.A. §1547, is a provision which “undoubtedly ‘impose[s] criminal penalties on the refusal to submit to [a blood] test.’” *Commonwealth v. Evans*, 153 A.3d at 331, citing *Birchfield*, 136 S.Ct. at 2185-2186.

8. Thus, under controlling case law, motorists in Pennsylvania are not subject to the criminal penalties at 75 Pa.C.S.A §3804(c) for refusing to submit to chemical testing. See *Birchfield*, 136 S.Ct. at 2185-2186; *Commonwealth v. Evans*, 153 A.3d at 331; *Commonwealth v. Giron*, 155 A.3d 635, 640 (Pa. Super. 2017).

9. Since motorists in Pennsylvania are not subject to the criminal penalties at 75 Pa.C.S.A §3804(c) for refusing to submit to chemical testing, Defendant’s assertion Officer Sebulak improperly failed to inform Defendant of the substance of 75 Pa.C.S.A. §1547(b)(2)(ii), and thus his consent was not properly informed and was coerced, must fail. Had Officer Sebulak informed Defendant of the substance of §1547(b)(2)(ii), Defendant would have been notified he faced the criminal penalties at §3804(c) upon conviction or plea for violating §3802(a) (1) if he refused to submit to chemical testing. This instruction would have been in direct contravention of the holdings of *Birchfield*.

10. Defendant’s argument his consent to the blood draw was coerced by his presumptive knowledge of the enhanced criminal penalties at 75 Pa.C.S.A. §3804(c) is not persuasive. The logical extension of this argument is Defendant likewise had presumptive knowledge of the holdings of *Birchfield*, decided on June 23, 2016. Defendant’s presumptive awareness he faced no criminal penalties upon refusal to submit to chemical testing of his blood invalidates any argument his consent was coerced on that basis. There is no evidence Defendant was caused any confusion or coerced by the warnings as read to him by the officer. Further, to render ineffective *Birchfield* and its progeny until the Pennsylvania legislature takes action in this regard would unduly constrain the judicial system.

11. Under the totality of the circumstances, the Commonwealth met its burden in establishing Defendant's consent to the chemical testing of his blood was valid and the product of an essentially free and unconstrained choice. A reasonable person would have understood the warnings read by the officer did not mention or threaten criminal penalties for failure to consent to the test and were not coercive in that respect. The evidence established the officer did not pressure Defendant or act in an overbearing or threatening way toward him. The record reflects an exchange occurred between the officer and Defendant during which Defendant responded to the officer's inquiries. Defendant exhibited some difficulty finding his words, with his balance when he exited his vehicle and in completing the alphabet test at the end. However, Defendant was generally responsive to the officer's questions. Defendant offered to repeat the alphabet test. He declined twice the officer's requests to perform field sobriety tests. Defendant asked a few questions on his own en route to the hospital, and he challenged the officer's authority to arrest him for DUI absent locating the keys to the truck. Objectively, a reasonable person would have understood Defendant was in a compromised state but possessed the faculties to understand the officer's questions and fairly respond, and to refuse requests by an authority figure to perform field sobriety tests and execute the PennDOT form. There is no evidence Defendant was in an emotional state that would have interfered with his ability to voluntarily consent to a blood draw. The Commonwealth sufficiently established Defendant's consent to chemical testing of his blood was "not the result of duress or coercion, express or implied or a will overborne" and was objectively valid.

12. Defendant's Omnibus Pretrial Motion must be denied.

### **ORDER**

**AND NOW**, to-wit, this 7th day of July, 2017, upon consideration of Defendant's Omnibus Pretrial Motion, and following an evidentiary hearing and the submission of briefs, it is **ORDERED** said motion is **DENIED**.

**BY THE COURT:**

/s/ **Daniel J. Brabender, Jr., Judge**

**INCORPORATION NOTICE**

Notice is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania on June 13, 2017, with respect to a nonprofit corporation, Acts 2:42 Bible Fellowship (an outreach of Calvary Chapel of Russell), which has been incorporated under the Nonprofit Corporation Law of 1988. Richard A. Massey Jr. c/o Acts 2:42 Bible Fellowship (an outreach of Calvary Chapel of Russell) 5207 Jason Drive Erie, PA, 16506

Sept. 1

**ORGANIZATION NOTICE**

A Certificate of Organization for Gaiser, LLC, a Domestic Limited Liability Company has been filed with the Department of State, Corporation Bureau. Richard E. Filippi, Esquire 504 State Street, Suite 200 Erie, PA 16501

Sept. 1

**LEGAL NOTICE**

ATTENTION: ELIZABETH BAINBRIDGE INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD K.K. DOB: 05/20/2014 61 IN ADOPTION, 2017

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 Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, Judge Joseph M. Walsh, III, Court Room No. I-217, City of Erie on September 22, 2017 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 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 children 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.

Sept. 1

**LEGAL NOTICE**

ATTENTION: HOWARD KERNER INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD K.K. DOB: 05/20/2014 BORN TO: ELIZABETH BAINBRIDGE 61 IN ADOPTION 2017

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 Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, Judge Joseph M. Walsh, III, Court Room No. I-217, City of Erie on September 22, 2017 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 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 children 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.

Sept. 1



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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

**SEPTEMBER 22, 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

Sept. 1, 8, 15

**SALE NO. 1**

**Ex. #11354 of 2017**  
**NORTHWEST BANK f/k/a**  
**NORTHWEST SAVINGS**  
**BANK, Plaintiff**  
**v.**  
**RAFAEL A. RODRIGUEZ and**  
**ESTHER R. SANTIAGO, Terre**  
**Tenant, Defendants**

**DESCRIPTION**

By virtue of a Writ of Execution filed at No. 2017-11354, Northwest Bank vs. Rafael A. Rodriguez and Esther R. Santiago, owners of property situate in the City of Erie, Erie County, Pennsylvania being: 3824 Lake Pleasant Road, Erie, Pennsylvania.  
40' X 130' X 40' X 130'  
Assessment Map Number: (18)

5383-114  
Assessed Value Figure: \$79,400.00  
Improvement Thereon: Residence  
Kurt L. Sundberg, Esq.  
Marsh Spaeder Baur Spaeder  
& Schaaf, LLP  
Suite 300, 300 State Street  
Erie, Pennsylvania 16507  
(814) 456-5301

Sept. 1, 8, 15

**SALE NO. 2**

**Ex. #11355 of 2017**  
**NORTHWEST BANK f/k/a**  
**NORTHWEST SAVINGS**  
**BANK, Plaintiff**  
**v.**  
**KATHLEEN A. RUTAN a/k/a**  
**KATHLEEN A. KRYSIAK,**  
**Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution filed at No. 2017-11355, Northwest Bank vs. Kathleen A. Rutan a/k/a Kathleen A. Krysiak, owner of property situate in the Borough of Wesleyville, Erie County, Pennsylvania being: 2227 Eastern Avenue, Erie, Pennsylvania. 40' X 120' X 40' X 120'  
Assessment Map Number: (50) 4-28-44  
Assessed Value Figure: \$62,480.00  
Improvement Thereon: Residence  
Kurt L. Sundberg, Esq.  
Marsh Spaeder Baur Spaeder  
& Schaaf, LLP  
300 State Street, Suite 300  
Erie, Pennsylvania 16507  
(814) 456-5301

Sept. 1, 8, 15

**SALE NO. 4**

**Ex. #10447 of 2017**  
**NORTHWEST BANK f/k/a**  
**NORTHWEST SAVINGS**  
**BANK, Plaintiff**  
**v.**  
**DARLENE M. THOMAS,**  
**a/k/a DARLENE MARIA**  
**RIEGER-THOMAS, Devisee of**  
**FLORENCE P. RANOWIECKI,**  
**Deceased, Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution filed at No. 2017-10447 Northwest Bank vs. Darlene M. Thomas a/k/a Darlene Maria Rieger-Thomas, owner of property situate in the City of Erie, Erie County, Pennsylvania

being: 2705 German Street, Erie, Pennsylvania.  
35' X 62' X 35' X 62'  
Assessment Map Number: (18) 5078-122  
Assessed Value Figure: \$54,220.00  
Improvement Thereon: Residence  
Kurt L. Sundberg, Esq.  
Marsh Spaeder Baur Spaeder  
& Schaaf, LLP  
300 State Street, Suite 300  
Erie, Pennsylvania 16507  
(814) 456-5301

Sept. 1, 8, 15

**SALE NO. 6**

**Ex. #11243 of 2017**  
**MARQUETTE SAVINGS**  
**BANK, Plaintiff**  
**v.**

**RICHARD H. BAUER,**  
**Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution filed at No. 2017-11243, Marquette Savings Bank vs. Richard H. Bauer, owner of property situate in the Borough of Wesleyville, Erie County, Pennsylvania being: 2045 Water Street, Erie, Pennsylvania.  
Approx. .0763 acres  
Assessment Map Number: (50) 2-35-19  
Assessed Value Figure: \$49,700.00  
Improvement Thereon: Residence  
Eugene C. Sundberg, Jr., Esq.  
Marsh Spaeder Baur Spaeder  
& Schaaf, LLP  
300 State Street, Suite 300  
Erie, Pennsylvania 16507  
(814) 456-5301

Sept. 1, 8, 15

**SALE NO. 8**

**Ex. #11231 of 2017**  
**Northwest Bank f/k/a Northwest**  
**Savings Bank, Plaintiff**  
**v.**

**Laurie A. Skelly, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed at No. 2017-11231, Northwest Bank f/k/a Northwest Savings Bank v. Laurie A. Skelly, owner of property situated in Fairview Township, Erie County, Pennsylvania being commonly known as 1416 Sumner Drive, Erie, PA with 2,350 square footage and 0.4683 acreage.

Assessment Map No. (21) 38-56-7  
Assessed Value Figure: \$222,390  
Improvement thereon: 1.5 story dwelling  
Mark G. Claypool, Esquire  
Knox McLaughlin Gornall & Sennett, P.C.  
120 West Tenth Street  
Erie, Pennsylvania 16501  
(814) 459-2800

Sept. 1, 8, 15

**SALE NO. 9**

**Ex. #11242 of 2017**  
**NORTHWEST BANK f/k/a**  
**NORTHWEST SAVINGS**  
**BANK, Plaintiff**

v.

**DOVETAIL GALLERY**  
**LIMITED and THE UNITED**  
**STATES OF AMERICA,**  
**Defendants**

**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11242-2017, Northwest Bank, f/k/a Northwest Savings Bank vs. Dovetail Gallery Limited and The United States of America, Dovetail Gallery Limited, owner of property situated in City of Erie, Erie County, Pennsylvania being 352 East 18th Street, Erie, Pennsylvania with 0.1818 acres.

Assessment Map Number: (15) 2020-129  
Assessed Value Figure: 127,900.00  
Improvement Thereon: Brick Warehouse Building  
Nicholas R. Pagliari  
Pa. Supreme Court ID No. 87877  
MacDONALD, ILLIG, JONES & BRITTON LLP  
100 State Street, Suite 700  
Erie, Pennsylvania 16507-1459  
(814) 870-7754  
Attorneys for Plaintiff  
Northwest Bank, f/k/a Northwest Savings Bank

Sept. 1, 8, 15

**SALE NO. 10**

**Ex. #10224 of 2017**  
**CITIZENS BANK OF**  
**PENNSYLVANIA, Plaintiff**

v.

**Patrick M. Voorhis, Carrie**  
**F. Voorhis, United States of**  
**America, Defendants**

**DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in Tract 186 of the Township of Greene, County of Erie and Commonwealth of Pennsylvania.  
BEING KNOWN AS: 10101 Wattsburg Road, Erie, PA 16509  
PARCEL #25-006-021-0-009.02  
Improvements: Residential Dwelling, Gregory Javardian, Esquire  
Id. No. 55669  
Attorneys for Plaintiff  
1310 Industrial Boulevard  
1st Floor, Suite 101  
Southampton, PA 18966  
(215) 942-9690

Sept. 1, 8, 15

**SALE NO. 11**

**U.S. BANK NATIONAL**  
**ASSOCIATION AS**  
**INDENTURE TRUSTEE FOR**  
**SPRINGLEAF MORTGAGE**  
**LOAN TRUST 2013-2,**  
**MORTGAGE-BACKED**  
**NOTES, SERIES 2013-2**  
**Plaintiff**

v.

**KATHY L. ANDERSON a/k/a**  
**KATHLEEN L. ANDERSON**  
**a/k/a KATHLEEN L. SOCIE,**  
**Defendant(s)**

**DESCRIPTION**

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE CITY OF ERIE, COUNTY OF ERIE AND COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND DESCRIBED AS FOLLOWS, TO-WIT:  
BEGINNING AT A POINT IN THE SOUTH LINE OF TWENTY-THIRD STREET, ONE HUNDRED FIFTY (150) FEET WEST OF THE WEST LINE OF WALLACE STREET; THENCE SOUTHWARDLY PARALLEL WITH WALLACE STREET, ONE HUNDRED THIRTY-FIVE (135) FEET; THENCE WESTWARDLY PARALLEL WITH TWENTY-THIRD STREET, THIRTY (30) FEET; THENCE NORTHWARDLY PARALLEL WITH WALLACE STREET, ONE HUNDRED THIRTY-FIVE (135) FEET TO THE SOUTH LINE OF TWENTY-THIRD STREET; THENCE EASTWARDLY ALONG THE

SOUTH LINE OF TWENTY-THIRD STREET, THIRTY (30) FEET TO THE PLACE OF BEGINNING. SAID PREMISES HAVING ERCTED THEREON A TWO-STORY DWELLING HOUSE  
Tax Parcel#: 18050018010900  
PROPERTY ADDRESS: 447 East 23rd Street Erie, PA 16503  
KML Law Group, P.C.  
Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street Philadelphia, PA 19106  
(215) 627-1322

Sept. 1, 8, 15

**SALE NO. 12**

**Ex. #11143 of 2017**  
**JPMORGAN CHASE BANK,**  
**NATIONAL ASSOCIATION,**  
**Plaintiff**

v.

**SHAWN W. MCFEELY**  
**Defendant(s)**  
**DESCRIPTION**

ALL that certain piece or parcel of land situate in Tract 171 of the Township of North East, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit  
BEGINNING at the point of intersection of the center line of the Orchard Beach Road, formerly the road leading from Buffalo Road to the woolen factory; thence North 72° East along the center line of East Middle Road, 312.18 feet to an iron survey point at the Northwest corner of land of Daniel L Betts and Margaret R. Betts, his wife, as recorded in Deed Book 1253, page 352; thence South 14° 05' East along Betts land 186.55 feet to a point in the North line of land of R. Richard Mazza and Kimberly A. Mazza, his wife, as recorded in Deed Book 1522, page 264; thence South 69° 15' West, a distance of 50 feet (call was erroneously omitted in prior Deeds); thence South 86° 52' West along the North line of Mazza land, 300.5 feet to an iron pin in the center of the Orchard Beach Road; thence North 1° 30' (erroneously referred to as 39° in prior Deeds) East along the center line of Orchard Beach Road, 122.9 feet to the place of beginning. Having erected thereon a two-story

dwelling, with detached garage, known and numbered as 11309 East Middle Road, North East, Pennsylvania 16428 and bearing Erie County Tax Index Number (37) 17-39-1.

PARCEL# 37-017-0390-00100  
PROPERTY ADDRESS: 11309 Middle Road, North East, PA 16428  
KML Law Group, P.C.

Attorney for Plaintiff  
Suite 5000 - BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Sept. 1, 8, 15

**SALE NO. 13**

Ex. #11345 of 2017

**U.S. BANK NATIONAL ASSOCIATION AS INDENTURE TRUSTEE FOR CIM TRUST 2015-2AG MORTGAGE-BACKED NOTES, SERIES 2015-2AG, Plaintiff**

v.

**BARBARA H. STERLING, EDWIN R. STERLING, Defendant(s)**

**DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Springfield, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: BEGINNING at a point in the north line of U.S. Route 20, also known as the Ridge Road in the Village of West Springfield, said point is also at the intersection of said Route 20 with a new road known as Springfield Road as plotted in a survey of Springfield Heights Subdivision dated December 8, 1974, by Jeffrey A. Savage, Registered Surveyor, thence northerly along the easterly line of Springfield Road, Two hundred fifty (250) feet, more or less, to a point; thence easterly, Two hundred five (205) feet, more or less, to a point; thence southerly, Two hundred fifteen (215) feet, more or less, to a point on the northerly line of Route 20; thence westerly along the northerly line of Route 20, Two hundred forty (240) feet, more or less, to the place of beginning,

containing approximately one acre. The first parties 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 on or about property described in this deed.

TAX ID# (39) 16-35-27.03  
Property Address: 2500 Nursery Road, Lot #109 South Lake City, PA 16423

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

Sept. 1, 8, 15

**SALE NO. 14**

Ex. #11164 of 2017

**JPMORGAN CHASE BANK, NATIONAL ASSOCIATION, Plaintiff**

v.

**JOSEPH D. ZARZECZNY, Defendant(s)**

**DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Millcreek, County of Erie and State of Pennsylvania and being part of Lot No. Twenty-Seven (27) of Edgewood Subdivision of part of Tract #13 as shown on a map of said subdivision recorded in the office of the Recorder of Deeds for Erie County, Pennsylvania in Map Book 2, page 499, which property is further described as follows, to-wit: BEGINNING at a point on the south line of West 12th Street, twenty-seven (27') feet west of the east line of Lot Twenty-Seven (27) of Edgewood Subdivision; thence westwardly along the south line of Lot Twenty-Seven (27) of Edgewood Subdivision, one hundred sixty-two feet, six inches (162' 6") to a point; thence eastwardly in a line parallel to the south line of West 12th Street, sixty-three (63') feet to a point; thence northwardly, parallel with the west line of Lot Twenty-Seven (27), Edgewood Subdivision, one hundred sixty-two feet, six inches (162' 6") to the south line of West 12th Street, the place of beginning.  
Tax Index Numbers 33-035-0740-

00200  
PROPERTY ADDRESS: 3263 West 12th Street Erie, PA 16505  
KML Law Group, P.C.

Attorney for Plaintiff  
Suite 5000 - BNY Independence Center, 701 Market Street  
Philadelphia, PA 19106  
(215) 627-1322

Sept. 1, 8, 15

**SALE NO. 15**

Ex. #12726 of 2016

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

v.

**EMILY A. BOYAJIAN, Defendants**

**DESCRIPTION**

By virtue of a Writ of Execution No. 2016-12726, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. EMILY A. BOYAJIAN, Defendants Real Estate: 350 EAST 36TH STREET, ERIE, PA 16504  
Municipality: City of Erie  
Erie County, Pennsylvania  
Dimensions: 50 x 110  
See Instrument #: 2010-012222  
Tax I.D. (18) 5365-325  
Assessment: \$17,600 (Land)  
\$85,140 (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. 1, 8, 15

**SALE NO. 16**

Ex. #13159 of 2016

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

v.

**MICHAEL BRUMAGIN AND JENNIFER C. BRUMAGIN, Defendants**

**DESCRIPTION**

By virtue of a Writ of Execution No. 2016-13159, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. MICHAEL BRUMAGIN AND JENNIFER C. BRUMAGIN, Defendants

Real Estate: 27 5TH AVENUE, UNION CITY, PA 16438

Municipality: Second Ward of the Borough of Union City Erie County, Pennsylvania

Dimensions: 50 x 155

See Instrument #: 2005-027262

Tax I.D. (42) 9-27-23.

Assessment: \$12,500 (Land)  
\$71,400 (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. 1, 8, 15

**SALE NO. 18**

**Ex. #10281 of 2017**

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

**v.**

**JAMIE R. CONNER, Defendants DESCRIPTION**

By virtue of a Writ of Execution No. 2017-10281, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. JAMIE R. CONNER, Defendants

Real Estate: 2414 LINWOOD AVENUE, ERIE, PA

Municipality: City of Erie Erie County, Pennsylvania

Dimensions: 40.03 x 218 x IR

See Deed Book 1030, page 1389

Tax I.D. (18) 5140-320

Assessment: \$18,900 (Land)  
\$23,500 (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. 1, 8, 15

**SALE NO. 20**

**Ex. # 12542 of 2016**

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

**v.**

**BRIAN HARPSTER AND JOSEPH HARPSTER, THE KNOWN HEIRS OF KATHLEEN M. HARPSTER, AND THE UNKNOWN HEIRS OF KATHLEEN M. HARPSTER, DECEASED, Defendants DESCRIPTION**

By virtue of a Writ of Execution No. 2016-12542, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. BRIAN HARPSTER AND JOSEPH HARPSTER, THE KNOWN HEIRS OF KATHLEEN M. HARPSTER, AND THE UNKNOWN HEIRS OF KATHLEEN M. HARPSTER, DECEASED, Defendants

Real Estate: 1113 W. 7TH STREET, ERIE, PA 16502

Municipality: City of Erie Erie County, Pennsylvania

Dimensions: 34.25 x 96

See Deed Book 1126, page 1988

Tax I.D. (17) 4034-108

Assessment: \$7,500 (Land)  
\$60,600 (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. 1, 8, 15

**SALE NO. 21**

**Ex. # 10861 of 2017**

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

**v.**

**JASON E. HARRIS, Defendants DESCRIPTION**

By virtue of a Writ of Execution No. 2017-10861, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. JASON E. HARRIS, Defendants

Real Estate: 210 EAST 23RD STREET, ERIE, PA 16503

Municipality: City of Erie Erie County, Pennsylvania

Dimensions: 53.90 x 134.95

See Deed Book 1408, page 482

Tax I.D. (18) 5010-226

Assessment: \$5,900 (land)  
\$73,950 (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. 1, 8, 15

**SALE NO. 23**

**Ex. # 11179 of 2017**

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

**v.**

**STACEY L. REYNOLDS AND DOUGLAS W. REYNOLDS, Defendants DESCRIPTION**

By virtue of a Writ of Execution No. 2017-11179, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. STACEY L. REYNOLDS AND DOUGLAS W. REYNOLDS, Defendants

Real Estate: 133 EAST IRVING STREET, CORRY, PA 16407

Municipality: City of Corry Erie County, Pennsylvania

Dimensions: 61 x 168.3

See Deed Book 462, page 2225

Tax I.D. (6) 15-22-19

Assessment: \$12,700 (Land)  
\$43,310 (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. 1, 8, 15

**SALE NO. 25**

**Ex. # 10811 of 2017**  
**MIDFIRST BANK, Plaintiff**  
**v.**  
**ROBERT K. WITHERSPOON,**  
**Defendants**  
**DESCRIPTION**

By virtue of a Writ of Execution No. 10811-17 MIDFIRST BANK, Plaintiff vs. ROBERT K. WITHERSPOON, Defendants Real Estate: 225 EAST 22ND STREET, ERIE, PA 16503 Municipality: City of Erie Erie County, Pennsylvania Dimensions: 47.25 X 135.03 See Deed Book 1472, page 70 Tax I.D. (18) 5010-214 Assessment: \$5,700 (Land) \$85,800 (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. 1, 8, 15

**SALE NO. 26**

**Ex. # 11069 of 2017**  
**PENNSYLVANIA HOUSING**  
**FINANCE AGENCY, Plaintiff**  
**v.**  
**AARON D. WYANT, Defendants**  
**DESCRIPTION**

By virtue of a Writ of Execution No. 2017-11069 PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. AARON D. WYANT, Defendants Real Estate: 432 E. 25TH STREET, ERIE, PA 16503 Municipality: City of Erie Erie County, Pennsylvania Dimensions: 30 X 128 See Deed Book 964, page 424 Tax I.D. (18) 5019-229 Assessment: \$5,300 (Land) \$33,000 (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. 1, 8, 15

**SALE NO. 27**

**Ex. # 12929 of 2016**  
**U.S. Bank National Association,**  
**(Trustee for the Pennsylvania**  
**Housing Finance Agency,**  
**pursuant to a Trust Indenture**  
**dated as of April 1, 1982),**  
**Plaintiff**  
**v.**

**Craig A. Bryant, individually and**  
**as Co-Administrator of the Estate**  
**of Sheila A. Bryant and John M.**  
**Bryant as Co-Administrator of**  
**the Estate of Sheila A. Bryant,**  
**Defendants**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 12929-16, U.S. Bank National Association et al vs. Craig A. Bryant et al, owner(s) of property situated in City of Erie, Fifth Ward, City of Erie and state of PA. HET a dwg k/a 2006 Woodlawn Avenue, Erie, PA 16510, being described as follows: parcel # 18-5132-519 and being more fully described in deed dated 08/26/2016 and recorded 08/31/2016, among the land records of the county and state set forth above, in instrument # 2016-018913. Dimensions: 0.14 acres or 6,175 square feet of land, living area 1,288 square feet Assessment Map Number: 18-5132-519 Assess Value figure: \$117,300 Improvement thereon: A single family dwelling Lois M. Viti, Esquire Attorney for Plaintiff 215 Fourth Avenue Pittsburgh, PA 15222 (412) 281-1725

Sept. 1, 8, 15

**SALE NO. 28**

**Ex. # 10419 of 2017**  
**HSBC Bank USA, National**  
**Association as Trustee for Wells**  
**Fargo Home Equity Asset-**  
**Backed Securities 2004-2 Trust,**  
**Home Equity Asset-Backed**

**Certificates, Series 2004-2,**  
**Plaintiff**

**v.**

**Pamella D. Ford, AKA Pamella**  
**Delores Ford, Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution file to No. 2017-10419, HSBC Bank USA, National Association as Trustee for Wells Fargo Home Equity Asset-Backed Securities 2004-2 Trust, Home Equity Asset-Backed Certificates, Series 2004-2 vs. Pamella D. Ford, AKA Pamella Delores Ford, owner(s) of property situated in The City of Erie, County of Erie, Commonwealth of Pennsylvania being 2223 Cameron Road, Erie, PA 16510 0.1309 Acres Assessed Value figure: \$81,990.00 Improvement thereon: Single Family Dwelling Meredith H. Wooters, Esquire Manley Deas Kochalski LLC P.O. Box 165028 Columbus, OH 43216-5028 614-220-5611

Sept. 1, 8, 15

**SALE NO. 29**

**Ex. # 13124 of 2015**  
**PNC Bank, National Association,**  
**Plaintiff**  
**v.**

**LORRAINE BAILEY, KNOWN**  
**HEIR OF VENA BAILEY,**  
**RAYMOND BAILEY A/K/A**  
**RAYMOND H. BAILEY,**  
**INDIVIDUALLY AND AS**  
**KNOWN HEIR OF VENA**  
**BAILEY, RAYMOND BAILEY,**  
**JR., KNOWN HEIR OF VENA**  
**BAILEY, TRACEY BAILEY,**  
**KNOWN HEIR OF VENA**  
**BAILEY, UNKNOWN HEIRS,**  
**SUCCESSORS, ASSIGNS AND**  
**ALL PERSONS, FIRMS OR**  
**ASSOCIATIONS CLAIMING**  
**RIGHT, TITLE OR INTEREST**  
**FROM OR UNDER EUGENE**  
**DRAKE, KNOWN HEIR OF**  
**VENA BAILEY, UNKNOWN**  
**HEIRS, SUCCESSORS,**  
**ASSIGNS AND ALL PERSONS,**  
**FIRMS OR ASSOCIATIONS**  
**CLAIMING RIGHT, TITLE OR**  
**INTEREST FROM OR UNDER**  
**VENA BAILEY, Defendant(s)**

**DESCRIPTION**

ALL THAT CERTAIN LOT OF LAND SITUATE IN CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA: BEING KNOWN AS 3622 Maple St., Erie, PA 16508  
 PARCEL NUMBER: 19061007020500  
 IMPROVEMENTS: Residential Property  
 UDREN LAW OFFICES, P.C.  
 David Neeran, Esquire  
 Attorney for Plaintiff  
 111 Woodcrest Road, Suite 200  
 Cherry Hill, NJ 08003-3620  
 856-669-5400

Sept. 1, 8, 15

**SALE NO. 30**

**Ex. # 11391 of 2017**  
**Federal National Mortgage Association ("Fannie Mae"), Plaintiff**

v.

**jasim H. Al-Temimi, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11391-17, Federal National Mortgage Association ("Fannie Mae") v. Jasim H. Al-Temimi Owner(s) of property situated in City of Erie, Erie County, Pennsylvania, being 1138 East 20th Street, Erie, PA 16503

ALL THAT CERTAIN PIECE OR PARCEL OF LAND situate in the City of Erie, County of Erie and State of Pennsylvania, being more fully bounded and described as follows, to-wit: COMMENCING at a point in the north line of Twentieth Street two hundred and forty (240) feet west of the west line of Brandes Street; thence northerly parallel with Brandes Street, one hundred and five (105) feet; thence westerly parallel with Twentieth Street, thirty (30) feet; thence southerly parallel with Brandes Street one hundred and five (105) feet to Twentieth Street and thence easterly along Twentieth Street thirty (30) feet to the place of beginning. Having erected thereon a dwelling being commonly known as 1138 East 20th Street, Erie, Pennsylvania. Bearing Erie County Assessment Index Number (15) 2054-238. Being the same premises conveyed to Grantors herein by Deed recorded

on November 29, 1978 in the Erie County Recorder of Deeds Book 1332 at page 77.  
 Assessment Map number: 15-020-054.0-238.00  
 Assessed Value figure: \$33,840.00  
 Improvement thereon: Residential Dwelling  
 MARTHA E. VON ROSENSTIEL, P.C.  
 Martha E. Von Rosenstiel, Esq / No 52634  
 Heather Riloff, Esq / No 309906  
 Tyler J. Wilk, Esq / No 322247  
 649 South Ave, Ste 7  
 Secane, PA 19018  
 (610) 328-2887  
 Attorneys for Plaintiff

Sept. 1, 8, 15

**SALE NO. 31**

**Ex. # 10319 of 2017**  
**Village Capital & Investment, LLC, Plaintiff**

v.

**Brenda Austin, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10319-2017, Village Capital & Investment, LLC vs. Brenda Austin, owners of property situated in Erie City, Erie County, Pennsylvania being 961 E 23rd St., Erie, PA 16503  
 1600 Square Feet  
 Assessment Map number: 18-50-38-105  
 Assessed Value figure: 35,200.00  
 Improvement thereon: Residential Dwelling  
 Roger Fay, Esquire  
 1 E. Stow Road  
 Marlton, NJ 08053  
 (856) 482-1400

Sept. 1, 8, 15

**SALE NO. 32**

**Ex. # 12676 of 2013**  
**Bayview Loan Servicing, LLC, a Delaware Limited Liability Company, Plaintiff**

v.

**Regis P. Mabie and Rita E. Mabie, Defendants**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 12676-13, Bayview Loan Servicing, LLC, a Delaware Limited Liability Company vs. Regis P. Mabie and Rita E. Mabie, owners of property situated in Erie City, Erie

County, Pennsylvania being 806 E Grandview Blvd, Erie, PA 16504  
 1696 Square Feet  
 Assessment Map number: 18-5372.0.900.00  
 Assessed Value figure: \$119,700.00  
 Improvement thereon: Residential Dwelling  
 Roger Fay, Esquire  
 1 E. Stow Road  
 Marlton, NJ 08053  
 (856) 482-1400

Sept. 1, 8, 15

**SALE NO. 33**

**Ex. # 11132 of 2017**  
**PHH Mortgage Corporation, d/b/a Coldwell Banker Mortgage, Plaintiff**

v.

**Bernard Bell, Jack Harper, Defendant(s)**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11132-17, PHH Mortgage Corporation, d/b/a Coldwell Banker Mortgage vs. Bernard Bell, Jack Harper

Amount Due: \$44,319.41  
 Bernard Beil, Jack Harper, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 2409 Downing Avenue, Erie, PA 16510  
 Assessment Map number: 18051025021700  
 Assessed Value: \$53,600.00  
 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. 1, 8, 15

**SALE NO. 34**

**Ex. # 11356 of 2016**  
**Wells Fargo Bank, N.A., Plaintiff**

v.

**Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under S Gene Combs, Deceased, Defendant(s)**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2016-11356, Wells Fargo

Bank, N.A. vs. Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under S Gene Combs, Deceased  
 Amount Due: \$87,030.37  
 Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under S Gene Combs, Deceased, owner(s) of property situated in WATTSBURG BOROUGH, Erie County, Pennsylvania being 14396 Main Street, a/k/a 9541 Jamestown Street, Watsburg, PA 16442  
 Dimensions: 92.5 X 225  
 Assessment Map number: 48001001000600  
 Assessed Value: \$83,150.00  
 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. 1, 8, 15

**SALE NO. 35**

**Ex. # 10198 of 2017**  
**Wells Fargo Bank, N.A., Plaintiff**  
 v.

**Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Heidi Ann Crummie, Deceased, Defendant(s)**

**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10198-17, Wells Fargo Bank, N.A. vs. Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Heidi Ann Crummie, Deceased  
 Amount Due: \$51,272.09  
 Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Heidi Ann Crummie, Deceased, owner(s) of property situated in WASHINGTON TOWNSHIP, Erie County, Pennsylvania being 235 Hickory Street, Edinboro, PA 16412-2056  
 Dimensions: 40 X 100

Acreage: 0.0918  
 Assessment Map number: 11-001-011.0-001.06  
 Assessed Value: \$82,700.00  
 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. 1, 8, 15

**SALE NO. 36**

**Ex. # 10789 of 2015**  
**PHH Mortgage Corporation, f/k/a Cendant Mortgage Corporation, Plaintiff**  
 v.  
**Christine M. Gustafson, Matthew J. Gustafson, Defendant(s)**

**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10789-15, PHH Mortgage Corporation, f/k/a Cendant Mortgage Corporation vs. Christine M. Gustafson, Matthew J. Gustafson  
 Amount Due: \$81,886.85  
 Christine M. Gustafson, Matthew J. Gustafson, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 3210 Marvin Avenue, Erie, PA 16504-1140  
 Assessment Map number: 18050074020400  
 Assessed Value: \$92,600.00  
 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. 1, 8, 15

**SALE NO. 37**

**Ex. # 12855 of 2016**  
**Wells Fargo Financial Pennsylvania, Inc. Plaintiff**  
 v.  
**Christopher M. Miller, Heather M. Miller, Defendant(s)**

**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 12855-16, Wells Fargo Financial Pennsylvania, Inc. vs. Christopher M. Miller, Heather M. Miller  
 Amount Due: \$206,209.19

Christopher M. Miller, Heather M. Miller, The United States of America C/O The United States Attorney for The Western District of PA, owner(s) of property situated in SUMMIT TOWNSHIP, Erie County, Pennsylvania being 8630 Dundee Road, Erie, PA 16509-5406  
 Dimensions: 200 X 175  
 Acreage: 0.8035  
 Assessment Map number: 40013086001500  
 Assessed Value: \$171,100.00  
 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

Sept. 1, 8, 15

**SALE NO. 38**

**Ex. # 10760 of 2017**  
**Nationstar Mortgage LLC, Plaintiff**  
 v.  
**Melissa R. Lijewski-Farley a/k/a Melissa R. Lijewski, Defendant**

**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2017-10760, Nationstar Mortgage LLC vs. Melissa R. Lijewski-Farley a/k/a Melissa R. Lijewski, owner(s) of property situated in Girard, Erie County, Pennsylvania being 129 Myrtle St., Girard, PA 16417  
 0.1951  
 Assessment Map number: 23015050002900  
 Assessed Value figure: \$104,000.00  
 Improvement thereon: a residential dwelling  
 Samantha Gable, Esquire Shapiro & DeNardo, LLC Attorney for Movant/Applicant  
 3600 Horizon Drive, Suite 150 King of Prussia, PA 19406  
 (610) 278-6800

Sept. 1, 8, 15

**SALE NO. 39**

**Ex. # 12545 of 2015**  
**Embrace Home Loans, Inc., Plaintiff**  
 v.  
**Gary W. Dowlen and The United States of America, Dept. of Treasury, c/o U.S. Attorney's**

**Office, Defendants  
DESCRIPTION**

All that certain piece or parcel of land situate in Tract 421 of the Township of Washington, County of Erie and State of Pennsylvania, being Lot No. 1 of the Maple Crest Acres Subdivision and recorded in Erie County Map Book 26, Page 155. Said premise having erected thereon a dwelling commonly known as 4801 Neyland Road, Edinboro, Pennsylvania, and are further identified by Erie County Assessment Index No. (45) 8-13-1.04 Subject to no mobile homes shall be permitted to be located on the within described premises.

Under and subject to restrictions, reservations, easements, covenants, and conditions, exceptions, oil and gas leases, and/or coal and mining rights as are the same may appear in prior instruments of record or as may be visible or in place on the premises. Fee Simple Title Vested in Gary W. Dowlen and Lynn Dowlen, his wife, as tenants by the entirety by deed from Timothy Allen Dillen and Dawn R. Dillen, his wife, dated August 22, 2005, recorded August 22, 2005, in the Erie County Recorder of Deeds in Deed Book 1262, Page 2347.

..... and the said Lynn Dowlen died October 21, 2011, whereupon title to premises in question became vested in Gary W. Dowlen, by right of survivorship.

PROPERTY ADDRESS: 4801 Neyland Road, Edinboro, PA 16412-1188

PARCEL NUMBER:  
45008013000104

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

Sept. 1, 8, 15

**SALE NO. 40**

**Ex. # 11133 of 2017**

**DLJ Mortgage Capital, Inc.,  
Plaintiff  
v.**

**Angela M. Ellis, Defendant  
DESCRIPTION**

PARCEL NO.: 19060053030400  
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 Goodrich Street two hundred ninety-nine (299) feet west of the west line of Peach Street; thence south parallel with the west line of Lot No. 1 one hundred forty (140) feet to a point; thence west, parallel with the south line of Goodrich Street forty (40) feet to a point; thence north, parallel with the west line of Lot No. 1 one hundred forty (140) feet to the south line of Goodrich Street; thence east, along the south line of Goodrich Street forty (40) feet to the place of beginning; having erected thereon a two story frame dwelling house known as 129 Goodrich Street, Erie, PA 16508, bearing Erie County Tax No. (19) 6053-304 and being the same premises conveyed to mortgagor

herein by deed recorded this date.  
PROPERTY ADDRESS: 129 Goodrich Street, Erie, PA 16508  
PARCEL NUMBER:  
19060053030400  
Attorney for Plaintiff:  
M. TROY FREEDMAN, ESQUIRE  
STERN & EISENBERG, PC  
1581 Main Street, Suite 200  
The Shops at Valley Square  
Warrington, PA 18976  
(215) 572-8111

Sept. 1, 8, 15

**SALE NO. 42**

**Ex. # 10226 of 2017**

**LSF9 Master Participation Trust,  
Plaintiff  
v.**

**James E. Szympruch and Mary  
R. Szympruch, Defendants  
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10226-17, LSF9 Master Participation Trust v. James E. Szympruch and Mary R. Szympruch James E. Szympruch and Mary R. Szympruch, owners of property situated in the Township of Girard, Erie County, Pennsylvania being 9925 Old Ridge Road, Girard, Pennsylvania 16417.

Tax ID. No. 24011054000200 and 24011054000100  
Assessment: \$172,680.29  
Improvements: Residential Dwelling McCabe, Weisberg and Conway, P.C. 123 South Broad Street, Suite 1400 Philadelphia, PA 19109  
215-790-1010

Sept. 1, 8, 15

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**ESTATE NOTICES**

Notice is hereby given that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same and all persons indebted to said estates are requested to make payment without delay to the executors or their attorneys named below.

**FIRST PUBLICATION**

**BUDZOWSKI, ARTHUR E.,  
deceased**

Late of the Township of Girard, County of Erie, State of Pennsylvania  
*Executrix:* Bonnie R. Budzowski, c/o Attorney David M. Keck, P.O. Box 399, Fairview, PA 16415  
*Attorney:* David M. Keck, Esq., P.O. Box 399, Fairview, PA 16415

**CLARK, SUSAN A., a/k/a SUSAN  
ANDREWS CLARK,  
deceased**

Late of Millcreek Township, Erie County, Pennsylvania  
*Executor:* Kevin M. Clark, 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

**CLAUSEN, PAUL R.,  
deceased**

Late of the Township of Waterford, County of Erie and Commonwealth of Pennsylvania  
*Personal Representative:* Mark Clausen, c/o 818 State Street, Erie, PA 16501  
*Attorney:* Gery T. Nietupski, Esq., The Law Offices of Gery T. Nietupski, Esquire LLC, 818 State Street, Erie, Pennsylvania 16501

**FORSTEN, MAZIE L., a/k/a  
MAZIE LEA FORSTEN,  
deceased**

Late of Harborcreek Township, Erie County, Pennsylvania  
*Executor:* Thomas D. Wallace, c/o Jeffrey D. Scibetta, Esquire, 120 West Tenth Street, Erie, PA 16501  
*Attorney:* Jeffrey D. Scibetta, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**GORNIAC, EDWARD J.,  
deceased**

Late of the Township of Greene, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Vicki L. Gorniak, c/o William J. Schaaf, Esq., Suite 300, 300 State Street, Erie, PA 16507  
*Attorney:* MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP, Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

**GREINER, IRENE TARBELL,  
deceased**

Late of Erie Co., PA  
*Co-Administrators:* Scott A. Greiner and Jeffrey A. Greiner, c/o Stephen Hutzelman, Esq., 305 W. 6th Street, Erie, PA 16507  
*Attorney:* Stephen Hutzelman, Esq., 305 W. 6th Street, Erie, PA 16507

**GRIMSHAW, DONNA J.,  
deceased**

Late of the Township of Franklin, County of Erie, State of Pennsylvania  
*Executrix:* Susan Schor, c/o Attorney David M. Keck, P.O. Box 399, Fairview, PA 16415  
*Attorney:* David M. Keck, Esq., P.O. Box 399, Fairview, PA 16415

**HECKER, FRANCES M., a/k/a  
FRANCES HECKER,  
deceased**

Late of Erie, PA  
*Co-Executors:* Jack V. Hecker, 1660 Dunbar Road, Madison, OH 44057 and James A. Hecker, 8205 Drake-Stateline Road, Burghill, OH 44404  
*Attorney:* None

**HOLLARN, DENNIS J.,  
deceased**

Late of the City of Erie, County of Erie  
*Co-Executors:* Michael J. Hollarn, 5516 Frederick Drive, Erie, PA 16510 and Thomas P. Hollarn, 85 Eaton Drive, North East, PA 16428  
*Attorney:* Kari A. Froess, Esquire, CARNEY & GOOD, 254 West Sixth Street, Erie, Pennsylvania 16507

**McCARTHY, HENRY S.,  
deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania  
*Executor:* James W. McCarthy, c/o Attorney David M. Keck, P.O. Box 399, Fairview, PA 16415  
*Attorney:* David M. Keck, Esq., P.O. Box 399, Fairview, PA 16415

**McCOY, WILLIAM VERNON,  
DDS, a/k/a WILLIAM McCOY,  
a/k/a WILLIAM V. McCOY SR.,  
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Theresa M. McCoy, MD, c/o James E. Marsh Jr., Suite 300, 300 State Street, Erie, PA 16507  
*Attorney:* MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP, Attorneys-at-Law, Suite 300, 300 State Street, Erie, PA 16507

**MILLER, THEODORE, Jr., a/k/a  
THEODORE MILLER,  
deceased**

Late of the Borough of North East, County of Erie, State of Pennsylvania  
*Executrix:* Michelle A. Miller, c/o Attorney David M. Keck, P.O. Box 399, Fairview, Pennsylvania 16415  
*Attorney:* David M. Keck, Esq., P.O. Box 399, Fairview, PA 16415

**NELSON, JAMES ALLEN, a/k/a JAMES A. NELSON, deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executor:* David Paul Nelson, c/o 504 State Street, 3rd Floor, Erie, PA 16501  
*Attorney:* Michael J. Nies, Esquire, 504 State Street, 3rd Floor, Erie, PA 16501

**NIER, CHARLES L., a/k/a CHARLES L. NIER, JR., deceased**

Late of the Township of North East, Erie County, Commonwealth of Pennsylvania  
*Executrix:* Bethia L. Nier, 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

**RYAN, KATHERINE M., a/k/a KATHERINE RYAN, deceased**

Late of the City of Girard, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Alice Suscheck, c/o 504 State Street, Suite 300, Erie, PA 16501  
*Attorney:* Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**TRICE, MILDRED M., a/k/a MILDRED MOORE TRICE, deceased**

Late of the City of Erie, Erie County, Pennsylvania  
*Co-Executors:* Angela Trice Borgia and Shelia Trice Bell, c/o Frances A. McCormick, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501  
*Attorney:* Frances A. McCormick, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**VERGA, MARTHA C., deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Cheryl J. Daub, c/o Yochim, Skiba & Nash, 345 West Sixth Street, Erie, PA 16507  
*Attorney:* Gary H. Nash, Esq., Yochim, Skiba & Nash, 345 West Sixth Street, Erie, PA 16507

**WALKER, WALTER J., III, deceased**

Late of the Township of Waterford, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Fletcher J. Walker, 3133 State Road, Ashtabula, OH 44004-5330  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**WATFORD, LIZZIE ANN STEPP, a/k/a LIZZIE ANN WATFORD, a/k/a LIZZIE A. WATFORD, deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Lee Stepp, c/o James A. Pitonyak, Esquire, 1001 State Street, Suite 303, Erie, PA 16501  
*Attorney:* James A. Pitonyak, Esquire, 1001 State Street, Suite 303, Erie, PA 16501

**SECOND PUBLICATION**

**BARTHELMES, LOIS M., deceased**

Late of the City of Erie, Erie County, Pennsylvania  
*Executor:* Dawn S. Ickiewicz, c/o 3209 East Avenue, Erie, PA 16504  
*Attorney:* Cathy M. Lojewski, Esq., 3209 East Avenue, Erie, PA 16504

**BOHRER, CAROL A., a/k/a CAROL ANN BOHRER, deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Robert S. LeFaiver, c/o Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507  
*Attorney:* John J. Shimek, III, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

**JONES, LAWRENCE J., deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Administratrix:* Marlene S. Jones, 114 Bay Mist Drive, Erie, PA 16505-5444  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**LAWRENCE, ELMER W., deceased**

Late of the Township of Fairview, County of Erie, State of Pennsylvania  
*Executrix:* Barbara J. Bemis, c/o 78 East Main Street, North East, PA 16428  
*Attorney:* BRYDON LAW OFFICE, Attorney John C. Brydon, 78 East Main Street, North East, PA 16428

**ROMAN, HALINA A., deceased**

Late of Erie, Erie County, Pennsylvania  
*Executor:* Paul A. Roman, c/o Peter J. Sala, Esquire, 731 French Street, Erie, PA 16501  
*Attorney:* Peter J. Sala, Esquire, 731 French Street, Erie, PA 16501

**SCHODT, MADELINE A.,  
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Kathleen P. Schodt, c/o 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

**SCHOFIELD, ROBERT R.,  
deceased**

Late of Millcreek Township, Erie County, Commonwealth of Pennsylvania  
*Executrix:* Nancy J. Marshall, c/o Jeffrey D. Scibetta, Esquire, Knox Law Firm, 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

**SCHRIEFER, ROSE MARIE,  
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Robert L. Schriefer, 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

**SIDELINGER, EDWARD C.,  
deceased**

Late of the City of Erie, Erie County, Pennsylvania  
*Executor:* Dennis Sidelinger, c/o 3209 East Avenue, Erie, PA 16504  
*Attorney:* Cathy M. Lojewski, Esq., 3209 East Avenue, Erie, PA 16504

**SIMON, DAVID ALLEN, a/k/a  
DAVID A. SIMON,  
deceased**

Late of the City of Erie, Erie County, Commonwealth of Pennsylvania  
*Executor:* Jeffrey A. Simon, 4113 Eliot Rd., Erie, PA 16508  
*Attorney:* None

**SIMON, THERESA A.,  
deceased**

Late of the Township of Lawrence Park, County of Erie, State of Pennsylvania  
*Executor:* David Alan Simon, c/o 78 East Main Street, North East, PA 16428  
*Attorney:* BRYDON LAW OFFICE, Attorney John C. Brydon, 78 East Main Street, North East, PA 16428

**WEINHEIMER, THOMAS H.,  
deceased**

Late of North East Township, Erie County, North East, Pennsylvania  
*Executrix:* Debra W. Mills, c/o Robert J. Jeffery, Esq., 33 East Main Street, North East, Pennsylvania 16428  
*Attorney:* Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**WROBLEWSKI, JOSEPH R.,  
deceased**

Late of Venango Township, Erie County, Wattsburg, Pennsylvania  
*Executrix:* Helen K. Wroblewski, c/o Robert J. Jeffery, Esq., 33 East Main Street, North East, Pennsylvania 16428  
*Attorney:* Orton & Jeffery, P.C., 33 East Main Street, North East, Pennsylvania 16428

**THIRD PUBLICATION**

**ARNOLD, FRANCES C.,  
deceased**

Late of Lake City Borough, County of Erie  
*Co-Executors:* Gerard V. Hewel and Barbara D. Walker, c/o Thomas A. Testi, Esq., 3952 Avonia Road, P.O. Box 413, Fairview, PA 16415  
*Attorney:* Thomas A. Testi, Esq., 3952 Avonia Road, P.O. Box 413, Fairview, PA 16415

**BUETIKOFER, PATRICIA S.,  
a/k/a PATRICIA J. BUETIKOFER,  
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Geraldine Olszewski, c/o John J. Shimek, III, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507  
*Attorney:* John J. Shimek, III, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

**COOK, MARY ANN,  
deceased**

Late of City of Erie, Erie County, Commonwealth of Pennsylvania  
*Co-Executors:* William J. Cook and Barbara A. Schwartz, 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

**FIREWICK, DOROTHY G.,  
deceased**

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

**HAYNES, SETSUKO,  
deceased**

Late of the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania  
*Executrix:* Pamela M. Mackowski, c/o 504 State Street, 3rd Floor, Erie, PA 16501  
*Attorney:* Michael J. Nies, Esquire, 504 State Street, 3rd Floor, Erie, PA 16501

**HOLDEN, BURTON L., a/k/a BURTON HOLDEN, deceased**

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

*Co-Executors:* Burton N. Holden, 5039 Hillsdale Road, Erie, PA 16509 and Ronald M. Holden, 3517 Gerry Ave., Erie, PA 16508  
*Attorney:* Ronald J. Susmarski, Esq., 4030 West Lake Road, Erie, PA 16505

**McCALLUM, GEORGE E., deceased**

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

*Executor:* Robert D. Prentice, c/o Knox Legal Advisors, 240 W. 11th Street, Erie, PA 16506  
*Attorney:* W. John Knox, Knox Legal Advisors, 240 West 11th Street, Erie, PA 16501

**ROEHRIG, WILLIAM J., III, a/k/a WILLIAM ROEHRIG, a/k/a WILLIAM J. ROEHRIG, a/k/a WILLIAM JOSEPH ROEHRIG, III, deceased**

Late of the City of Erie, Erie County, Pennsylvania

*Executrix:* Michelle Chavez, c/o 2580 West 8th Street, Erie, Pennsylvania 16505  
*Attorney:* Ralph R. Riehl, III, 2580 West 8th Street, Erie, Pennsylvania 16505

**SHIMEK, GLADYS, a/k/a GLADYS LESHKO SHIMEK, a/k/a GLADYS E. SHIMEK, deceased**

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

*Executor:* John J. Shimek, III, c/o Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

*Attorney:* John J. Shimek, III, Sterrett Mott Breski & Shimek, 345 West 6th Street, Erie, PA 16507

**ZALEWSKI, DONNA MAE, a/k/a DONNA M. ZALEWSKI, deceased**

Late of the City of Erie, Commonwealth of Pennsylvania

*Executor:* Carl Zaleski, c/o Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509  
*Attorney:* Richard A. Vendetti, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

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Meadville, PA 16335.....*kdespenes@pa.gov*

RACHEL A. SYKES .....814-451-7429  
District Attorney’s Office  
140 West Sixth Street  
Erie, PA 16501 ..... *rsykes@eriecountypa.gov*

WILLIAM T. JORDEN .....814-315-9255  
Williams & Jordan  
425 West 10th Street  
Erie, PA 16502 ..... *bill@williamsandjordan.com*

COURTNEY M. NEER .....814-464-9781  
U.S. Bankruptcy Court  
17 South Park Row, Suite B250  
Erie, PA 16501 ..... *courtney\_neer@pawb.uscourts.gov*

**New Email Address**

John B. Carlson, Esquire.....*jbcarlsonesq@gmail.com*

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