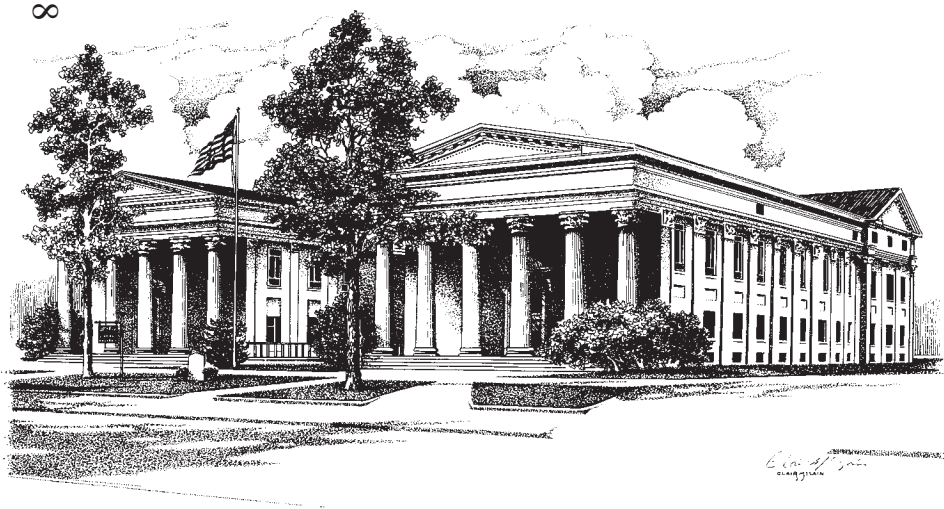


Erie
County
Legal
Journal

September 21, 2018

Vol. 101 No. 38



101 ERIE 153 - 158
Commonwealth v. Lugo

Erie County Legal Journal

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

Managing Editor: Megan E. Black

PLEASE NOTE: NOTICES MUST BE RECEIVED AT THE ERIE COUNTY BAR ASSOCIATION OFFICE BY 3:00 P.M. THE FRIDAY PRECEDING THE DATE OF PUBLICATION.

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Erie County Bar Association

Calendar of Events and Seminars

MONDAY, SEPTEMBER 24, 2018

ECBA Board of Directors Meeting
Noon
ECBA Headquarters

TUESDAY, SEPTEMBER 25, 2018

Pennsylvania Superior Court Special Session
Erie County Courthouse, Courtroom H
Oral Arguments Begin at 9:30 a.m.

Cocktails and Dinner with the Superior Court Judges
Erie Club
5:00 p.m.

WEDNESDAY, SEPTEMBER 26, 2018

ECBA Live Seminar
Appellate Advocacy Before the Superior Court
Sheraton Bayfront Hotel
8:00 a.m. - 9:00 a.m.
(7:45 a.m. registration/breakfast)
\$47 (ECBA members/their non-attorney staff)
\$60 (non-members)
1 hour substantive CLE/CJE credit

THURSDAY, SEPTEMBER 27, 2018

Defense Bar Meeting
4:00 p.m.
ECBA Headquarters

SATURDAY, SEPTEMBER 29, 2018

Young Lawyer Division
Lake Erie Wine Tour 2018
Lunch at ECBA Headquarters beginning at Noon
Tour from 1:00 p.m. - 5:45 p.m.



Erie County Bar
Association



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MONDAY, OCTOBER 1, 2018

ECBA and WPTLA Live Seminar
Effective and Ethical Use of the Economist in Injury, Med Mal, Wrongful Death and Employment Cases
The Will J. & Mary B. Schaaf Education Center
9:30 a.m. - 1:00 p.m.
(9:00 a.m. registration/breakfast)
\$125 (ECBA and WPTLA members/
their non-attorney staff)
\$180 (non-members)
2 hours substantive and 1 hour ethics CLE/CJE credits

TUESDAY, OCTOBER 9, 2018

ECBA Live Lunch-n-Learn Seminar
Chapter 13 Bankruptcy Plan Refresher
The Will J. & Mary B. Schaaf Education Center
12:15 p.m. - 1:15 p.m.
(11:30 a.m. registration, 11:45 a.m. - 12:15 p.m. lunch)
\$47 (ECBA members/their non-attorney staff)
\$60 (non-members)
1 hour substantive CLE/CJE credit

TUESDAY, OCTOBER 9, 2018

Red Mass
Saint Peter Cathedral
5:15 p.m.

Buffet Dinner immediately following Red Mass
Gannon University's Morosky Center
\$20/person

THURSDAY, OCTOBER 11, 2018

Civil Litigation Section Event
Craft Beer Tasting Gathering
Voodoo Brewery
5:00 p.m. - 6:30 p.m.

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

2018 BOARD OF DIRECTORS

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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 Thursday, October 4, 2018 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 October 4th: 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. 14, 21

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



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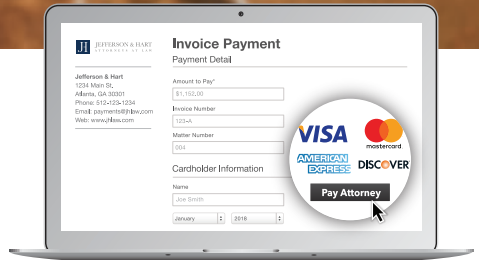
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COMMONWEALTH OF PENNSYLVANIA

v.

TOMAS ROBERTO LUGO

*CRIMINAL PROCEDURE / SEARCH AND SEIZURE /
DISPOSITION OF PROPERTY SEIZED*

Pennsylvania Rule of Criminal Procedure 588 addresses motions for the return of property and provides, in relevant part, as follows:

(A) A person aggrieved by a search and seizure, whether or not executed pursuant to a warrant, may move for the return of the property on the ground that he or she is entitled to lawful possession thereof. Such motion shall be filed in the court of common pleas for the judicial district in which the property was seized.

(B) The judge hearing such motion shall receive evidence on any issue of fact necessary to the decision thereon. If the motion is granted, the property shall be restored unless the court determines that such property is contraband, in which case the court may order the property to be forfeited.

*CRIMINAL PROCEDURE / SEARCH AND SEIZURE /
DISPOSITION OF PROPERTY SEIZED*

The petitioner moving for the return of property must first satisfy his initial burden of demonstrating entitlement to lawful possession of the property. The petitioner must allege under oath he is entitled to lawful possession of the property at issue. Where the property at issue is currency and the Commonwealth does not dispute that it was taken from the petitioner's possession, the petitioner need only allege the money belongs to him.

*CRIMINAL PROCEDURE / SEARCH AND SEIZURE /
DISPOSITION OF PROPERTY SEIZED*

Once the petitioner establishes entitlement to lawful possession of the property, Commonwealth must then show by a preponderance of the evidence that the property is contraband or derivative contraband. Commonwealth must make out more than simply demonstrating the property was in the possession of someone who has engaged in criminal conduct. Rather, Commonwealth must establish a specific nexus between the property and known criminal activity.

*CRIMINAL PROCEDURE / SEARCH AND SEIZURE /
DISPOSITION OF PROPERTY SEIZED*

When the Commonwealth sustains its burden of showing the property is contraband or derivative contraband, the burden of proof shifts to the property owner to disprove the Commonwealth's evidence or establish statutory defenses to avoid forfeiture.

*CRIMINAL PROCEDURE / SEARCH AND SEIZURE /
DISPOSITION OF PROPERTY SEIZED*

Derivative contraband is property which is innocent in itself but which has been used in the perpetration of an unlawful act.

*CRIMINAL PROCEDURE / SEARCH AND SEIZURE /
DISPOSITION OF PROPERTY SEIZED*

Although not dispositive, whether a petitioner is charged with a crime in relation to money seized is probative of whether said money is indeed contraband.

*CRIMINAL PROCEDURE / SEARCH AND SEIZURE /
DISPOSITION OF PROPERTY SEIZED*

The law generally disfavors forfeitures.

*CRIMINAL PROCEDURE / SEARCH AND SEIZURE /
DISPOSITION OF PROPERTY SEIZED*

A motion for return of property is timely when said motion is filed by an accused in the trial court while that court retains jurisdiction.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA
CRIMINAL DIVISION
No. CR 3292 of 2016

Appearances: Michael Harmon, Esq., for Petitioner Tomas Roberto Lugo
Assistant District Attorney Grant Miller and Assistant District Attorney
Douglas H. Sullivan for the Commonwealth

OPINION

Domitrovich, J.

September 5, 2018

The matter before this Trial Court is the Motion for Return of Property filed by Petitioner Tomas Roberto Lugo (“Petitioner”), by and through his counsel, Michael Harmon, Esquire. The issue is whether or not the \$600.00 seized by PSP from Petitioner should be returned to Petitioner. This Trial Court provides the following analysis:

On August 8, 2016, Pennsylvania State Police Trooper Kyle Sweeney effectuated a traffic stop of a Chrysler 200 (“vehicle”) operated by Shawn Berube since said vehicle was traveling approximately ten miles per hour over the posted speed limit on Interstate I-90. Petitioner was a passenger in this vehicle. During this traffic stop, Trooper Sweeney learned the occupants were traveling from Colorado to Syracuse, New York. Trooper Sweeney discovered the vehicle was not registered or authorized to be operated by either Mr. Berube or Petitioner. Trooper Sweeney also smelled an odor of marijuana. Thus, Trooper Sweeney performed a search of the vehicle’s interior as well as the trunk of this vehicle. In the trunk, Trooper Sweeney discovered marijuana seeds and approximately 2-3 ounces of vacuum-sealed marijuana in packaging labeled for commercial sale in the State of Colorado. Trooper Sweeney also found a vacuum sealer and vacuum sealable bags. Following a pat-down of Petitioner’s person, Trooper Sweeney recovered \$600.00 and a cell phone, both of which Trooper Sweeney seized from Petitioner.

On October 4, 2016, Commonwealth charged both Mr. Berube and Petitioner with Possession with Intent to Deliver marijuana. However, at the preliminary hearing at the above-referenced docket with respect to Petitioner, the Possession with Intent to Deliver was withdrawn and reduced to a Possession of marijuana charge in violation of 35 P.S. § 780-113(a)(16). On April 30, 2018, Petitioner pled guilty to Possession of marijuana and was sentenced on the same day to 6 months of probation to be supervised by Erie County Adult Probation.

On June 4, 2018, defense counsel filed the instant Motion for Return of Property wherein Petitioner requested the return of his \$600.00 and cell phone that Trooper Sweeney had seized

from Petitioner. On August 8, 2018, after several continuances, a hearing was held before this Trial Court, at which Petitioner was present and represented by his counsel, Attorney Harmon; and Assistant District Attorney Grant Miller appeared for the Commonwealth. At said hearing, this Trial Court heard testimony from Trooper Sweeney as well as testimony from Petitioner. Also at said hearing, counsel for the Commonwealth agreed to return Petitioner's cell phone. By Order dated August 8, 2018, this Trial Court directed counsel to submit Memoranda of Law on the relevant issues presented in Petitioner's Motion for Return of Property.

Pennsylvania Rule of Criminal Procedure 588 addresses motions for the return of property and provides as follows:

(A) A person aggrieved by a search and seizure, whether or not executed pursuant to a warrant, may move for the return of the property on the ground that he or she is entitled to lawful possession thereof. Such motion shall be filed in the court of common pleas for the judicial district in which the property was seized.

(B) The judge hearing such motion shall receive evidence on any issue of fact necessary to the decision thereon. If the motion is granted, the property shall be restored unless the court determines that such property is contraband, in which case the court may order the property to be forfeited.

Pa.R.Crim.P. 588. The petitioner moving for the return of property must first satisfy his initial burden of demonstrating entitlement to lawful possession of the property. *Commonwealth v. Howard*, 931 A.2d 129, 131 (Pa.Cmwlt. 2007). The petitioner must allege under oath he is entitled to lawful possession of the property at issue. *Id.* (citing *Commonwealth v. Johnson*, 931 A.2d 781 (Pa.Cmwlt. 2007)). "Where the property at issue is currency and the Commonwealth does not dispute that it was taken from the petitioner's possession, the petitioner need only allege that the money belongs to him." *Commonwealth v. Fontanez*, 739 A.2d 152, 154 (Pa.1999).

Once the petitioner establishes entitlement to lawful possession of the property, Commonwealth must then show by a preponderance of the evidence that the property is contraband or derivative contraband. *Howard*, 931 A.2d at 131. "Commonwealth must make out more than simply demonstrating that the property was in the possession of someone who has engaged in criminal conduct." *Singleton v. Johnson*, 929 A.2d 1224, 1227 (Pa.Cmwlt. 2007). Rather, Commonwealth "must establish a specific nexus between the property and the criminal activity." *Id.* (Commonwealth may only seize property if "some nexus to known criminal activity" exists). "Derivative contraband is property which is innocent in itself but which has been used in the perpetration of an unlawful act." *Beaston v. Ebersole*, 986 A.2d 876, 882 (Pa. Super. 2009). Whether a petitioner is charged with a crime in relation to money seized is probative of whether said money is indeed contraband. *Fontanez*, 739 A.2d at 154. The law generally disfavors forfeitures. *Commonwealth v. \$34,440.00 U.S. Currency*, 174 A.3d 1031, 1038 (Pa. 2017). "When the Commonwealth sustains that burden, the burden of proof shifts to the property owner to disprove the Commonwealth's evidence or establish statutory defenses to avoid forfeiture." *Singleton*, 929 A.2d at 1227.

In *Fontanez*, after petitioner was stopped for a traffic violation, the detaining officer observed an open bag of cash in the petitioner's vehicle. *Fontanez*, 739 A.2d at 153. The

officer did not witness activity which tied the petitioner's possession of the money to any illegal activity. *Id.* The officer nevertheless seized the money but did not charge the petitioner with a crime in relation to the seized money. *Id.* at 153-54. The petitioner then filed a motion for return of the money. *Id.* at 154. To demonstrate the money was derivative contraband, Commonwealth offered evidence of "the circumstances surrounding the seizure of the money," including: the traffic stop occurred at 8:30 p.m.; the detaining officer knew the petitioner's past involvement with drug activity; and the petitioner refused to answer questions with respect to the money. *Id.* The trial court denied his petition for return of the money, and the Commonwealth Court of Pennsylvania affirmed the trial court. *Id.*

However, the Pennsylvania Supreme Court in *Fontanez* reversed, holding the petitioner had satisfied his burden of lawful possession through his claim of ownership merely by establishing the cash was in his possession and concluding Commonwealth's evidence was not sufficient to sustain its burden of establishing the money was contraband. *Id.* at 155. The Pennsylvania Supreme Court in *Fontanez* indicated Commonwealth's evidence established only "suspicions" of criminal activity, which was not competent evidence to justify a forfeiture of property or shift the burden back to the petitioner to explain the source of the money. The Pennsylvania Supreme Court in *Fontanez* reasoned:

We do not believe that 8:30 p.m. is a notably late hour, and the stop took place in Appellant's own neighborhood. Although the presence of a large amount of cash might have given rise to suspicions in light of the officer's general "knowledge" regarding Appellant and his family, at most these suspicions merited further investigation or surveillance. Finally, a person stopped for a traffic violation has no obligation to respond to questions asked by an officer apart from statutory obligations to produce a driver's license, registration, and proof of insurance. Again, although it might arouse suspicions, failure to give an explanation where none is required cannot be construed as evidence of wrongful conduct. Accordingly, these factors taken individually or in combination, do not establish that the money was contraband.

Id. at 154-55. Thus, the Pennsylvania Supreme Court ordered the return of the money to the petitioner. *Id.* at 155.

In the instant case, Petitioner has made out his prima facie case establishing he had a possessory interest in this property at issue since, at the hearing on his motion, Petitioner under oath indicated this \$600.00 lawfully belonged to him. Additionally, Commonwealth did not dispute this \$600.00 was taken from Petitioner's possession. As such, Commonwealth must show by a preponderance of the evidence that this money is contraband or derivative contraband by establishing a specific nexus between this \$600.00 and known criminal activity.

Commonwealth contends the circumstances surrounding this traffic stop and seizure of this money establishes a nexus exists between this \$600.00 and Commonwealth's allegation that Petitioner intended to sell marijuana to college students in Syracuse, New York. Specifically, Commonwealth argues a nexus exists since: Petitioner denied the presence of marijuana in the vehicle and offered stories to mitigate any potential for criminal liability; Petitioner was not authorized to use the vehicle in which Petitioner was a passenger; vacuum sealed bags are often used to suppress the odor of marijuana; this \$600.00 consisted of large bills, which Commonwealth alleges is consistent with large scale drug operations; and a negative inference

exists that Petitioner did not intend to use personally this marijuana since no use paraphernalia was present in the vehicle. Thus, Commonwealth argues this \$600.00 is contraband.

However, Commonwealth's failure to charge Petitioner with a criminal offense related to the intent to deliver marijuana is probative that this \$600.00 is not contraband. *See Fontanez*, 739 A.2d at 152 ("[Petitioner] was never charged with a crime in relation to the seized money. Although not dispositive, this fact is probative of whether the money was indeed contraband."). Specifically, Commonwealth reduced Petitioner's Possession with Intent to Deliver charge to a Simple Possession charge. Notwithstanding, Commonwealth contends Petitioner "intended to transport marijuana back to Syracuse to sell to college students." (See Commonwealth's Memorandum of Law at 7). However, like *Fontanez*, the above enumerated "circumstances" are merely indicative of Commonwealth's "suspicions" that Petitioner was engaged in the criminal activity of delivering marijuana to college students. Mere "suspicion" that Petitioner is engaged in the sale of marijuana is insufficient to demonstrate this \$600.00 constitutes contraband since "there has to be some nexus to **known** criminal activity." *See Singleton*, 929 A.2d at 1230 (emphasis added). Given this, this Trial Court finds and concludes Commonwealth has failed to establish this \$600.00 is contraband. As such, Petitioner is entitled to the return of his \$600.00.

Commonwealth also argues Petitioner's request for return of property is waived. In *Commonwealth v. Allen*, 107 A.3d 709 (Pa. 2014), the Pennsylvania Supreme Court held: "a return motion is timely when it is filed by an accused in the trial court while that court retains jurisdiction, which is up to thirty days after disposition." *Id.* at 717. In *Allen*, the petitioner filed a motion for return of property nearly eight years after criminal charges against him were dismissed. *Id.* at 710-711. The Pennsylvania Supreme Court in *Allen* concluded since petitioner did not file his motion within thirty days of the dismissal of the criminal charges, petitioner's motion was waived. *Id.* at 717. However, the instant case is entirely distinguishable from *Allen*. *See id.* at n.10 ("We emphasize that our holding today is limited to the factual circumstances presented."). Specifically, unlike *Allen*, this Court of Common Pleas retains jurisdiction over Petitioner's case since Petitioner is still under supervision pursuant to Petitioner's sentence of probation at the above-referenced docket. Thus, Petitioner's request for return of property is not waived.

Lastly, Commonwealth argues this \$600.00 is subject to forfeiture under the Forfeiture Act codified at 42 Pa.C.S. §§ 5801-5808. However, as explained in *Boniella v. Commonwealth*, 958 A.2d 1069, 1072 (Pa.Cmwlt. 2008):

[A] claim for return of property is distinct from a forfeiture action This [Pennsylvania Commonwealth] Court has explained that a proceeding for return of property under Pennsylvania Rule of Criminal Procedure 588 "is simply a 'mirror image' of a forfeiture action under the Forfeiture Act." Like a civil forfeiture proceeding, a motion for the return of property is an in rem action in which a claimant "is not in danger of a loss of personal liberty should he be unsuccessful at trial." In fact, a claimant seeking the return of property has a less compelling interest in appointed counsel than a claimant in a forfeiture action because "even if the court denies the motion to return the property to a person claiming ownership, **it is not automatically forfeited to the Commonwealth until the Commonwealth files a petition to forfeit.**"

Boniella, at 1073 (citations omitted) (emphasis added). In the instant case, the Commonwealth has failed to file properly a petition to forfeit under the Forfeiture Act. *See* 42 Pa.C.S. § 5805 (“The proceedings for the forfeiture or condemnation of property . . . shall be in rem, in which the Commonwealth shall be the plaintiff and the property the defendant.”); *see also Fontanez*, 739 A.2d at 154, n.3 (noting Commonwealth failed to follow proper procedure for filing a forfeiture action where Commonwealth made an “impromptu” motion at the hearing on the petitioner’s motion for return of property). As such, Commonwealth’s argument with respect to the Forfeiture Act is without merit.

Accordingly, consistent with the foregoing, this Trial Court hereby enters the following Order of Court:

ORDER

AND NOW, to wit, this 5th day of September, 2018, after a scheduled hearing on the Motion for Return of Property, filed by Petitioner Tomas Roberto Lugo, by and through his counsel, Michael Harmon, Esq.; at which Petitioner Tomas Roberto Lugo was present and represented by his counsel, Michael Harmon, Esq.; and Assistant District Attorney Grant Miller appeared on behalf of the Commonwealth; and after hearing testimony from Petitioner Tomas Roberto Lugo and from Trooper Kyle Sweeny of the Pennsylvania State Police; and upon consideration of “Commonwealth’s Memorandum or Law in Support of Dismissal of Defendant’s (sic) Right to Return of Property Motion and Request for Forfeiture of Property” as well as Petitioner’s Brief in Support of Motion for Return of Property; and in view of the relevant statutory law and case law; and consistent with the analysis in the foregoing Opinion, it is hereby **ORDERED, ADJUDGED AND DECREED** that Petitioner’s Motion for Return of Property is **GRANTED** to the extent Commonwealth is directed to return this \$600.00, seized from Petitioner on August 8, 2016, to Petitioner.

BY THE COURT

/s/ **Stephanie Domitrovich, Judge**



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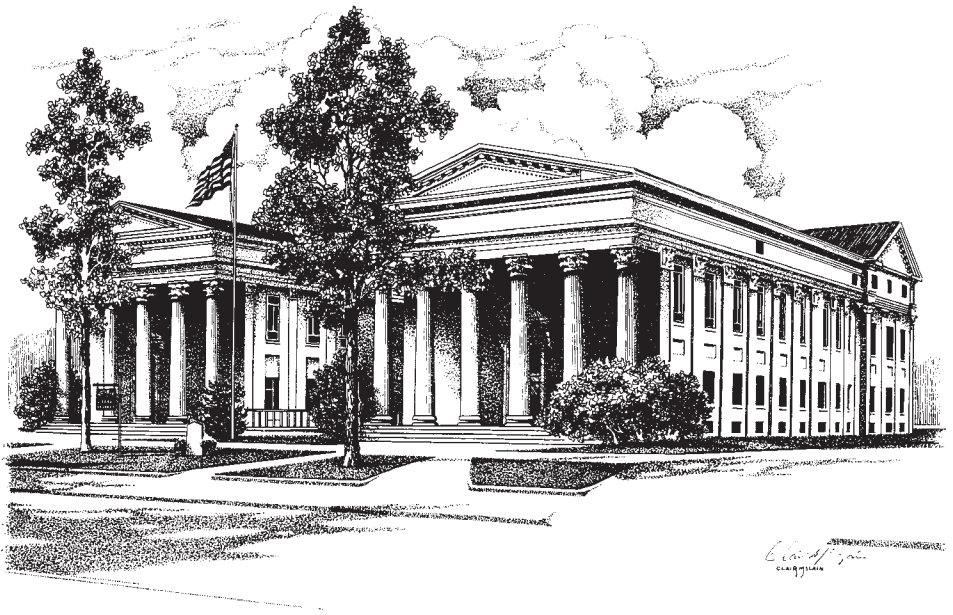


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**Erie County
Court of Common Pleas**

Calender 2019

2019 TRIAL TERMS

January	01/07/19	01/18/19
February	02/04/19	02/15/19
March	03/11/19	03/22/19
April	04/08/19	04/18/19
May	05/06/19	05/17/19
June	06/10/19	06/21/19
August	08/12/19	08/23/19
September	09/09/19	09/20/19
October	10/07/19	10/18/19
November	11/04/19	11/15/19

PULL-OUT

2019 CIVIL TRIAL TERM CERTIFICATION DATES

January Term	October 26, 2018
March Term	December 28, 2018
May Term	February 22, 2019
September Term	June 28, 2019
November Term	August 23, 2019
January 2020 Term	October 25, 2019

2019 ARRAIGNMENTS

January 22, 2019	February 18, 2019
March 25, 2019	April 22, 2019
May 20, 2019	June 24, 2019
July 29, 2019	August 26, 2019
September 23, 2019	October 21, 2019
November 25, 2019	December 16, 2019

PULL-OUT

2019 CUSTODY TRIAL TERMS

January 14-18, 2019
February 19-22, 2019
March 25-29, 2019
April 22-26, 2019
May 20-24, 2019
June 24-28, 2019
July 22-26, 2019
August 26-30, 2019
September 23-27, 2019
October 21-25, 2019
November 18-22, 2019
December 16-20, 2019

ERIE COUNTY SHERIFF SALE SCHEDULE FOR THE YEAR 2019

<u>LAST DATE TO FILE</u>	<u>DATE OF SALE</u>
December 3, 2018	February 15, 2019
January 4, 2019	March 22, 2019
February 1, 2019	April 26, 2019
March 1, 2019	May 24, 2019
April 1, 2019	June 21, 2019
May 1, 2019	July 19, 2019
May 31, 2019	August 16, 2019
July 1, 2019	September 20, 2019
August 1, 2019	October 18, 2019
September 3, 2019	November 15, 2019
November 1, 2019	January 24, 2020

NO SALES IN DECEMBER

FEDERAL COURT CIVIL/CRIMINAL TRIAL CALENDAR

January 14, 2019	August 19, 2019
March 4, 2019	September 30, 2019
May 6, 2019	November 4, 2019

2018 AUDIT CALENDAR

2018

NOVEMBER

DECEMBER

Last Day to File Accounts and Petitions for Adjudication

October 10, 2018

November 07, 2018

Last Day to File Objections

November 21, 2018

December 19, 2018

2019

JANUARY

FEBRUARY

MARCH

APRIL

MAY

JUNE

JULY

AUGUST

SEPTEMBER

OCTOBER

NOVEMBER

DECEMBER

December 12, 2019

January 09, 2019

February 06, 2019

March 06, 2019

April 10, 2019

May 08, 2019

June 05, 2019

July 10, 2019

August 07, 2019

September 11, 2019

October 09, 2019

November 06, 2019

January 23, 2019

February 20, 2019

March 20, 2019

April 17, 2019

May 22, 2019

June 19, 2019

July 17, 2019

August 21, 2019

September 18, 2019

October 23, 2019

November 20, 2019

December 18, 2019

Chapter 13 Bankruptcy Plan Refresher

Tuesday, October 9, 2018

The Will J. Schaaf & Mary B. Schaaf
Education Center, 429 W. 6th Street



Registration: 11:30 a.m.
Lunch: 11:45 a.m. - 12:15 p.m.
Seminar: 12:15 p.m. - 1:15 p.m.

Cost

\$47 - ECBA Members (Judges & Attorneys)
and their Non-Attorney Staff

\$60 - Non-Members

1 hour Substantive CLE/CJE

The new Chapter 13 Bankruptcy Plan Form will be presented and explained in detail. This seminar is beneficial to consumer bankruptcy practitioners as well as those attorneys who represent creditors.

A confirmed Plan is binding on all parties. Attend this program to learn how to make sure your client's interests are adequately protected and how to appropriately classify each creditor in your client's case.

The Speaker



Jana Pail, Esquire

Chief Counsel, Office of the Chapter 13 Trustee, WDPA

Jana Pail is Chief Counsel for the Office of the Chapter 13 Standing Trustee for the Western District of Pennsylvania. She received her law degree and MBA from the University of Pittsburgh. During graduate school, she completed internships with PriceWaterhouseCoopers, the City of Pittsburgh and the Governor's Office of General Counsel. She also clerked for a local bankruptcy firm. Jana Pail received the CALI award for the highest grade in the Advanced Bankruptcy course, and was Notes and Comments Editor for the University of Pittsburgh School of Law Journal of Law & Commerce. Her article, "How Far Should the 'No Contact Rule' Go to Protect Government Employees? Finding a Solution in the Land Use Regulation Context," appeared in the Fall 2000 Volume of the Journal of Law and Commerce. She has also been published twice in the Norton Bankruptcy Law Advisor. Prior to joining the Chapter 13 Trustee staff, Jana Pail worked for Wheeling-Pitt Steel and several small bankruptcy firms before opening a consumer bankruptcy practice. She is past Chair of the Bankruptcy & Commercial Law Section of the Allegheny County Bar Association, and is also a member of the Western Pennsylvania Bankruptcy Inn of Court. She is a frequent lecturer on consumer bankruptcy topics. Jana Pail is a native of Bedford County, Pennsylvania and currently resides in Mount Lebanon.

Reservations due to the ECBA office by Tuesday, October 2.

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REGISTRATION
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www.eriebar.com

Cancellation Policy for ECBA Events/Seminars:

Cancellations received on or before the last reservation deadline will be fully refunded. Cancellations received after the deadline or non-attendance will not be refunded. If you register for an event without payment in advance and don't attend, it will be necessary for the ECBA to send you an invoice for the event.

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 12349-18 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Janet I. Hedges to Janet K. Hedges.

The Court has fixed the 22nd day of October, 2018 at 9:30 a.m. in Court Room G, Room 222, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Sept. 21

FICTITIOUS NAME NOTICE

Pursuant to Act 295 of December 16, 1982 notice is hereby given of the intention to file with the Secretary of the Commonwealth of Pennsylvania a "Certificate of Carrying On or Conducting Business under an Assumed or Fictitious Name." Said Certificate contains the following information:

FICTITIOUS NAME NOTICE

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on July 25, 2018 for Country Décor Store at 10117 Route 89 North East, PA 16428. The name and address of each individual interested in the business is Brock M Moore at 10117 Route 89 North East, PA 16428. This was filed in accordance with 54 PaC.S. 311.

Sept. 21

FICTITIOUS NAME NOTICE

1. The fictitious name is: Echo 6 entertainment
2. The address, including number and street, if any, of the principal place of business: 10 Prospect Street, P.O. Box 355, Union City, PA 16438
3. The name and address, including number and street, if any, of each individual interested in the business is: Samantha Dominguez, 15719

Rt. 8, Union City, PA 16438; Chris Dominguez, 15719 Rt. 8, Union City, PA 16438; Jane Morano, 36894 Lake Rd., Union City, PA 16438; Mark Rheel, 22 Cherry Street, Union City, PA 16438 and Krista Rheel, 22 Cherry Street, Union City, PA 16438
Sept. 21

FICTITIOUS NAME NOTICE

1. The fictitious name is Elison Creations
2. The principal place of business to be carried on under the fictitious name is 2723 Arneman Ln., Lake City, PA 16423-1560
3. The name and address of the party to the registration is Amanda Fadely, 2723 Arneman Ln., Lake City, PA 16423-1560
4. An application for registration of the above fictitious name was filed with the Pennsylvania Department of State under the Fictitious Name Act on August 21, 2018

Sept. 21

FICTITIOUS NAME NOTICE

An application for registration of the fictitious name Frank D. Spicer Jr. Insurance Agency, 11781 Lee Jackson Memorial Hwy, Suite 620, Fairfax, VA 22033 (Out Of State) has been filed in the Department of State at Harrisburg, PA, File Date 08/07/2018 pursuant to the Fictitious Names Act, Act 1982-295. The names and address(s) of the people who are a party to the registration are Christian Spicer, 9720 Manassas Forge Dr, Manassas, VA 20111 and Robert Hersch, 4241 Summit Corner Dr, Apt 169, Fairfax, VA 22030.

Sept. 21

FICTITIOUS NAME NOTICE

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on July 25, 2018 for Wayfind Data Services at 524 West 31st Street Erie, PA 16508. The name and address of each individual interested in the business is Joshua Keith Hovis at 524 West 31st Street Erie, PA 16508. This was filed in accordance with 54 PaC.S. 311.

Sept. 21

INCORPORATION NOTICE

Haiti Inspires, Inc., hereby gives notice that articles of incorporation for a nonprofit were filed with the Department of State of the Commonwealth of Pennsylvania, under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, effective October 1, 1989, as amended. Date of incorporation: August 9, 2018.

Sept. 21

LEGAL NOTICE

NOTICE OF ACTION IN CUSTODY COMPLAINT IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA CIVIL ACTION - LAW

NO. 12237-2018

RICHARD A. BAINBRIDGE, JR.
Plaintiff,

vs.

BETHANY WILLIAMSON
Defendant
NOTICE

To BETHANY WILLIAMSON You are hereby notified that on August 30, 2018, Plaintiff, RICHARD A. BAINBRIDGE, JR., filed a Custody Complaint endorsed with an ORDER OF THE COURT, against you in the Court of Common Pleas of ERIE County Pennsylvania, docketed to No. 12237-18. Wherein Plaintiff seeks full physical and legal custody of A.J.B., date of birth 10/11/2013 and E.D.B., date of birth 10/11/2013. You are ORDERED to appear in person in the CUSTODY CONCILIATION OFFICE, Room 02, ground floor, Erie County Courthouse, 140 West Sixth Street, Erie, Pennsylvania on OCTOBER 5, 2018 at 9:00 AM for a custody conference. ARRIVE 10 MINUTES PRIOR TO YOUR CONFERENCE. If you fail to appear, an order for custody may be entered against you or the court may issue a warrant for your arrest. You must file with the court a verification of criminal record or abuse history of you or any household member on or before your conference, but no later than 30 days after the complaint/petition is served. No party may make a change in any

child's residence which significantly impairs the ability of the other party to exercise custodial rights without complying with all applicable provisions of 23 Pa. C.S.A. §5337 and Pa. R.C.P. 1915.17 regarding relocation.

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

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

Sept. 21

LEGAL NOTICE

ATTENTION: UNKNOWN BIOLOGICAL FATHER INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD E.D.L.S., JR. DOB: 01/09/2013 BORN TO: JORDAN GERISE FLEMING

86B IN ADOPTION, 2018

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, Senior Judge Shad Connelly, Courtroom B-208, City of Erie on November 8, 2018 at 1:30 p.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. 21

LEGAL NOTICE

ATTENTION: UNKNOWN BIOLOGICAL FATHER INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD Z.M.D.S. DOB: 08/09/2007 BORN TO: JORDAN GERISE FLEMING

86 IN ADOPTION, 2018

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, Senior Judge

Shad Connelly, Courtroom B-208, City of Erie on November 8, 2018 at 1:30 p.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.

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Sept. 21

LEGAL NOTICE

IN THE MATTER OF PROCEEDINGS BY GREENE TOWNSHIP, ERIE COUNTY FOR THE CONDEMNATION OF PROPERTY FOR PUBLIC SEWER EASEMENTS ALONG LAKE PLEASANT ROAD, MARK ROAD, AND WATTSBURG ROAD IN THE FOURTH PHASE OF CONSTRUCTION OF THE GREENE TOWNSHIP PUBLIC SEWER SYSTEM

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA; DOCKET NO.: 12399 – 2018

EMINENT DOMAIN

NOTICE OF CONDEMNATION

In accordance with Section 305 of the Eminent Domain Code of 1964, as amended, 26 Pa.C.S. § 305, Greene Township, Erie County (the “Township”) hereby notifies the owner(s) or reputed owner(s) (hereinafter “Condemnee(s)”), and any mortgage holder and/or lienholder of record that:

- 1. The property referenced below has been condemned by the Township to secure permanent easement(s) and/or temporary easement(s) over the subject properties described below (the “Condemned Properties”) for the public purposes of the construction, installation, maintenance, repair, replacement, and removal of a public sanitary sewer system and related appurtenances, and/or the ingress and egress on, over, through, and/or under the Condemned Property, which public sanitary sewer system is to be owned and/or operated by the Township.
2. A Declaration of Taking was filed on September 19, 2018 in the Court of Common Pleas of Erie County, Pennsylvania at Docket No. 12399 – 2018.
3. The filing of the Declaration of Taking and this Notice of Condemnation were authorized by a Resolution of the Township, adopted at a public meetings held on August 14, 2018 and September 19, 2018, and the Resolutions may be examined at the office of the Township set forth in Paragraph 5 below.
4. The Condemnee(s); Mortgagee(s)/Lienholder(s); and the Properties being condemned are as follows:

Table with 3 columns: Condemnee(s); Mortgagee(s)/Lienholder(s), Address of Condemned Property, Tax ID No. of Condemned Property. Rows include John F. Noonan, Kathleen M. Noonan; Louis A. D’Albora, Anne K. D’Albora; Mid-Island Equities Corp., Erie County Tax Claim Bureau; Timothy L. Hartman, Tara L. Hartman; Mortgage Electronic Registration Systems, Inc., Vanderbilt Mortgage and Finance, Inc., First Franklin a Division of Nat. City Bank of IN, County of Erie, Erie County Tax Claim Bureau; Theresa Lynn Letkiewicz; David G. Kearney; Michael D. Kuzma, Kathleen L. Kuzma; Michael D. Kuzma, Kathleen L. Kuzma; Fred C. Swasing, Jr., Bonnie L. Swasing; Northwest Savings Bank; Cynthia L. Walters; Midfirst Bank, Secretary of Housing and Urban Development; Ruby M. Thomas; Joseph R. Bardo, Jr.; Northwest Savings Bank.

- 5. The Condemnor is Greene Township, Erie County whose offices are located at 9333 Tate Road, Erie, PA 16509.
6. The nature of the title acquired in and to the condemned property is a permanent easement and/or a temporary easement.
7. The plan showing the Condemned Property and the permanent easement(s) and/or the temporary easement(s) may be inspected during regular business hours at the address of the Condemnor noted above.
8. The Township Condemnor, being a Pennsylvania Second Class Township with the power of taxation pursuant to Section 3205 of the Second Class Township Code, 53 P.S. § 68205, such power of taxation for the payment of damages is deemed pledged pursuant to Section 303(b)(2) of the Eminent Domain Code, 26 Pa.C.S. § 303(b)(2), and the Condemnor is therefore not required to file a bond with the Declaration of Taking pursuant to Section 303(b)(1) of the Eminent Domain Code, 26 Pa.C.S. § 303(b)(1).

IF THE CONDEMNEE(S) WISH TO CHALLENGE THE POWER OR THE RIGHT OF GREENE TOWNSHIP AS CONDEMNOR TO APPROPRIATE THE CONDEMNED PROPERTY, THE SUFFICIENCY OF THE SECURITY, THE PROCEDURE FOLLOWED BY THE CONDEMNOR, OR THE DECLARATION OF TAKING, THE CONDEMNEE(S) ARE REQUIRED TO FILE PRELIMINARY OBJECTIONS TO THE DECLARATION OF TAKING WITHIN THIRTY (30) DAYS AFTER THE DATE OF PUBLICATION OF THIS NOTICE.

GREENE TOWNSHIP, ERIE COUNTY

John J. Shimek, III, Esq., Sterrett Mott Breski & Shimek, 345 West 6th Street Erie, PA 16507-1244 (814) 616-4166

Sept. 21



*The Erie County Bar Association
cordially invites you to attend a*

RED MASS

*celebrated by The Most Reverend
Lawrence T. Persico, JCL, Bishop of Erie*

TUESDAY, OCTOBER 9, 2018

5:15 p.m.

Saint Peter Cathedral

10th & Sassafras Streets

All judges are invited to bring their robes and participate in the procession with the Bishop.

After-dinner speaker

Rev. Dr. Jason A. Mitchell, S.T.L., Ph.D.

Gannon University, Department of Philosophy

The Foundation of Law According to Thomas Aquinas

Buffet Dinner immediately following the Red Mass will be at Gannon University's Morosky Center, lower level, 10th and Sassafras Streets, directly across from the Cathedral.

Dinner Buffet: \$20/person

Spouses are welcome to attend.

RSVP by Thursday, October 4 by sending payment to the ECBA office with registration form or by registering online at www.eriebar.com. Questions? Call the ECBA at 814-459-3111

RED MASS is an historic tradition dating back to the thirteenth century when it officially opened the term of court for most European countries. It is called "Red Mass" for the color of the vestments worn by the celebrants, signifying the fire of the Holy Spirit as God's blessing and guidance is evoked for judges, attorneys, government officials and all who seek justice.

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**AUDIT LIST
NOTICE BY
KENNETH J. GAMBLE**

Clerk of Records

**Register of Wills and Ex-Officio Clerk of
the Orphans' Court Division, of the**

Court of Common Pleas of Erie County, Pennsylvania

The following Executors, Administrators, Guardians and Trustees have filed their Accounts in the Office of the Clerk of Records, Register of Wills and Orphans' Court Division and the same will be presented to the Orphans' Court of Erie County at the Court House, City of Erie, on **Wednesday, September 5, 2018** and confirmed Nisi.

October 17, 2018 is the last day on which Objections may be filed to any of these accounts.

Accounts in proper form and to which no Objections are filed will be audited and confirmed absolutely. A time will be fixed for auditing and taking of testimony where necessary in all other accounts.

2018 ESTATE

ACCOUNTANT

ATTORNEY

- | | | |
|---------------------------------------|------------------------------------|-------------------------|
| 312. Lois G. Shelhamer..... | David L. Shelhamer, Agent..... | Joseph E. Sinnott, Esq. |
| 313. Osvaldo Sergio Suppa..... | Veronica A. Suppa,..... | Robert G. Dwyer, Esq. |
| a/k/a Osvaldo S. Suppa | Andrea V. Hamilton, Co-Executrices | |

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

Sept. 14, 21

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

**DECKERT, STEPHANIE L.,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administrator: Todd B. Deckert, c/o Elliot J. Segel, Esquire, Segel Law, LLC, 818 State Street, Suite 200, Erie, PA 16501
Attorney: Elliot J. Segel, Esquire, Segel Law, LLC, 818 State Street, Suite 200, Erie, PA 16501

**ERVEN, PATRICIA L., a/k/a
PATRICIA LYNNE ERVEN, a/k/a
PATRICIA LYNN ERVEN,
deceased**

Late of the Township of Millcreek, County of Erie and State of Pennsylvania
Executor: Frank Stroker, III, c/o Justin L. Magill, Esq., 821 State Street, Erie, PA 16501
Attorney: Justin L. Magill, Esquire, 821 State Street, Erie, PA 16501

**HEISLER, RAYMOND C.,
deceased**

Late of City of Erie
Executrix: Lori Ann Heisler, 3620 Melrose Ave., Erie, PA 16508
Attorney: Michael A. Fetzner, Esquire, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**HOFFMAN, SUSAN S., a/k/a
SUSAN HOFFMAN,
deceased**

Late of the Township of Girard, County of Erie, State of Pennsylvania
Executor: James R. Steadman, 24 Main Street East, PO Box 87, Girard, PA 16417
Attorney: James R. Steadman, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**LATA, QUENTIN M.,
deceased**

Late of City of Erie, Erie County and Commonwealth of Pennsylvania
Administrator: Bruce M. Lata, c/o Michael J. Graml, Esq., 714 Sassafras Street, Erie, PA 16501
Attorney: Michael J. Graml, Esq., 714 Sassafras Street, Erie, PA 16501

**LEMON, AUDREY M., a/k/a
AUDREY LEMON,
deceased**

Late of the Boro of McKean, Commonwealth of Pennsylvania
Executor: Frederick E. Kennett, c/o Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509
Attorney: Richard A. Vendetti, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

**MARTIN, PAUL J.,
deceased**

Late of Millcreek Township
Executors: Brian P. Martin and Patrick J. Martin, c/o 246 West 10th Street, Erie, PA 16501
Attorneys: Evan E. Adair, Esq. and Anthony R. Himes, Esq., 246 West 10th Street, Erie, PA 16501

**MARTIN, WILLIAM R., SR.,
a/k/a WILLIAM RICHARD
MARTIN,
deceased**

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

**MILLER, RICHARD S.,
deceased**

Late of Fairview Township, Erie County, Commonwealth of Pennsylvania
Executrix: Lynne E. Miller, c/o Thomas C. Hoffman, II, Esq., 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

**PALMER, GEORGE H.,
deceased**

Late of Erie County, Erie, PA
Co-Executors: Debora P. Rinn and Paula A. Snyder, c/o 33 East Main Street, North East, Pennsylvania 16428
Attorney: Robert J. Jeffery, Esq., Knox, McLaughlin, Gornall & Sennett, P.C., 33 East Main Street, North East, Pennsylvania 16428

**RANDALL, SUZANNE, a/k/a
SUZANNE RAINSBERGER,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executrix: Dian L. Walker, c/o Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508
Attorney: Darlene M. Vlahos, Esq., Vlahos Law Firm, P.C., 3305 Pittsburgh Avenue, Erie, PA 16508

**RUSSO, PETER J., JR., a/k/a
PETER J. RUSSO, a/k/a PETER
RUSSO,
deceased**

Late of City of Erie, Erie County,
Pennsylvania

Administrator: Peter J. Russo, Sr.,
c/o Jeffrey D. Scibetta, Esq., 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

**SMITH, JAMES,
deceased**

Late of Summit Township,
County of Erie, Commonwealth
of Pennsylvania

Administrator: James H. Smith,
c/o Quinn, Buseck, Leemhuis,
Toohey & Kroto, Inc., 2222 West
Grandview Blvd., Erie, PA 16506-
4508

Attorney: Colleen R. Stumpf,
Esquire, Quinn, Buseck,
Leemhuis, Toohey & Kroto, Inc.,
2222 West Grandview Blvd., Erie,
PA 16506-4508

**SMITH, RUTH M.,
deceased**

Late of City of Erie, County of Erie
Executrix: Carroll A. Degenhart,
5229 Candlewood Lane, Erie,
PA 16505

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

**TAYLOR, HELEN L.,
deceased**

Late of the Township of
Fairview, County of Erie, and
Commonwealth of Pennsylvania
Executrix: Faythe Chevalier,
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

**VOLLBRECHT, ARNOLD F.,
a/k/a ARNOLD FREDERICK
VOLLBRECHT,
deceased**

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

Executor: David B. Lay
Attorney: James H. Richardson,
Esquire, ELDERKIN LAW FIRM,
150 East 8th Street, Erie, PA 16501

**ZEMPLANSKY, GENEVIEVE,
deceased**

Late of the Borough of Edinboro,
County of Erie and State of
Pennsylvania

Executor: Gerald Slipcevic, c/o
David R. Devine, Esq., 201 Erie
Street, Edinboro, PA 16412

Attorney: David R. Devine, Esq.,
201 Erie Street, Edinboro, PA
16412

SECOND PUBLICATION**CROCKETT, CHARLES, a/k/a
CHARLES C. CROCKETT,
deceased**

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

Executrix: Stephanie A. O'Rourke,
18123 Scottsdale Blvd., Shaker
Heights, OH 44122

Attorney: None

**DOMBROWSKI, EDWIN D.,
a/k/a CORKY DOMBROWSKI,
deceased**

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

Executor: Mark Dombrowski,
c/o Kevin M. Monahan, Esq.,
Suite 300, 300 State Street, Erie,
PA 16507

Attorney: Kevin M. Monahan,
Esq., MARSH, SPAEDER,
BAUR, SPAEDER & SCHAAF,
LLP, Suite 300, 300 State Street,
Erie, PA 16507

**FOGLE, AGNES, a/k/a AGNES C.
FOGLE, a/k/a AGNES COLETTA
FOGLE,
deceased**

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

Executor: Alan F. Fogle, 6621
West Ridge Road, Lot 51,
Fairview, PA 16415

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

**GERLACH, FRANK M., a/k/a
FRANK MARTIN GERLACH,
deceased**

Late of Harborcreek Township,
City of Erie, Commonwealth of
Pennsylvania

Executrix: Elizabeth J. Gerlach,
c/o Thomas C. Hoffman, II, Esq.,
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

**GORDON, JOHN T., JR.,
deceased**

Late of City of Erie, Erie County,
Commonwealth of Pennsylvania
Executor: Kirk L. Gordon, c/o
Jeffrey D. Scibetta, Esq., 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

**KOSEFF, ROGER DANIEL,
a/k/a ROGER D. KOSEFF, a/k/a
ROGER KOSEFF,
deceased**

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

Administrator: Alain P. Koseff,
12160 Skyview Drive, Edinboro,
PA 16412

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

PARMERTER, RICHARD L., a/k/a RICHARD LEE PARMERTER, a/k/a RICHARD PARMERTER, deceased

Late of the Township of Springfield, County of Erie, State of Pennsylvania
Executrix: Shelly L. Potter, 12037 West Lake Road, East Springfield, PA 16411
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

THAYER, TERRY M., a/k/a TERRY M. THAYER, SR., a/k/a TERRY THAYER, deceased

Late of the Township of Millcreek, County of Erie, State of Pennsylvania
Executrix: Terry M. Thayer, Jr., 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

WILLIAMS, BONNIE J., deceased

Late of the Township of Summit, County of Erie, and Commonwealth of Pennsylvania
Executrix: Heather Harrington, 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

THIRD PUBLICATION

BIONDI, CRAIG R., deceased

Late of the Township of Fairview, County of Erie, Commonwealth of Pennsylvania
Administrator: Richard P. Biondi, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

BURROWS, MARGARET E., deceased

Late of the Township of Cherry Tree, County of Crawford and Commonwealth of Pennsylvania
Executrix: Ronald B. Burrows, c/o Schroeck and Associates, LLC, 117 West 7th Street, Erie, PA 16507
Attorney: George M. Schroeck, Esq., Schroeck and Associates, LLC, 117 West 7th Street, Erie, PA 16507

FRANZ, CYNTHIA A., a/k/a CYNTHIA FRANZ a/k/a CYNTHIA ANN FRANZ, deceased

Late of the City of Erie, County of Erie and State of Pennsylvania
Executrix: Eric Michael Franz, 427 Sybil Drive, Erie, PA 16505
Attorney: Ronald J. Susmarski, Esq., 4030 West Lake Road, Erie, PA 16505

KENNEDY, JEANNE A., deceased

Late of City of Erie
Executrix: Kathylyne Kennedy Beer, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

LOMBARDOZZI, MARY A., deceased

Late of the City of Erie, County of Erie and State of Pennsylvania
Executrix: Mary T. Carroll, 5 Kellogg Street, Erie, PA 16508
Attorney: Ronald J. Susmarski, Esq., 4030 West Lake Road, Erie, PA 16505

REKITT, SANDRA L., deceased

Late of the Borough of Wesleyville, Erie County
Executrix: Jeffrey Gross
Attorney: William J. Kelly, Jr., Esquire, 230 West 6th Street, Suite 201, Erie, PA 16507

STEVENSON, THELMA P., deceased

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

ZIELINSKI, RONALD M., deceased

Late of the City of Erie, County of Erie, Pennsylvania
Executrix: Clearistene Zielinski, 1808 Chestnut St., Erie, PA 16502
Attorney: None

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

JOHN P. LEEMHUIS, JR......814-459-6055
Leemhuis Legal, PLLC
900 State Street
Erie, PA 16501 *John@leemhuislegal.com*

NEW ADDRESS

H. VALENTINE HOLZ, II.....814-868-3900
The Holz Law Firm
8331 Edinboro Road
Erie, PA 16509 *holzlawfirm@gmail.com*

~~TALARICO & NIEBAUER~~
TALARICO & ASSOCIATES
230 West 6th Street, Suite 202
Erie, PA 16507

ATTENTION ALL ATTORNEYS

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