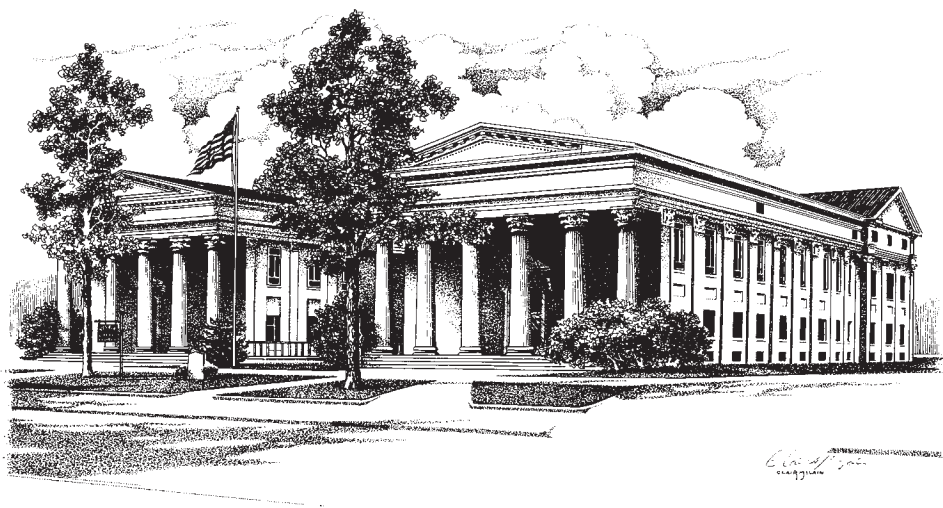


Erie County Legal Journal

April 19, 2019

Vol. 102 No. 16



102 ERIE 69 - 75

Owens v. Commonwealth of Pennsylvania Department of Transportation

Erie County Legal Journal

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

Managing Editor: Megan E. Black

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INDEX

OPINION	5
COURT OF COMMON PLEAS	
Fictitious Name Notice	14
Incorporation Notices	14
Legal Notices	14
Sheriff Sales	16
ORPHANS' COURT	
Audit List	21
Estate Notices	22
CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS	26

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Erie County Bar Association

Calendar of Events and Seminars

FRIDAY, APRIL 19, 2019

Good Friday Holiday
ECBA Office Closed
Erie County and Federal Courthouses Closed

MONDAY, APRIL 22, 2019

ECBA Live Seminar
*Understanding and Navigating Medicare:
What you need to know when advising clients and
when making personal, pre-retirement decisions*
The Will J. Schaaf & Mary B. Schaaf Education Center
8:00 a.m. - Registration
8:30 p.m. - 1:15 p.m. - Seminar
\$179 (ECBA members/their non-attorney staff)
\$240 (non-members)
4 hours substantive

THURSDAY, APRIL 25, 2019

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

FRIDAY, APRIL 26, 2019

Solo/Small Firms Division Meeting
Noon
The Will J. Schaaf & Mary B. Schaaf Education Center

MONDAY, APRIL 29, 2019

ECBA Board of Directors Meeting
Noon
ECBA Headquarters

THURSDAY, MAY 2, 2019

AKT Kid Connection Kick Off Event
5:30 p.m. - 7:00 p.m.
ExpERIEence Children's Museum

TUESDAY, MAY 7, 2019

Senior Lawyers Division Event
Private tour of the Warner Theater
11:00 a.m.
Warner Theater

THURSDAY, MAY 9, 2019

Law Day
Noon
Bayfront Convention Center, Great Hall

MONDAY, MAY 13, 2019

Workers' Compensation Section Meeting
Noon
ECBA Headquarters

TUESDAY, MAY 14, 2019

Family Law Section Meeting
Noon
Judge Walsh's Courtroom

FRIDAY, MAY 17, 2019

Young Lawyers Division Meeting
Noon
ECBA Headquarters

SUNDAY, MAY 19, 2019

16th Annual Attorneys & Kids Together 5K Run/Walk
9:00 a.m.
*more information and registration
available at www.eriebar.com*



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Association



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

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16th Annual
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Together 5K
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Sunday, May 19, 2019



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The only community service project directly supporting the educational needs of the more than 1500 local students living in homeless situations in Erie County.

Start Time: 9:00 a.m.

Where: Erie County Courthouse
140 West Sixth Street

POSTMARK DEADLINE TO PRE-REGISTER IS

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\$25.00 (adults w/shirt)

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\$20.00 (12 and under w/shirt)

\$10.00 (12 and under/no shirt)

Register Online at: <https://www.eriebar.com/events/member-registration/1571>

Print an application at: https://www.eriebar.com/pdf/ldrapp_2019.pdf



DONALD C. OWENS

v.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION**

APPELLATE PROCEDURE / CONCISE STATEMENT

A trial court judge may enter an order directing the appellant to file of record in the trial court and serve on the judge a concise statement of the errors complained of on appeal.

APPELLATE PROCEDURE / CONCISE STATEMENT

Issues not included in the Statement and/or not raised in accordance with the provisions of this Pennsylvania Rules of Appellate Procedure 1925(b)(4) are waived.

APPELLATE PROCEDURE / CONCISE STATEMENT

It is not enough to timely file the concise statement with the Prothonotary, but not serve the Trial Court when directed to do so by an order.

AUTOMOBILES / PRESUMPTIONS AND BURDEN OF PROOF

Once Department of Transportation introduces certified conviction records showing that a licensee's record merits a suspension, it has established a prima facie case and the burden shifts to the licensee, who must then prove by clear and convincing evidence that the conviction did not occur.

AUTOMOBILES / PRESUMPTIONS AND BURDEN OF PROOF

To rebut a prima facie case established by a certified conviction record, the licensee must either challenge the regularity of the record, or introduce direct evidence showing that the record is incorrect and that the conviction was never entered.

AUTOMOBILES / PRESUMPTIONS AND BURDEN OF PROOF

The Department of Transportation's certification of a driving record showing that notice was given is competent to establish that notice was sent.

AUTOMOBILES / PRESUMPTIONS AND BURDEN OF PROOF

The Department of Transportation is not required to show that the licensee actually received the notice.

AUTOMOBILES / PRESUMPTIONS AND BURDEN OF PROOF

An individual is required to complete the proper administrative steps after a statutory suspension has ended before being entitled to drive without restriction.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA

NO. 11929-2018

1481 CD 2018

Appearances: Donald C. Owens, *pro se* (Appellant)

Terrance M. Edwards, Esq., on behalf of Commonwealth of Pennsylvania
Department of Transportation (Appellee)

OPINION

Domitrovich, J.

December 27, 2018

This matter is currently before the Pennsylvania Commonwealth Court on the *pro se* appeal of Donald C. Owens (“Appellant”) from this Trial Court’s Order dated September 29, 2018. Appellant raises the issue of whether he received the “Official Notice of the Suspension of your Driving Privilege” (“Notice”) of his suspension dated June 6, 2018. This Notice involves Appellant’s failure to make regular payments on his Magisterial District Judge’s fines and costs. Undisputedly, prior to the hearing by this Trial Court, however, the Department of Transportation had already rescinded Appellant’s driver’s license suspension due to Appellant’s eventual compliance by paying the remaining balance on his fines. And so, this Trial Court lacks jurisdiction for any relief sought by Appellant. Since his suspension has been rescinded, Department of Transportation properly informed Appellant he must pay the administrative restoration fee. This Trial Court is not empowered to waive any administrative restoration fees.

Moreover, Appellant has failed to timely serve this Trial Court with his Concise Statement of Matters on Appeal. Appellant was late by thirteen (13) days. This Trial Court provides the following analysis:

The Department of Transportation indicated Appellant’s operating privileges were initially suspended due to Appellant’s failure to make regular payments on fines, costs, and restitution, as Appellant made sporadic payments. As per Department of Transportation’s procedures and regulations, after a fine has been paid in full, the suspension is lifted and an administrative restoration fee is required to restore driving privileges. As Petitioner’s fine had been paid sporadically, but eventually paid in full, this Trial Court found “the instant license suspension appeal is dismissed, and Appellant should pay his restoration fee to restore Appellant’s operator’s license since this Trial Court has no jurisdiction to waive the restoration fee requirement.” (See Trial Court Order, dated September 29, 2019).

Nonetheless, Appellant timely appealed this Order on October 29, 2018. Pursuant to Pennsylvania Rule of Appellate Procedure 1925(b), this Trial Court then issued a 1925(b) Order directing Appellant to file a Concise Statement of Errors Complained of on Appeal within twenty-one days of said Order’s entry on the docket.¹ Appellant failed to timely serve this Trial Court with his Concise Statement of Errors Complained of on Appeal until December 3, 2018, which was thirteen (13) days late.

This Opinion will first address the issue of whether Appellant’s appeal should be dismissed because Appellant failed to timely serve this Trial Court with a Concise Statement of the Errors Complained of on Appeal.

Pennsylvania Rule of Appellate Procedure 1925(b) states a trial court judge “may enter an order directing the appellant to file of record in the trial court and serve on the judge a concise statement of the errors complained of on appeal.” Pa.R.A.P. 1925(b). This Rule

¹ This Order was signed on October 29, 2018, but entered onto the Docket on October 30, 2018. On November 8, 2018, this Trial Court also granted the Appellant’s request to preserve the status quo in the form of a supersedeas of Appellant’s “under suspension” designation until Appellant’s appeal to the Commonwealth Court is completed.

On November 7, 2018, the Pennsylvania Commonwealth Court returned Appellant’s notice of appeal for “DEFECT: NOA must be served on trial court judge and court reported w/complete addr.” Appellant’s “Proof of Service of Notice of Appeal” was filed on November 20, 2018.

directs the Appellant on how the Statement should be filed: “Appellant shall file of record the Statement and concurrently shall serve the judge. Filing of record and service on the judge shall be in person or by mail ... Service on parties shall be concurrent with filing and shall be by any means of service specified under Pa.R.A.P. 121(c).” Pa.R.A.P. 1925(b)(1). The appellant shall have “at least 21 days from the date of the order’s entry on the docket for the filing and service of the Statement.” Pa.R.A.P. 1925(b)(2). Appellant’s failure to raise any issues in accordance with its provisions will result in the waiver of those issues:

“Issues not included in the Statement and/or not raised in accordance with the provisions of this paragraph (b) (4) are waived.”

Pa.R.A.P. 1925(b)(4)(vii); *see also Com. v. Hill*, 16 A.3d 484 (Pa. 2011) (“Our jurisprudence is clear and well-settled, and firmly establishes that: Rule 1925(b) sets out a simple bright-line rule, which obligates an appellant to file **and serve** a Rule 1925(b) statement, when so ordered; any issues not raised in a Rule 1925(b) statement will be deemed waived[.]”) (emphasis added). In the instant case, this Trial Court’s Order directed Appellant “to forthwith file of record a Concise Statement of Matters Complained of on Appeal within twenty-one (21) days of the entry of this Order and serve a copy thereof on the undersigned judge. Any issue not properly included in a timely filed and served concise statement shall be deemed waived.” (Order dated October 29, 2018).

Indeed, since “the submission of a court-ordered Rule 1925(b) statement is a prerequisite to appellate merits review, . . . the Rule 1925(b) statement (when directed) is elemental to an effective perfection of the appeal.” *Commonwealth v. Halley*, 870 A.2d 795, 800 (Pa. 2005) (citing *Lord*, 719 A.2d at 307-09). The Pennsylvania Commonwealth Court in *Holtzapfel* elaborated:

The requirement of strict compliance with Pa. R.A.P. 1925(b) guarantees a trial judge’s ability to focus on the issues raised by the appellant, and thereby, allows for meaningful and effective appellate review. Moreover, a bright-line rule eliminates the potential for the inconsistent results that existed prior to *Lord*, when trial courts and appellate courts had discretion to address or to waive issues raised in non-compliant Pa. R.A.P. 1925(b) statements.

Commonwealth v. Holtzapfel, 895 A.2d 1284, 1288 (Pa.Cmwlt. 2006) (quoting *Commonwealth v. Schofield*, 585 Pa. 389, 393, 888 A.2d 771, 774 (2005)). It is not enough to timely file with the Prothonotary, but not serve the Trial Court when directed to do so by an order. *See Egan v. Stroudsburg Sch. Dist.*, 928 A.2d 400, 402 (Pa. Commw. 2007).

In addition, appellants who want an extension of time to file their 1925(b) statement must petition the trial court within the twenty-one day period and provide the court with a “good cause” explanation for an extension of a specific amount of time in which to file the 1925(b) Statement. *See* Pa.R.A.P. 1925(b)(2); *see also Commonwealth v. Gravely*, 970 A.2d 1137, 1144 (Pa. 2009). If a trial court issues an order granting an extension request, only then will issues raised in an otherwise untimely 1925(b) statement be preserved for appellate review. *See e.g., Commonwealth v. Mitchell*, 902 A.2d 430, 444 (Pa. 2006) (statement timely filed

outside of twenty-one day period where “several extensions of time” were properly made).

In the instant case, this Trial Court issued a Rule 1925(b) Order October 29, 2018, which was filed of record and time-stamped by the Erie County Clerk of Records Prothonotary on October 30, 2018 directing Appellant to file a Concise Statement of Errors Complained of on Appeal within twenty-one days of the entry of said Order on the docket and to “serve a copy thereof on the undersigned judge.” Appellant failed to comply with the minimal requirements of Pa.R.A.P. 1925(b) since he did not serve his Concise Statement to this Trial Court within twenty-one days from the entry of this Trial Court’s 1925(b) Order filed by the Trial Court on October 30, 2018. This Trial Court received Appellant’s Concise Statement on December 3, 2018, thirteen (13) days late. This Trial Court has attached a copy of the front page of Appellant’s Concise Statement received with the date stamped from the Court’s office indicating December 3, 2018. (Attached as Court Exhibit B). Finally, pursuant to *Commonwealth v. Castillo*, 888 A.2d 775, 780 (Pa. 2005), this Trial Court may not deviate from the bright-line rule requiring Appellant to comply with the clear mandates of Pa.R.A.P. 1925(b) when Appellant is directed to do so. Since Appellant has failed to apprise this Trial Court of his issues presented on appeal in a timely manner, Appellant has waived any issues for appeal.

Assuming *arguendo*, Appellant’s issues on appeal are not waived, Appellant’s appeal is moot, and this Trial Court does not have the jurisdiction to waive the restoration fee that Appellant continues to seek. The factual and procedural history is as follows:

On June 17, 2017 Appellant was issued a citation, and thereafter pled guilty and was sentenced at the Magisterial District Judge level. Appellant did not make regular or timely payments on the fines resulting from the citation. On June 6, 2018, the Department of Transportation sent to Appellant a Notice for Appellant’s failure to pay fully the fine on the citation from June 17, 2017. As per the Notice, Appellant’s driving privileges would be suspended on June 27, 2018 if Appellant did not pay the remainder of the requisite fine and costs prior to June 27, 2018, and Appellant would be required to pay a restoration fee of his driving privileges. The Notice also stated Appellant had thirty (30) days from the date of the Notice to appeal. Appellant made a partial payment on the fine on June 29, 2018. The Appellant was issued another citation on July 1, 2018, for driving with a suspended license.

On July 26, 2018, Appellant filed “Petition For Leave To file Appeal Nunc Pro Tunc from Order of Department of Transportation.” The President Judge Trucilla granted Appellant’s petition for *nunc pro tunc* relief, on July 31, 2018, then subsequently vacated the Order for lack of notice to the Department of Transportation.

On September 5, 2018, Appellant made the final payment on the citation of June 17, 2017. On September 26, 2018, this Trial Court heard Appellant’s license suspension appeal, wherein the Department of Transportation introduced Appellant’s certified conviction record and made part of the record as Commonwealth’s Exhibit 1. (Notes of Testimony, License Suspension Appeal, September 26, 2018, at 3:23-4:8 (“N.T.1”)).

Appellant’s certified conviction record included the Notice indicating the suspension was pursuant to 75 Pa.C.S. § 1533, for failure to pay any fine, costs or restitution imposed. The law is clear as to court procedure:

Once DOT introduces certified conviction records showing that a licensee's record merits a suspension, it has established a prima facie case and the burden shifts to the licensee, who must then prove by clear and convincing evidence that the conviction did not occur. *Roselle v. Department of Transportation, Bureau of Driver Licensing*, 865 A.2d 308, 314 (Pa.Cmwlt.2005); *Glidden v. Department of Transportation, Bureau of Driver Licensing*, 962 A.2d 9, 12 (Pa.Cmwlt.2008). Clear and convincing evidence is defined as "evidence that is so clear and direct as to permit the trier of fact to reach a clear conviction, without hesitancy, as to the truth of the facts at issue." *Mateskovich v. Department of Transportation, Bureau of Driver Licensing*, 755 A.2d 100, 102 n. 6 (Pa. Cmwlt.2000) (quoting *Sharon Steel Corporation v. Workmen's Compensation Appeal Board*, 670 A.2d 1194, 1199 (Pa.Cmwlt.1996)). To rebut a prima facie case established by a certified conviction record, the licensee must either challenge the regularity of the record, or introduce direct evidence showing that the record is incorrect and that the conviction was never entered. *Id.* at 102.

Dick v. Com., Dep't of Transp., Bureau of Driver Licensing, 3 A.3d 703, 707 (Pa. Commw. Ct. 2010). Because the Department of Transportation in the instant case introduced the certified conviction record, the burden of proof was shifted to Appellant. Appellant argued he never received the Notice sent on June 6, 2018 and did not learn of the suspension of his driving privileges until he was issued the citation for driving with a suspended license on July 1, 2018. (N.T.1 at 32:14-24).

In these instances, well settled law regarding the mailbox rule applies:

Under the mailbox rule, proof of mailing raises a rebuttable presumption that the mailed item was received and it is well-settled that the presumption under the mailbox rule is not nullified solely by testimony denying receipt of the item mailed. *Department of Transportation v. Brayman Construction Corp.-Bracken Construction Co.*, 99 Pa.Commonwealth Ct. 373, 513 A.2d 562 (1986). Further, the Department's certification of a driving record showing that notice was given is competent to establish that notice was sent. *Department of Transportation, Bureau of Driver Licensing v. Petrucelli*, 117 Pa.Commonwealth Ct. 163, 543 A.2d 213 (1988). The Department is not required to show that the licensee actually received the notice. *Department of Transportation, Bureau of Driver Licensing v. Funderberg*, 127 Pa.Commonwealth Ct. 180, 561 A.2d 84 (1989).

Com., Dep't of Transp., Bureau of Driver Licensing v. Grasse, 606 A.2d 544, 545-46 (1991). At the hearing on September 26, 2018, Appellant argued he never received the notice; introduced other pieces of mail sent to his address of record; and stated he would have paid the fine in full if Appellant had actually received the notice. Additionally, Appellant informed this Trial Court that he has two different addresses: 1708 Granada Drive, Apartment 14, the one address he lives at, and the 221 East 25th Street, where Appellant receives mail and is his address of record. (N.T.1 at 2:8-3:10). This Trial Court notes the Notice was properly sent by the Department of Transportation to Appellant's address of record: 221 East 25th Street. (N.T.1 at 3:23-4:8). Moreover, as plainly stated in *Com., Dep't of Transp., Bureau of Driver Licensing v. Grasse*, "the presumption under the mailbox rule is not nullified solely by testimony denying receipt of the item mailed."

Since President Judge Trucilla had issued his decision to permit *nunc pro tunc* relief to Appellant, and afterwards President Judge Trucilla vacated his Order due to lack of notice to counsel for the Department of Transportation, this Trial Court issued an Order dated September 29, 2018 (at the time of the license suspension appeal in the presence of both Appellant and Appellee's counsel) permitting Appellant's appeal *nunc pro tunc*, consistent with the intent of the President Judge. Moreover, this Trial Court deemed it necessary to follow the President Judge's intent due to coordinate jurisdiction. This Trial Court took jurisdictional notice of Appellant's three (3) days lateness and due to mail in Erie being slow recently, this Trial Court permitted his *nunc pro tunc* relief to hear his case on the merits.

Since, Appellant's suspension was rescinded by the Department of Transportation as Appellant had fully paid the fine on September 5, 2018, and Appellant only had to pay the administrative restoration fee to resume driving privileges, this Trial Court dismissed his appeal. Appellant must pay the required restoration fee.

Further, this Trial Court does not have jurisdiction to waive the restoration fee that Appellant continues to seek. *See Rossi v. Commonwealth*, 860 A.2d 64, 67 (Pa. 2004) ("[A]n individual [is required] to complete the proper administrative steps after a statutory suspension has ended before being entitled to drive without restriction."), *see also* 75 Pa.C.S. § 1960. As indicated by Attorney Farkas at the time of the hearing, Appellant has no case to be heard for license suspension purposes since after he failed to make continuous payments on his fine, he cleared his suspension by paying this fine eventually in full. (N.T.1 7:3-12; 28:13-18; 36:19-23; 37:23-38:7). Appellant knew he had to make regular, on-time, and monthly payments for his fines and costs at the office of the Magisterial District Judge, since he entered into a payment plan. (*See* "Exhibit A"). However, Appellant made sporadic payments, every three (3) to six (6) months, as explained in this Trial Court's Order dated September 29, 2018, and as evidenced by Court Exhibit A attached:

In view Appellant's *operating privileges were initially suspended due to Appellant's failure to make regular payments on fines, costs, and restitution* for citation number T42216790 issued June 17, 2017, as Appellant made sporadic payments, such as on September 11, 2017, and March 5, 2018, (*See* Notice of Suspension dated June 6, 2018; *see also* Payment Plan Summary *attached as Court Exhibit A*), and upon consideration Appellant subsequently paid in full all fines, costs, and restitution for said citation after his suspension became effective, and PennDOT has now rescinded the suspension of Appellant's operating privileges since he has paid all of his fines, costs, and restitution in full; and since this Trial Court does not have authority to waive the restoration fee for Appellant to reinstate his operating privileges ... it is hereby **ORDERED, ADJUDGED and DECREED** the instant license suspension appeal is **DISMISSED**, and Appellant should pay his restoration fee to restore Appellant's operator's license since this Trial Court has no jurisdiction to waive the restoration fee requirement.

(emphasis added).

Now that Appellant's fine is paid in full, the only action remaining for Appellant currently is to pay his restoration fee to reinstate fully his driving privileges. (N.T.1 at 14:4-6; 36:19-23); *See also* Trial Court Order dated September 29, 2018. Appellant failed to produce any evidence of lack of administrative breakdown. This Trial Court's permitting his appeal to

be heard does not mean this Court intended her finding to be he never received his Notice. These are separate decisions of which neither Appellant nor the Pennsylvania Department of Transportation appealed the *nunc pro tunc* relief granted.

In conclusion, for all of the foregoing reasons, this Trial Court requests the Pennsylvania Commonwealth Court dismiss Appellant's instant appeal.

BY THE COURT

/s/ Stephanie Domitrovich, Judge

DONALD C. OWENS, Appellant

v.

**COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT
OF TRANSPORTATION, BUREAU OF DRIVER LICENSING**

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

No. 1481 C.D. 2018

PER CURIUM

ORDER

NOW, March 15, 2019, upon consideration of appellee’s motion to dismiss appeal, and the answer thereto, and it appearing that appellant did not timely serve his concise statement of matters complained of on appeal on the trial court judge as required by Pa. R.A.P. 1925(b)(1), as appellant admits in his answer, appellant has waived any issues for appeal, and the above-captioned appeal is hereby dismissed. *See Egan v. Stroudsburg School District*, 928 A.2d 400 (Pa. Cmwlth. 2007).

Appellant’s filings of March 6, 2019 and March 11, 2019 titled “Correction or Modification of the Record (Pa. R.A.P. 1926(b)(2))” are hereby stricken as improper. Appellant’s application for extension of time to file brief is dismissed as moot.

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FICTITIOUS NAME NOTICE

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

FICTITIOUS NAME NOTICE

1. Fictitious name: chAIRside Consulting
2. Address of the principal place of business: 118 Parkway Drive, Erie, PA 16511
3. The real name and address, including street and number, of the persons who are parties to the registration: Tammy L. Caldwell, 118 Parkway Drive, Erie, PA 16511
4. An application for registration of a fictitious name under the Fictitious Name Act was filed on or about March 21, 2019

Apr. 19

INCORPORATION NOTICE

Notice is hereby given that Articles of Incorporation were filed with the Department of State for Adam Distribution Company, a corporation organized under the Pennsylvania Business Corporation Law of 1988.

Apr. 19

INCORPORATION NOTICE

Notice is hereby given that New Way Auto Sales and Service, Inc., has been incorporated under the Business Corporation Law of 1988.

Gery T. Nietupski, Esquire

LAW OFFICES OF GERY T.

NIETUPSKI, ESQUIRE, LLC

818 State Street, Suite A

Erie, Pennsylvania 16501

Apr. 19

INCORPORATION NOTICE

NOTICE is hereby given that Outdoor Erie, Inc. has been incorporated under the provision of the Business Corporation Law of 1988, as amended.

James R. Steadman, Esquire

Steadman Law Office, P.C.

24 Main Street East

P.O. Box 87

Girard, PA 16417

Apr. 19

INCORPORATION NOTICE

Notice is hereby given that The French Creek Living History Association & Rouville French Marine/Milice Co. Division Inc. has been incorporated under the provisions of the Nonprofit Corporation Law on April 2, 2019

Jeffrey G. Herman, Esq.

HERMAN & HERMAN

114 High Street

Waterford, PA 16441

Apr. 19

LEGAL NOTICE

ATTENTION: UNKNOWN BIOLOGICAL FATHER

INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR FEMALE CHILD I.R.T. DOB: 04/24/2018

BORN TO: ERICA GWYNNE JOHNSON

20 IN ADOPTION, 2019

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, Honorable Shad Connelly, Court Room No. B-208, City of Erie on June 7, 2019, 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) 451-7729.

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) 451-7729, or contact your adoption attorney, if you have one.

Apr. 19

LEGAL NOTICE

IN THE UNITED STATES
DISTRICT COURT FOR THE
WESTERN DISTRICT OF

PENNSYLVANIA

CIVIL ACTION NO.

1:18-cv-00130-CB

UNITED STATES OF AMERICA,

Plaintiff

vs.

JESSICA A. PASQUARELLO

a/k/a JESSICA A. PETTIGREW,

Defendant

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at and being more fully described at Erie County Deed Book 759 Page 1. **SAID SALE** to be held at the Erie County Courthouse, 140 West Sixth

Street, Room 209, Erie, PA 16501 at **10:00 a.m.**, prevailing standard time, on **May 23, 2019**.

ALL that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Parcel No. 28-5-6.7-6 recorded in Erie County, Pennsylvania, commonly known as: **1116 Birch Street, Lot 16, Lake City, PA 16423**.

IDENTIFIED as Tax/Parcel #: 28-5-6.7-6 in the Deed Registry Office of Erie County, Pennsylvania. HAVING erected a dwelling thereon known as 1116 BIRCH STREET, LOT 16, LAKE CITY, PA 16423. BEING the same premises conveyed to Jessica A. Pasquarello a/k/a Jessica A. Pettigrew, dated May 1, 2000, and recorded on March 19, 2001 in the office of the Recorder of Deeds in and for Erie County, Pennsylvania. Seized and taken in execution as the property of Jessica A. Pasquarello a/k/a Jessica A. Pettigrew at the suit of the United States of America, acting through the Under Secretary of Rural Development on behalf of Rural Housing Service, United States Department of Agriculture, to be sold on Writ of Execution as Civil Action No. 1:18-cv-00130.

TERMS OF SALE: Successful bidder will pay ten percent (10%) by certified check or money order upon the property being struck down to such bidder, and the remainder of the bid within thirty (30) days from the date of the sale and in the event the bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, 700 Grant Street, Suite 2360, Pittsburgh, PA 15219. Bidder must have deposit funds immediately available and on his person in order to bid, bidder will not be permitted to leave the sale and return with deposit funds. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth (30th) day after the date of sale, and that distribution will be made in accordance with

the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Michael Baughman, Acting United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

Apr. 19, 26 and May 3, 10

LEGAL NOTICE

Notice is hereby given that any individuals, who have had weapons confiscated from January 1, 2015, through December 31, 2015, by Court Order from Protection from Abuse Order have thirty (30) days from the date of this publication to respond in person to take possession of their weapons.

The Sheriff will dispose of all unclaimed weapons after thirty (30) days of the date of said notice.

Sheriff John T. Loomis

Apr. 12, 19, 26

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

APRIL 26, 2019

AT 10 A.M.

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

Apr. 5, 12, 19

SALE NO. 2

Ex. #12575 of 2018

Northwest Bank f/k/a Northwest Savings Bank, Plaintiff

v.

Winschel and Berlin Builders, LLC, a Pennsylvania limited liability company, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed at No. 2018-12575, Northwest Bank f/k/a Northwest Savings Bank v. Winschel and Berlin Builders, LLC, a Pennsylvania limited liability company, owner of property situated in the Township of Millcreek, Erie County, Pennsylvania being commonly known as 5834 Cherry Street Ext., Erie, PA with 0.4017 acreage.

Assessment Map No. (33) 163-619-127

Assessed Value Figure: \$130,896

Improvement thereon: Single family

Mark G. Claypool, Esquire

Knox McLaughlin Gornall

& Sennett, P.C.

120 West Tenth Street

Erie, Pennsylvania 16501

(814) 459-2800

Apr. 5, 12, 19

SALE NO. 4

Ex. #12916 of 2018

PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff

v.

PATRICIA L. BLAIR,

Defendants

DESCRIPTION

By virtue of a Writ of Execution No. 2018-12916, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. PATRICIA L. BLAIR, Defendants

Real Estate: 431 ARDMORE AVENUE, ERIE, PA 16505

Municipality: Township of Millcreek Erie County, Pennsylvania

Dimensions: 50 x 120

See Deed Book 987, page 108

Tax I.D. (33) 5-5-14

Assessment: \$20,000 (Land)

\$77,500 (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

Apr. 5, 12, 19

SALE NO. 5

Ex. #11218 of 2014

PNC Bank, National Association, Plaintiff

v.

Karen E. Bolton, AKA Karen E. Smith, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 11218-14, PNC Bank, National Association vs. Karen E. Bolton, AKA Karen E. Smith; owner(s) of property situated in The Township of Summitt [sic], County of Erie, Commonwealth of Pennsylvania being 8535 Oliver

Road, Erie, PA 16509 0.3616

Assessment Map Number: 40029082013900

Assessed Value figure: \$201,400.00 Improvement thereon: Single Family Dwelling

Kimberly J. Hong, Esquire

Manley Deas Kochalski LLC

P.O. Box 165028

Columbus, OH 43216-5028

614-220-5611

Apr. 5, 12, 19

SALE NO. 7

Ex. #10421 of 2018

Corry Federal Credit Union, Plaintiff

v.

Carol A. Meerhoff, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10421-18, Corry Federal Credit Union v. Carol A. Meerhoff, Owner(s) of property situated in City of Corry, Erie County, Pennsylvania, being 12 East Congress Street, Corry, PA 16407

ALL THAT CERTAIN piece or parcel of land situate in the Second Ward of the City of Corry, County of Erie and Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point in the south line of East Congress Street at a point Seventy-eight (78) feet east of the intersection of the south line of East Congress Street with the east line of North Center Street;

THENCE south parallel to the east line of North Center Street Eighty-nine and eight-tenths (89.8) feet to a point.

THENCE east along the north line of land formerly of C.P. Rogers, Jr. Forty-one and one hundred eighty-five thousandths (41.185) feet, be the same more or less, to the southwest corner of land conveyed to Mary W. Auer by deed recorded in Erie County Deed Book 168, page 499;

THENCE north along the east line of said land formerly of Mary W. Auer, Eighty-nine and eight-tenths (89.8) feet to a point in the south line of East Congress Street;

THENCE west along the south line of East Congress Street Forty-one and seven hundred fifty-three thousandths (41.753) feet, be the same more or less, to the place of beginning.

COMMONLY known as 12 East Congress Street, Corry, Pennsylvania, bearing Erie County Tax Index Number (6) 22-30-2.

BEING the same premises conveyed to Corry Federal Credit Union, by deed dated April 30, 2012 and recorded in Erie County Recorder of Deeds under instrument #2012-011919 on May 10, 2012.

Assessment Map number: 06-022-030.0-002.00

Assessed Value figure: \$68,900.00
Improvement thereon: Residential Dwelling

MARTHAE.VONROSENSTIEL, PC.
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

Apr. 5, 12, 19

SALE NO. 8

Ex. #10810 of 2018

PNC BANK, National Association, Plaintiff

v.

William G. Bausum, Sr. a/k/a

William G. Bausum a/k/a

William Bausum, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10810-18, PNC Bank, National Association, Plaintiff v. William G. Bausum, Sr. a/k/a William G. Bausum a/k/a William Bausum, owner(s) of property situated in Township of Lawrence Park, Erie County, Pennsylvania being 4135 Bell Street, Township of Lawrence Park, PA 16511

.0320 Acres

Assessment Map number: 29-017-043.0-033.00

Assessed Value figure: 67,135.68

Improvement thereon: Single Family Residence

Christina J. Pross, Esq.

Robert W. Williams, Esq.

Mattleman, Weinroth & Miller, P.C.

401 Route 70 East, Suite 100

Cherry Hill, NJ 08034

(856) 429-5507

Apr. 5, 12, 19

SALE NO. 9

Ex. #13428 of 2017

Finance of America Reverse

LLC, Plaintiff

v.

Amelia Perino, Known Surviving

Heir of Phillip A. Farbo, Phillip

Farbo, Known Surviving Heir

of Phillip A. Farbo, Joseph

Perry, Known Surviving Heir of

Phillip A. Farbo, and Unknown

Surviving Heirs of Phillip A.

Farbo, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 13428-17, Finance of America Reverse LLC v. Amelia Perino, Known Surviving Heir of Phillip A. Farbo, Phillip Farbo, Known Surviving Heir of Phillip A. Farbo, Joseph Perry, Known Surviving Heir of Phillip A. Farbo, and Unknown Surviving Heirs of Phillip A. Farbo

Amelia Perino, Known Surviving Heir of Phillip A. Farbo, Phillip Farbo, Known Surviving Heir of Phillip A. Farbo, Joseph Perry, Known Surviving Heir of Phillip A. Farbo, and Unknown Surviving Heirs of Phillip A. Farbo, owners of property situated in the Township of City of Erie, Erie County, Pennsylvania being 3213 Schaper Avenue, Erie, Pennsylvania 16508.

Tax I.D. No. 19061059021100

Assessment: \$109,568.54 .

Improvements: Residential Dwelling

McCabe, Weisberg & Conway, LLC

123 South Broad Street, Suite 1400

Philadelphia, PA 19109

215-790-1010

Apr. 5, 12, 19

SALE NO. 10

Ex. #13057 of 2018

DLJ Mortgage Capital, Inc., Plaintiff

v.

Crystal L. Drain and Norman

Davis, Defendants

DESCRIPTION

By virtue of a Writ of Execution

filed to No. 2018-13057, DLJ Mortgage Capital, Inc. vs. Crystal L. Drain and Norman Davis, owners of property situated in North East Township, Erie County, Pennsylvania being 4180 South Washington Street, North East, PA 16428

1626 Square Feet, 0.2590 Acres
Assessment Map number: 37023091001401

Assessed Value figure: \$121,620.00
Improvement thereon: Residential Dwelling

Roger Fay, Esquire

1 E. Stow Road

Marlton, NJ 08053

(856) 482-1400

Apr. 5, 12, 19

SALE NO. 11

Ex. #10053 of 2016

Deutsche Bank National Trust Company, as Trustee, in trust for registered Holders of Long Beach Mortgage Loan Trust 2005-2, Asset-Backed Certificates, Series 2005-2, Plaintiff

v.

Eric A. Sonney aka Eric Sonney and Emily L. Sonney aka Emily Sonney, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10053-16, Deutsche Bank National Trust Company, as Trustee, in trust for registered Holders of Long Beach Mortgage Loan Trust 2005-2, Asset-Backed Certificates, Series 2005-2 vs. Eric A. Sonney aka Eric Sonney and Emily L. Sonney aka Emily Sonney, owners of property situated in Greene Township, Erie County, Pennsylvania being 10246 Etter Rd., Waterford, PA 16441

1728 Square Feet, 2.0000 Acres
Assessment Map number: 25014056001203

Assessed Value figure: \$217,290.00
Improvement thereon: Residential Dwelling

Roger Fay, Esquire

1 E. Stow Road

Marlton, NJ 08053

(856) 482-1400

Apr. 5, 12, 19

SALE NO. 12

Ex. #12291 of 2018

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

**Marcia A. Popovich, Defendant(s)
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 12291-18, Wells Fargo Bank, NA vs. Marcia A. Popovich Amount Due: \$70,174.89

Marcia A. Popovich, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 1249 East 31ST Street, Erie, PA 16504-1482

Dimensions: 75 X 130.25

Assessment Map number: 18051006021500

Assessed Value: \$66,510.00

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

Apr. 5, 12, 19

SALE NO. 13

Ex. #11872 of 2018

**NATIONSTAR MORTGAGE
LLC D/B/A CHAMPION
MORTGAGE COMPANY,
Plaintiff**

v.

**UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS AND
ALL PERSONS, FIRMS OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OR UNDER BETH
ANN BASSING, DECEASED;
THERESA BASSING, IN HER
CAPACITY AS HEIR OF BETH
ANN BASSING, DECEASED,
Defendant(s)**

DESCRIPTION

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN THE CITY OF ERIE, ERIE COUNTY, PENNSYLVANIA: BEING KNOWN AS: 2514 EAST 42ND STREET, ERIE, PA 16510

PARCEL NUMBER: 18052056021100

IMPROVEMENTS:

RESIDENTIAL PROPERTY

RAS Citron, LLC

Robert Crawley, Esq.

Attorney ID No. 319712
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
855-225-6906

Apr. 5, 12, 19

SALE NO. 14

Ex. #12780 of 2017

**REVERSE MORTGAGE
SOLUTIONS INC, Plaintiff**

v.

**ROBERT D. BRUNO, KNOWN
HEIR OF ROBERT R. BRUNO;
RUSSELL J. BRUNO, KNOWN
HEIR OF ROBERT R. BRUNO;
RICHARD F. BRUNO,
KNOWN HEIR OF ROBERT R.
BRUNO; ROBIN J. FIGURSKI,
KNOWN HEIR OF ROBERT R.
BRUNO; UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS AND
ALL PERSONS, FIRMS OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OR UNDER ROBERT R.
BRUNO, Defendant(s)**

DESCRIPTION

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN THE TOWNSHIP OF MILLCREEK, ERIE COUNTY, PENNSYLVANIA:

BEING KNOWN AS: 2822 MORNINGSIDE DRIVE, ERIE, PA 16506

PARCEL NUMBER: 33-55-246-16

IMPROVEMENTS:

RESIDENTIAL PROPERTY

RAS Citron, LLC

Robert Crawley, Esq.

Attorney ID No. 319712

133 Gaither Drive, Suite F

Mt. Laurel, NJ 08054

855-225-6906

Apr. 5, 12, 19

SALE NO. 15

Ex. #10813 of 2017

**NATIONSTAR MORTGAGE
LLC, Plaintiff**

v.

**CHRISTINE HILLSTROM,
Defendant(s)**

DESCRIPTION

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN THE TOWNSHIP OF WAYNE, ERIE COUNTY, PENNSYLVANIA:

BEING KNOWN AS: 18633 RUSSELL ROAD, WAYNE, PA 16407

PARCEL NUMBER:

49015040000200

IMPROVEMENTS:

RESIDENTIAL PROPERTY

RAS Citron, LLC

Robert Crawley, Esq.,

Attorney ID No. 319712

133 Gaither Drive, Suite F

Mt. Laurel, NJ 08054

855-225-6906

Apr. 5, 12, 19

SALE NO. 16

Ex. #12358 of 2018

**Carrington Mortgage Services,
LLC, Plaintiff**

v.

**Shirley A. Messenger, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2018-12358, Carrington Mortgage Services, LLC vs. Shirley A. Messenger, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 537 Huron Street assessed as 537-539 Huron Street, Erie, PA 16502

40 X 125

Assessment Map number:

16030027011000

Assessed Value figure: \$33,050.00

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

Apr. 5, 12, 19

SALE NO. 17

Ex. #12687 of 2017

**JPMorgan Chase Bank, National
Association, Plaintiff**

v.

**Jason E. Terry and Laura E.
Kohl, Defendants
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2017-12687, JPMorgan Chase Bank, National Association vs. Jason E. Terry and Laura E. Kohl, owner(s) of property situated in City of Erie, Erie County, Pennsylvania being 3614 Melrose

Avenue, Erie, PA 16508
 55X120
 Assessment Map number: 19-061-
 037.0-208.00
 Assessed Value figure: \$92,320.00
 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

Apr. 5, 12, 19

SALE NO. 18

Ex. #12545 of 2018
Carrington Mortgage Services,
LLC, Plaintiff
v.

Deborah L. Vargas and Brian D.
Bean, Defendants

DESCRIPTION

By virtue of a Writ of Execution
 filed to No. 2018-12545, Carrington
 Mortgage Services, LLC vs.
 Deborah L. Vargas and Brian D.
 Bean, owner(s) of property situated
 in City of Corry, First Ward, Erie
 County, Pennsylvania being 942
 East Main Street, Corry, PA 16407
 50X175

Assessment Map number:
 05029107000200 and
 05029107002200

Assessed Value figure: \$35,070.00
 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

Apr. 5, 12, 19



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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, April 10, 2019** and confirmed Nisi.

May 22, 2019 is the last day on which Objections may be filed to any of these accounts.

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

<u>2019</u>	<u>ESTATE</u>	<u>ACCOUNTANT</u>	<u>ATTORNEY</u>
103.	Kristina M. Vaughn	PNC Bank, Successor Trustee	Brian Cagle, Esq.
104.	William P. Garvey	Mary C. Songer,	Evan E. Adair, Esq.
		Evan E. Adair, Co-Executors	

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

Apr. 19, 26

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

**BABCOCK, DOROTHY A.,
deceased**

Late of the City of Corry, County of Erie, Commonwealth of Pennsylvania
Executor: Brian P. Babcock, 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

**COUGHLIN, DOROTHY E.,
deceased**

Late of City of Erie, Erie County, Pennsylvania
Executor: Nancy Schuller, c/o Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507
Attorney: Joseph P. Martone, Esquire, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

**HOMAN, PATRICIA A., a/k/a
PATRICIA ANN HOMAN,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executor: Gregory M. Homan, 3816 Amidon Avenue, Erie, PA 16510
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**JACKSON, VALARIE K., a/k/a
VALARIE KAY JACKSON,
deceased**

Late of Township of Fairview, Erie County, Commonwealth of Pennsylvania
Administrator: Gary M. Maras, c/o Knox Law Firm, 120 W. 10th St., Erie, PA 16501
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

**JURINO, GERALD J.,
deceased**

Late of the Millcreek Township, County of Erie, Pennsylvania
Executor: Benjamin W. Jurino, c/o 150 East 8th Street, Erie, PA 16501
Attorney: Gregory L. Heidt, Esquire, 150 East 8th Street, Erie, PA 16501

**PARKER, MARJORIE A.,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executor: Steven L. Parker, 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

SECOND PUBLICATION

**ANDINO, ENRIQUE GUZMAN,
a/k/a ENRIQUE GUZMAN,
deceased**

Late of City of Erie, County of Erie
Administrator: Charbel G. Latouf, 246 West Tenth Street, Erie, PA 16501
Attorney: Charbel G. Latouf, Esquire, 246 West Tenth Street, Erie, PA 16501

**BEHRENDT, ELZADA MAE,
a/k/a ELZADA M. BEHRENDT,
deceased**

Late of City of Erie, County of Erie
Executor: Fred J. Behrendt, 4049 Pine Avenue, Erie, Pennsylvania 16504
Attorney: Kari A. Froess, Esquire, CARNEY & GOOD, 254 West Sixth Street, Erie, Pennsylvania 16507

**BRZEZINSKI, RONALD S., a/k/a
RONALD BRZEZINSKI,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Co-Executors: Mark Brzezinski and Pam Kinross, 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

**CONNELLY, PATRICK JOSEPH,
a/k/a PATRICK J. CONNELLY,
deceased**

Late of the Township of Le Boeuf, County of Erie, Commonwealth of Pennsylvania
Administratrix: Wendi L. Connelly, 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

**GETZ, THEODORE C.,
deceased**

Late of Millcreek Township
Administrator: Theodore D. Getz
Attorney: Andrew J. Sisinni, Esquire, 1314 Griswold Plaza, Erie, PA 16501

**HUFFMAN, LORRI L.,
deceased**

Late of City of Corry, County of Erie, and Commonwealth of Pennsylvania
Administratrix: Tiffenie Akam, 143 Maple Avenue, Corry, PA 16407
Attorney: Gary K. Schonhalter, Esquire, The Conrad - F.A. Brevillier House, 502 Parade Street, Erie, PA 16507

**LONYO, DONALD E., JR., a/k/a
DONALD EDWARD LONYO,
JR.,
deceased**

Late of Township of Harborcreek, County of Erie
Administratrix: Patricia A. Lonyo, 3735 Hereford Drive, Erie, PA 16510
Attorney: Charbel G. Latouf, Esquire, 246 West Tenth Street, Erie, PA 16501

**PIERCE, ROBERT B., a/k/a
ROBERT BENJAMIN PIERCE,
a/k/a ROBERT PIERCE, a/k/a
BOB PIERCE,
deceased**

Late of Harborcreek Township, Erie County, Pennsylvania
Executor: Daniel J. Pierce, 31 Stonybrook Drive, Brownsburg, IN 46112
Attorney: None

**ROESCH, GERALDINE,
deceased**

Late of the City of Erie
Administratrix: Lisa A. Roesch
Attorney: Andrew J. Sisinni, Esquire, 1314 Griswold Plaza, Erie, PA 16501

**SMITH, CHARLES W., JR., a/k/a
CHARLES W. SMITH,
deceased**

Late of Township of Millcreek, Erie County, Commonwealth of Pennsylvania
Executor: David Grant Smith, 5440 Lakeshore Dr., Erie, PA 16505
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

**THOMPSON, JOHN E.,
deceased**

Late of Millcreek Township
Executrix: Patricia M. Mele, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**UBOLDI, ERMA THERESA,
a/k/a ERMA T. UBOLDI,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executrix: Valerie F. Sieberkrob
Attorney: Thomas J. Minarcik, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

THIRD PUBLICATION

**BAYLESS, SHIRLEY ANN, a/k/a
SHIRLEY A. BAYLESS,
deceased**

Late of Harborcreek Township, County of Erie and Commonwealth of Pennsylvania
Executrix: Kristi L. Smith
Attorney: Thomas J. Minarcik, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

**CHAPMAN, WALTER R.,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Walter R. Chapman, Jr., 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

**CHENARD, PHILIP M., a/k/a
PHILIP CHENARD, a/k/a
PHILIP M. CHENARD, SR.,
deceased**

Late of the Township of Millcreek, Commonwealth of Pennsylvania
Executor: Philip M. Chenard, Jr., c/o Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509
Attorney: James J. Bruno, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

**CROUCH, WALTER WILLIAM,
JR.,
deceased**

Late of Erie County
Executor: Jennifer M. Crouch, 1032 Hulton Road, Verona, PA 15147
Attorney: Colin B. May, Esquire, The Estate Planning Centers at The Coulter Law Offices, LLC, 3824 Northern Pike, Suite 801B; One Monroeville Center, Monroeville, PA 15146

**GITTRICH, BEVERLY J.,
deceased**

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

**GUILFORD, ROSE M., a/k/a
ROSE MARIE GUILFORD,
deceased**

Late of City of Erie, Erie County, Pennsylvania
Administrator: Tammy Guilford-Scully, 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

**HINKLER, DONALD, a/k/a
DONALD D. HINKLER,
deceased**

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

Executrix: Lynnette M. Dippel, 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

**KEIL, ALLEN L.,
deceased**

Late of the City of Erie in the Commonwealth of PA

Executrix: Karen Keil, 4134 Page Street, Erie, PA 16510
Attorney: None

**MURPHY, CATHERINE A., a/k/a
CATHERINE ANN MURPHY,
a/k/a CATHERINE MURPHY,
deceased**

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

Executrix: Margaret R. Murphy
Attorney: Thomas J. Minarcik, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

**ORMSBEE, PAMELA J.,
deceased**

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

Executrix: Barbara J. Hintz, c/o Norman A. Stark, Esquire, Suite 300, 300 State Street, Erie, PA 16507

Attorney: Norman A. Stark, Esquire, MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP., Suite 300, 300 State Street, Erie, PA 16507

**PIRELLO, JEANNE E.,
a/k/a JEANNE ELIZABETH
PIRELLO, a/k/a JEANNE
PIRELLO,
deceased**

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

Executrix: Margaret L. Sontag, c/o 3210 West 32nd Street, Erie, Pennsylvania 16506-2702
Attorney: Peter W. Bailey, Esquire, 3210 West 32nd Street, Erie, Pennsylvania 16506-2702

**STEWART, CHARLES L.,
deceased**

Late of Lawrence Park Township, Erie County, Pennsylvania

Co-Executors: Larry Pennington and Marjorie Lynn Pennington, 126 Water Street, PO Box 103, Bruin, PA 16022

Attorney: Andrew M. Menchlyk, Jr., Esq., Stepanian & Menchlyk, LLP, 222 South Main Street, Butler, PA 16001

**WIENCZKOWSKI,
PATRICIA, a/k/a
PATRICIA A. WIENCZKOWSKI,
deceased**

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

Executor: Kenneth Behnke, 6044 Buman Road, McKean, Pennsylvania 16426

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



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