

Erie County Legal Journal

April 12, 2019

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102 ERIE 61 - 68
Commonwealth v. Bates

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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Erie County Bar Association

Calendar of Events and Seminars

TUESDAY, APRIL 16, 2019

Senior Lawyers Division Meeting
8:30 a.m.
ECBA Headquarters

TUESDAY, APRIL 16, 2019

Bankruptcy Section Meeting
Noon
The Will J. Schaaf & Mary B. Schaaf Education Center

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 Koneksi Kick Off Event
5:30 p.m. - 7:00 p.m.
ExpERIENCE 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



Erie County Bar
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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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NOTICE – Position Available 2019

The Erie County Court of Common Pleas has a contract position available for an attorney to provide representation for adult indigent criminal defendants.

This contract may be reviewed in the Court Administrators Office. Please direct your letter of interest and resume to Robert J. Catalde, Esquire, District Court Administrator.

Deadline: April 19, 2019

Apr. 12

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16th Annual
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Together 5K
Run/Walk

formerly the Law Day 5K

Sunday, May 19, 2019



PRESENTED BY THE ERIE COUNTY BAR ASSOCIATION
AND ITS

ATTORNEYS & KIDS TOGETHER PROGRAM

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

FRIDAY, MAY 3, 2019

Pre-registration Entry Fees:

\$25.00 (adults w/shirt)

\$15.00 (adults/no shirt)

\$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>

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COMMONWEALTH OF PENNSYLVANIA

v.

DAVID RYAN BATES

CRIMINAL PROCEDURE / TRIAL PROCEDURE

When a jury trial is waived, the trial judge shall determine all questions of law and fact and render a verdict which shall have the same force and effect as a verdict of a jury.

CRIMINAL PROCEDURE // TRIAL PROCEDURE

The weight of the evidence is exclusively for the finder of fact, who is free to believe all, none or some of the evidence and to determine the credibility of the witnesses.

CRIMINAL PROCEDURE / SENTENCING

Sentencing is a matter vested in the sound discretion of the sentencing judge, and a sentence will not be disturbed on appeal absent a manifest abuse of discretion.

CRIMINAL PROCEDURE / SENTENCING

A substantial question as to the appropriateness of the defendant's sentence under the Sentencing Code must be established.

CRIMINAL PROCEDURE / SENTENCING

To demonstrate a substantial question exists, the defendant must make a plausible argument that the sentence is either inconsistent with a particular provision of the Sentencing Code or is contrary to the fundamental norms underlying the sentencing process.

CRIMINAL PROCEDURE / SENTENCING

The imposition of consecutive, rather than concurrent, sentences may raise a substantial question in only the most extreme circumstances, such as where the aggregate sentence is unduly harsh, considering the nature of the crimes and the length of imprisonment.

CRIMINAL PROCEDURE / SENTENCING / PRE-SENTENCE REPORTS

Where the sentencing court imposed a standard-range sentence with the benefit of a pre-sentence report the sentence is not excessive.

CRIMINAL PROCEDURE / SENTENCING

Defendants are not entitled to duplicate credit for time served.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

No. CR 3635 of 2016

Appearances: James A. Pitonyak, Esq., on behalf of Defendant David Ryan Bates (Appellant)
John H. Daneri, Erie County District Attorney, on behalf of the Commonwealth
of Pennsylvania (Appellee)

OPINION

Domitrovich, J.

May 18, 2018

The instant matter is currently before the Pennsylvania Superior Court on the Appeal of David Ryan Bates ("Appellant") from this Trial Court's Sentencing Order dated February 8, 2018. On appeal, Appellant raises three issues: (1) whether the Appellant's guilty verdicts were against the weight of the evidence or were based on insufficient evidence; (2) whether

this Trial Court committed a manifest abuse of discretion in not sentencing Appellant “even lower than the standard range or even to the mitigated range”; and (3) whether this Trial Court committed error in failing to credit Appellant for time served. This Trial Court provides the following analysis:

On February 12, 2015, Detective Brian Fiorelli, who investigates narcotics sales and purchases in the Millcreek Police Department’s Special Investigations Unit, received a telephone call from an unidentified male regarding the purchase of heroin and entered into a deal to purchase heroin at the McDonald’s restaurant located at 909 Peninsula Drive, Erie, Pennsylvania. (*See* Trial Transcript, Day 1, Dec. 7, 2017, pg. 4:23-5:4; 7:4-15; 9:7-15; 11:16-23) (“N.T.1.”). Detective Fiorelli arrived at the McDonald’s restaurant around 6:00 p.m. and called the telephone number that had previously called him and an unidentified male “instructed [Detective Fiorelli] to go to the bathroom of McDonald’s.” (*Id.* at 12:19-13:7).

As Detective Fiorelli proceeded to the men’s bathroom, he was alerted via text message from other Millcreek Detectives, who were conducting surveillance outside of this McDonald’s restaurant, to the arrival of a blue Kia Sorento in this McDonald’s restaurant’s parking lot. (*Id.* at 15:23-16:18; 17:25-18:5). As Detective Fiorelli continued to the men’s bathroom, he observed Appellant enter this McDonald’s restaurant and walk into the men’s bathroom. (*Id.* at 18:11-16; 19:1-3). After Detective Fiorelli followed Appellant into the men’s bathroom, Appellant approached Detective Fiorelli at the bathroom counter and spat from his mouth onto the counter a knotted plastic baggy containing a “chunky brown substance.” (*Id.* at 19:15-20:9). Detective Fiorelli then placed one hundred dollars on the bathroom countertop, and Appellant retrieved the money and exited the bathroom. (*Id.* at 21:2-24). Appellant then exited this McDonald’s restaurant, entered the Kia Sorento, departed from this McDonald’s restaurant’s parking lot, and proceeded south on Peninsula Drive. (*Id.* at 23:18-22; 70:8-11).

Detectives Green and Hardner, the other Millcreek Detectives conducting surveillance, contacted Patrolman Benjamin Bastow of the Millcreek Police Department, who was patrolling nearby in a marked Millcreek Police vehicle. (*Id.* at 68:23-69:13). Patrolman Bastow, who was already approximately a block away from the Kia Sorento, was requested to effectuate a stop of the Kia Sorento to obtain information on the occupants for the benefit of the Detectives conducting surveillance. (*Id.* at 69:6-70:1; 74:22-25; 80:10-13). Patrolman Bastow observed the Kia Sorento depart from this McDonald’s parking lot, proceed down Peninsula Drive, and pull into a County Fair gas station. (*Id.* at 70:8-11; 75:13-17). Patrolman Bastow then followed the Kia Sorento into the County Fair gas station parking lot and conducted a mere encounter with the occupants of the vehicle to identify said individuals. (*Id.* at 23:23-24:17; 71:13-72:10). Patrolman Ben Bastow identified the individuals inside of the Kia Sorento and sent out their names over the radio, who included David Ryan Bates, Eijon Shaleel Blue, and Davon Wall. (*Id.* at 24:21-25:12; 74:16-75:20). Within approximately ten minutes of meeting with Appellant in this McDonald’s restaurant bathroom, Detective Fiorelli identified positively Appellant as the individual who sold the chunky brown substance to Detective Fiorelli after Detective Fiorelli reviewed a printout of Appellant’s Identification Card photograph produced from the PennDOT System. (*Id.* at 26:7-28:7). The chunky brown substance was ultimately sent to the Pennsylvania State Police Erie Regional Lab for analysis, and the lab results indicated positively the chunky brown substance was heroin with a weight of .36 grams. (*Id.* at 30:4-10; 64:20-65:14).

On December 14, 2016, the District Attorney of Erie County filed an Information against Appellant charging appellant with the following criminal offenses: (1) Possession With Intent to Deliver in violation of 35 Pa.C.S. 780-113(a)(30); (2) Possession of a Controlled Substance in violation of 35 Pa.C.S. 780-113(a)(16); and (3) Possession of Drug Paraphernalia in violation of 35 Pa.C.S. 780-113(a)(32). On May 30, 2017, Appellant filed *pro se* his Motion to Suppress Evidence “Identification.” At the time of the scheduled hearing on Appellant’s *pro se* Motion to Suppress Evidence “Identification,” by Order dated July 17, 2017, this Trial Court granted Appellant’s oral request to remove Brian D. Arrowsmith Esq., as Appellant’s stand-by counsel and assigned James A. Pitonyak, Esq., to serve as Appellant’s outside counsel. By Order dated August 4, 2017, this Trial Court continued the hearing on Appellant’s *pro se* Motion to Suppress Evidence “Identification” to August 31, 2017.

A hearing on Appellant’s *pro se* Motion to Suppress Evidence “Identification,” which this Trial Court treated as Appellant’s Petition for Writ of Habeas Corpus, was held on August 31, 2018. By Opinion and Order dated September 12, 2017, wherein this Trial Court set forth its findings of facts and conclusions of law, this Trial Court denied Appellant’s *pro se* Motion to Suppress Evidence “Identification.” Specifically, This Trial Court concluded the Commonwealth presented sufficient evidence to demonstrate Detective Fiorelli’s positive identification of Appellant.

On October 18, 2017, Appellant voluntarily, intelligently, and knowingly waived his right to a jury trial. (*See* Defendant’s Statement of Understanding of Rights Prior to Waiving Jury Trial, dated Oct. 18, 2017, filed Dec. 28, 2017). On the first day of the non-jury trial held December 7, 2017, the Commonwealth presented credible testimony from Millcreek Township Police Department Detective Brian Fiorelli and Patrolman Benjamin Bastow, as well as Forensic Scientist David Eddinger of the State Police Crime Lab in Lawrence Park, Pennsylvania.

Appellant’s witnesses, Eijon Shaleel Blue and Davon Wall, were subpoenaed to testify at the first day of the non-jury trial, and one witness was briefly seen in the hallway outside of this Trial Court’s Courtroom during said non-jury trial proceeding. However, both Eijon Shaleel Blue and Davon Wall ultimately failed to appear, and by Orders dated December 7, 2017, this Trial Court found both witnesses in contempt of court for failure to appear as properly subpoenaed. Thus, this Trial Court issued material witness bench warrants for the arrests of both Eijon Shaleel Blue and Davon Wall. The non-jury trial was then continued to December 28, 2017 to provide additional time to secure the appearances of said witnesses.

On the second day of the scheduled non-jury trial held December 28, 2017, Appellant presented testimony from Eijon Shaleel Blue and Davon Wall, and Appellant chose to testify on his own behalf. Also on the second day of the non-jury trial, the Commonwealth again called Patrolman Benjamin Bastow to testify. At the conclusion of the non-jury trial on December 28, 2017, this Trial Court found Appellant guilty beyond a reasonable doubt of all criminal charges alleged against Appellant at the above-referenced docket number. A Sentencing Hearing was held on February 8, 2018, and Appellant was sentenced as follows in the standard range:

- **Count One - Manufacture, Delivery, or Possession with Intent to Manufacture or Deliver:** To be confined for a minimum period of 2 Year(s) and a maximum period of 5 Year(s) at SCI Greene.

- **Count Two - Possession of a Controlled Substance:** Merged with Count One.
- **Count Three - Possession of Drug Paraphernalia:** To be confined for a minimum period of 6 Month(s) and a maximum period of 1 Year(s) at SCI Greene.

On February 15, 2018, Appellant, by and through his Counsel, Attorney Pitonyak, filed a Post Trial Motion wherein Appellant submitted his Motion for Judgment of Acquittal and for Arrest of Judgment and Motion for Reconsideration of Sentence. By Order dated March 2, 2018, this Trial Court denied Appellant's Post Trial Motions. Thereafter, on February 12, 2018 and March 12, 2018, Appellant submitted letters to this Trial Court requesting credit for time served. After the Clerk of Courts of Erie County double-checked Appellant's time served, this Trial Court re-reviewed Appellant's credit for time served and found Appellant was properly credited, and said credit was applied appropriately. This Trial Court by Order dated March 19, 2018 denied Appellant's request.

On April 2, 2018, Appellant filed a Notice of Appeal to the Pennsylvania Superior Court of this Trial Court's Sentencing Order dated February 8, 2018. This Trial Court filed its 1925(b) Order on April 5, 2018. Appellant filed his Concise Statement of Matters Complained of on Appeal as per Rule 1925(b) on April 11, 2018.

Under the Pennsylvania Rules of Criminal Procedure, "When a jury trial is waived, the trial judge shall determine all questions of law and fact and render a verdict which shall have the same force and effect as a verdict of a jury." Pa.R.Crim.P. 621. Whether sufficient evidence exists to support the verdict is a question of law; the Pennsylvania Superior Court's standard of review is *de novo* and "the Superior Court's scope of review is plenary." *Commonwealth v. Walls*, 144 A.3d 926, 931 (Pa. Super. 2016). In assessing Appellant's sufficiency challenge, the Pennsylvania Superior Court must determine whether, viewing the evidence in a light most favorable to the Commonwealth as verdict winner, together with all reasonable inferences therefrom, the trier of fact could have found the Commonwealth proved each element of the crime beyond a reasonable doubt. *Commonwealth v. Ansell*, 143 A.3d 944, 949 (Pa. Super. 2016). In addition, with respect to the sufficiency of the evidence, the Commonwealth may sustain its burden of proving every element of the crime beyond a reasonable doubt by means of wholly circumstantial evidence. *Commonwealth v. Hutchinson*, 947 A.2d 800, 805-806 (Pa. Super. 2008).

Moreover, "The weight of the evidence is exclusively for the finder of fact, who is free to believe all, none or some of the evidence and to determine the credibility of the witnesses." *Commonwealth v. Talbert*, 129 A.3d 536, 545 (Pa. Super. 2015) (quoting *Commonwealth v. Johnson*, 668 A.2d 97, 101 (Pa. 1995)); *see also Jones v. Steinberg*, 115 A.2d 803, 804 (Pa. Super. 1955) ("When a case is tried without a jury the credibility of witnesses and the weight to be accorded their testimony is for the trial Judge, and his general finding has the force and effect of a jury's verdict."). As such, resolving contradictory testimony and questions of credibility are matters for the finder of fact. *Commonwealth v. Hopkins*, 747 A.2d 910, 917 (Pa. Super. 2000). Thus, "an appellate court cannot substitute its judgment for that of the finder of fact [and] may only reverse the lower court's verdict if it is so contrary to the evidence as to shock one's sense of justice." *Commonwealth v. Collins*, 70 A.3d 1245, 1251 (Pa. Super. 2013) (quoting *Commonwealth v. Champney*, 832 A.2d 403, 408 (Pa. 2003)).

Finally, “where the trial court has ruled on a weight claim below, an appellate court’s role is not to consider the underlying question of whether the verdict is against the weight of the evidence;” rather, “appellate review is limited to whether the trial court palpably abused its discretion in ruling on the weight claim.” *Champney* 832 A.2d at 408 (citing *Commonwealth v. Tharp*, 830 A.2d 519, 528 (Pa.2003)).

In the instant case, the above-referenced factual background demonstrates Appellant’s convictions of Possession with Intent to Deliver, Possession of a Controlled Substance, and Drug Paraphernalia are not against the weight of the evidence since the Commonwealth presented sufficient evidence for this Trial Court to find Appellant guilty beyond a reasonable doubt of said offenses. At trial, Detective Fiorelli stated he was contacted by an individual for the purpose of conducting a heroin drug transaction and said individual instructed Detective Fiorelli to meet in the men’s restroom of the McDonald’s restaurant. Detective Fiorelli entered said bathroom and encountered Appellant, who approached Detective Fiorelli and spat from his mouth a knotted plastic baggy. Said plastic baggy contained a chunky brown substance. In exchange, Detective Fiorelli placed one hundred dollars on the bathroom countertop, which Appellant accepted as payment. Within approximately ten minutes from said drug transaction, Detective Fiorelli identified positively Appellant as the individual who sold the chunky brown substance to Detective Fiorelli after reviewing a printout of Appellant’s Identification Card photograph produced from the PennDOT System.

The chunky brown substance was subsequently delivered to the Pennsylvania State Police Erie Regional Lab for analysis. Forensic Scientist David Eddinger indicated he “determined that [the substance] weighted 36 hundredths of a gram and contained heroin” to a reasonable degree of scientific certainty. (N.T.1. at 64:20-65:14). Also at trial, the Commonwealth requested and, with no objection from Appellant, this Trial Court admitted said heroin into evidence. (*Id.* at 30:4-33: 12). Based on the foregoing evidence, this Trial Court finds and concludes the Commonwealth presented sufficient evidence of Appellant’s guilt beyond a reasonable doubt for the above-referenced criminal charges.

Appellant’s argument that the Commonwealth presented “no evidence of a physical nature, such as DNA testing of the package that the heroin was obtained in . . . nor were there any fingerprints of [Appellant] found on said package . . .” is simply without merit. (See Appellant’s Statement of Matters Complained of on Appeal as per Rule 1925(b) at ¶ 3(f)). As mentioned above, the Commonwealth presented sufficient evidence in this case identifying Appellant as the individual who sold the subject heroin to Detective Fiorelli. In particular, Detective Fiorelli retrieved a printout containing a photograph of Appellant from the PennDOT System, which was date-stamped as 6:20 p.m. on February 12, 2015, approximately ten minutes from the time Detective Fiorelli stated he encountered Appellant inside the McDonald’s restaurant bathroom at or about 6:10 p.m. (N.T.1. at 26:13-27:25). The Commonwealth additionally requested and, with no objection from Appellant, this Trial Court admitted said printout as evidence. (*Id.* at 27:3-28:12). Said printout is included in the formal case record. (See Commonwealth’s Exhibit A). Thus, this Trial Court was entitled to rely on the Commonwealth’s evidence in making the factual determination that Detective Fiorelli positively identified Appellant as the individual who sold heroin to Detective Fiorelli approximately ten minutes after encountering Appellant. See *Hutchinson*, 947 A.2d at 806. As this Trial Court has the exclusive responsibility of affording weight

to the Commonwealth's evidence, this Trial Court concludes Appellant was the individual who sold heroin to Detective Fiorelli.

Finally, this Trial Court previously ruled on a weight claim as to Appellant's Post Trial Motion wherein Appellant requested this Trial Court grant him Judgment of Acquittal or an Arrest of Judgment relative to Appellant's guilty verdict. Appellant argued said verdict was either against the weight of the evidence or was not based upon sufficient evidence to sustain a conviction. As noted above, since the issue of whether the Commonwealth presented sufficient evidence was ultimately one of credibility, this Trial Court did not "palpably abuse[] its discretion in ruling on [Appellant's] weight claim." *See Tharp*, 830 A.2d at 528. Accordingly, as Appellant's convictions of Possession with Intent to Deliver, Possession of Controlled Substance, and Drug Paraphernalia are not "so contrary to the evidence as to shock one's sense of justice," Appellant's weight and sufficiency of the evidence claim is without merit. *See Collins*, 70 A.3d at 1251.

Next, Appellant raises several issues related to the discretionary aspects of Appellant's sentence. Ordinarily, appellate case law indicates sentencing courts are in a far better position to weigh the factors involved in crafting a sentence. *See Commonwealth v. Martin*, 351 A.2d 650, 657 (Pa. 1976); *see also Commonwealth v. Rodda*, 1999 723 A.2d 212, 214 (Pa. Super. 1999) ("Sentencing is a matter vested in the sound discretion of the sentencing judge, and a sentence will not be disturbed on appeal absent a manifest abuse of discretion."). Appellate review of sentences is governed by Section 9781 of the Pennsylvania Sentencing Code, which clearly states challenges to the discretionary aspects of a defendant's sentence are not appealable as of right. *See* 42 Pa.C.S.A. § 9781; *see also Commonwealth v. Sierra*, 752 A.2d 910, 912 (Pa. Super. 2000). Rather, for jurisdictional purposes, an appellant must establish the existence of a substantial question as to the appropriateness of the defendant's sentence under the Sentencing Code. *Commonwealth v. Mouzon*, 812 A.2d 617, 621 (Pa. 2002). To demonstrate a substantial question exists, the defendant "is required to make a plausible argument that his sentence is either inconsistent with a particular provision of the Sentencing Code or contrary to the fundamental norms underlying the sentencing process." *Mouzon*, 812 A.2d at 621 (citing *Commonwealth v. Goggins*, 748 A.2d 721, 727 (Pa. Super. 2000)).

Significantly, "An argument that the sentencing court failed to consider mitigating factors in favor of a lesser sentence does not present a substantial question appropriate for . . . review." *Commonwealth v. Popielarcheck*, 151 A.3d 1088, 1094 (Pa. Super. 2016) (citing *Commonwealth v. Hanson*, 856 A.2d 1254, 1257-58 (Pa. Super. 2004); *see e.g., Commonwealth v. McNabb*, 819 A.2d 54, 57 (Pa. Super. 2003) (appellant's issue not entitled to review since "an allegation that the sentencing court did not consider certain mitigating factors does not raise a substantial question"). Indeed, where a pre-sentence report is available to the sentencing court, the reviewing court presumes the sentencing court was aware of relevant information regarding the defendant's character and weighed those considerations along with mitigating statutory factors. *Commonwealth v. Devers*, 546 A.2d 12, 18 (Pa. 1988). In addition, "The imposition of consecutive, rather than concurrent, sentences may raise a substantial question in only the most extreme circumstances, such as where the aggregate sentence is unduly harsh, considering the nature of the crimes and the length of imprisonment." *Commonwealth v. Moury*, 992 A.2d 162, 171 (Pa. Super. 2010) ("Although Pennsylvania's system stands for individualized sentencing, the court is not required to impose the 'minimum possible' confinement.").

In this case, Appellant argues “there was more than sufficient mitigating evidence relative to [Appellant’s] background as set forth on the record to allow the Court to go even lower than the standard range or even the mitigated range” and argues this “[Trial] Court could have [made] the sentence imposed concurrent and overlapping with [Appellant’s] prior sentence” imposed at a previous docket number. (See Concise Statement at ¶ 5-8). However, as these issues relate to the discretionary aspects of Appellant’s sentence, Appellant fails to raise a substantial question appropriate for review. See *Popielarcheck*, 151 A.3d at 1094; *Maury*, 992 A.2d at 171.

Notwithstanding Appellant’s failure to raise a substantial question regarding the discretionary aspects of his sentence, this Trial Court properly imposed standard range sentences that were appropriate in light of the individualized facts of the underlying incident while also considering aggravating and mitigating circumstances. Specifically, at the time of sentencing, this Trial Court considered the thorough pre-sentence investigation report, the Pennsylvania Guidelines on Sentencing, the Pennsylvania Sentencing Code, the Defendant’s age, the seriousness of the offenses, the facts and nature and circumstances of the offenses, the protection of society, Defendant’s rehabilitative needs, the sincerity of his remorse, and that the undersigned judge was also the presiding trial judge. (N.T., Sentencing Hearing, Feb. 8, 2018, pg. 12:18-14:1). Based on the foregoing, Appellant has no basis to challenge his standard range sentence. See *Commonwealth v. Corley*, 31 A.3d 293, 298 (Pa. Super. 2011) (“[W]here the sentencing court imposed a standard-range sentence with the benefit of a pre-sentence report, we will not consider the sentence excessive.”). Accordingly, this Trial Court respectfully requests the Pennsylvania Superior Court affirm this Trial Court’s Sentencing Order.

Finally, Appellant alleges he is entitled to credit for time served from the date he was incarcerated on an arrest warrant on September 25, 2016, forward. This Trial Court previously and thoroughly addressed this issue in this Trial Court’s Order dated March 19, 2018. Below is a recitation of this Trial Court’s analysis:

On September 25, 2016, Defendant was committed to the Erie County Prison at **docket number 3421 of 2016**. On April 7, 2017, the Honorable John Garhart sentenced Defendant at **docket number 3421 of 2016 on Counts # 3, 5, and 6**. At that time, Defendant received credit for a total of 195 days for time served from September 25, 2016 to Defendant’s date of sentencing on April 7, 2017. (See Judge Garhart’s Sentencing Order dated April 7, 2017).

Also on April 7, 2017, at **docket number 2443 of 2015**, the Honorable John Garhart revoked Defendant’s Parole/Probation, and Defendant was resentenced to one (1) to five (5) years and was credited with thirty (30) days for time served between July 20, 2015 and August 5, 2015 and between May 6, 2016 and May 18, 2016. Defendant’s sentence at docket number 2443 of 2015 was consecutive to 3421 of 2016. (See Judge Garhart’s Sentencing Order dated April 7, 2017)

On August 7, 2017, the Honorable John J. Mead sentenced Defendant at **docket number 3421 of 2016 on Count # 1** consecutive to Counts # 3, 5, and 6 at docket number 3421 of 2016. (See Judge Mead’s Sentencing Order dated Aug. 7, 2017). Defendant was not entitled to receive additional credit for time served since Defendant

previously received credit for time served for his sentence on Counts # 3, 5, and 6 at docket number 3421 of 2016. No duplicate credit is allowed. By law, no additional credit for time served had accrued between Defendant's sentence on April 7, 2017 on Counts # 3, 5, and 6 at docket number 3421 of 2016, and August 7, 2017, since Defendant was already serving his sentence on said Counts.

On September 27, 2016, Defendant was committed to the Erie County Prison at **docket number 3635 of 2016**. Defendant did not post bond. On February 8, 2018, the undersigned judge sentenced Defendant at docket number 3635 of 2016. (*See* Sentencing Order dated Feb. 8, 2017). Again, Defendant was not entitled to receive additional credit for time served since none had accrued between September 27, 2016, and February 8, 2018. Defendant previously received credit for time served for this time period at Defendant's sentence on Counts # 3, 5, and 6 at docket number 3421 of 2016. No duplicate credit is permitted. Moreover, Defendant's sentence at docket number 3635 of 2016 was consecutive to docket number 3421 of 2016, and by law Defendant may not receive duplicate credit for credit Defendant previously received at docket number 3421 of 2016.

Thus, Defendant's cases at docket numbers 3421 of 2016 and 3635 of 2016 are now an aggregate state sentence. Defendant has already received proper credit for his cases.

(*See* Trial Court Order dated March 19, 2018). As stated in the foregoing analysis, Appellant's issue regarding whether he has been properly credited for time served is meritless. *See Commonwealth v. Ellsworth*, 97 A.3d 1255, 1256 (Pa. Super. 2014) (noting defendants are not entitled to duplicate credit for time served); *see also Commonwealth v. Hollawell*, 604 A.2d 723, 726 (1992) (noting defendants are not entitled to "volume discounts" on credit for time served). Thus, Appellant is not entitled to credit for time served where said credit has been previously applied to another criminal case.

For the above reasons, this Trial Court respectfully requests the Pennsylvania Superior Court affirm this Trial Court's decisions at the above-referenced docket.

BY THE COURT

/s/ **Stephanie Domitrovich, Judge**

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

COMMONWEALTH OF PENNSYLVANIA

v.

DAVID RYAN BATES, Appellant

IN THE SUPERIOR COURT OF PENNSYLVANIA

No. 458 WDA 2018

Appeal from the Judgment of Sentence, February 8, 2018,
in the Court of Common Pleas of Erie County,
Criminal Division at No(s): CP-25-CR-0003635-2016.

BEFORE: BENDER, P.J.E., KUNSELMAN, J., and MURRAY, J.

MEMORANDUM BY KUNSELMAN, J.:

FILED MARCH 11, 2019

David Ryan Bates appeals from his judgment of sentence imposed after the trial court convicted him of possession with intent to deliver, possession of a controlled substance, and possession of drug paraphernalia.¹ For the reasons below, we affirm.

The trial court summarized its factual findings as follows:

On February 12, 2015, Detective Brian Fiorelli, who investigates narcotics sales and purchases in the Millcreek Police Department's Special Investigations Unit, received a telephone call from an unidentified male regarding the purchase of heroin[. He] entered into a deal to purchase heroin at the McDonald's restaurant located at 909 Peninsula Drive, Erie, Pennsylvania. Detective Fiorelli arrived at the McDonald's restaurant around 6:00 p.m. and called the telephone number that had previously called him and an unidentified male "instructed Detective Fiorelli to go to the bathroom of McDonald's."

As Detective Fiorelli proceeded to the men's bathroom, he was alerted via text message from other Millcreek Detectives, who were conducting surveillance outside of this McDonald's restaurant, to the arrival of a blue Kia Sorento in this McDonald's restaurant's parking lot. As Detective Fiorelli continued to the men's bathroom, he observed [Bates] enter the McDonald's restaurant and walk into the men's bathroom. After Detective Fiorelli followed [Bates] into the men's bathroom, [Bates] approached Detective Fiorelli at the bathroom counter and spat . . . onto the counter a knotted plastic baggy containing a "chunky brown substance." Detective Fiorelli then placed one hundred dollars on the bathroom countertop, and [Bates] retrieved the money and exited the bathroom. [Bates] then exited this McDonald's restaurant, entered the Kia Sorento, departed from this McDonald's restaurant's parking lot, and proceeded south on Peninsula Drive.

¹ 35 Pa.C.S.A. §§ 780-113(a)(30), (16), and (32), respectively.

Detectives Green and Hardner, the other Millcreek Detectives conducting surveillance, contacted Patrolman Benjamin Bastow of the Millcreek Police Department, who was patrolling nearby in a marked Millcreek Police vehicle. Patrolman Bastow, who was already approximately a block away from the Kia Sorento, was requested to effectuate a stop of the Kia Sorento to obtain information on the occupants for the benefit of the Detectives conducting surveillance. Patrolman Bastow observed the Kia Sorento depart from this McDonald's parking lot, proceed down Peninsula Drive, and pull into a County Fair gas station. Patrolman Bastow then followed the Kia Sorento into the County Fair gas station parking lot and conducted a mere encounter with the occupants of the vehicle to identify said individuals. Patrolman Ben Bastow identified the individuals inside of the Kia Sorento and sent out their names over the radio, who included David Ryan Bates, Eijon Shaleel Blue, and Davon Wall. Within approximately ten minutes of meeting with [Bates] in this McDonald's restaurant bathroom, Detective Fiorelli identified positively [Bates] as the individual who sold the chunky brown substance to Detective Fiorelli after Detective Fiorelli reviewed a printout of [Bates'] Identification card photograph produced from the PennDot System. The chunky brown substance was ultimately sent to the Pennsylvania State Police Erie Regional Lab for analysis, and the lab results indicated positively that the chunky brown substance was heroin with a weight of .36 grams.

Trial Court Opinion, 5/18/18, at 1-3 (citations omitted).

Bates was charged with the above drug-related offenses, and Bates ultimately waived his right to a jury trial. On December 7, 2017, a bench trial commenced, and the Commonwealth presented testimony from Detective Brian Fiorelli and Patrolman Benjamin Bastow, as well as Forensic Scientist David Eddinger of the Pennsylvania's State Police Crime Lab. On December 28, Blue and Wall testified on behalf of Bates, who also testified on his own behalf. The Commonwealth also called Patrolman Barlow in rebuttal.

The trial court convicted Bates on all charges and imposed an aggregate sentence of two to five years' incarceration. Bates filed post-sentence motions which the trial court denied. Bates timely appealed. Both Bates and the trial court complied with Pa.R.A.P. 1925.

Bates raises the following issues on appeal:

1. Was there sufficient evidence to sustain each of Bates' convictions, because the court's findings were based on mere conjecture and speculation?
2. Did the trial court err by denying Bates' post-sentence request for relief on weight of the evidence grounds?
3. Did the trial court err by imposing a manifestly extreme and clearly unreasonable sentence which was not individualized as required by law?

See Bates' Brief at 5.

Bates' first issue challenges the sufficiency of the evidence supporting his convictions. Our standard of review is well settled:

The standard we apply in reviewing the sufficiency of the evidence is whether viewing all the evidence admitted at trial in the light most favorable to the verdict winner, there is sufficient evidence to enable a fact-finder to find every element of the crime beyond a reasonable doubt. In applying [the above] test, we may not weigh the evidence and substitute our judgment for the fact-finder. In addition, we note that the facts and circumstances established by the Commonwealth need not preclude every possibility of innocence. Any doubts regarding a defendant's guilty [sic] may be resolved by the fact-finder unless the evidence is so weak and inconclusive that as a matter of law no probability of fact may be drawn from the combined circumstances. The Commonwealth may sustain its burden of proving every element of the crime beyond a reasonable doubt by means of wholly circumstantial evidence. Moreover, in applying the above test, the entire record must be evaluated and all evidence actually received must be considered. Finally, the [trier] of fact while passing upon the credibility of the witnesses and the weight of the evidence produced, is free to believe all, part or none of the evidence.

Commonwealth v. Hansley, 24 A.3d 410, 416 (Pa. Super. 2011) (citations omitted).

Further, "[w]hile a criminal conviction may rest upon wholly circumstantial evidence, it may not be based upon mere surmise or conjecture." *Commonwealth v. Stores*, 463 A.2d 1108, 1112 (Pa. Super. 1983) (citations omitted). Here, Bates asserts "there are multiple discrepancies in particular relative to [Detective] Fiorelli's testimony which should have caused the [trial court] to find his testimony not credible." Bates' Brief at 7. In support of this claim, Bates asserts the detective's testimony at the preliminary hearing "differed greatly" from his trial testimony. *Id.* Bates further argues that, although Detective Fiorelli testified that Bates spat out the plastic bag of the drugs that were recovered from him, the contraband "was never submitted for DNA analysis to determine if [his] DNA was found thereupon." *Id.* Bates also contends that the trial court "simply ignored" the version of the incident testified to by his two defense witnesses, which was corroborated by his own testimony. *Id.* at 8. We disagree.

The trial court rejected Bates' sufficiency challenge:

[Bates'] argument that the Commonwealth presented "no evidence of a physical nature, such as DNA testing of the package that the heroin was obtained in . . . nor were there any fingerprints of [Bates] found on said package . . ." is simply without merit. As mentioned above, the Commonwealth presented sufficient evidence in this case identifying [Bates] as the individual who sold the subject heroin to Detective Fiorelli. In particular, Detective Fiorelli retrieved a printout containing a photograph of [Bates] from the PennDOT System, which was date-stamped as 6:20 p.m. on February 12, 2015, approximately ten minutes from the time Detective Fiorelli stated he encountered [Bates] inside the McDonald's restaurant bathroom at or about

6:10 p.m. The Commonwealth additionally requested and, with no objection from [Bates,] this trial court admitted said printout as evidence. Said printout is included in the formal case record. Thus, this trial court was entitled to rely on the Commonwealth's evidence in making the factual determination that Detective Fiorelli positively identified [Bates] as the individual who sold heroin to Detective Fiorelli approximately ten minutes after encountering [Bates]. As this trial court has the exclusive responsibility of affording weight to the Commonwealth's evidence, this trial court concludes [Bates] was the individual who sold heroin to Detective Fiorelli.

Trial Court Opinion, 5/18/18, at 8.

Our review of the record supports the trial court's conclusions. In finding the evidence sufficient, the trial court, as sole fact-finder, found Detective Fiorelli's testimony credible. We cannot disturb this determination. *Hansley, supra*.

Moreover, the trial court did not "simply ignore" the testimony from Bates and his witnesses but rather discredited it as untrue. Bates' argument truly goes to the weight and credibility of the evidence presented rather than its sufficiency. *See Commonwealth v. Palo*, 24 A.3d 1050, 1055 (Pa. Super. 2011) (concluding that the appellant attacks the weight, rather than the sufficiency of the evidence, when his argument is direct entirely to the credibility of the Commonwealth's chief witness). Thus, we dismiss his sufficiency challenge to the Commonwealth's evidence as meritless.

Bates also raises a weight claim as his second issue on appeal. In ruling on a claim challenging evidentiary weight, our standard of review is more attenuated than on a sufficiency challenge, as we may adjudge only the trial court's exercise of discretion in refusing the defendant's challenge:

When a trial court denies a weight-of-the-evidence motion, and when an appellant then appeals that ruling to this Court, our review is limited. It is important to understand we do not reach the underlying question of whether the verdict was, in fact, against the weight of the evidence. We do not decide how we would have ruled on the motion and then simply replace our own judgment for that of the trial court. Instead, this Court determines whether the trial court abused its discretion in reaching whatever decision it made on the motion, whether or not that decision is the one we might have made in the first instance.

Commonwealth v. Stays, 70 A.3d 1256, 1267-68 (Pa. Super. 2013) (citations omitted).

Mindful of our deferential standard of review, we find no basis for relief. The trial court rejected Bates' claim because, once again, the credibility of the witnesses was exclusively for the fact finder, which, in this case, was the trial court itself. Thus, the merit of Bates' claim that "the Commonwealth's evidence was riddled with inconsistencies on critical factual questions" was a determination to be made by the trial court. Bates' Brief at 11. In addressing Bates' weight issue, the trial court found that Bates' convictions were "not so contrary to the evidence as to shock one's sense of justice." Trial Court Opinion, 5/18/18,

at 9. Because we discern no abuse of discretion, Bates' second issue fails.

In his remaining claim, Bates challenges the discretionary aspects of his sentence. "Challenges to the discretionary aspects of sentencing do not entitle an appellant to review as of right." *Commonwealth v. Allen*, 24 A.3d 1058, 1064 (Pa. Super. 2011). Before we address such a challenge, we first determine:

(1) whether the appeal is timely; (2) whether appellant preserved his issue; (3) whether appellant's brief includes a concise statement of the reasons relied upon for allowance of appeal with respect to the discretionary aspects of sentence; and (4) whether the concise statement raises a substantial question that the sentence is appropriate under the sentencing code.

Commonwealth v. Austin, 66 A.3d 798, 808 (Pa. Super. 2013) (citations omitted).

Bates filed a timely notice of appeal, preserved his claim in a post-sentence motion, and included a concise Pa.R.A.P. 2119(f) statement for allowance of appeal in his brief. We must now determine whether he has raised a substantial question that the sentence is inappropriate under the sentencing code and, if so, review the merits.

Bates' Rule 2119(f) statement argues his sentence was manifestly excessive and clearly unreasonable, because it was not individualized to meet his needs. The trial court found that Bates did not raise a substantial question, because he essentially challenged the weight the trial court assigned certain mitigating factors, and a substantial question regarding the trial court's choice of consecutive sentencing is found in only "extreme circumstances" not present here. *See* Trial Court Opinion, 5/18/18, at 10-11.

Our standard of review is well-settled:

Sentencing is a matter vested in the sound discretion of the sentencing court, and a sentence will not be disturbed on appeal absent a manifest abuse of discretion, which in this context, is not shown merely to be an error in judgment; rather the appellant must establish by reference to the record, that the sentencing court ignored or misapplied the law, exercised its judgment for reasons of partiality, prejudice, bias or ill will, or arrived at a manifestly unreasonable decision.

Commonwealth v. Shull, 148 A.3d 820 (Pa. Super. 2016) (citation omitted).

This court has previously held that a substantial question exists where an appellant alleged that the trial court failed to consider the defendant's individualized needs when fashioning a sentence. *Commonwealth v. Serrano*, 150 A.3d 470, 473 (Pa. Super. 2016). Under *Serrano*, we find that Bates has raised a substantial question and grant him a review of his sentence on the merits.

However, Bates is not entitled to relief. As the trial court further explained:

this trial court properly imposed standard range sentences that were appropriate in light of the individualized facts of the underlying incident while also considering aggravating and mitigating circumstances. Specifically, at the time of sentencing, this trial court considered the thorough presentence investigation

report, the Pennsylvania Guidelines on Sentencing, the Pennsylvania Sentencing Code, [Bates'] age, the seriousness of the offenses, the facts and nature and circumstances of the offenses, the protection of society, [Bates'] rehabilitative needs, the sincerity of his remorse, and that the undersigned judge was also the presiding trial judge. Based on the foregoing, [Bates] has no basis to challenge his standard range sentence.

Trial Court Opinion, 5/18/18, at 11.

Our review of the sentencing transcript supports the trial court's conclusion that the record refutes Bates' discretionary challenge to his sentence. This Court has held that "where the sentencing court imposed a standard-range sentence with the benefit of a pre-sentence report, we will not consider the sentence excessive." *Commonwealth v. Corley*, 31 A.3d 293, 298 (Pa. Super. 2011). Under such circumstances, "we can assume the sentencing court 'was aware of relevant information regarding the defendant's character and weighed those considerations along with mitigating statutory factors.'" *Id.* (quoting *Commonwealth v. Devers*, 546 A.2d 12 (Pa. 1988)). Thus, the trial court did not abuse its discretion in sentencing Bates.

In sum, Bates' challenges to the sufficiency and weight of the evidence supporting his convictions are without merit. Further, the trial court did not abuse its discretion in fashioning Bates' sentence. We therefore affirm his judgment of sentence.

Judgment of sentence affirmed.

Judgment Entered.

/s/ Joseph D. Seletyn, Esq.

Prothonotary

Date: 3/11/2019

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 10982-19 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Maura Kathleen Gallagher to Keegan Michael Gallagher.

The Court has fixed the 30th day of May, 2019 at 9:00 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.

Apr. 12

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 10593-19 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Kaylee Grace Lawson to Grace-Lenore Elizabeth Lawson.

The Court has fixed the 16th day of May, 2019 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.

Apr. 12

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 10947-19 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Alexa Gabrielle Phelps to Alexa Gabrielle Palilla.

The Court has fixed the 16th day of May, 2019 at 9:15 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.

Apr. 12

CHANGE OF NAME NOTICE

In the Court of Common Pleas of Erie County, Pennsylvania 10938-19 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Sam Leroy Wood to Santo Leroy Farella.

The Court has fixed the 16th day of May, 2019 at 9:15 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.

Apr. 12

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: Global Medical Management and Sourcing Services
2. Address and principal place of business, including street and number: 4030 West Lake Road, Erie, Pennsylvania 16505.

3. The real names and addresses, including street and number, of the persons who are parties to the registration: Vantage Newco, LLC, 4030 West Lake Road, Erie, Pennsylvania 16505

4. An application for registration of a fictitious name under the Fictitious Names Act was filed on March 11, 2019.

Aaron E. Susmarski, Esq.
4036 West Lake Road
Erie, PA 16505

Apr. 12

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

March 19, 2019 for Infrasonic Press at 2962 Willowood Drive, Erie, PA 16506. The name and address of each individual interested in the business is Ethan Hayden at 2962 Willowood Drive, Erie, PA 16506. This was filed in accordance with 54 Pa.C.S. 311.

Apr. 12

FICTITIOUS NAME NOTICE

1. Fictitious Name: ProEdge Properties

2. Address of principal place of business, including street and number: 5230 Schwartz Drive, Erie, PA 16509

3. The real names and addresses, including street and number, of the persons who are parties to the registration: Timothy D. Barnes, 5230 Schwartz Drive, Erie, PA 16509
4. An application for registration of fictitious name under the Fictitious Names Act filed on or about March 17, 2019 with the Pennsylvania Department of State.

Richard A. Blakely, Esquire
2701 Evanston Avenue, Suite 100
Erie, PA 16506

Apr. 12

LEGAL NOTICE

IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA

Civil Action - Law
No. 11913-2018
(Consolidated)

SUPER STITCH, INC and
RICHARD MAAS and
MARGARET ANN MAAS,
Plaintiffs

vs.

PERRY PROPERTIES, INC.,
Defendant

vs.

TIMOTHY L. GREEN, Additional
Defendant

STEVEN JOHNSON and KAREN
BOWMAN, Plaintiffs

vs.

PERRY PROPERTIES, INC.,
Defendant

vs.

TIMOTHY L. GREEN, Additional
Defendant

ALEXANDRA PARSONS;
KARLI TINKO; and STEPHEN
BARNES, Plaintiffs

vs.
PERRY PROPERTIES, INC.,
Defendant
vs.
TIMOTHY L. GREEN, Additional
Defendant

**NOTICE OF JOINDER
ADDITIONAL DEFENDANT**

TO THE ADDITIONAL
DEFENDANT: Timothy L. Green
You have been joined by complaints
as an additional defendant into three
consolidated lawsuits arising out of
a fire which occurred on December
30, 2016 on premises located at
57 West Main Street, North East,
Pennsylvania. The lawsuits were
filed to recover money damages for
the repair, replacement or value of
real and personal property which
was damaged or destroyed as a result
of the fire.

You have been sued in court. If you
wish to defend against the claims
set forth in the following pages, you
must take action within twenty (20)
days after the joinder complaints
and notice are served, but entering a
written appearance personally or by
attorney and filing in writing with the
court your defenses or objections to
the claims set forth against you. You
are warned that if you fail to do so the
case may proceed without you and
a judgment may be entered against
you by the court without further
notice for any money claimed in the
complaint of for any other claim or
relief requested by the plaintiff. You
may lose money or property or other
rights important to you.

YOU SHOULD TAKE THIS PAPER
TO YOUR LAWYER AT ONCE. IF
YOU DO NOT HAVE A LAWYER,
GO TO OR TELEPHONE THE
OFFICE SET FORTH BELOW.
THIS OFFICE CAN PROVIDE
YOU WITH INFORMATION
ABOUT HIRING A LAWYER.
IF YOU CANNOT AFFORD TO
HIRE A LAWYER, THIS OFFICE
MAY BE ABLE TO PROVIDE YOU
WITH INFORMATION ABOUT
AGENCIES THAT MAY OFFER
LEGAL SERVICES TO ELIGIBLE
PERSONS AT A REDUCED FEE
OF NO FEE.

LAWYER REFERRAL SERVICE
P.O. Box 1792

Erie, PA 16507
(814) 459-4411
Mark E. Mioduszewski
MARNEN MIODUSZEWSKI
BORDONARO WAGNER
& SINNOTT, LLC
PA ID #30301
516 West Tenth Street
Erie, PA 16502-1352
Telephone: (814) 874-3460 ext. 103
Fax: (814) 874-3476
Attorneys for Defendant,
Perry Properties, Inc.

Apr. 12

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

SEARCH UNCLAIMED PROPERTY

Erie County has unclaimed property waiting to be claimed.

For information about the nature and value of the property, or to check for additional names, visit www.patreasury.gov

Pennsylvania Treasury Department, 1-800-222-2046.

Notice of Names of Persons Appearing to be Owners of Abandoned and Unclaimed Property

Erie County

Listed in Alphabetical Order by Last Known Reported Zip Code

16401

Baxter Gloria
Crowl William R
Graves John R
Hernandez Barbara
Hites Griffin J
Holtz Kristopher W
Horizon Salon
Hull Keri
Kerr William
Lockwood Kayla M
Morton Roxanne Sue
Mosier Dorothy
Sherman Mary L
Towers Harold A, Ann
White Dale A

16407

Bauer Mary
Brown Dylan Thomas
Buetikofer Ernest E
Condon Robert E
Craker Carolyn S
Crew Louis A
Davismigliaccio Beverly
Drayer Traci L
Estep Jonathan M
Haner Lawrence C
Hedlund Dustin
Hyde Park Apts
Jaggi Taileane
James Bickerstaff
Johnson Michael
Kensinger Robert A, Mildred
Keppel James B
Kilibarda Charles W
Kurelowech William K
Leisure Time Honda Suzuki
Lilley Don
Masters Physical Therapy
Pituch Daniel
Revco Pharmacy 2098
Robbins Margaret J
Ross Margaret J
Saber Christine
Scouten Barry L Jr
Utegg Curt A
Vettenburg D J
Wingard Jordan R
Wynkoop Thaddeus C Sr

16410

Angerer David D
Carol Gordon
Gordon Charles Est
Munch Donna J

16411

Bailey Madison J
Bowersox John
Graves Jerold L
Howard John W
Kylie Y Dragon
Smith Anita
Stichick Teena
Wilson Terri

16412

4th Qtr Challenge
Amtek Inc
Behr Claude
Blausier Derrick J
Bloom Lewis
Chandler Holden H
Custance Mildred
Elliott Alia
Garver Tina M
Gillettemenc Jennifer L
Hinckley Aaron
Jiang Yue
Kirby Dana
Leehan Charles
Myers Darla J, Chris K
Newhard Anna J
Porto Mary Rose, Maryrose
Ran Oil Company East Llc
Snowball Linda
Wellman Barbara, Earl

16415

Agresti Joseph, William
Bigelow Windy, John
Conrad Christopher
Corbin Meghan M
Deterding Paul W
Guenther Eileen May, Leonard
Hinkle Merle, Dorothy
Hull Holli
Joint Charles J
Lamphier Mark S
Lin Hank Y, James, Mary C
McCormick Paula B Ugma, Michael Cust
Merrill Kamden
Mertens John Mrs, John
Moreland Mary B
Ossorio Provi H
Phb Inc
Rambaldo Richard
Rufini Janet M
Scandale Shallyn
Spectrum Microwave Inc
Tarto Ryan M
Wade Gerald Est, Margaret
Wallwork Joseph R
Weber William
William Fessler

16417

Addicott Jamie
Addy Christopher
Blake Bobbi J
Carter Roberta H
Cassell P
Chiles Pamela S
Cullaton Sharon E
Dworek Jennifer L
Gloskey Brian J
Graham James
Greaves Jennifer
Gruzosky Timothy
Hagedorn John
Haley Michael
Hawkins Katherine T
Hecker Owen G, Stella T
Hiscox Alice
Larry E Sisson Electric
Lindenmuth James L
Manor Pleasant Ridge
Mellin Kelly
Mooney Jeremy
Parker Barbara A, A Daniel
Sabol Frank
Shatto Joshua E
Smialek Jennifer
Smith Gordan R
Stockton Denise
Tompat Sales Llc
Wyrich Colin James

16421

Butler Daniel
Estate of Mary Kraus
Klins Donald M
Lee Andrew
Maison Walter
Roseto Elizabeth A
Stephenson William A

16423

Fetterman Jeanne M
Frazzini Matthew J
Gollmer Anthony T
Johnson Christopher
Lake City Apartments
Mays Harry R Jr

16426

Cieslinski Frances
Crist Ronald P
General McLane Girls
Hannen Dolores I
Howell Rick
Junod Eric
Kuffer William E Est
Kuhn James
Livingston Kimberly S
Martinez Jennifer
Messmer David C
Mowery Josephine M, George M
Novel Mary J
Scott David
Symeki Shirley
Valley Virginia A, Jerry S
Weed Louis

16428

Alexander Robert
Austin Mary I
Bay Valley Foods Llc
Beach Ryan D, Lorne

Charcalla Dalton
Christensen Kip S
Clay Edith
Dascomb Christopher
Duckett Patrick
Falzone Walter F
Gerhauser Ryan
Goodban Body Shop
Hannah Jeffry C
Harborcreek Little Huskies
Havern Thomas J
Howser Wesley W
Johnson Brittany M
Johnson Carolyn L
Johnson Karen
Jones M A
Koszewski Daniel S
Lindstrom Robin L, Tara M
Marchini Wendy
Marlowe Diane
Mcconaughey Joanna W
Mong Sabrina
Nash Thomas
Novakowski Debbie C
Potthoff Michael B
Powell Hazel J
Premier Resale Center
Quagliana Frank M Jr Est
Righi Robert A Est
Rihel Esther L
Schwartz Lisa M
Shorts Robert
Thomas Nancy
Weigle Melissa
Welsh Julie
Wenzel James L
Young Earl

16430

Strangel William A Jr

16438

Ashoff Todd K
Beebe Brad A
Brown Joseph A
Burek Jason
Carter Darren J
Carullo Rebecca K Jt, James V Jt
Courneen John
Ester Adam L
Flaherty Patricia
Henry Richard
Hoffmann Catharina L
Jensen Helen R
Kent Norma
Mills Marjorie J
Morris Jaime L
Orr Michael E
Prine Kimberly B
Rj Niederriter Inc
Smith David
Smollek J L
Usa Fitness Club
Vandyke Karen L
Vincent Med Education & Research
Wetzel George R
Wienckowski Nicole

16441

Bankes Laurie
Bocija Michael A
Casey Matthew D
Churchill Timothy
Donnell Clyde J
Doutt Megan

Dronko John F
Elder Robert
Estate of Lyle Dorman
Hailwood James
Langone Karen M
McClellan Merle, Vesta
Meyer Joshua
Mook Evelyn
Postlewaite Marie
Proper Donald
Reams Declan P
Salas Auto Sales
Schnars Dennis L, Stacey L
Smicker Kathleen M
Soggs James D
Teed Jean J
Thayer Robert
Tqi Oilfield Service

16442

Bertges Dolores E
Biebel John G
Lindstrom Brandon J
Wellejus Troy A
Wettekin Renee E

16443

Baldrige Martha Ann
Finn Theodore J Jr
Hopkins Judith M
Miniaci James V
Parker Garbielle P, Laura D

16475

Herzik Thomas
Huntley James P

16501

Adagio Health Erie
Allen Sheryl
Beckett Willard H
Carr Edward R
Colussi Louis E, Mark L, Louis A Est
Cy Holdings Llc
De Luca Steve L
Estate of Edwin M Loosley
Hart Mcconahy & Martz Inc
Lang Sean P
Lawrence Ada L
Liszka Anne M
Loosley Robert M
Modern Industries
National Tool Grinding
Owens Aretha
Paresons Graham II
Parkersburg Modern Adult
Parsons Charles II
Phoenix Cosmopolitan Grp
Professional Sports
Redinger Harold F Jr
Regional Health Services Inc
Rosario Javier R
Rudd Ruth
Smith Rita
Snyder Josephine A
Thai Phoom Llc
Zeltzer Julia A

16502

Aker Francis L
Ambrose Leonard G IV
Boehm Kimberly
Brown Timothy M
Buzzard Erik S
Caravaglia Kurt

Clark Mary
Coronado Fernando
Darby Charles M
Dickerson Pearlie E
Duchini Danielle DO
Dunn Mary L
Ellison Sandra
Elshenawy David
Erhart Jennifer Lynn
Erhart Patricia L
Erie Womens Health Partners
Ferguson Joshua M, Douglas
Flaugh Susan M
Gauge Christoph
Gordon Billy
Gornati Romaine V
Graham Crystal L
Grove Jeffrey J
Gruber Arlene
Hartmann Laurretta A
Heydinger Jason S
Holcomb Jody
Holmes Melissa R
Horwath Electric Motors
Jukanti Ujvala
Laser Eye Surgery of Erie
Laskowski Michele A
Love Heather M
Lucas Heather
Mallon Theresa M, Shelby A
Martin Ashley Jo
Mcgavern Johanna
Miklaucic Gregory T
Mook Lucille L
Murray Geraleine, Victor
Mysnyk Doris M
Nelson Esther
Pantelaras Damian N
Pascua Andres
Paul Michael R
Portenier Robert
Rameshwaram Deenapriya
Rhodes Lillian M
Riggle Amy E
Schilajew Mark
Seymour Benita C
Shaw Germaine
Slater Kathleen R, Charles E
Stevenson Brooklyn
Swope Andrea
Tanner Mary Jane
Tate Phylis
Tesauro Marissa L
Viggiano Louise
Wagner William
Wayne Joqwan R
Wellman Robert R
Zeppieri Margaret
Zhang Boyu
Zhu Chaohua

16503

A & J Towing
Anderson Joseph
Andino Maria
Becerra Pablo
Bobbitt Sharon
Carter Nancy Simmons
Christian Garry
Chrzanowski Agnes
Coleman Gordon C Jr
Dippo Rachael Ann
Dorsey Michael
Erie Cadillac Inc
Estrada Anghel
Ettison Yaphet M

Fielding Ashley
Galla Paul
Greater Erie Area Habitat for Hum
Hinkle Tawnie Marie
Janicki Frank J
Jethroe Elsie A
Johnson Fannie J
Jones Melissa A
Kurue Florence
Lebert Carole Anne, John L
Lnl Trucking Llc
Lounge Gaslight
Lunar Louis
Martyna Stanley
Mcgarvey Steven B
Mcgee Reginald
Mcman Joseph E
Miller Levon
Mohammed Adnan
Momoh Titilayo
Montalvo Alexander
Mysnyk Justin
Nolen Jr Joseph
Oday Kenneth
Perez Angel
Rai Asha
Randazzo Peter
Schwein Lois A
Seaton Mia F
Stevens Dawn M
Straub Marcus
Tufts Ida
Valencia Arturo
Vicenty Luis
Wesolowski Rose M
Williams Charles Seanchaz
Williams Kiev R
Williams Walter A
Winecki Dianne
Wroczynska Jennie
Yeager Gerald A

16504

Albano Teresa I, Vincent
Ambrose Kevin M
Balinski Shirley M
Butts Cleveland
Christopher Wardell
Crane Constance
Delehunt Lenoir C, John L
Dinicola Phyllis M, Vincent
Dugas Richard F
Eller Maylin I
Estate of David Twillie
Estate of Mary J Zbach
Estate of Ramona Schneider
Flaherty Raymond J
Gatti Leo E
Gore Thomas E
Grechanyy Genadiy
Grippe Michele
Guzman Erick
Harkness William D
Hay Christin M
Katchen Carol H
Kaveney Michael
Lawton Tony
Lesnieski Jeff
Lewis Elmer W Est
Lindsey Irene
Littlefield Melody
Mancuso Steven T
Mcgill Daniel J
Miclearwater Property Mgmt
Miraldi John
Niland Margaret K

Pellen Donald D
Poche Charles
Reehm Sara K
Rich Paul E
Sanner Joseph
Serbati Joseph S
Sivillo Eleanor J
Sontag TV
Spano Joe
Timsina Tila
Voorhis Joan E
Ward Roger L
Wray Rose A
Yoon Christina

16505

Alrenco Inc
Althoff Donald Est
Balcerzak Chris
Barry Susan
Bay Harbour Electric
Benson Harriet E
Blanks Willie R Sr
Bly Sierra
Brown Kevin
Christopher D Dundon
Chulick Julia A
Cole Vera F
Conley William B
Corrales Luz
Derosa Harry Luke Sr, Steven James
Emmett L Mcintosh Rev Trust
Erie Medical Specialty Clinic
Estate of Evelyn T Diloreto
Fitzreiter Carl R
Flowers Ronald
Gary Anthony
Gatlin Ted
Glassman Shirley
Harrishall Tracey L
Hewitt Marguerite
Hicks Carl E
Hudson Joan A
Jensens Target Collision
Joint Kyle P
Jones Roberta
Kearns Kathleen A
Keilch Karen S
Klimow Chad E, Gail L
Kuklinski Debra A
Lathrop Electric Inc
Laube Cheryl
Li Jiong G
Life Services Management
Lilley Roger E Sr
Locastro Insurance Agency
Malene Lori D
Marra Peter
Mccallum George E
McCormick P A Ins
Mcintosh Emmett L
Miller Marjorie L Estate
Mohan Bhargavi
Nee Elizabeth
Novotny Alice C
Orton Guy C
Peoples Waylon D
Raymond Management Mcdonalds
Riley Seth
Roach Michael
Ronco Construction
Rto Operating Inc
Saint Vincent Endoscopy Center
Salano Jamie
Schuler Samantha
Scott Nicholas N, Barbara

Servidio Mary
Shubert Valerie
Tindell Anita R
Tomlin Clara
Velasquez Freddy
Wagner Richard
Weyrauch Frieda L
Wisniewski Theodore

16506

Alex Manju
All American Hose Llc
All Pro Locksmith Inc
Ambrose Law Firm
Armanini Kolodychak
Austin Arthur R Jr
Bailey Jill
Bankers Life and Casualty
Berarducci Heather A
Billman George
Brigaman Nancy G
Brocius Carol F
Calhoun Charles M
Callahan Viola
Carideo Richard P
Chaffee Patricia
Chen Hua
Donahue Rd Maintenance Assoc
Dung Koon S
Elmore Betty Lou
Ericsson Jeffrey
Fallon Joseph
Fish Mary
Ford Champion
Gilreath V Sherman, Marilyn M
Grabill Darlene
Grochulski Ryan
Hawthorne William L
Hickin Gerald D
Hirt Frank William
Hodas John J
Hunter David L III
Jeffress William, Andrea
Juliano Mark
Kang Kent
Kirclich Constance
Klein Janine Y
Konek Phyllis L
Kowalczyk Amber L
Kraus Promotional Products
Kubiak Gale
Lantzy Robert H
Larsen Eric S
Lyons Michael
Marshall Timothy, Yumi
McCormick Melissa
McLaughlin Adrian
Merwin Richard A
Minter Lee J
Mock Janice D, Gary S
Mogel Dennis J
Monola Audrey A
Monti Josephine H
Moore Rita A
Moore Thomas
Newcomer Paul
Noiva Robert
Oleksy Jason
Pardee Michael E, Kelly A
Pfeiffer Elise
Pharmerica
Phearsdorf William C
Porter Christopher E Est
Pratt Daniel L
Rank Shawna
Saint Vincent Affiliated Physicians

Seib Dorothy L
Silkworth Rebecca
Simon Rick W
Simonian Elizabeth
Spada Mary J
Sprake Michael P
Steinbaugh Raymond Est
Stevenson Jessica
Truit Conrad J, Grace B
Valimont Robert L
Vincent James M, Mary J
Whitesel Matthew
Willem Martin
Wolfe Danielle M
Wormuth Lyndsay
Yori Tammy M

16507

Amos Earvin A
Baracka Yvonne E
Barristers
Bayside Obgyn Infertility
Beason Treanise
Britton Rita M Est
Chappell Deshandra
Chiarelli Joseph S
Compadres
Cortina Gary J
Dix David H
Dix Frank
Eundas Mary
Fin Robert
Garnica Jignacio
Glennon Edward
Harden Maryanne R, Henry J Jr
Harren M Brigid
Johnny Boy Sanitary
Johnston Ralph
Limco Inc
Loftus Pamela
Mascharka Catherine
Mazur Tracy
McMahon Mary
Merski Emily
Messner Lloyd Est
Monti Josephine H
Nelson Barbara
Northshore Clinical Associates
Oconnor Michael J
Pessia Katelyn
Peters Zachary R
Petty Cindy
Pharmacy Bayside
Pickens John
Pointer Richard III
Ranft Hannelore
Rogers Timothy A
Ruef Lynn L
Salvi Shannon
Schwartz Douglas
Scott Nowak P
Shaw Albert
Sinclair H David Est
Smith Daniel Bert
Soule Austin
Sundy Benedict J
Swanson Jean
Teubert Kari
Thaler Harold C
Tri State Neurological
Trucilla Elvin J
Vincent Shirah
Waters Robert L
Webb Kenneth S
White Thea A
Williams Bill

Wray Helen M

16508

Arnold Isabelle R
Bailey Nicole
Bailey Ralph
Balczon Racann Mary
Barteaux John W MD
Benson Mina Est, Mina C
Consultants in Pain Management
Cook Linda
Crawford William L
Diamond Design Const
Donald Hullenbaugh Insurance Agency
Dripps John M
Drop Adam
Earl Eric B
Giannelli Daniel M
Gilbert Lashawn D
Gillespie Theresa P Est
Goldberg Herbert Dr
Hsu Yen Ching
Hundley Helen J
Jaworek Edmond
Johnson Marion M
Kloecker David J
Lander David G
Mankowski Jason
Murphy Mark D
Nischal Rajan
Oblom John
Orthopaedic Surgeons Inc
Page Mary Est
Passerotti Stephanie R
Peach St Dairy Queen
Perell Zelda J
R E Baby Products Inc
Ras Jerry
Reisenweber Thomas L
Russell Jason A
Saint Vincent Health System
Smith Marvin
Speggen Benjamin J, Chelsey D
St Vincent Medical Education
Stewart Eugenia
Strokes Matthew J
Vangeli Carmella
Vangelii Carmella
Wassell Alex H
Wheelchairs and More
Wolfe Charlotte A
Wray Tanya J

16509

Alkhowaiter Norah
Ambassador Banquet A
Anthony Ida and Mary Narducci
Battle Fred
Beaumont Ruth
Brogan Kelly A
Bules John E
Burger Rhonda S
Carlson Paul
Cauley Wendy L
Chimenti Gregory
Clark Marcia Ann
Clark Richard H
Cook Robert Est
Corsale Abigail Hope, Joseph Frank, Justin
Crandall Sarah M, John, Timothy J
Devalapalli Ashok
Dhaliwal Ranjit S
Dylewski Emily Beth, Amy Beth
Ease Rose M
Erdely Richard, Karen

Erie Computer Co
Erie Llc
Estate of Rosemarie Ferrara
Extendicare Health Services
Fenstermacher Amber N
Ferguson Phyllis M
Friello David
G J Miller Auto Supply
Gaertner Peggy
Gentry Margaret A
George Pravin
Gibbs Joan M
Goicochea Javier V
Gray Alison Stickrod
Greissinger Katherine
Griffith Louanne R
Gustafson Shirley L
Hamilton Mary Lou
Hansen Sue
Holst Betty M
Homes Extendicare
Innovative Pressure
Kerchansky Matthew S
Lacastro Jean A
Le One Angeline D
Lean Justin W
Letizio Anthony M, Caroline A
Lifshen Leonard
Mahal Raj
Massey Kristy R
Meeker Alec J
Milani Michael V
Miller Gary L
Mong Sunday
Morgan Carl Estate
Morgan Rita G
Mulligan William
Murshed Syedarif
Narducci Mary F
New Motors Inc
Opal Dodson
Osorio Daniel
Owens Christopher M
Preciado Cordell
Prescott Rebecca J
Reisenauer Joe
Roth Shirley L
Schreckengost Arlene
Sexsmith Fred H
Shreve Denise R, Paul A
Simonian Christina L
Smith Amanda
Smith Matthew W
Songers J
Stahon Connie
Staub Paul
Stiner Helen E
Sui Qingbo
Tamminen Leona
Tech Jennifer
Toor Irfan
Uplinger Chad J
Vargo Kathryn
Wagner Ralph A
Williams Kimberley
Witchell Stephen
Yonko Sharron A
Zygai Gerred R

16510

Allegretto Craig M
Ames Bobbi
Animal Kingdom Pet Hospital
Bauer Margaret E
Bollinger Gerald J
Borkowski Janet J

Brunson Elis
 Calabrese Joan
 Daley Patricia
 Dash Dana
 Deau Karen
 Dipietro William F
 Downor Jace D
 Feasler Stephen
 Fickenworth Michael J
 Finazzo Stacey
 Flores Ricardo F
 Ford Pamela Delores
 G E Transportation
 Herman Richard
 Indeck Keyston Energy
 Jimenez Kasandra
 Jordan Nancy S
 Kaschalk James
 Lakeland Insurance Co
 Lanager Carrie A
 Lubecki Edward
 Lundberg Douglas W, Mary L, Maxine B
 Mailboxes Plus
 McClelland Family Practice
 Mcconahy Joanne A, Paul L
 Meade Jeffrey
 Morrill Brian J
 Muhannad S Shuman
 Mwamba Bintu
 Needham Mark
 Netbus Inc
 Paragon Print Systems Inc
 Perrine Bradley
 Randall Agnes K
 Roto Rooter
 Sestito Charles
 Sharif Kamal A
 Sitler James R
 Sokol Darren D
 Steinman Karen
 Stephenson Tom
 Szumigala Christine H
 Thapa Bhim M
 Thomas Julie
 Time Warner
 Tresler Mary F
 Turner Laura C
 Tuszyński Judith A
 William Keough
 Williams Mildred K
 Zukowski Elizabeth

16511

Amendola Virginia A
 Champlin Lottie S
 Clark Russell E
 Cowell W Richard, Jane G
 Danser Automotive Collision
 Danser Collision

Doleski Elizabeth
 Dominik Taras
 Dowd Patrick
 Ellison Sandra
 Estate of Betty B Peebles
 Feidler Viki L
 Gaff Nathaneal
 Johnson Robert L Jr
 Kuehl Daniel Timothy
 Law William M
 Lucore John
 Nealon Brandi
 Neupaney Bishnu
 Presogna Rebecca
 Rutkowski Diane
 Spiegel Joan R
 Terry Sandra Lee
 Thomas James D
 Welsh Julie
 White Denise
 White Jimmy T
 Wolf Sean E
 Wright Kedar
 Zhang Yuhong

16512

Bobango John Jr
 Crawford Christopher
 Dunlap Polly
 Dunlavy Michael E
 Gigliotti Joann
 Kaiser Paul
 McCormick Michael A III
 Neamand Richard, Dorothy
 Perry Construction Group
 Power System for Industry
 Quin T Corporation Pa
 Ruth Rosemary R
 Security-Peoples Trust Company

16514

Glenn Electric Heater Corp
 McDaniel Willie
 Merwin Robert F, Betty M

16541

Banga Charu
 Irri Aiswarya

16546

Phi Minh

16553

Frank K Gottschalk Trust
 Spence and Co

16563

Kim Ki Youl
 Um Kyoung Sook

*For information about the nature and value of the property,
 or to check for additional names, visit:*

www.patreasury.gov | 1.800.222.2046



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SHERIFF SALES

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

**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

MARTHA E. VONROSENSTIEL, P.C. Martha E. Von Rosenstiel, Esq / No 52634

Heather Riloff, Esq / No 309906

Tyler J. Wilk, Esq / No 322247

649 South Ave, Ste 7

Secane, PA 19018

(610) 328-2887

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

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FIRST 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. Schonthaler, 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

SECOND 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
Executor: 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 I., 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. Menchyk, Jr., Esq., Stepanian & Menchyk, 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

THIRD PUBLICATION

**ALBERT, RANDY P.,
deceased**

Late of the City of Erie, County of Erie
Administrator: Matthew P. Albert, c/o Barbara J. Welton, Esquire, 2530 Village Common Dr., Suite B, Erie, PA 16505
Attorney: Barbara J. Welton, Esquire, 2530 Village Common Dr., Suite B, Erie, PA 16505

**ANTHONY, DARLE.,
deceased**

Late of City of Erie, Erie County, Commonwealth of Pennsylvania
Executrix: Linda Anthony, c/o 120 W. 10th Street, Erie, PA 16501
Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

**DILLEY, AVADEAN,
deceased**

Late of the Borough of Union City, County of Erie, Commonwealth of Pennsylvania
Co-Executors: Steven Wilkins and Cindy Wilkins, c/o Thomas J. Ruth, Esq., 224 Maple Avenue, Corry, PA 16407
Attorney: Thomas J. Ruth, Esq., 224 Maple Avenue, Corry, PA 16407

**JUCHNO, LARRY WALLACE,
a/k/a LARRY W. JUCHNO, a/k/a LARRY JUCHNO,
deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Administratrix: Diann Ruggiero, c/o 504 State Street, Suite 300, Erie, PA 16501
Attorney: Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**LAWRENCE, ROSE MARIE,
a/k/a ROSEMARIE LAWRENCE,
deceased**

Late of Millcreek Township, County of Erie, Pennsylvania
Executor: Thomas David Lawrence, c/o 150 East 8th Street, Erie, PA 16501
Attorney: Gregory L. Heidt, Esquire, 150 East 8th Street, Erie, PA 16501

**LIEB, JAMES F.,
deceased**

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

**MEYER, MARY JANE,
deceased**

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Jack H. Meyer, 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

**MURPHY, ELIZABETH,
a/k/a ELIZABETH HELENE MURPHY, a/k/a ELIZABETH H. MURPHY,
deceased**

Late of the City of Erie, Erie County, PA
Executor: Patrick J. Coyne, c/o Mary Alfieri Richmond, Esquire, 150 East 8th Street, Floor 1, Erie, PA 16501
Attorney: Mary Alfieri Richmond, Esquire, 150 East 8th Street, Floor 1, Erie, PA 16501

**NYBERG, LINDA J.,
deceased**

Late of the City of Erie, County of Erie
Executor: Stephanie Wood, c/o Barbara J. Welton, Esquire, 2530 Village Common Dr., Suite B, Erie, PA 16505
Attorney: Barbara J. Welton, Esquire, 2530 Village Common Dr., Suite B, Erie, PA 16505

**SNYDER, JOHN P.,
deceased**

Late of 3300 Baer Beach Road, Erie, PA 16505
Executrix: Mary Jude Duncan, 11600 Clifton Drive, North Huntingdon, PA 15642
Attorney: William C. Price, Jr., Esquire, Price & Associates, P.C., 2005 Noble Street, Pittsburgh, PA 15218

**SVETZ, MARY ANN,
deceased**

Late of the Township of Wayne, County of Erie, Commonwealth of Pennsylvania
Executor: Stephen Svetz, 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

**THOMAS, GLENN R., a/k/a GLENN ROBERT THOMAS,
deceased**

Late of Township of Millcreek, Erie County, Commonwealth of Pennsylvania
Executrix: Ellen T. Bane, c/o 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



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CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

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Erie Insurance Group	
100 Erie Insurance Place	
Erie, PA 16530	<i>maureen.krowicki@erieinsurance.com</i>
THOMAS D. BRASCO, JR.	814-455-5691
Dickie, McCamey & Chilcote, P.C.	
100 State Street, Suite 508	
Erie, PA 16507	<i>tbrasco@dmclaw.com</i>

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