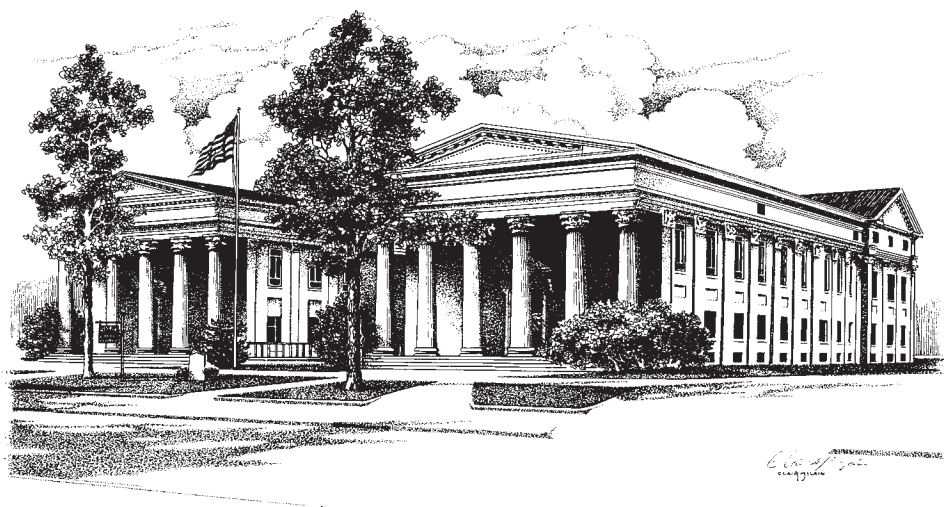


Erie
County
Legal
Journal

June 14, 2019

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102 ERIE 76 - 83
Commonwealth v. Beebe

Erie County Legal Journal

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

Managing Editor: Megan E. Black

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INDEX

IN MEMORIAM	4
NOTICE TO THE PROFESSION	5
OPINION	6
COURT OF COMMON PLEAS	
Certificate of Authority	20
Incorporation Notice	20
Withdrawal Notice	20
Sheriff Sales	21
ORPHANS' COURT	
Audit List	26
Estate Notices	27
CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS	30

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Erie County Bar Association

Calendar of Events and Seminars

TUESDAY, JUNE 18, 2019

Estates Leadership Committee Meeting
Noon

The Will J. Schaaf & Mary B. Schaaf Education Center

MONDAY, JUNE 24, 2019

Judicial Committee Meeting
Noon

ECBA Headquarters

TUESDAY, JUNE 25, 2019

Family Law Section Meeting
with Attorney Marshall Piccinini
Noon

The Will J. Schaaf & Mary B. Schaaf Education Center

WEDNESDAY, JUNE 26, 2019

ECBA Live Morning Seminar

Sealing Criminal Records Through the Clean Slate Law

The Will J. Schaaf & Mary B. Schaaf Education Center
8:00 a.m. - Registration

8:30 a.m. - 10:30 a.m. - Seminar

\$94 (ECBA members/their non-attorney staff)

\$120 (non-members)

2 hours substantive

WEDNESDAY, JUNE 26, 2019

Senior Lawyers Division Event
Chautauqua Institution Lecture Series
The Death and Life of the Great Lakes
Chautauqua Institution Amphitheater
10:45 a.m.

(9:15 a.m. breakfast at Athanaeum Hotel
on Chautauqua's grounds - cost on your own;
Lunch immediately following lecture
at Jim & Alison Steadman's cottage)

THURSDAY, JUNE 27, 2019

AKT Kid Konnection Event
5:30 p.m. - 7:00 p.m.
Get Air

THURSDAY, JUNE 27, 2019

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

FRIDAY, JUNE 28, 2019

ECBA Board of Directors Meeting
8:30 a.m.
ECBA Headquarters

THURSDAY, JULY 4, 2019

Fourth of July Holiday
ECBA Office Closed
Erie County and Federal Courthouses Closed

FRIDAY, JULY 5, 2019

ECBA Office Closed



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In Memoriam



Dennis G. Kuftic

April 3, 1948 - June 4, 2019

Dennis G. Kuftic, died Tuesday, June 4, 2019 at St. Vincent Hospital. He was born in Pittsburgh on April 3, 1948, the son of the late Andrew and Ada Viola Kuftic.

Dennis grew up in Braddock, Pennsylvania and graduated from St. Thomas High School in 1966. He enlisted in the U.S. Navy and served as a Medic with the U.S. Marine Corps from February 13, 1969 to February 1, 1970 in the Vietnam War. His heroics achieved him the Purple Heart and the Bronze Star. He later attended Edinboro University where he obtained a Bachelor's Degree in Political Science and then went on to attend law school at Ohio Northern University. He practiced civil litigation for over 30 years and was highly regarded in his field.

Dennis was a member of the Edinboro/McKean V.F.W. Post 740, the Erie County Bar Association, and the Pennsylvania Bar Association.

He was a member of Our Lady of the Lake Catholic Church in Edinboro.

To his family and friends, Dennis was the ultimate host. He took great pride in providing for others and ensuring that everyone was having the best time. He was also an avid lover of history, singing, dancing, and movies.

Survivors include two sons, A.J. (Abby) Kuftic, of Pittsburgh and Casey Kuftic of Edinboro; a daughter, Cara (Korey) Kozyk, of Cleveland; two sisters, Vicki (Eric) Horne and Andrea (Jim) Getsy, both of Pittsburgh; two brothers, Norman (Jennifer) Kuftic and Vernon Kuftic, both of Daytona Beach, FL; and two grandchildren, Andrew and Hanna.

Memorials may be made to Disabled American Veterans, www.ihelpveterans.org.



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Judge of the Court of Common Pleas seeks a responsible law school graduate for a challenging clerk position. Job emphasis will be on civil and criminal matters requiring research and opinion drafting. The successful candidate must be able to work independently and demonstrate sound judgment and high professional responsibility. Excellent research and writing skills required, as well as thorough knowledge of applicable legal concepts. Experience in practicing law or in another professional field is desirable.

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All interested applicants can email their resume to Robert Catalde, Esquire, District Court Administrator, at rcatalde@eriecountypa.gov.

Deadline to apply is June 21, 2019

May 31 and June 7, 14

EDITOR'S NOTE: ALL NOTICES FOR THE JUNE 28 ISSUE OF THE *ERIE COUNTY LEGAL JOURNAL* MUST BE RECEIVED AT THE ERIE COUNTY BAR ASSOCIATION OFFICE BY 3:00 P.M. ON TUESDAY, JUNE 18.



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COMMONWEALTH OF PENNSYLVANIA

v.

THOMAS EUGENE BEEBE, II

EVIDENCE / RELEVANCY

The court may exclude relevant evidence if its probative value is outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence.

EVIDENCE / RELEVANCY

Courts admit prior inconsistent statements in order to call into question a witness' credibility in general and to alert the jury of the potential for error in his testimony.

EVIDENCE

Admission of evidence is within the sound discretion of the trial court, and the trial court's admission of evidence will only be reversed upon a showing that the trial court abused its discretion or committed an error of law.

CRIMINAL PROCEDURE / TRIAL PROCEDURE

Where an error in a criminal trial did not contribute to the verdict, the error was harmless and will not warrant the retrial of a criminal defendant.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA

NO. CR 880 of 2017

247 WDA 2018

Appearances: Thomas Eugene Beebe, II, *pro se* (Appellant)

John H. Daneri, Erie County District Attorney, on behalf of the Commonwealth of Pennsylvania (Appellee)

OPINION

Domitrovich, J.

April 17, 2018

The instant matter is currently before the Pennsylvania Superior Court on the Appeal of Thomas E. Beebe, II (hereinafter "Appellant") from this Trial Court's Sentencing Order dated January 31, 2018. On appeal, Appellant raises the issue of whether this Trial Court "erred in admitting testimony by victim indicating that responding Police Officer was in the area because he was looking for Defendant who was maybe on probation and not allowed to be at the bar (scene of offense)." However, Appellant's issue refers to testimony elicited in Appellant's first jury trial held on December 18, 2017, which this Trial Court properly declared as a mistrial. Therefore, this Trial Court respectfully requests the Pennsylvania Superior Court quash this appeal.

Nevertheless, this Trial Court will attempt to address, and will therefore speculate, that as an alternative issue Appellant may have intended to raise on appeal whether this Trial Court's curative instruction which directed the jury to disregard statements made by a particular police officer on his body camera video footage was sufficient to restrict the evidence to its proper scope.

On December 3, 2016, Kristen Ross and Amanda Hutchings were at the Tamarack bar in

Corry, Pennsylvania. (*See* Notes of Testimony, Jury Trial, Day 2, Dec. 19, 2017, pg. 64:16-23). Sometime during the evening, Appellant, who had an “on and off” romantic relationship with Ms. Ross, entered the bar, spoke with Ms. Ross, and Appellant and Ms. Ross exited the bar. (*Id.* at 65:14-19; 66:7-9; 89:8-13). Appellant and Ms. Ross talked for “a while” outside “down a little ways up the road.” (*Id.* at 66:14-21; 70:24-71:1). Ms. Hutchings left the bar to check on Ms. Ross and Appellant, who were standing three to four feet apart from each other, and observed Appellant remove a firearm from inside his coat and discharged a single round away from the bar. (*Id.* at 66:10-16; 71:4-72-4; 72:13-25). Ms. Hutchings then entered the bar and notified the bartender, Sandra Vantassel, who locked down the bar for the safety of the patrons and called the police (*Id.* at 72:16-17; 73:9-14; 73:24-74:1; 89:10-23; 90:17-91:-6). Ms. Vantassel stated she heard a “pop” before Ms. Hutchings reentered the bar. (*Id.* at 89:20-23; 90:12-16).

After Ms. Vantassel called the police, Officer Richard Bayhurst of the Corry City Police Department arrived at the bar in response to information regarding “shots fired outside the location of the Tamarack Bar.” (*Id.* at 115:16-19). Officer Bayhurst arrived at the bar and made contact with Ms. Ross and obtained a statement from Ms. Ross, which was recorded with Officer Bayhurst’s body camera. (*Id.* at 116:7-16). Officer Bayhurst attempted to locate Appellant, but when unable to do so, he began searching the area for evidence and recovered pieces of a magazine for a Smith and Wesson as well as a .380 caliber shell casing. (*Id.* at 117:5-18; 121:8-14; 125:4-9; 125:20-22). Officer Bayhurst later made contact with Steve Holton, the owner of the Smith and Wesson, who reported the same Smith and Wesson missing on November 8, 2016. (*Id.* at 127:8-20; 132:8-12; 133:9-18). Ultimately, Deputy U.S. Marshall Brent Novak apprehended Appellant in possession of the firearm concealed on Appellant’s person along with a magazine in Buffalo, New York on December 5, 2016. (*Id.* at 109:3-111:4; 132:18-133:8).

On April 19, 2017, the District Attorney’s Office filed a Criminal Information, charging Appellant with: (1) Terroristic Threats Causing Serious Public Inconvenience, in violation of 18 Pa.C.S. § 2706(A)(3); (2) Terroristic Threats With Intent to Terrorize Another in violation of 18 Pa.C.S. § 2706(A)(1); (3) Recklessly Endangering Another Person in violation of 18 Pa.C.S. § 2705; (4) Harassment in violation of 18 Pa.C.S. § 2709(A)(2); (5) Discharging of a Firearm Inside City Limits in violation of LO 750(1); (6) Receiving Stolen Property in violation of 18 Pa.C.S. § 3925(A); and (7) Firearms Not to Be Carried Without a License in violation of 18 Pa.C.S. § 6106(A)(1).

On December 18, 2017, a jury trial was held; however, this Trial Court declared a mistrial shortly after the trial began. Specifically, the Commonwealth called Kristen Ross as a witness to testify, but the Commonwealth’s direct examination of Ms. Ross prompted Appellant’s counsel to object and move for a mistrial:

Q. Okay. Did you speak with any police officer that night?

A. I talked to Bayhurst.

Q. Okay. Now, did he - did officer Bayhurst come to the Tamarack bar that evening?

A. Yes.

Q. Okay. Why did he come to the bar?

A. Probably because of Tom being there.

Q. What happened with Tom being there?

A. I have no idea.

Q. Okay. You don't have - you don't know any reason why Officer Bayhurst would have responded there concerning Tom?

A. Maybe because he was on probation and not allowed to be at the bar.

(See Notes of Testimony, Jury Trial, Dec. 18, 2017, pg. 22:21-23:10). Thus, based on the foregoing testimony elicited from Ms. Ross, this Trial Court declared a mistrial and a new jury trial was rescheduled for the next day on December 19, 2017.

On December 19, 2017, a new jury was selected and a second jury trial was held. During the Commonwealth's case-in-chief, Assistant District Attorney Grant T. Miller called Ms. Ross, who testified that when she provided a statement to Officer Bayhurst on December 3, 2016, she "did not tell the police the truth" and specifically testified that she "told the police that [Appellant] had a gun, but. . . did not see a gun." (See Notes of Testimony, Jury Trial, Day 2, Dec. 19, 2017, pg. 32:4-11). In order to impeach Ms. Ross' testimony, ADA Miller played to the jury the body camera video footage capturing Ms. Ross' statements to Officer Bayhurst recorded on December 3, 2016. After a portion of the body camera footage was played to the jury, this Trial Court excused the jury. Attorney Bonanti then objected to the display of the body camera footage and orally moved for a mistrial. (*Id.* at 33:8-22). In essence, Attorney Bonanti articulated his objection as follows:

[Officer Bayhurst] was trying to figure out where [Appellant] lived and [Officer Bayhurst is] talking about other drug criminals in Corry and [Officer Bayhurst] said [Appellant] lives in an area where there's a trade - drug trade, and [Appellant is] making lots of money off the trade. And there's no relevance and it's certainly not unforeseeable that the jury takes that and makes an inference - a nasty inference from it.

(*Id.* at 38:22-39:4). After a lengthy discussion outside the presence of the jury on the record among Attorney Bonanti, ADA Miller, and the undersigned judge, and after this Trial Court reviewed the remainder of the video outside of the presence of the jury, this Trial Court permitted ADA Miller to display the remainder of the video footage to the jury for the limited purpose of impeaching Ms. Ross with the aid of a carefully worded and helpful curative instruction. (*Id.* at 47:14; 33:8-55:19; 58:11-13). Specifically, this Trial Court issued the following curative instruction to the jury before the remainder of the footage was displayed:

Hello, again, jurors. I have to give you a very important cautionary instruction. And I'm going to direct you to disregard anything on the tape said by Patrol Officer Bayhurst. You are to totally disregard anything [Officer Bayhurst] said on the tape. Officer Bayhurst tried to infer things that are definitely untrue and prejudicial and not relevant to this case. His statements are not evidence of anything. You may proceed.

(*Id.* at 55:22-56:5). Again, Attorney Bonanti objected to the curative instruction arguing the evidence was irrelevant and "caused an improper taint or prejudice" despite this Trial Court issuing an proper curative instruction. (*Id.* at 56: 10-18). Appellant was ultimately convicted of all criminal charges and on January 31, 2018, this Trial Court entered the following Sentencing Order:

- Count 1 - Terroristic Threats Cause Serious Public Inconvenience - To be confined for a minimum period of 2 Year(s) and a maximum period of 5 Year(s) at PA Dept. of Corrections in the **standard range**.
- Count 2 - Terroristic Threats With Intent To Terrorize Another - To be confined for a minimum period of 1 Year(s) and a maximum period of 2 Year(s) at PA Dept. of Corrections in the **standard range** and consecutive to Count 1.
- Count 3 - Recklessly Endangering Another Person - To be confined for a minimum period of 6 Month(s) and a maximum period of 2 Year(s) at PA Dept. of Corrections in the **standard range** and consecutive to Count 2.
- Count 4 - Harassment - Follow In Public Place - A determination of guilty without further penalty.
- Count 5 - Discharge Any Firearm Within The City Limits - A determination of guilty without further penalty.
- Count 6 - Receiving Stolen Property - To be confined for a minimum period of 18 Month(s) and a maximum period of 4 Year(s) at PA Dept. of Corrections in the **standard range** and consecutive to Count 3.
- Count 7 - Firearms Not To Be Carried Without a License - To be confined for a minimum period of 3 Year(s) and a maximum period of 6 Year(s) at PA Dept. of Corrections in the **standard range** and consecutive to Count 6.

Months after the trial and sentencing, by letter dated February 26, 2018, Defendant requested Attorney Bonanti to withdraw as Defendant's counsel of record. (*See* Letter from Thomas Beebe II to Attorney Bonanti dated Feb. 26, 2018, attached as Exhibit "A"). On March 21, 2018, Attorney Bonanti filed his Motion to Withdraw as Counsel of Record/ Application for Grazier Hearing. By Order dated March 23, 2018, this Trial Court scheduled a hearing for April 4, 2018. Thus, a hearing was held on April 4, 2018, at which Appellant was present and, following a *pro se* colloquy on the record, this Trial Court found Defendant knowingly, intelligently, and voluntarily waived his right to counsel on the record. *See Commonwealth v. Grazier*, 713 A.2d 81 (Pa. 1998) (requiring an on-the-record determination by the trial court that a waiver of counsel is made knowingly, intelligently, and voluntarily when a waiver of the right to counsel is sought at the appellate stage); (*see also* "Right to Counsel Waiver" signed by Thomas Beebe, II, dated April 4, 2018, attached as Exhibit "B"). This Trial Court also granted said Motion to Withdraw as Counsel of Record to authorize Attorney Bonanti to withdraw as Appellant's appellate counsel.

As noted above, former trial counsel for Appellant, Attorney Bonanti, through his Statement of Matters Complained of on Appeal, contends this Trial Court erred in admitting testimony from Ms. Ross regarding testimony that the responding police officer was in the area since Defendant was "maybe" on probation and not permitted to visit the Tamarack bar. (*See*

Appellant's Statement of Matters Complained of on Appeal). However, after review of the transcript testimony from the new jury trial held on December 19, 2017, this Trial Court is unable to locate any such testimony from Kristen Ross, the alleged victim, in relation to Appellant's issue raised on appeal. Rather, said testimony was only elicited from Ms. Ross during the first jury trial held the day before on December 18, 2017. Contrary to Appellant's assertion, this Trial Court did not admit such testimony but in fact declared a mistrial in response to Ms. Ross' testimony. (*See* Notes of Testimony, Jury Trial, Dec. 18, 2017, pg. 22:21-23:10). As such, this Trial Court finds and concludes Appellant's issue raised on appeal is meritless and, therefore, this Trial Court respectfully requests the Pennsylvania Superior Court quash this instant appeal.

Notwithstanding the foregoing, this Trial Court will attempt to address, and therefore must speculate, about the alternative issue Appellant may have intended to raise on appeal: whether this Trial Court's curative instruction which directed the jury to disregard statements made by a particular police officer on his body camera video footage was sufficient to restrict the evidence to its proper scope. This Trial Court provides the following analysis:

Under the Pennsylvania Rules of Evidence, relevant evidence may be excluded if the probative value of the evidence is outweighed by the potential for prejudice. *Commonwealth v. Antidormi*, 84 A.3d 736, 750 (Pa. Super. 2014). Under Pa.R.E. 403, "[t]he court may exclude relevant evidence if its probative value is outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence." Pa.R.E. 403. In particular, unfair prejudice "means a tendency to suggest decision on an improper basis or to divert the jury's attention away from its duty of weighing the evidence impartially." Pa.R.E. 403 (Comment). However, "[e]vidence will not be prohibited merely because it is harmful to the defendant." *Antidormi*, 84 A.3d at 750 (citing *Commonwealth v. Dillon*, 925 A.2d 131, 141 (Pa. 2007)). The exclusion of relevant evidence is limited to evidence so prejudicial that it would "inflame the jury to make a decision based upon something other than the legal propositions relevant to the case." *Id.*

Generally, prior inconsistent statements of a declarant are admissible to impeach the declarant. *Commonwealth v. Henkel*, 938 A.2d 433, 442 (Pa. Super. 2007). "As a matter of policy, our courts admit prior inconsistent statements in order to call into question a witness' credibility in general and to alert the jury of the potential for error in his testimony." *Commonwealth v. Rodriguez*, 495 A.2d 569, 571 (Pa. Super. 1985) (deferring to the jury's inherent ability for judging the character of a witnesses). Pennsylvania Rule of Evidence 613(b) provides:

(b) Extrinsic Evidence of Prior Inconsistent Statement of Witness. Unless the interests of justice otherwise require, extrinsic evidence of a witness' prior inconsistent statement is admissible only if, during the examination of the witness,

(1) the statement, if written, is shown to, or if not written, its contents are disclosed to, the witness;

(2) the witness is given an opportunity to explain or deny the making of the statement; and

(3) the adverse party is given an opportunity to question the witness.

Pa.R.E. 613(b). Thus, a party may impeach the credibility of a witness by introducing evidence showing the witness has made inconsistent statements with his or her trial testimony. *Commonwealth v. Bailey*, 469 A.2d 604, 611 (Pa. Super. 1983). Moreover, statements are not excluded by the hearsay rule if the declarant testifies at the trial or hearing and is subject to cross-examination concerning a statement by a declarant that is inconsistent with the declarant's testimony and is a verbatim contemporaneous recording of an oral statement. Pa.R.E. 803.1. Finally, admission of evidence is within the sound discretion of the trial court, and the trial court's admission of evidence will only be reversed upon a showing that the trial court abused its discretion or committed an error of law. *McManamon v. Washko*, 906 A.2d 1259, 1268 (Pa. Super. 2006).

Furthermore, under Pennsylvania Rule of Evidence 105, where the trial court admits evidence that is admissible against a party for one purpose, but not for another purpose, the court, on timely request, must restrict the evidence to its proper scope and instruct the jury accordingly, or may do so on its own initiative. Pa.R.E. 105; *see also Commonwealth v. McCrae*, 574 Pa. 594, 606, 832 A.2d 1026, 1034 (2003) ("Pennsylvania has long permitted the limited admission of evidence only. . .for one purpose."); *Commonwealth v. Updegrave*, 198 A.2d 534, 537 (Pa. 1964) (evidence that "is admissible for one purpose. . .is not inadmissible because it does not satisfy the rules applicable to some other capacity or even because the jury might consider it in the latter capacity"); *Commonwealth v. Wright*, 323 A.2d 349, 351-52 (Pa. Super. 1974) ("Evidence which is admissible for one purpose does not become inadmissible merely because it would be inadmissible if offered for another purpose."). Significantly, the law presumes that the jury will follow the instruction of the court. *Commonwealth v. Spatz*, 587 Pa. 1, 57, 896 A.2d 1191, 1224 (2006).

Lastly, under the harmless error doctrine, where an error in a criminal trial did not contribute to the verdict, the error was harmless and will not warrant the retrial of a criminal defendant. *See Commonwealth v. Lewis*, 598 A.2d 975, 980 (Pa. 1991). This doctrine is premised on the well-settled proposition that a defendant is entitled to a fair trial but not a perfect one. *Commonwealth v. Thornton*, 431 A.2d 248, 251 (Pa. 1981). "Harmless error exists if the record demonstrates either: (1) the error did not prejudice the defendant or the prejudice was de minimis; or (2) the erroneously admitted evidence was merely cumulative of other untainted evidence which was substantially similar to the erroneously admitted evidence; or (3) the properly admitted and uncontradicted evidence of guilt was so overwhelming and the prejudicial effect of the error was so insignificant by comparison that the error could not have contributed to the verdict. *Commonwealth v. Shull*, 148 A.3d 820, 846 (Pa. Super. 2016) (*Commonwealth v. Hairston*, 84 A.3d 657, 671-72 (Pa. 2014)).

In this case, the Commonwealth displayed the body camera video footage containing Ms. Ross' prior statement to the jury, not to prove the truth of the matter asserted, but rather to impeach the trustworthiness of Ms. Ross' testimony. Specifically, Ms. Ross testified from the witness stand at the jury trial that she "did not see a gun" and indicated nothing of significance happened on December 3, 2016 when she was with Appellant outside of the Tamarack bar.¹ Based on Ms. Ross' testimony, the Commonwealth introduced the body

¹ See Notes of Testimony, Jury Trial, Day 2, Dec. 19, 2017, pg. 26:5-9; 32:7-18.

camera video footage wherein Ms. Ross “told the police that [Appellant] had a gun”² for the sole purpose of impeaching Ms. Ross’s testimony at trial.³ As such, said body camera video footage was admissible since: (1) the contents of the video footage were disclosed to Ms. Ross when the video footage was displayed to the jury while Ms. Ross was under examination by the Commonwealth; (2) Ms. Ross was given an opportunity to explain or deny the making of the statement while she was on the stand when ADA Miller questioned Ms. Ross regarding her statements in the video footage;⁴ and (3) Appellant was given an opportunity to question Ms. Ross since Attorney Bonanti cross-examined Ms. Ross.⁵ The video footage incidentally showed Officer Bayhurst inquiring as to where Appellant lived and his statements “talking about other drug criminals in Corry” and that Appellant “lives in an area where there’s a . . . drug trade.” Such evidence is clearly not relevant but is not so prejudicial that it would “inflamm[e] the jury to make a decision based upon something other than the legal propositions relevant to the case.” *See Antidormi*, 84 A.3d at 750. However, to alleviate Appellant’s concerns regarding any alleged prejudicial effect and protect Appellant’s right to a fair trial, this Trial Court issued an appropriate and carefully worded cautionary but informative curative instruction to the jury.

Thus, this Trial Court further ensured the video footage would only be used to impeach Ms. Ross by restricting the video footage to its proper scope through a curative instruction to the jury. In particular, this Trial Court specifically instructed the jury “to disregard anything on the tape said by Patrol Officer Bayhurst” and to “totally disregard anything [Officer Bayhurst] said on the tape.”⁶ This Trial Court further expounded that since “Officer Bayhurst tried to infer things that are definitely untrue and prejudicial and not relevant to this case[,] [h]is statements are not evidence of anything.”⁷ The law presumes the jury followed said curative instruction of this Trial Court, and Appellant has not rebutted such a presumption. *See Spatz*, 896 A.2d at 1224. As such, this Trial Court properly permitted the Commonwealth to display the video footage recording Ms. Ross’ prior inconsistent statement to impeach Ms. Ross’s testimony at trial. *See Rodriguez*, 495 A.2d at 571.

Nevertheless, assuming *arguendo* the introduction of statements made by Officer Bayhurst prejudiced Appellant, any alleged error in admitting said statements was harmless. Specifically, the properly admitted and uncontradicted evidence was so overwhelming and the prejudicial effect of the error was so insignificant by comparison that the error could not have contributed to the verdict. For example, the Commonwealth introduced several components of a firearm Officer Bayhurst recovered from outside the Tamarack bar, including a magazine, base plate, follower, and .380 caliber shell casing. The Commonwealth also introduced a black Smith and Wesson M&P Bodyguard .380 caliber pistol, along with an additional magazine, that U.S. Deputy Marshall Brent Novak recovered from Appellant’s person on December 5, 2016. Moreover, several stipulations were read to the jury, including the stipulation that Steve Holton, the owner of the firearm, reported the firearm missing on November 8, 2016. The Commonwealth and Appellant also stipulated Appellant did not

² *Id.* at 32:10-11.

³ *Id.* at 26:2-12.

⁴ *Id.* at 57:17-19; 58:6-59:4.

⁵ *Id.* at 60:13-62:8; 63:9-13.

⁶ *Id.* at 55:25-56:1.

⁷ *Id.* at 56:2-5.

have a valid license to carry a firearm and did not have a sportsman firearm permit issued to him based on a letter from the Pennsylvania State Police, which was admitted in evidence. Moreover, the Commonwealth called several witnesses to provide credible testimony against Appellant, including Amanda Hutchings; Sandra Vantassel; Deputy U.S. Marshall Brent Novak; and Officer Richard Bayhurst of the Corry City Police Department. Thus, since said evidence was properly admitted and uncontradicted and so overwhelming, any alleged error in admitting Officer Bayhurst's statements was harmless, and a retrial is not warranted.

For the foregoing reasons, this Trial Court respectfully requests the Pennsylvania Superior Court affirm the jury's findings of Appellant's guilt for the above-referenced offenses.

BY THE COURT

/s/ Stephanie Domitrovich, Judge

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**COMMONWEALTH OF PENNSYLVANIA**

v.

THOMAS EUGENE BEEBE, II, Appellant

IN THE SUPERIOR COURT OF PENNSYLVANIA

No. 247 WDA 2018

Appeal from the Judgment of Sentence January 31, 2018

In the Court of Common Pleas of Erie County Criminal Division at No(s):

CP-25-CR-0000880-2017

BEFORE: GANTMAN, P.J.E., SHOGAN, J., and MURRAY, J.

MEMORANDUM BY SHOGAN, J.:

FILED MAY 14, 2019

Appellant, Thomas Eugene Beebe, II, appeals *pro se* from the judgment of sentence entered on January 31, 2018, in the Erie County Court of Common Pleas. We affirm.

The relevant facts in this matter were set forth by the trial court as follows:

On December 3, 2016, Kristen Ross and Amanda Hutchings were at the Tamarack bar in Corry, Pennsylvania. (*See* Notes of Testimony, Jury Trial, Day 2, Dec. 19, 2017, pg. 64:16-23). Sometime during the evening, Appellant, who had an “on and off” romantic relationship with Ms. Ross, entered the bar, spoke with Ms. Ross, and Appellant and Ms. Ross exited the bar. (*Id.* at 65:14-19; 66:7-9; 89:8-13). Appellant and Ms. Ross talked for “a while” outside “down a little ways up the road.” (*Id.* at 66:14-21; 70:24-71:1). Ms. Hutchings left the bar to check on Ms. Ross and Appellant, who were standing three to four feet apart from each other, and [Ms. Hutchings] observed Appellant remove a firearm from inside his coat and discharge[] a single round away from the bar. (*Id.* at 66:10-16; 71:4-72-4; 72:13-25). Ms. Hutchings then entered the bar and notified the bartender, Sandra Vantassel, who locked down the bar for the safety of the patrons and called the police (*Id.* at 72:16-17; 73:9-14; 73:24-74:1; 89:10-23; 90:17-91:-6). Ms. Vantassel stated she heard a “pop” before Ms. Hutchings reentered the bar. (*Id.* at 89:20-23; 90:12-16).

After Ms. Vantassel called the police, Officer Richard Bayhurst of the Corry City Police Department arrived at the bar in response to information regarding “shots fired outside the location of the Tamarack Bar.” (*Id.* at 115: 16-19). Officer Bayhurst arrived at the bar and made contact with Ms. Ross and obtained a statement from Ms. Ross, which was recorded with Officer Bayhurst’s body camera. (*Id.* at 116:7-16). Officer Bayhurst attempted to locate Appellant, but when unable to do so, he began searching the area for evidence and recovered pieces of a magazine for a Smith and Wesson [firearm] as well as a .380 caliber shell casing. (*Id.* at 117:5-18; 121:8-14; 125:4-9; 125:20-22). Officer Bayhurst later made contact with Steve Holton, the owner of the

Smith and Wesson, who reported the same Smith and Wesson missing on November 8, 2016. (*Id.* at 127:8-20; 132:8-12; 133:9-18). Ultimately, [on December 5, 2016,] Deputy U.S. Marshall Brent Novak apprehended Appellant in [Buffalo, New York. When the Marshall apprehended Appellant, Appellant had the Smith and Wesson firearm and the firearm’s magazine concealed on his person]. (*Id.* at 109:3-111:4; 132:18-133:8).

On April 19, 2017, the District Attorney’s Office filed a Criminal Information, charging Appellant with: (1) Terroristic Threats Causing Serious Public Inconvenience, in violation of 18 Pa.C.S. § 2706([a])(3); (2) Terroristic Threats With Intent to Terrorize Another in violation of 18 Pa.C.S. § 2706([a])(1); (3) Recklessly Endangering Another Person in violation of 18 Pa.C.S. § 2705; (4) Harassment in violation of 18 Pa.C.S. § 2709([a])(2); (5) Discharging of a Firearm Inside City Limits in violation of [Local Ordinance] 750(1); (6) Receiving Stolen Property in violation of 18 Pa.C.S. § 3925([a]); and (7) Firearms Not to Be Carried Without a License in violation of 18 Pa.C.S. § 6106([a])(1).

On December 18, 2017, a jury trial was held; however, this [t]rial [c]ourt declared a mistrial shortly after the trial began. Specifically, the Commonwealth called [Ms.] Ross as a witness to testify, but the Commonwealth’s direct examination of Ms. Ross prompted Appellant’s counsel to object and move for a mistrial [because Ms. Ross stated that, at the time of the incident, Appellant was on probation and not permitted to be at the bar.] ... [The trial court granted Appellant’s motion for a] mistrial and a new jury trial was rescheduled for the next day on December 19, 2017.

On December 19, 2017, a new jury was selected and a second jury trial [began]. During the Commonwealth’s case-in-chief, Assistant District Attorney Grant T. Miller called Ms. Ross, who testified that when she provided a statement to Officer Bayhurst on December 3, 2016, she “did not tell the police the truth” and specifically testified that she “told the police that [Appellant] had a gun, but [she]... did not see a gun.” (*See* Notes of Testimony, Jury Trial, Day 2, Dec. 19, 2017, pg. 32:4- 11). In order to impeach Ms. Ross’ testimony, ADA Miller played to the jury the body camera video footage capturing Ms. Ross’ statements to Officer Bayhurst recorded on December 3, 2016. After a portion of the body camera footage was played to the jury, this [t]rial [c]ourt excused the jury. [Appellant’s trial counsel,] Attorney [John M.] Bonanti then objected to the display of the body camera footage and orally moved for a mistrial. (*Id.* at 33:8- 22). In essence, Attorney Bonanti articulated his objection as follows:

Officer Bayhurst was trying to figure out where Appellant lived and Officer Bayhurst is talking about other drug criminals in Corry and Officer Bayhurst said Appellant lives in an area where there’s a trade—drug trade, and Appellant is making lots of money off the trade. And there’s no relevance and it’s certainly not unforeseeable that the jury takes that and makes an inference—a nasty inference from it.

(*Id.* at 38:22-39:4). After a lengthy discussion outside the presence of the jury on the

record among Attorney Bonanti, ADA Miller, and the undersigned judge, and after this [t]rial [c]ourt reviewed the remainder of the video outside of the presence of the jury, this [t]rial [c]ourt permitted ADA Miller to display the remainder of the video footage to the jury for the limited purpose of impeaching Ms. Ross with the aid of a carefully worded and helpful curative instruction. (*Id.* at 47:14; 33:8-55:19; 58:11-13). Specifically, this [t]rial [c]ourt issued the following curative instruction to the jury before the remainder of the footage was displayed:

Hello, again, jurors. I have to give you a very important cautionary instruction. And I'm going to direct you to disregard anything on the tape said by Patrol Officer Bayhurst. You are to totally disregard anything Officer Bayhurst said on the tape. Officer Bayhurst tried to infer things that are definitely untrue and prejudicial and not relevant to this case. His statements are not evidence of anything. You may proceed.

(*Id.* at 55:22-56:5)^[1] Again, Attorney Bonanti objected to the curative instruction arguing the evidence was irrelevant and “caused an improper taint or prejudice” despite this [t]rial [c]ourt issuing a [p]roper curative instruction. (*Id.* at 56:10-18). Appellant was ultimately convicted of all criminal charges and on January 31, 2018, this [t]rial [c]ourt entered the following Sentencing Order:

- Count 1 - Terroristic Threats Cause Serious Public Inconvenience - To be confined for a minimum period of 2 Year(s) and a maximum period of 5 Year(s) at PA Dept. of Corrections in the standard range.
- Count 2 - Terroristic Threats With Intent To Terrorize Another - To be confined for a minimum period of 1 Year(s) and a maximum period of 2 Year(s) at PA Dept. of Corrections in the standard range and consecutive to Count 1.
- Count 3 - Recklessly Endangering Another Person - To be confined for a minimum period of 6 Month(s) and a maximum period of 2 Year(s) at PA Dept. of Corrections in the standard range and consecutive to Count 2.
- Count 4 - Harassment - Follow In Public Place -A determination of guilty without further penalty.
- Count 5 - Discharge Any Firearm Within The City Limits - A determination of guilty without further penalty.
- Count 6 - Receiving Stolen Property - To be confined for a minimum period of 18 Month(s) and a maximum period of 4 Year(s) at PA Dept. of Corrections in the standard range and consecutive to Count 3.

¹ Errant left-margin indentation omitted.

- Count 7 - Firearms Not To Be Carried Without a License - To be confined for a minimum period of 3 Year(s) and a maximum period of 6 Year(s) at PA Dept. of Corrections in the standard range and consecutive to Count 6.

Trial Court Opinion, 4/17/18, at 2-5 (emphasis omitted).

Appellant filed a timely notice of appeal on February 16, 2018. On February 20, 2018, the trial court ordered Appellant to comply with Pa.R.A.P. 1925(b) and file a concise statement of errors complained of on appeal. Appellant filed a counseled Rule 1925(b) statement on March 2, 2018.

On March 5, 2018, Appellant filed a *pro se* petition to waive his right to counsel. On March 21, 2018, Appellant's counsel filed a motion to withdraw from representing Appellant and requested a hearing pursuant to *Commonwealth v. Grazier*, 713 A.2d 81 (Pa. 1998). On April 4, 2018, the trial court held a *Grazier* hearing, concluded that Appellant knowingly, intelligently, and voluntarily waived his right to counsel, and permitted Appellant to proceed on appeal *pro se*. Order, 4/4/18. The trial court also granted counsel's motion to withdraw. *Id.* On April 17, 2018, the trial court filed its Rule 1925(a) opinion.

At the outset, we are constrained to point out the myriad deficiencies in Appellant's *pro se* brief. Appellant's brief is merely an eight-page argument in narrative form with the trial court's opinion appended. Appellant has violated nearly every briefing requirement set forth in our Rules of Appellate Procedure as he failed to include in his brief: a statement of jurisdiction pursuant to Pa.R.A.P. 2114; the order in question pursuant to Pa.R.A.P. 2115; a statement of the scope and standard of review pursuant to Pa.R.A.P. 2111(a); a statement of the questions involved pursuant to Pa.R.A.P. 2116; a statement of the case pursuant to Pa.R.A.P. 2117; a summary of the argument pursuant to Pa.R.A.P. 2118; and a copy of his Pa.R.A.P. 1925(b) statement pursuant to Pa.R.A.P. 2111(d). We note that it is within our discretion to quash this appeal due to these violations. *See Commonwealth v. Adams*, 882 A.2d 496, 497 (Pa. Super. 2005) ("This Court may quash or dismiss an appeal if the appellant fails to conform to the requirements set forth in the Pennsylvania Rules of Appellate Procedure."). However, our further review reveals an additional error that precludes appellate review.

As noted above, Appellant filed a counseled Rule 1925(b) statement of errors complained of on appeal on March 2, 2018. In that statement, Appellant's counsel raised the following issue: "The lower court erred in admitting testimony by [Ms. Ross] indicating that [the] responding Police Officer was in the area because he was looking for [Appellant] who was maybe on probation and not allowed to be at the bar (scene of the offense)." Pa.R.A.P. 1925(b) Statement, 3/2/18. However, in his *pro se* brief on appeal, Appellant presents and argues a markedly different issue; he asserts the trial court erred in allowing into evidence the video and audio recording from the arresting officer's body camera. Appellant's Brief at unnumbered 4-6.²

By failing to raise this issue in his Rule 1925(b) statement, Appellant deprived the trial court of the opportunity to address Appellant's claim of error; it is well settled that

² "Although this Court is willing to liberally construe materials filed by a *pro se* litigant, *pro se* status confers no special benefit upon the appellant." *Commonwealth v. Virimindi*, 200 A.3d 1031, 1037 (Pa. Super. 2018) (citation omitted). "To the contrary, any person choosing to represent himself in a legal proceeding must, to a reasonable extent, assume that his lack of expertise and legal training will be his undoing." *Id.*

issues not presented in a court-ordered Rule 1925(b) statement are waived on appeal. See *Commonwealth v. Castillo*, 888 A.2d 775, 780 (Pa. 2005) (citing *Commonwealth v. Lord*, 719 A.2d 306, 309 (Pa. 1998)) (“Any issues not raised in a Pa.R.A.P. 1925(b) statement will be deemed waived.”). Because Appellant failed to preserve any issue for appellate review, we affirm Appellant’s judgment of sentence.³

Judgment of sentence affirmed.

Judgment Entered

/s/ Joseph D. Seletyn, Esq.

Prothonotary

Date: 5/14/2019

³ Were we to reach this issue, we would conclude that Appellant is entitled to no relief. As noted by the trial court in its opinion, following the introduction of the audio and video from Officer Bayhurst’s body camera, Appellant’s counsel objected, and the trial court allowed the evidence only insofar as it impeached Ms. Ross’s statement that she did not see a gun. Trial Court Opinion, 4/17/18, at 4-5 (citing N.T. 12/19/17, at 38). The trial court then gave a curative instruction and told the jury it was to disregard any statements made by Officer Bayhurst on the body camera recording that was made during his interaction with Ms. Ross. *Id.* at 5 (citing N.T. 12/19/17, at 55-56). The admission of evidence is left to the sound discretion of the trial court, and such a decision shall be reversed only upon a showing that the trial court abused its discretion. *Commonwealth v. Storey*, 167 A.3d 750, 758 (Pa. Super. 2017) (citation omitted). In determining what evidence should be admitted, the trial court must weigh the relevant and probative value of the evidence against any prejudicial impact. *Id.* Where the trial judge gives a curative instruction, it is presumed that the jury will follow the instructions of the court. *Id.* Because the audio and video from the body camera was used solely for impeachment purposes, and because the trial court gave a curative instruction as to how this evidence was to be considered, if we were to reach this issue, we would discern no abuse of discretion in the trial court’s evidentiary ruling.

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NOTICE IS HEREBY GIVEN that a Foreign Registration Statement has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about April 24, 2019, for a foreign corporation with a registered address in the state of Pennsylvania as follows: ON GUARD MANAGEMENT, INC., c/o Corporate Creations Network Inc. This corporation is incorporated under the laws of New York. The address of its principal office is 149 West 36th Street, Fl. 2, New York, NY 10018. The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended.

June 14

INCORPORATION NOTICE

Functional Performance, Inc. has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation law of 1988. Janine McClintic, Esq., 6073 Pine Valley Lane, Fairview, PA 16415.

June 14

WITHDRAWAL NOTICE

ORGANIZER'S DIRECT INDUSTRIES INC. with a commercial registered office provider in care of Corporate Creations Network Inc. in Erie County does hereby give notice of its intention to withdraw from doing business in this Commonwealth. The address to which any proceeding may be sent is 16028 North 78th St., Ste. 100, Scottsdale, AZ 85260. This shall serve as official notice to creditors and taxing authorities.

June 14

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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

**JUNE 21, 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

May 31 and June 7, 14

SALE NO. 2

Ex. #30370 of 2019
U.S. Bank National Association, a National Banking Association, as Successor Trustee to State Street Bank and Trust Company, as Trustee for the registered holders of Credit Suisse First Boston Mortgage Securities Corp., commercial mortgage pass-through certificates, series 1998-C1, Plaintiff
v.

Elder Pa. I Delaware Business Trust, a Delaware Business Trust, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed at No. 2019-30370, U.S. Bank National Association, a National

Banking Association, as Successor Trustee to State Street Bank and Trust Company, as Trustee for the registered holders of Credit Suisse First Boston Mortgage Securities Corp., commercial mortgage pass-through certificates, series 1998-C1 v. Elder Pa. I Delaware Business Trust, a Delaware Business Trust, owner of property situated in the Township of Millcreek, Erie County, Pennsylvania being commonly known as the former Bon Ton parcel in the Millcreek Mall, 5800 Peach Street, Erie, PA 16565. Assessment Map No. 33-167-667-46.05

Assessed Value Figure: \$5,191,200
Improvement thereon: Retail
Mark G. Claypool, Esquire
Knox McLaughlin Gornall & Sennett, P.C.
120 West Tenth Street
Erie, Pennsylvania 16501
(814) 459-2800

May 31 and June 7, 14

SALE NO. 3

Ex. #10073 of 2019
First National Bank of Pennsylvania, Plaintiff
v.
Jeffery R. Huff and Doreen T. Huff, Defendants
DESCRIPTION

By virtue of a Writ of Execution filed to No. 10073-19, First National Bank of Pennsylvania vs. Jeffery R. Huff and Doreen T. Huff, owner(s) of property situated in Millcreek Township, Erie County, Pennsylvania being 1838 Garloch Drive, Erie, PA 16505
Assessment Map number: 1838 Garloch Drive, Erie, PA 16505
Assessed Value figure: \$109,250.00
Improvement thereon: One story frame dwelling
Kristine M. Anthou
One Gateway Ctr, 9 W
Pittsburgh, PA 15222
412-281-7650

May 31 and June 7, 14

SALE NO. 4

Ex. #10113 of 2019
U.S. BANK NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE,

FOR THE CIM TRUST 2016-3, MORTGAGE-BACKED NOTES, SERIES 2016-3, Plaintiff

v.

BRENT SALHOFF as Executor of the Estate of Ronald R. Salhoff, Deceased, Defendant
DESCRIPTION

Parcel one: All that certain piece or parcel of land situate in the Township of Springfield, County of Erie and Commonwealth of Pennsylvania, being part of Tract 593 in said township bounded and described as follows: BEGINNING in the centerline of the highway known as U.S. Route No. 5, formerly the Middle Road, where same intersects the north line of said Tract 593; thence South 88 52' East along the south line of lands now or formerly owned by Louis Perry, four hundred fifty-two and sixty-eight hundredths (452.68) feet to the West Line of land formerly owned by Susie Moore, and now or formerly owned by Anthony Vacco; thence South 00 04' West along said Vacco West line, one hundred seventy-four feet; thence northwesterly in a straight line to a point in their centerline of the aforesaid highway, U.S. Route No. 5, that is seventy (70) feet Southerwestly from the point of beginning; thence Northeasterly, along the centerline of said U.S. Route No. 5, a distance of seventy (70) feet to the place of beginning. ALSO, parcel two: All that certain piece or parcel of land situated in the Township of Springfield, County of Erie and Commonwealth of Pennsylvania, being part of Tract 593 in said township bounded and described as follows: BEGINNING at the Northwesterly corner of the whole piece at an iron survey point in the Northly line of Said tract 593 and southerly line of land now or formerly owned by E.T. Moore, et ux, distant thereon North 88 degrees 52' west, five hundred sixty-six and twenty-seven hundredths (566.27) feet from an old iron pin at its intersection with the center line of the Devore Road at the Northeasterly corner of said Tract 593, said point also being the

Northeasterly corner of land now or formerly owned by Mike Vacco; thence 88 degrees 52' East, along the Northerly line of said Tract 593 and the Southerly line of land now or formerly owned by said E.T. Moore et ux, two hundred ninety and ninety-nine hundredths (290.99) feet to an iron survey point; thence by the residue of the piece south 03 degrees 42', two hundred seventy-two and forty hundredths (377.40) feet to an iron survey point at the Northwesterly corner of land now or formerly leased to Peerless Mineral Products Company; thence along said land south 00 degrees 48' West, one hundred (100.00) feet to an iron survey point in the Northerly line of the right-of-way South 71 degrees 41' west, two hundred eighty-seven and thirty-one hundredths (287.31) feet to an iron survey point at the Southeastly corner; of land now or formerly owned by the aforesaid Mike Vacco; thence along said Vacco land North 00 degrees 04' East, four hundred sixty-seven and seventy-nine hundredths (467.79) feet to the place of beginning and containing two and sixty-nine hundredths (2.690) acres of land. TOGETHER WITH THE FREE AND UNINTERRUPTED RIGHT, Liberty and Privilege of Ingress and Egress and Regress to Second Parties, their heirs, executors, administrators or assigns, tenants, undertonants, workmen and guests, at all times and seasons with every manner of transportation over and across a strip of land twenty (20) feet in width extending out of and from the above described promises to Devore Road along the Northerly line of land leased to Peerless Mineral Products Company so long as said lease shall continue in force and the termination of said lease shall act as an abandonment of said right-of-way and the establishment of the new right-of-way twenty (20) feet in width extending along the Northern line of the right-of-way of the New York, Chicago and St. Louis Railroad company from the Southeastly corner of the above described premises to Devore Road. Parcel #-39009030000700

PROPERTY ADDRESS: 13163 West Lake Road, E Springfield, PA 16411
 KML Law Group, P.C.
 701 Market Street, Suite 5000
 Philadelphia, PA 19106
 215-627-1322

May 31 and June 7, 14

SALE NO. 7

Ex. #12631 of 2017

MIDFIRST BANK, Plaintiff

v.

KRIS L. KOSSBIEL AND THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, Defendants

DESCRIPTION

By virtue of a Writ of Execution No. 12631-17, MIDFIRST BANK, Plaintiff vs. KRIS L. KOSSBIEL AND THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT, Defendants
 Real Estate: 1052 WEST 31ST STREET, ERIE, PA 16508
 Municipality: City of Erie
 Erie County, Pennsylvania
 Dimensions: 29.5 x 135
 See Deed Book 1499/0403
 Tax I.D. (19) 6038-232
 Assessment: \$16,200 (Land)
 \$69,470 (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

May 31 and June 7, 14

SALE NO. 8

Ex. #10329 of 2019

PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff

v.

ROBIN L. LINDSTROM, Defendant

DESCRIPTION

By virtue of a Writ of Execution No. 2019-10329, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. ROBIN L. LINDSTROM, Defendants
 Real Estate: 431 HURON STREET, ERIE, PA 16502
 Municipality: City of Erie
 Erie County, Pennsylvania

Dimensions: 41.25 X 44
 See Deed Book 1433, page 1481
 Tax I.D. (16) 3022-106
 Assessment: \$5,800 (Land)
 \$0 (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

May 31 and June 7, 14

SALE NO. 9

Ex. #13279 of 2015

M&T Bank, Plaintiff

v.

Natalie A. Pacileo a/k/a Natalie Pacileo, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 13279-15, M&T Bank, Plaintiff v. Natalie A. Pacileo a/k/a Natalie Pacileo, owner of property situated in the City of Erie, Erie County, Pennsylvania being 819 W. 26th Street, Erie, PA 16508
 .1395 Acres
 Assessment Map number: 19-6041.0-208.00
 Assessed Value figure: 86,100.00
 Improvement thereon: Residential Property
 Robert W. Williams, Esquire
 Christina J. Pross, Esquire
 Mattleman, Weinroth & Miller, P.C.
 401 Route 70 East, Suite 100
 Cherry Hill, NJ 08034
 (856) 429-5507

May 31 and June 7, 14

SALE NO. 10

Ex. #13119 of 2018

Mid America Mortgage, Inc., Plaintiff

v.

Stephen M. Landis and Jennifer L. Landis, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 13119-18, Mid America Mortgage, Inc. v. Stephen M. Landis and Jennifer L. Landis, owners of property situated in the City of Erie, Erie County, Pennsylvania being known as 2925 Hampton Road, Erie, Pennsylvania 16508.
 Tax I.D. No. 19-062-037.0-216.00

Assessment: \$89,393.19
Improvements: Residential Dwelling
McCabe, Weisberg & Conway, LLC
123 South Broad Street, Suite 1400
Philadelphia, PA 19109
215-790-1010
May 31 and June 7, 14

SALE NO. 11

Ex. #13577 of 2015
Bank of America N.A., Plaintiff
v.

Diane M. Bland, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 13577-15, Bank of America N.A. vs. Diane M. Bland, owners of property situated in Millcreek Township, Erie County, Pennsylvania being 2617 West 24th Street, Erie, PA 16506
.2386 Acreage
Assessment Map number: 33051197000600
Assessed Value figure: \$115,160.00
Improvement thereon: Residential Dwelling
Roger Fay, Esquire
1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400
May 31 and June 7, 14

SALE NO. 12

Ex. #13103 of 2018
Wells Fargo Bank, N.A., Plaintiff
v.

Ashley L. Gantz, Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 13103-18, Wells Fargo Bank, N.A. vs. Ashley L. Gantz
Amount Due: \$52,668.45
Ashley L. Gantz, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 325 East 29th Street, Erie, PA 16504-1017
Dimensions: 30 X 137
Square Footage: 1,338
Assessment Map number: 18050079011600
Assessed Value: \$61,800.00
Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban Station, Suite 1400
1617 John F. Kennedy Boulevard

Philadelphia, PA 19103-1814
(215) 563-7000
May 31 and June 7, 14

SALE NO. 13

Ex. #10491 of 2019
Wells Fargo Bank, N.A., Plaintiff
v.

Lora N. Ormsbee, Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10491-19, Wells Fargo Bank, N.A. vs. Lora N. Ormsbee
Amount Due: \$63,344.58
Lora N. Ormsbee, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 3912 Raspberry Street, Erie, PA 16509-1324
Dimensions: 45 X 140
Assessment Map number: 19061029010300
Assessed Value: \$61,220.00
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
May 31 and June 7, 14

SALE NO. 14

Ex. #13403 of 2017
Matrix Financial Services Corporation, Plaintiff
v.

Patty Reash a/k/a Patty Laniewicz, Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 13403-17, Matrix Financial Services Corporation vs. Patty Reash a/k/a Patty Laniewicz
Amount Due: \$66,792.79
Patty Reash a/k/a Patty Laniewicz, owner(s) of property situated in WESLEYVILLE BOROUGH, Erie County, Pennsylvania being 2226 Eastern Avenue, Erie, PA 16510-1718
Dimensions: 40 X 120
Acreage: 0.1102
Assessment Map number: 50004027000800
Assessed Value: \$85,600.00
Improvement thereon: residential Phelan Hallinan Diamond & Jones, LLP
One Penn Center at Suburban

Station, Suite 1400
1617 John F. Kennedy Boulevard
Philadelphia, PA 19103-1814
(215) 563-7000
May 31 and June 7, 14

SALE NO. 15

Ex. #12351 of 2018
PENNYMAC LOAN SERVICES, LLC, Plaintiff
v.

DAVID BOWES, SOLELY IN HIS CAPACITY AS PLENARY CO-GUARDIAN OF THE PERSON AND ESTATE OF KRISTIN DEE BOWES A/K/A KRISTIN D. BOWES AN INCAPACITATED PERSON, KELLY BOWES, SOLELY IN HER CAPACITY AS PLENARY CO-GUARDIAN OF THE PERSON AND ESTATE OF KRISTIN DEE BOWES A/K/A KRISTIN D. BOWES AN INCAPACITATED PERSON, Defendants

DESCRIPTION

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN THE CITY OF ERIE, COUNTY OF ERIE AND COMMONWEALTH OF PENNSYLVANIA. BEING KNOWN AS: 1010 DELAWARE AVENUE, ERIE, PA 16505
PARCEL # (16) 3114-203
Improvements: Residential Dwelling.
POWERS KIRN, LLC
Amanda L. Rauer, Esquire
Id. No. 307028
Attorneys for Plaintiff
Eight Neshaminy Interplex
Suite 215
Trevose, PA 19053
(215) 942-2090
May 31 and June 7, 14

SALE NO. 16

Ex. #12789 of 2018
WELLS FARGO BANK, N.A., Plaintiff
v.

KIRK R. GRIFFITH, Defendant
DESCRIPTION
ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE

IN THE TOWNSHIP OF HARBORCREEK, COUNTY OF ERIE AND STATE OF PENNSYLVANIA.
 BEING KNOWN AS: 828 ELDRED STREET, ERIE, PA 16511
 PARCEL # 27-006-092.0-003.00
 Improvements: Residential Dwelling.
 POWERS KIRN, LLC
 Amanda L. Rauer, Esquire
 Id. No. 307028
 Attorneys for Plaintiff
 Eight Neshaminy Interplex
 Suite 215
 Trevoese, PA 19053
 (215) 942-2090
 May 31 and June 7, 14

SALE NO. 17

Ex. #10357 of 2017
BANK OF AMERICA, N.A.,
SUCCESSOR BY MERGER
TO BAC HOME LOANS
SERVICING LP, FKA
COUNTRYWIDE HOME
LOANS SERVICING LP C/O
PENNYMAC LOAN SERVICES,
LLC, Plaintiff
 v.
JAMES W. PYLE, JR., TONY A.
PYLE, Defendants

DESCRIPTION

All that certain piece or parcel of land situate in McKean Township, Erie County, Pennsylvania.
 BEING KNOWN AS: 9152 SHADDUCK ROAD, MCKEAN, PA 16426
 PARCEL # (31) 13 -47 -17
 Improvements: Residential Dwelling.
 POWERS KIRN, LLC
 Amanda L. Rauer, Esquire
 Id. No. 307028
 Attorneys for Plaintiff
 Eight Neshaminy Interplex
 Suite 215
 Trevoese, PA 19053
 (215) 942-2090
 May 31 and June 7, 14

SALE NO. 18

Ex. #11985 of 2018
New Penn Financial, LLC d/b/a
Shellpoint Mortgage Servicing,
Plaintiff
 v.
Unknown Heirs, Successors,

Assigns and All Persons, Firms or Association Claiming Right, Title or Interest from or Under Harry L. Hawthorne, Jr, Christopher J. Hawthorne in his capacity as heir of Harry L. Hawthorne, Jr, Deceased and Julie M. Hawthorne in her capacity as heir of Harry L. Hawthorne, Jr, Deceased, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 2018-11985, New Penn Financial, LLC d/b/a Shellpoint Mortgage Servicing vs. Unknown Heirs, Successors, Assigns and All Persons, Firms or Association Claiming Right, Title or Interest from or Under Harry L. Hawthorne, Jr, Christopher J. Hawthorne in his capacity as heir of Harry L. Hawthorne, Jr, Deceased and Julie M. Hawthorne in her capacity as heir of Harry L. Hawthorne, Jr, Deceased, owner(s) of property situated in Erie County, Pennsylvania being 1018 PLUM STREET, ERIE, PA 16502
 Assessment Map Number: 16030046020400
 Assessed Value Figure: \$0.00
 Improvement thereon: Single Family Home -0sq. ft.
 Richard M. Squire & Associates, LLP
 Jennie C. Shnyder, Esq.
 (PA I.D. #315213)
 Attorneys for Plaintiff
 May 31 and June 7, 14

SALE NO. 20

Ex. #13443 of 2016
HSBC Bank USA, National Association, as Indenture Trustee for People's Choice Home Loan Securities Trust Series 2005-4 c/o Ocwen Loan Servicing, LLC, Plaintiff
 v.
Scott M. Bone, Michele R. Bone, Defendants

DESCRIPTION

ALL THAT CERTAIN piece or parcel of land situate in the Township of Millcreek (Tract 77), County of Erie and State of Pennsylvania, being all of Lot No. Sixteen (16) of Brentwood Hills Subdivision No. 1, as appears upon a map of said subdivision recorded

in Erie County Map Book 6, page 84, and rerecorded in Erie County Map Book 6, page 117 on February 12, 1963. Said lot having a frontage of Eighty-two and Two hundredths (82.02) feet on the easterly line of Lansing Way, with a depth of One Hundred Twenty (120) feet extending eastwardly therefrom.
 PROPERTY ADDRESS: 3619 Lansing Way, Erie, PA 16506
 PARCEL 33079325002200
 BEING the same premises which Howard N. Kemp and Nancy Ann Kemp, his wife by Deed dated December 27, 1993, and recorded December 28, 1993, in the Office of the Recorder of Deeds in and for Erie County in Deed Book 0311, Page 1632, granted and conveyed unto Scott M. Bone and Michele R. Bone, his wife, as Tenants by the Entireties with the Right of Survivorship.
 ANDREW J. MARLEY, ESQUIRE
 STERN & EISENBERG, PC
 1581 Main Street, Suite 200
 The Shops at Valley Square
 Warrington, PA 18976
 (215) 572-8111
 May 31 and June 7, 14

SALE NO. 21

Ex. #10192 of 2019
Pennsylvania Housing Finance Agency, Plaintiff
 v.
Theodore J. Kelly, Jr., Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10192-19, Pennsylvania Housing Finance Agency vs. Theodore J. Kelly, Jr., owner of property situated in Borough of Girard, Erie County, Pennsylvania being:
 Dimensions: Square Feet: 1102
 Acreage: 0.3983
 Assessment Map Number: (23)-004-038.5-030.00
 Assess Value figure: \$101,600.00
 Improvement thereon: Single Family Dwelling
 Lois M. Vittii, Esquire
 Attorney for Plaintiff
 333 Allegheny Avenue, Suite 303
 Oakmont, PA 15139
 (412) 281-1725
 May 31 and June 7, 14

SALE NO. 22

Ex. #10038 of 2019

Pennsylvania Housing Finance Agency, Plaintiff

v.

Karen M. Nimelli, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10038-19, Pennsylvania Housing Finance Agency vs. Karen M. Nimelli, owner of property situated in Borough of Lake City (formerly Borough of North Girard), Erie County, Pennsylvania being:

Dimensions: Square Feet: 1026

Acreage: 0.4242

Assessment Map Number: (28)-013-023.0-007.00

Assess Value figure: \$76,600.00

Improvement thereon: Single Family Dwelling

Lois M. Vitti, Esquire

Attorney for Plaintiff

333 Allegheny Avenue, Suite 303

Oakmont, PA 15139

(412) 281-1725

May 31 and June 7, 14



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KENNETH J. GAMBLE**

Clerk of Records

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

Court of Common Pleas of Erie County, Pennsylvania

The following Executors, Administrators, Guardians and Trustees have filed their Accounts in the Office of the Clerk of Records, Register of Wills and Orphans' Court Division and the same will be presented to the Orphans' Court of Erie County at the Court House, City of Erie, on **Wednesday, June 5, 2019** and confirmed Nisi.

July 17, 2019 is the last day on which Objections may be filed to any of these accounts.

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

<u>2019</u>	<u>ESTATE</u>	<u>ACCOUNTANT</u>	<u>ATTORNEY</u>
177.	Elizabeth C. Witherow	Donna Delp, Trustee.....	Steven E. George, Esq.
178.	Dennis J. Mogel..... a/k/a Dennis Mogel	Andrew Botelho, Executor.....	Melissa L. Larese, Esq.
179.	Frank Leroy Greiner..... a/k/a Frank L. Greiner	Eunice A. Dovey,..... Dana L. Greiner, Co-Executors	Colleen R. Stumpf, Esq.

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

June 14, 21

ESTATE NOTICES

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

FIRST PUBLICATION

BAKER, CHARLES E., a/k/a CHARLES EDWARD BAKER, deceased

Late of Millcreek Township, County of Erie, Commonwealth of Pennsylvania
Administratrix: Kimberly S. Hennessy, 8845 Ennis Dr., Erie, PA 16509
Attorney: None

BARKO, AGNES A., deceased

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Executor: Michael N. Barko, c/o 300 State Street, Suite 300, Erie, PA 16507
Attorney: Thomas V. Myers, Esquire, Marsh Schaaf Law Firm, 300 State Street, Suite 300, Erie, PA 16507

BOWLER, MICAELA, deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Renee Weiss, 2250 Clairmont Drive, Pittsburgh, PA 15241
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

CAMPBELL, CLAUDIA L., a/k/a CLAUDIA LOU CAMPBELL, deceased

Late of Mill Village Borough, Erie County, Pennsylvania
Executrix: Gwendolyn B. Campbell, c/o Jerome C. Wegley, Esq., 120 West Tenth Street, Erie, PA 16501
Attorney: Jerome C. Wegley, Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

CRILLEY, RAYMOND E., SR., deceased

Late of Springfield Township
Executor: Paul M. Crilley, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

DAUER, DENNIS D., deceased

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Administrator: Denise R. Housel, c/o Thomas J. Buseck, Esq., MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459
Attorney: Thomas J. Buseck, Esq., MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

McINTOSH, NADINE A., a/k/a NADINE McINTOSH, deceased

Late of the Borough of Girard, County of Erie, Commonwealth of Pennsylvania
Executor: David E. Bell, 5640 Bondy Drive, Erie, Pennsylvania 16509
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

MOORE, WILMA E., a/k/a WILMA MOORE, deceased

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

OHMAN, CHARLOTTE J., deceased

Late of City of Erie
Executors: Sandra J. Flewelling and Denise D. Marquis, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

ROSS, SALLY A., deceased

Late of Fairview, County of Erie and Commonwealth of Pennsylvania
Executor: Michelle A. Tarr, c/o Kevin M. Monahan, Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: Kevin M. Monahan, Esq., MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP, Suite 300, 300 State Street, Erie, PA 16507

RUSSELL, NANCY JANE CORLE, a/k/a JANE C. RUSSELL, deceased

Late of Millcreek Township, Erie County, PA
Executor: Michael R. Russell, 1790 Follett Run Road, Warren, PA 16365
Attorney: Bruce T. Rosen, 112 Center Street, PO Box B, Oil City, PA 16301

SANFILIPPO, HELEN EILEEN, a/k/a HELEN E. SANFILIPPO, a/k/a EILEEN H. SANFILIPPO, a/k/a EILEEN GARNER SANFILIPPO, deceased

Late of the Township of Harborcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Timothy A. Garner, 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

SECOND PUBLICATION

COLE, EDNA J., deceased

Late of Millcreek Township, Erie County, Pennsylvania
Executor: Barbara J. Poirier, c/o Robert C. Ward, Esq., 307 French Street, Erie, Pennsylvania 16507-1129
Attorney: Robert C. Ward, Esq., 307 French Street, Erie, Pennsylvania 16507-1129

HOUSE, RICHARD A., a/k/a RICHARD ALAN HOUSE, a/k/a RICHARD HOUSE, deceased

Late of the Township of Millcreek, County of Erie and Commonwealth of Pennsylvania
Executor: Kristin Best, 60 Ridge Road, New Rochelle, New York 10804
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

JOHNSON, ALFRED J., a/k/a ALFRED JOHNSON, deceased

Late of the City of Erie, County of Erie, State of Pennsylvania
Executor: Margaret L. Hart, c/o 337 West 10th Street, Erie, PA 16502
Attorneys: THE FAMILY LAW GROUP, LLC, 337 West 10th Street, Erie, PA 16502

MAINZER, FRANCIS K., deceased

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

MARKLEY, ELAINE S., a/k/a ELAINE SCHUBEK MARKLEY, a/k/a ELAINE MARKLEY, deceased

Late of Millcreek Township, Erie County, Pennsylvania
Executor: Jonathan Markley, c/o Robert C. Ward, Esq., 307 French Street, Erie, Pennsylvania 16507-1129
Attorney: Robert C. Ward, Esq., 307 French Street, Erie, Pennsylvania 16507-1129

MILANO, CARLA D., deceased

Late of City of Erie, County of Erie and Commonwealth of Pennsylvania
Executor: Jennifer Milano Burns, c/o Michael A. Agresti, Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: Michael A. Agresti, Esq., MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP, Suite 300, 300 State Street, Erie, PA 16507

PIOTROWSKI, KAY L., a/k/a KAY L. BRIGGS, deceased

Late of Harborcreek Township, Erie County, Erie, PA
Co-Executors: Holly M. Lopez and Richard L. Piotrowski, c/o 33 East Main Street, North East, Pennsylvania 16428
Attorney: Robert J. Jeffery, Esq., Knox McLaughlin Gornall & Sennett, P.C., 33 East Main Street, North East, Pennsylvania 16428

WEIDLER, PATRICK, a/k/a PATRICK E. WEIDLER, deceased

Late of the Township of Springfield, County of Erie, Commonwealth of Pennsylvania
Executor: John Weidler, 11950 Lucas Road, East Springfield, PA 16411
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

THIRD PUBLICATION

BULISHAK, CHONG KIM, deceased

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

CONTI, THERESA J., deceased

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania
Executor: Barbara Presser
Attorney: David J. Rhodes, Esquire, ELDERKIN LAW FIRM, 150 East 8th Street, Erie, PA 16501

FIOLEK, EDWARD B., deceased

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executor: Patty A. Lanich, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508
Attorney: Colleen R. Stumpf, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506-4508

**HOENES, RICHARD M.,
deceased**

Late of the Township of Harborcreek, County of Erie and State of Pennsylvania
Administrator: Derek Hoenes, c/o Justin L. Magill, Esq., 821 State Street, Erie, PA 16501
Attorney: Justin L. Magill, Esquire, 821 State Street, Erie, PA 16501

**JAROSKI, KATHLEEN S.B.,
a/k/a KATHLEEN S. BRENNAN
JAROSKI,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Executrix: Jamie Brennan, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Melissa L. Larese, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**LANAGAN, HELEN A.,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executor: Richard M. Hatch 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

**MILLER, GLADYS C.,
deceased**

Late of Venango Township, Erie County, Wattsburg, PA
Executor: Richard L. Miller, Jr., c/o 33 East Main Street, North East, Pennsylvania 16428
Attorney: Robert J. Jeffery, Esq., Knox McLaughlin Gornall & Sennett, P.C., 33 East Main Street, North East, Pennsylvania 16428

**MOZDY, CHRISTOPHER E.,
deceased**

Late of Township of Millcreek, Erie County, Pennsylvania
Administrator: Belinda M. Mozdy, c/o Jeffrey J. Cole, Esq., 2014 West 8th Street, Erie, PA 16505
Attorney: Jeffrey J. Cole, Esq., 2014 West 8th Street, Erie, PA 16505

**SHELINE, KARL R., a/k/a KARL
RAYMOND SHELINE,
deceased**

Late of the City of Erie, County of Erie, PA
Administratrix: Joyce S. Dias, 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

**WILLIAMS, DONALD D., JR.,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Co-Executors: Mary Ellen Demyanovich and John T. Williams, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Melissa L. Larese, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**WILLIAMS, ROBERT F.,
deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania
Administratrix: Mary Ellen Demyanovich, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Melissa L. Larese, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

CATHY M. LOJEWSKI814-871-2965
3228 Florida Avenue
Erie, PA 16504*cmlojewski@yahoo.com*

New fax number

TINA M. FRYLING.....814-240-5616

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