

Erie County Legal Journal

November 1, 2019

Vol. 102 No. 44



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Johnson v. Monro Muffler Brake, Inc. and Radigan

Erie County Legal Journal

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

Managing Editor: Megan E. Anthony

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Erie County Bar Association

Calendar of Events and Seminars

SATURDAY, NOVEMBER 2, 2019

In-House Counsel Division Event
Volunteer Day at the Second Harvest Food Bank
1:00 p.m. - 4:00 p.m.

FRIDAY, NOVEMBER 8, 2019

Law Day Committee Meeting
8:30 a.m.
ECBA Headquarters

MONDAY, NOVEMBER 11, 2019

Veteran's Day Observed
Erie County and Federal Courthouses Closed

TUESDAY, NOVEMBER 12, 2019

ECBA Live Seminar
Hot Topics in Real Estate Law 2019
The Will J. Schaaf & Mary B. Schaaf Education Center
8:45 a.m. - Registration
9:00 a.m. - 11:15 a.m. - Seminar
\$94 (ECBA members)
\$120 (non-members)
2 hour substantive

TUESDAY, NOVEMBER 12, 2019

Family Law Section Meeting
Noon
Judge Walsh's Courtroom

TUESDAY, NOVEMBER 12, 2019

Bench Bar Conference Committee Meeting
5:00 p.m. - 6:00 p.m.
ECBA Headquarters

WEDNESDAY, NOVEMBER 13, 2019

In-House Counsel Leadership Meeting
Noon
ECBA Headquarters

TUESDAY, NOVEMBER 19, 2019

Budget & Finance Committee Meeting
8:00 a.m.
ECBA Headquarters

THURSDAY, NOVEMBER 21, 2019

Defense Bar Meeting
Noon
ECBA Headquarters

MONDAY, NOVEMBER 25, 2019

ECBA Board of Directors Meeting
ECBA Headquarters
Noon

TUESDAY, NOVEMBER 26, 2019

ECBA Live Seminar
An Update on WCAIS
The Will J. Schaaf & Mary B. Schaaf Education Center
12:00 p.m. - Lunch
12:30 p.m. - 1:00 p.m. - Seminar
\$5 (lunch only)
\$47 (lunch with CLE credit)
1 hour substantive

THURSDAY, NOVEMBER 28, 2019

FRIDAY, NOVEMBER 29, 2019
Thanksgiving Holiday
ECBA Office Closed
Erie County and Federal Courthouses Closed



Erie County Bar
Association



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

2019 BOARD OF DIRECTORS

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IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
MOTION COURT DATES FOR JUDGE THOMAS P. AGRESTI
ERIE AND PITTSBURGH DIVISION CASES
NOVEMBER 2019 NOTICE

The following is a list of *November 2019, December 2019, and January 2020* motion court dates and times to be used for the scheduling of motions pursuant to *Local Rule 9013-5(a)* before **Judge Thomas P. Agresti** in the Erie and Pittsburgh Divisions of the Court. The use of these dates for scheduling motions consistent with the requirements of *Local Rule 9013-5(a)* and Judge Agresti's *Procedure B(1)-(3)* summarized below and on Judge Agresti's webpage at: www.pawb.uscourts.gov. ***The motions will be heard in the Erie Bankruptcy Courtroom, U.S. Courthouse, 17 South Park Row, Erie, PA 16501 and Courtroom C, 54th Floor, U.S. Steel Building, 600 Grant Street, Pittsburgh, PA 15219.***

Counsel for a moving party shall select one of the following dates and times for matters subject to the "self-scheduling" provisions of the *Local Bankruptcy Rules* and the Judge's procedures, insert same on the notice of hearing for the motion, and serve the notice on all respondents, trustee(s) and parties in interest. Where a particular type of motion is listed at a designated time, filers shall utilize that time, *only*, for the indicated motions(s) *unless*: (a) special arrangements have been approved in advance by the Court, or, (b) another motion in the same bankruptcy case has already been set for hearing at a different time and the moving party chooses to use the same date and time as the previously scheduled matter.

SCHEDULE CHAPTER 13 & 12 MOTIONS ON:

Select the following times, EXCEPT for the specific matters to be scheduled at 11:30 a.m.:

Wednesday, November 20, 2019	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
Wednesday, December 11, 2019	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
Wednesday, January 8, 2020	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
	11:30 a.m.:	Ch. 13 Sale, Financing and Extend/Impose Stay & Ch. 12 matters*

NOTE: Chapter 12 matters are now scheduled on Ch. 13 Motion Court days.

SCHEDULE CHAPTERS 11 & 7 MOTIONS ON:

Select the following times, EXCEPT for Ch. 7 Motions to Extend/Impose Stay scheduled only at 11:00 a.m., and, all sale motions only at 11:30 a.m.:

Thursday, November 7, 2019	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, November 21, 2019	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, December 12, 2019	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters
Friday, January 3, 2020	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters,
Thursday, January 16, 2020		including all Ch. 7 Motions to Extend/Impose Stay
Thursday, January 30, 2020	11:30 a.m.:	Ch. 11 and 7 Sale Motions at this time, only

ALL OF THE ABOVE DATES ARE SUBJECT TO REVISION. Please check each month for any changes in the dates that have been published previously. THIS SCHEDULE CAN BE VIEWED ON PACER (Public Access to Court Electronic Records) and on the Court's Web Site (www.pawb.uscourts.gov).

Michael R. Rhodes
Clerk of Court

Nov. 1

LEGAL ASSISTANT/PARALEGAL

Baldwin Brothers, Inc., an Erie-based national real estate company, has immediate need for a full-time legal assistant/paralegal as lease administration manager. Responsibilities include lease review, notices, legal correspondence, lease interpretation and compliance. Two years' experience required. Paralegal degree not necessary. Please submit resumes to development@baldwinbros.com.

Nov. 1

NOMINATIONS TO THE ECBA BOARD OF DIRECTORS

Pursuant to Article V, Section 4 of the Erie County Bar Association By-Laws, the Nominating Committee intends to propose the following for nomination at the Annual Membership Meeting on Wednesday, December 4, 2019:

Second Vice President (1 yr. term):	Jennifer K. Fisher
Treasurer (1 yr. term):	S. Craig Shamburg
Board Members (3 yr. terms):	Emily S. Antolik
	Alexander K. Cox
	Elizabeth A. Hirz
	Jamie R. Schumacher

Nov. 1, 8



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Hot Topics in Real Estate Law 2019:

The Upside-Down World of Short Term Rentals AND

Emotional Support & Service Animals and Reasonable Accommodations in Light of Act 118 of 2018

Tuesday, November 12, 2019

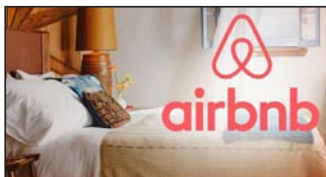
The Will J. Schaaf & Mary B. Schaaf Education Center, 429 West 6th Street, Erie, PA 16507

Registration: 8:45 a.m.

Seminar: 9:00 a.m. - 11:15 a.m.

Cost: \$94 ECBA Members and their Non-Attorney Staff
\$120 Non-Members

2 hours Substantive CLE/CJE



The Upside-down World of Short-term Rentals: As Uber did to taxis so Airbnb does to the housing market. Are municipalities upset for lack of hotel revenue or concern for renter and landlord safety? Do condos have a right to control occupancy? Are short-term renters different from roommates or visiting relatives? Is it all just push-back against a clever and profitable new way of doing business? We will explore this fascinating new wave in an interactive conversation touching on municipal ordinances; community association governance; case law and to-the-minute news reports.



Emotional Support & Service Animals and Reasonable Accommodations in Light of Act 118 of 2018: Landlords and community associations now have an ally in attempting to limit the abuse of emotional support animals in housing. Act 118 of 2018 allows the housing provider to inquire into the need for a support animal. But can Pennsylvania Law supersede the federal Fair Housing Act? Are support iguanas permissible? Real life cases of turning residents away give rise to thorny questions. We will explore this new law and what it has done to Fair Housing, with practical tips and lots of remaining questions.

Marshal Granor, Esquire, has many job titles and licenses, all surrounding his love of real estate and community associations. With his father, Bernard, Marshal practices law at Granor & Granor, PC, concentrating in community association document drafting and problem solving, as well as real estate transactions (commercial and residential sales and leasing). He was a principal author of Pennsylvania's Uniform Planned Community Act and is a member of the Montgomery, Pennsylvania and American Bar Associations.

Mr. Granor is Chair of the Pennsylvania Bar Association's Section on Real Property, Probate and Trust Law, and was the Executive Editor of the RPPT Section Newsletter. Marshal is a member of Community Associations Institute's Pennsylvania Legal Action Committee, and is a fellow of the College of Community Association Lawyers. He serves as an expert witness in community association cases, and has testified before committees of the Pennsylvania state legislature.

Marshal holds Pennsylvania and New Jersey licenses as a real estate broker and title insurance agent, as well as being a licensed Pennsylvania real estate instructor. He frequently teaches continuing education courses for attorneys, real estate licensees and title insurance agents, as well as for community association professionals and residents.

For six years, Mr. Granor owned and operated Community Management Services Group, a community association management company serving approximately 11,000 homes in 90 associations. Marshal is President of Granor & Company, Realtors, with offices in Pennsylvania and New Jersey. He was a partner in Granor Price Homes, a residential and commercial builder-developer, for 40 years, where he served as declarant member of the boards of 26 community associations in Pennsylvania and New Jersey.

Marshal is an adjunct professor of law at Manor College, where he developed the course to instruct paralegal students in real estate law.

Along with his wife, Tamar, Marshal was co-president of the Hebrew Free Loan Society of Greater Philadelphia for 14 years, providing interest-free loans to individuals with a temporary financial need. In his spare time, he sings in a community choir and enjoys writing short stories.



Reservations due to the ECBA office by Tuesday, November 5th

TIMOTHY JOHNSON
v.
MONRO MUFFLER BRAKE, INC., AND BRIAN RADIGAN

JUDGMENTS / RES JUDICATA

It is hornbook law that when a final judgment on the merits has been rendered by a court of competent jurisdiction, the doctrine of *res judicata* will bar any future suit on the same cause of action between the same parties

JUDGMENTS / RES JUDICATA

Under the doctrine of *res judicata* issue preclusion, when an issue of fact or of law is actually litigated and determined by a valid final judgment, and determination of the issue was essential to judgment, the determination on that issue is conclusive in a subsequent action between the parties, whether on the same or a different claim.

JUDGMENTS / RES JUDICATA

Res judicata applies not only to claims actually litigated, but also to claims which could have been litigated during the first proceeding if they were part of the same cause of action.

JUDGMENTS / RES JUDICATA

In order for *res judicata* to apply, there must be a valid final adjudication.

CIVIL PROCEDURE / MOTION FOR SUMMARY JUDGMENT

The affirmance of this Trial Court's summary judgment Order is a final adjudication since it put one of the parties out of court and thus terminated the litigation as to that particular party.

JUDGMENTS / RES JUDICATA

Technical *Res judicata*, or claim preclusion, applies only when there exists a coalescence of four factors: (1) identity of the thing sued upon or for; (2) identity of the causes of action; (3) identity of the persons or parties to the action; and (4) identity of the quality or capacity of the parties suing or being sued.

JUDGMENTS / RES JUDICATA

Res judicata bars issues which could have been raised previously.

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

NO. 12059 – 2016

284 WDA 2019

Appearances: Kevin W. Barron, Esq., on behalf of Timothy Johnson, Appellant
Rachel R. Hadrick, Esq., on behalf of Monro Muffler Brake, Inc., Appellee

OPINION

Domitrovich, J.

April 18, 2019

Counsel for Timothy Johnson (hereinafter “Appellant”) has appealed the instant case twice to the Pennsylvania Superior Court for appellate review within the last two years. In the first appeal, Appellant chose to waive the issue of *respondeat superior* and pursued other grounds. The Pennsylvania Superior Court affirmed this Trial Court on the issue of

respondeat superior for claims of Fraud and Identity Theft and also reversed and remanded this case to this Trial Court on the issue of Identity Theft against Brian Radigan only. On return to the Trial Court level, counsel for Appellant attempted to amend his Complaint to add and resuscitate his previous vicarious claims of Fraud and Identity Theft as new and direct claims of Identity Theft and Conspiracy to Commit Identity Theft against Monro Muffler Brake, Inc. (hereinafter “Appellee Monro Muffler”). This Trial Court denied Appellant’s request to amend his Complaint to add direct claims of Identity Theft and Conspiracy to Commit Identity Theft in Appellant’s Third Amended Civil Complaint against Appellee Monro Muffler on the basis of the doctrine of *res judicata*. Appellant’s counsel then filed the instant appeal.

The relevant procedural history of this case is as follows: On August 3, 2016, Appellant filed a Civil Complaint, alleging claims of negligence and fraud against Monro Muffler Brake, Inc. and Brian Radigan. Appellee Monro Muffler filed Preliminary Objections to Appellant’s Complaint on August 26, 2016 and a Brief in Support on September 23, 2016. On October 3, 2016, this Trial Court issued a Case Management Order setting the discovery deadline as June 3, 2017.

Following a hearing on November 7, 2016 and by agreement of Appellant’s counsel, Kevin W. Barron, Esq., this Trial Court sustained Appellee Monro Muffler’s Preliminary Objections and directed Appellant to file an Amended Civil Complaint within twenty (20) days. On November 17, 2016, Appellant filed an Amended Civil Complaint, alleging claims of negligence, fraud and identity theft against Brian Radigan and *respondeat superior* against Appellee Monro Muffler. Appellee Monro Muffler filed Preliminary Objections to Appellant’s Amended Complaint on December 7, 2016. Appellant filed a Response to Preliminary Objections on December 29, 2016. Appellee Monro Muffler filed a Brief in Support on January 6, 2017. Appellant filed a Brief in Opposition on January 27, 2017. Following a hearing on February 6, 2017, this Trial Court sustained Appellee Monro Muffler’s Preliminary Objections in part [based upon Appellant’s withdrawing on the record Count I (Negligence)] and this Trial Court overruled Defendant’s Monro Muffler’s remaining Preliminary Objections.

On February 15, 2017, Appellant filed a Second Amended Civil Complaint, alleging claims of fraud and identity theft against Brian Radigan and *respondeat superior* against Appellee Monro Muffler. Appellee Monro Muffler filed an Answer and New Matter to Appellant’s Second Amended Complaint on March 22, 2017 (hereinafter “Second Complaint”). Appellee Monro Muffler states that upon the expiration of the discovery period on June 3, 2017, “the parties exchanged some written discovery, [but] no witnesses were deposed.” (See Defendant Monro Muffler Brake, Inc.’s Brief In Opposition To Plaintiff’s Motion To Amend Complaint). Thereafter, counsel for Brian Radigan filed an Answer to Appellee Monro Muffler’s New Matter and an Answer to Appellant’s Second Amended Complaint on June 12, 2017.

Appellant filed his Pre-trial Narrative Statement on July 21, 2017. Counsel for Brian Radigan filed his Pre-trial Narrative Statement on July 31, 2017. Appellee Monro Muffler filed its Pre-trial Narrative Statement on August 3, 2017. Appellee Monro Muffler filed a Motion for Summary Judgment and a Brief in Support on August 3, 2017. Appellant filed a Response and Brief in Opposition to Appellee Monro Muffler’s Motion for Summary Judgment on September 18, 2017. Counsel for Brian Radigan filed a Motion for Summary

Judgment (joining in Appellee Monro Muffler's Motion for Summary Judgment) on September 25, 2017. Following a hearing on September 26, 2017, this Trial Court directed Attorney Barron to submit a Memorandum of Law on or before October 6, 2017 and directed Attorneys Hadrick and Eiben to submit Rebuttal Memoranda of Law on or before October 16, 2017. Appellant submitted his Memorandum of Law on October 4, 2017. Appellee Monro Muffler submitted its Memorandum of Law on October 13, 2017. Counsel for Brian Radigan submitted his Memorandum of Law on October 16, 2017.

By Opinion and Order dated November 15, 2017, this Trial Court granted Appellees' Joint Motion for Summary Judgment and dismissed Appellant's Second Amended Civil Complaint and Appellees' New Matters and Cross-Claims. Appellant filed a Notice of Appeal to the Pennsylvania Superior Court on November 30, 2017. On February 28, 2018, Appellant's counsel filed a brief arguing the Identity Theft claim only, and thereby waived the claim regarding *respondeat superior* against Appellee Monro Muffler.

On October 11, 2018, the Pennsylvania Superior Court entered an Order and Opinion, affirming this Trial Court's summary judgment with respect to the *respondeat superior* claim against Appellee Monro Muffler, but reversing summary judgment with respect to the claim for Identity Theft against Brian Radigan and remanding the case with respect to the Identity Theft claim. *See Johnson v. Monro Muffler Brake, Inc.*, No. 1794 WDA 2017, 2018 WL 4925651 (Pa. Super. Ct. Oct. 11, 2018).

On October 31, 2018, Appellant submitted to this Trial Court's office a proposed Motion to Amend Complaint, which was not filed in the Erie County Prothonotary's Office. This Trial Court denied said Motion without prejudice as premature since the appeal period had not yet run.

Pursuant to the Remand Order from the Pennsylvania Superior Court, on November 29, 2018, this Trial Court held a hearing at which Appellant indicated he would to file a Motion to Amend Complaint, and set a briefing schedule regarding Appellant's Motion. On November 30, 2018, Appellant's counsel filed a Motion to Amend Complaint with a "Third Amended Civil Complaint" attached (hereinafter "Proposed Third Complaint"). On December 17, 2018, Appellant's counsel filed a brief in support of his Motion to Amend Complaint. On January 7, 2019, Appellee Monro Muffler filed a brief arguing the Proposed Third Complaint should be denied on the basis of: (1) *res judicata*; (2) Appellee Monro Muffler being prejudiced by Appellant bringing a new theory of recovery after discovery had closed; and (3) Appellant's new legal theories not stating a legally cognizable claim against Appellee Monro Muffler. On January 17, 2019, this Trial Court heard argument from both Appellant and Appellee Monro Muffler regarding Appellant's Motion to Amend Complaint. On February 11, 2019 this Trial Court permitted Appellant to amend the Identity Theft claim against Brian Radigan, but denied amending the Identity Theft and Conspiracy to Commit Identity Theft claims against Appellee Monro Muffler.

Appellant filed a Notice of Appeal to the Pennsylvania Superior Court on February 20, 2019. This Trial Court filed its 1925(b) Order on February 25, 2019. Within the 1925(b) Order, this Trial Court requested Appellant to "provide this Trial Court **with an explanation** based on law as to **why the appealed Order is not an interlocutory order.**" (emphasis in original).

On February 26, 2019, Appellant filed a "Praeceptum To Withdraw All Claims" withdrawing

all claims against Brian Radigan. Appellant filed his Concise Statement of Matters Complained of on Appeal on March 8, 2019.

The law of *res judicata* is well-settled: “It is hornbook law that when a final judgment on the merits has been rendered by a court of competent jurisdiction, the doctrine of *res judicata* will bar any future suit on the same cause of action between the same parties.” *Glynn v. Glynn*, 789 A.2d 242, 249 (Pa. Super. 2001) (citing 10 STD. PA. PRACTICE 2d § 65:67). “Under the doctrine of *res judicata* issue preclusion, when an issue of fact or of law is actually litigated and determined by a valid final judgment, and determination of the issue was essential to judgment, the determination on that issue is conclusive in a subsequent action between the parties, whether on the same or a different claim.” *McNeil v. Owens-Corning Fiberglas Corp.*, 680 A.2d 1145, 1147–48 (Pa. 1996). “Res judicata applies not only to claims actually litigated, but also to claims which could have been litigated during the first proceeding if they were part of the same cause of action.” *Balent v. City of Wilkes-Barre*, 669 A.2d 309, 313 (Pa. 1995). “The courts of this Commonwealth have long adhered to the generally accepted view disfavoring the splitting of claims.” *Clark v. Pfizer Inc.*, 990 A.2d 17, 31 (Pa. Super. Ct. 2010). “[I]ssue preclusion serves the twin purposes of protecting litigants from assuming the burden of re-litigating the same issue with the same party, and promoting judicial economy through preventing needless litigation.” *McNeil v. Owens-Corning Fiberglas Corp.*, 680 A.2d 1145, 1148 (Pa. 1996).

In order for *res judicata* to apply, there must be a valid final adjudication. In the instant case, the Pennsylvania Superior Court remanded to this Trial Court after affirming this Trial Court’s summary judgment with prejudice as to *respondeat superior*, the only claim against Appellee Monro Muffler. *Johnson v. Monro Muffler Brake, Inc.*, No. 1794 WDA 2017, 2018 WL 4925651 (Pa. Super. Ct. Oct. 11, 2018). A valid final adjudication exists in the instant case as to *respondeat superior*. Appellant did not appeal the Pennsylvania Superior Court’s decision within thirty (30) days. See Pa.R.A.P. 903. Further, the affirmance of this Trial Court’s summary judgment Order is a final adjudication since “it put one of the parties out of court and thus terminate[d] the litigation as to that particular party.” *Lane v. Schacht*, 393 A.2d 1015, 1018 (Pa. Super. Ct. 1978). Therefore, there is a valid final adjudication in the instant case.

“Technical *Res judicata*, or claim preclusion, applies only when there exists a ‘coalescence of four factors: (1) identity of the thing sued upon or for; (2) identity of the causes of action; (3) identity of the persons or parties to the action; and (4) identity of the quality or capacity of the parties suing or being sued.’” *Balent v. City of Wilkes-Barre*, 669 A.2d 309, 313 (Pa. 1995).

As indicated for technical *res judicata* or claim preclusion, all four factors must coalesce. The first *res judicata* factor involves “identity of the thing sued upon or for.” Both the Second Complaint and the Proposed Third Complaint have substantially similar or nearly identical underlying facts and remedies which Appellant is suing upon. The pled facts in the Second Complaint are nearly identical to those in the Proposed Third Complaint. The Proposed Third Complaint provides more specificity in the allegations, but the substance of those allegations is in essence the same as the Second Complaint.

The second *res judicata* factor is “identity of the causes of action.” The causes of action are nearly identical. The Second Complaint brought a claim against Appellee Monro Muffler

for *respondeat superior* alleging vicarious liability for claims of Fraud and Identity Theft against employee Brian Radigan. The Proposed Third Complaint is an attempt to bring direct claims against employer Appellee Monro Muffler for Identity Theft and a joint claim for Conspiracy to Commit Identity Theft.

The third and fourth factors are “identity of the persons or parties to the action” and “identity of the quality or capacity of the parties suing or being sued.” It is undisputable that both of these factors are met in the instant case as all parties to the action are the same and are being sued in the same capacity.

Thus, all four *res judicata* factors coalesce in the instant case. Additionally, the proposed claims Appellant attempts to bring against Appellee Monro Muffler are, therefore, barred. All of Appellant’s claims are related, from the same operative facts, and are subject to the prior Pennsylvania Superior Court decision affirming this Trial Court’s summary judgment, which dismissed the *respondeat superior* claim with prejudice. Appellant made a clear choice of waiving the litigated claim of *respondeat superior* against Appellee Monro Muffler on appeal. If the Trial Court would have permitted Appellant to amend his claims to include Identity Theft and Conspiracy to Commit Identity Theft against Appellee Monro Muffler, the Appellant would have been given an impermissible opportunity to re-litigate matters and split claims with the same set of operative facts.

Moreover, in an attempt to circumvent Appellant’s waiver of the *respondeat superior* issue on appeal, Appellant argues footnote seven of the Pennsylvania Superior Court’s Opinion permits Appellant to amend his complaint to add new claims against Appellee Monro Muffler in his Proposed Third Complaint. This footnote states:

It may seems [sic] logical that a revival of a claim against Radigan would revive the claim of *respondeat superior* against Monro. Certainly, the claim against Monro could not be revived without an attendant claim against Radigan. However, regarding the identity theft claim against Radigan, we are obliged to interpret Section 8315 liberally to promote justice and to achieve the effect of the statute. We take no position as to whether this includes the revival of a separate claim against a defendant that has not been specifically addressed by the Appellant.

Johnson v. Monro Muffler Brake, Inc., No. 1794 WDA 2017, 2018 WL 4925651, at *4 (Pa. Super. Ct. Oct. 11, 2018). This Trial Court interprets this footnote as further indicating the dismissal of *respondeat superior* claim was due to Appellant waiving the *respondeat superior* issue on appeal. In fact, Appellant’s waiver of his *respondeat superior* claim was addressed throughout the Pennsylvania Superior Court’s Opinion: “Initially, we note that **Johnson has not challenged the dismissal of his claim of respondeat superior**, Count III, against Monro”; and “**Because Johnson has not argued against the dismissal of Count I, regarding fraud, or Count III, regarding respondeat superior against Monro**, the trial court’s grant of summary judgment regarding those claims is affirmed.” *Id.* at *2; *4 (emphasis added) (footnote removed).

Furthermore, the Pennsylvania Superior Court stated in *Glynn v. Glynn* 789 A.2d 242, 249 (Pa. Super. Ct. 2001), *res judicata* bars issues which could have been raised previously: “*Res judicata* encompasses not only those issues, claims or defenses that were actually raised in

the prior proceeding, but also those which could or should have been raised but were not.” In the instant case, since Appellant did not preserve the *respondeat superior* claim against Appellee Monro Muffler, Appellant is now barred from attempting to re-litigate essentially the same claims against Appellee Monro Muffler.

Therefore, for all of the reasons as set forth above, this Trial Court respectfully requests the Pennsylvania Superior Court affirm this Trial Court’s Order dated February 11, 2019.

BY THE COURT

/s/ Stephanie Domitrovich, Judge

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

TIMOTHY JOHNSON, Appellant
v.
MONRO MUFFLER BRAKE, INC. AND BRIAN RADIGAN

IN THE SUPERIOR COURT OF PENNSYLVANIA
No. 284 WDA 2019

Appeal from the Order Dated, February 11, 2019,
in the Court of Common Pleas of Erie County,
Civil Division at No(s): No. 12059 of 2016.

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

MEMORANDUM BY KUNSELMAN, J.:

FILED OCTOBER 16, 2019

Timothy Johnson appeals from the trial court's order denying his request to file a third amended complaint against Monro Muffler Brake, Inc. Because the trial court granted Monro final judgment on the merits *before* Mr. Johnson tried to file a third amended complaint, the trial court no longer possessed jurisdiction over Monro. We therefore affirm.

Mr. Johnson was an employee of Monro, where he worked as a vehicle mechanic with Brian Radigan. According to Mr. Johnson, after he quit working for Monro, Mr. Radigan repeatedly forged Mr. Johnson's name and used his Commonwealth-issued license number to conduct vehicle inspections at Monro. Mr. Johnson initially sued Mr. Radigan in 2016 for fraud and identity theft. In a second amended complaint, Mr. Johnson also sought damages from Monro under the doctrine of *respondeat superior*.¹ After discovery closed, Monroe and Mr. Radigan moved for summary judgment, and the trial court granted it.

Mr. Johnson appealed to this Court, but he did not challenge the trial court's grant of summary judgment to Monro. This Court left the portion of the order dismissing the *respondeat superior* claim intact. *See Johnson v. Monro Muffler Brake, Inc.*, No. 1794 WDA 2017, 2018 WL 4925651 (Pa. Super. 2018). We did, however, reverse the grant of summary judgment as to Mr. Radigan and remanded for further proceedings. *See id.*

On remand, Mr. Johnson sought leave of court to file a third amended complaint against Mr. Radigan *and* Monro. This new complaint claimed that Monro's own actions constituted direct negligence. The trial court granted Mr. Johnson's request to amend his complaint against Mr. Radigan, but denied the request to amend against Monro. This appeal followed.²

Initially, we note that the appeal would have been interlocutory since claims against Mr. Radigan remained. However, Mr. Johnson discontinued his claims against Mr. Radigan.³ This action rendered the order denying Mr. Johnson leave of court to file an amended complaint against Monro a final, appealable order.

¹ Latin, literally translating to "let the higher-up answer." "Under the doctrine of *respondeat superior* recovery is sought on the basis of vicarious liability," from an employer, for the unlawful conduct of its employees. *Brezenski v. World Truck Transfer, Inc.*, 755 A.2d 36, 39 (Pa. Super. 2000).

² Both the trial court and Mr. Johnson complied with Pa.R.A.P. 1925.

³ Since he was dismissed, Mr. Radigan did not participate in this appeal.

Mr. Johnson raises one issue in this appeal:

Whether the dismissal of the *respondeat superior* claim by the Superior Court in the previous appeal bars [him] from amending the Complaint to allege fraud directly committed by [Monro], and conspiracy to commit fraud, against [Mr. Johnson]?

Johnson’s Brief at 5. Before addressing that question, we must first determine whether the trial court had jurisdiction over Monro during the remand.

Questions of jurisdiction are non-waivable, and this Court may raise them *sua sponte*. The Supreme Court of Pennsylvania has said:

as a pure question of law, the standard of review in determining whether a court has subject matter jurisdiction is *de novo*, and the scope of review is plenary. Whether a court has subject matter jurisdiction over an action is a fundamental issue of law, which may be raised at any time in the course of the proceedings, including by a reviewing court *sua sponte*. Further, subject matter jurisdiction may not be conferred by consent of the parties and a defect of such jurisdiction may not be waived.

In re Administrative Order No. 1-MD-2003, 936 A.2d 1, 5-6 (Pa. 2007) (citations omitted).

When a defendant is dismissed from a lawsuit, once the order becomes final, the trial court loses its jurisdiction over that defendant. For example, in *Motley Crew, LLC v. Bonner Chevrolet Co., Inc.*, 93 A.3d 474 (Pa. Super. 2014), *appeal denied*, 104 A.3d 526 (Pa. 2014), this Court stated that, in such cases, “there no longer is an action pending before the trial court.” *Id.* at 476. And “if there is no action pending before a court, there is no matter over which [that] court can or may exert jurisdiction.” *Id.*

We have said that, if summary judgment disposes of all claims against a defendant, the defendant is “released from litigation.” *French v. United Parcel Service*, 547 A.2d 411, 414 (Pa. Super. 1988). Indeed, it is hornbook law that a defendant who wins complete summary judgment has “thereby *terminate[d]* the litigation.” 6 Standard Pa. Practice 2d § 32.8 at 152 (emphasis added). Complete summary judgment, once final, ends the case against the defendant. As far as that defendant is concerned, there is no longer an action pending against it in a court of competent jurisdiction.

We must therefore determine whether the summary judgment that the trial court granted to Monro was a final judgment. Generally speaking, a “judgment entered in adverse proceedings becomes final if no appeal therefrom is filed within thirty days.” *Ins. Co. of North Am. v. Bishop*, 529 A.2d 33, 36 (Pa. Super. 1987) (some punctuation omitted) (quoting *Simpson v. Allstate Ins. Co.*, 504 A.2d 335, 337 (Pa. Super. 1986) (*en banc*)).

The trial court granted Monro summary judgment on the only claim Mr. Johnson made against it, on November 17, 2017. *See* Trial Court Order and Opinion, 11/17/18. That order also granted summary judgment on all claims against Mr. Radigan. “A final order is any order that (1) disposes of all claims and of all parties . . .” Pennsylvania Rule of Appellate Procedure 341(a). Because the trial court’s November 17, 2017 order disposed of all the claims against both Defendants, it was final and, therefore, immediately appealable. *See*,

e.g., Harahan v. AC & S, Inc., 816 A.2d 296, 297 (Pa. Super. 2003).

Although Mr. Johnson appealed the November 17, 2017 order as to Mr. Radigan, he did not appeal the grant of summary judgment to Monro. Thus, summary judgment for Monro became a final judgment on the merits 30 days after the trial court granted it - i.e., on December 18, 2017.

When Mr. Johnson tried filing his third amended complaint against Monro over eleven months later, Monro was no longer a party to this case. *See* Johnson's Motion to Amend Complaint, 11/30/18, at 1. Accordingly, the Court of Common Pleas of Erie County had no jurisdiction over Monro on remand. Simply stated, although the court denied Mr. Johnson's motion, that court had no authority to grant Mr. Johnson leave to file a third amended complaint against Monro, even if it wanted to.

"[W]e may affirm the trial court's order on any valid basis." *Plasticert, Inc. v. Westfield Ins. Co.*, 923 A.2d 489, 492 (Pa. Super. 2007). Because Mr. Johnson filed a motion for leave to amend against Monro in an action in which Monro had already secured final summary judgment and dismissal, Mr. Johnson's appeal from the order denying his motion is meritless.

Order affirmed.

Judgment Entered.

/s/ Joseph D. Seletyn, Esq.

Prothonotary

Date: 10/16/2019

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FICTITIOUS NAME NOTICE

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

FICTITIOUS NAME NOTICE

An application for registration of the fictitious name Veteran Janitor Services, 2819 Holland St., Erie, PA 16504 has been filed in the Department of State at Harrisburg, PA, File Date 09/17/2019 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Steve Sollera, 2819 Holland St., Erie, PA 16504.

Nov. 1

INCORPORATION NOTICE

Notice is hereby given that Eight Rhoades, LLC has been incorporated under the provision of the Business Corporation Law of 1988, as amended.

Barbara J. Welton, Esq.

Nov. 1

INCORPORATION NOTICE

Notice is hereby given that Articles of Incorporation were filed with the Department of State for HELEN'S CAKES INC, a corporation organized under the Pennsylvania Business Corporation Law of 1988.

Nov. 1

INCORPORATION NOTICE

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

Nov. 1

INCORPORATION NOTICE

THE HEAVENLY 5 FIRE PREVENTION FOUNDATION has been incorporated under the provisions of the Nonprofit Corporation Law on October 25, 2019.

Elliott J. Ehrenreich, Esq.
KNOX McLAUGHLIN GORNALL
& SENNETT, P.C.
120 West Tenth Street
Erie, Pennsylvania 16501-1461

Nov. 1

INCORPORATION NOTICE

White Pine Center for Healing Corp has been incorporated under the provisions of the Nonprofit Corporation Law of 1988 on August 6, 2019.

Elliott J. Ehrenreich, Esq.
KNOX McLAUGHLIN GORNALL
& SENNETT, P.C.
120 West Tenth Street
Erie, Pennsylvania 16501

Nov. 1

LEGAL NOTICE

In the Court of Common Pleas of
Erie County, Pennsylvania
Civil Action - Family Division -
Custody

No. 12437 - 2019

Kenneth Taylor and Dianna Taylor,
Plaintiffs

v.

Anthony Donato, Defendant
Nature of Action: A civil action brought by Kenneth Taylor and Dianna Taylor, the maternal grandparents of G.D., for custody of the minor, G.D.

To Defendant: Anthony Donato.

Notice to Defend: You are hereby notified the plaintiffs, Kenneth Taylor and Dianna Taylor, have filed a Complaint for Custody at No. 12437 - 2019 in the Family Division of the Court of Common Pleas of Erie County, Pennsylvania.

If you wish to defend, you must appear in person in the Custody Conciliation Office, Room 02, ground floor, Erie County Courthouse, 140 West Sixth Street, Erie, Pennsylvania on December 2, 2019 at 1:30 p.m. for a custody conference. ARRIVE 10 MINUTES PRIOR TO YOUR CONFERENCE. If you fail to appear, an order for custody may be entered against you or the court may issue a warrant for your arrest.

You are further required to contact Family Services to complete the "CHILDREN COPE WITH CUSTODY AND VISITATION"

seminar held at 5100 Peach Street, Erie, Pennsylvania.

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

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

A M E R I C A N S W I T H
DISABILITIES ACT OF 1990 -
The Court of Common Pleas of Erie County is required by law to comply with the Americans with Disabilities Act of 1990. For information about accessible facilities and reasonable accommodations available to disabled individuals having business before the court, please contact the Court's ADA Coordinator at Erie County Court of Common Pleas, 140 West Sixth Street, Room 205, Erie, PA 16501-1030, Phone-(814) 451-6308, TDD-(814) 451-6237, Email - courtadacoordinator@eriecountypa.gov. Requests should be made as soon as possible or at least three business days prior to any hearing or business before the court. Sebal & Hackwelder, LLC
By: Darrell W. Kuntz, III
Attorney I.D. 316801
2503 West 26th Street
(814) 833-1987,
Attorney for Plaintiffs

Nov. 1

LEGAL NOTICE

ATTENTION: DAVID ROBERT MARCHIONNA
INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD N.R.M. DOB: 05/31/2007
MINOR FEMALE CHILD G.E.M. DOB: 10/08/2008
MINOR MALE CHILD L.A.M. DOB: 05/25/2010
BORN TO: KELLY ANNE WELSH 105 A-B IN ADOPTION, 2019
If you could be the parent of the above-mentioned child, at the instance of Erie County Office of

Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, President Judge John J. Trucilla, Courtroom E-219, City of Erie on November 20, 2019 at 9:30 a.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your children and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled Hearing, the Hearing will go on without you and your rights to your child may be ended by the Court without your being present.

You have a right to be represented at the Hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer, or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Family/Orphan's Court Administrator
Room 204 - 205

Erie County Court House
Erie, Pennsylvania 16501

(814) 451-6251

NOTICE REQUIRED BY ACT 101 OF 2010: 23 Pa. C.S. §§2731-2742. This is to inform you of an important option that may be available to you under Pennsylvania law. Act 101 of 2010 allows for an enforceable voluntary agreement for continuing contact or communication following an adoption between an adoptive parent, a child, a birth parent and/or a birth relative of the child, if all parties agree and the voluntary agreement is approved by the court. The agreement must be signed and

approved by the court to be legally binding. If you are interested in learning more about this option for a voluntary agreement, contact the Office of Children and Youth at (814) 451-7726, or contact your adoption attorney, if you have one.

Nov. 1

LEGAL NOTICE

ATTENTION: KELLY ANNE WELSH

INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD N.R.M. DOB: 05/31/2007

MINOR FEMALE CHILD G.E.M. DOB: 10/08/2008

MINOR MALE CHILD L.A.M. DOB: 05/25/2010

105 A-B IN ADOPTION, 2019

If you could be the parent of the above-mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, President Judge John J. Trucilla, Courtroom E-219, City of Erie on November 20, 2019 at 9:30 a.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

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You have a right to be represented at

the Hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer, or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

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Nov. 1

LEGAL NOTICE

ATTENTION: NATHAN JACOB MOFFATT

INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD N.T.M. DOB: 04/01/2007

MINOR FEMALE CHILD C.P.B.M. DOB: 08/12/2011

MINOR FEMALE CHILD C.L.A.M. DOB: 08/11/2012

BORN TO: DESTINY LEE ORMSBEE A/K/A DESTINY LEE MOFFATT A/K/A DESTINY LEE PURSELL

102 A-B IN ADOPTION, 2019

If you could be the parent of the above-mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie

County Court House, Senior Judge Shad Connelly, Courtroom B-208, City of Erie on December 13, 2019 at 1:30 p.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your children and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled Hearing, the Hearing will go on without you and your rights to your child may be ended by the Court without your being present.

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Erie, Pennsylvania 16501
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451-7726, or contact your adoption attorney, if you have one.

Nov. 1

LEGAL NOTICE

ATTENTION: CHARLES AARON SHEPARD

INVOLUNTARY TERMINATION OF PARENTAL RIGHTS IN THE MATTER OF THE ADOPTION OF MINOR MALE CHILD N.V.S. BORN: 12/11/2014

MINOR FEMALE CHILD B.M.S. BORN: 12/12/2015

MINOR FEMALE CHILD T.L.S. BORN: 09/21/2018

BORN TO: DANIEL MARIE MORTLAND A/K/A DANIELLE MARIE BOOZER

97 A-B IN ADOPTION, 2019

If you could be the parent of the above-mentioned child, at the instance of Erie County Office of Children and Youth you, laying aside all business and excuses whatsoever, are hereby cited to be and appear before the Orphan's Court of Erie County, Pennsylvania, at the Erie County Court House, Judge Joseph M. Walsh, III, Courtroom I-217, City of Erie on December 10, 2019 at 9:30 a.m. and there show cause, if any you have, why your parental rights to the above child should not be terminated, in accordance with a Petition and Order of Court filed by the Erie County Office of Children and Youth. A copy of these documents can be obtained by contacting the Erie County Office of Children and Youth at (814) 451-7740.

Your presence is required at the Hearing. If you do not appear at this Hearing, the Court may decide that you are not interested in retaining your rights to your children and your failure to appear may affect the Court's decision on whether to end your rights to your child. You are warned that even if you fail to appear at the scheduled Hearing, the Hearing will go on without you and your rights to your child may be ended by the Court without your being present.

You have a right to be represented at the Hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer, or

cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

Family/Orphan's Court Administrator
Room 204 - 205

Erie County Court House
Erie, Pennsylvania 16501
(814) 451-6251

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Nov. 1

LEGAL NOTICE

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
IN THE COURT OF COMMON
PLEAS OF ERIE COUNTY,
PENNSYLVANIA
CIVIL ACTION – LAW
No. 12414-19**

**PENNYMAC LOAN SERVICES,
LLC, Plaintiff
vs.**

**THERESA BROWN, in her
capacity as Heir of HERBERT
V. OLSEN A/K/A HERBERT
VICTOR OLSEN, JR,
Deceased, UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND
ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OR UNDER HERBERT
V. OLSEN A/K/A HERBERT
VICTOR OLSEN, JR,
DECEASED, Defendants**

NOTICE

**To UNKNOWN HEIRS,
SUCCESSORS, ASSIGNS, AND
ALL PERSONS, FIRMS, OR**

ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER HERBERT V. OLSEN A/K/A HERBERT VICTOR OLSEN, JR, DECEASED

You are hereby notified that on September 10, 2019, Plaintiff, PENNYMAC LOAN SERVICES, LLC, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of ERIE County Pennsylvania, docketed to No. 12414-19. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 336 EAST 28TH STREET, ERIE, PA 16504-1014 whereupon your property would be sold by the Sheriff of ERIE County.

You are hereby notified to plead to

the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE 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 OR NO FEE.

Notice to Defend:
Lawyer Referral &
Information Service
P.O. Box 1792
Erie, PA 16507
Telephone (814) 459-4411
Nov. 1

LEGAL NOTICE

In re:	:	IN THE COURT OF COMMON PLEAS
PETITION OF THE ERIE COUNTY TAX CLAIM	:	OF ERIE COUNTY, PENNSYLVANIA
BUREAU FOR SALE OF REAL ESTATE AT	:	
PUBLIC SALE FREE AND CLEAR OF CLAIMS,	:	
LIENS, MORTGAGES, TAX CLAIMS, CHARGES,	:	CIVIL ACTION - LAW
AND ESTATES EXCEPT SEPARATELY TAXED	:	
GROUND RENTS IN ACCORDANCE WITH THE	:	
PROVISIONS OF THE REAL ESTATE TAX SALE	:	
LAW, Petitioner	:	NO. 12356-2019

**NOTICE OF JUDICIAL TAX SALE TO
PROPERTY OWNERS, MORTGAGE HOLDERS AND LIENHOLDERS**

PUBLIC NOTICE IS HEREBY GIVEN TO CERTAIN INDIVIDUALS AND ENTITIES WHO MAY HAVE AN INTEREST IN REAL PROPERTY TO BE SOLD AT A JUDICIAL TAX SALE TO BE HELD PURSUANT TO THE PENNSYLVANIA REAL ESTATE TAX SALE LAW, 72 P.S. § 5860.101 ET SEQ., PURSUANT TO THE ORDER OF THE COURT OF COMMON PLEAS OF ERIE COUNTY AT CIVIL NO. 12356-2019.

1. On or about September 5, 2019, at the above term and number, the Erie County Court of Common Pleas issued a Rule to Show Cause upon all those with a potential interest in property to be sold at a proposed judicial tax sale to be held pursuant to the Pennsylvania Real Estate Tax Sale Law, 72 P.S. § 5860.101.
2. Petitioner attempted to serve all interested parties, but despite due diligence, certain individuals and entities could not be found or service on them could not otherwise be obtained.
3. On October 29, 2019, the Court of Common Pleas of Erie County conducted a hearing on a Rule to Show Cause and issued an Order and Decree which schedules a judicial tax sale, as requested by Petitioner, to be held at the Bayfront Convention Center, 1 Sassafraus Pier, Erie, Pennsylvania 16507 on Thursday, December 5, 2019 beginning at 10:00 A.M.
4. On October 29, 2019, the Court granted the Petitioner's Motion to serve certain individuals and entities by publication identified by Petitioner as set forth below for the reason that their whereabouts were unknown or service could not otherwise be obtained.
5. The individuals and entities which the Court ruled may be served by publication and the properties to be involved in the judicial tax sale in which they may have an interest are as follows:

Auction #	Property Owner	Parcel #	Property Description
J19-0003	SLIKE JOSEPH C, His Heirs, Successors and Assigns	05-027-169.0-012.00	E SOUTH ST 56 X 107
J19-0004	SLIKE JOSEPH C, His Heirs, Successors and Assigns	05-027-169.0-013.00	15 E SOUTH ST 51.25X113.2

ERIE COUNTY LEGAL JOURNAL

COMMON PLEAS COURT		LEGAL NOTICE	COMMON PLEAS COURT
J19-0005	SLIKE JOSEPH C, His Heirs, Successors and Assigns	05-027-169.0-014.00	16 S CENTER ST L 8 113.2X104.5
J19-0006	TRIPP DENNIS K	05-028-189.0-018.00	425 E PLEASANT ST TR 52 66X165
J19-0008	COX DIANA L, Her Heirs, Successors and Assigns	05-029-107.0-018.00	933 BURTON AVE 100X194
J19-0010	COMBS JEAN M	07-023-031.0-016.00	29 W SMITH ST 55X142
J19-0013	HAZLETT KEVIN	08-034-134.0-007.00	SHERMAN ST TR 51 57.5X100
J19-0013	HAZLETT ANN M	08-034-134.0-007.00	SHERMAN ST TR 51 57.5X100
J19-0014	FRODELIUS GREGORY S	08-034-138.0-010.00	124 LEMON ST 100X100
J19-0014	FRODELIUS ALLISON	08-034-138.0-010.00	124 LEMON ST 100X100
J19-0027	BURTON DONALD P	14-010-020.0-216.00	621 E 4 ST 30 X 157.5
J19-0027	BURTON DIANE L	14-010-020.0-216.00	621 E 4 ST 30 X 157.5
J19-0031	SANCHEZ ANGEL LUIS COLON	14-010-022.0-301.00	622 WAYNE ST 30 X 82.5
J19-0035	JAMES TWILA MAY	14-010-036.0-132.00	1013 1/2 E 5 ST BL 29.5 X IRR
J19-0039	ROSSI RONALD, His Heirs Successors and Assigns	14-010-053.0-205.00	112 SOBIESKI ST 35 X 100
J19-0041	POMMER CARL F	14-011-011.0-100.00	1866 68 E LAKE RD 80 X 125
J19-0043	USCINSKI Joseph, His Heirs, Successors and Assigns	15-020-013.0-102.00	1316 GERMAN ST 35X150
J19-0049	MALINSKI Rebecca, Co-admin to Estate of Nancy Malinski	15-020-023.0-325.00	444 E 13 ST 40X105
J19-0050	LEWIS TAMMY	15-020-026.0-130.00	514 E 10 ST 29.65X IRR REAR
J19-0051	JUSTKA JOHN J ESTATE, C/O Nichole Justka, Exe to Estate	15-020-026.0-232.00	514 E 9 ST 41 X 157.5
J19-0052	YOUNG THERESA	15-020-028.0-118.00	515 E 14 ST 30X105
J19-0053	KASSIM ABDALLA	15-020-028.0-120.00	511 E 14 ST 38X105
J19-0057	WILLIAMS DEVONNE S, His Heirs, Successors and Assigns	15-020-033.0-202.00	653 E 13 ST 35 X 105
J19-0060	OWENS PHILLIP R	15-020-034.0-104.00	751 E 9 ST 31X158
J19-0061	GREENWOOD JUSTIN	15-020-034.0-208.00	749 E 8 ST 30 X 100
J19-0062	COVEL JOYCE, Her Heirs, Successors and Assigns	15-020-034.0-215.00	727 E 8 ST 33X165
J19-0062	COVEL ARTHUR B SR, His Heirs, Successors and Assigns	15-020-034.0-215.00	727 E 8 ST 33X165
J19-0062	COVEL JOSEPH	15-020-034.0-215.00	727 E 8 ST 33X165
J19-0063	BROWN MICHELE M	15-020-035.0-103.00	755 E 11 ST 39.75 X 157.5
J19-0067	BERTI BETH J, Her Heirs, Successors and Assigns	15-020-043.0-139.00	944 E 10 ST 30X155
J19-0069	LANAGAN LORI	15-020-044.0-116.00	911 E 11 ST 27.5X165
J19-0071	SORENSEN KATHLEEN	15-020-054.0-124.00	1146 BUFFALO RD 40 X 105
J19-0073	WEIGAND JOHN A	15-021-007.0-223.00	GASKELL SUB LOT 77 40 X 105
J19-0074	OGLESBY DANA	15-021-016.0-104.00	SCHAAL SUB LOT 88 40X124.5
J19-0078	SALTER ANGELA N (DEMO'd 8-13-19 emergent)	16-030-026.0-112.00	531 33 W 17 ST 40X132.5
J19-0079	Duey Strange (new owner)	16-030-043.0-225.00	934 W 17 ST 40 X 132.5
J19-0083	MILTON OATIS	16-030-056.0-201.00	1030 RASPBERRY ST 33X82.5
J19-0083	KELEV FUNDING LLC	16-030-056.0-201.00	1030 RASPBERRY ST 33X82.5
J19-0083	Erie Metro Constable Service	16-030-056.0-201.00	1030 RASPBERRY ST 33X82.5
J19-0089	HE ZHOU	17-040-026.0-214.00	417 PLUM ST 35X91
J19-0094	BARNETT ALBERT, His Heirs, Successors and Assigns	18-050-006.0-237.00	110 E 23 ST 37.75 X 50
J19-0094	BARNETT JIMMIE, Her Heirs, Successors and Assigns	18-050-006.0-237.00	110 E 23 ST 37.75 X 50
J19-0095	MORGAN ALICE, Her Heirs, Successors and Assigns	18-050-009.0-131.00	210 E 22 ST 30 X 135
J19-0099	MORGAN ALICE, Her Heirs, Successors and Assigns	18-050-013.0-209.00	333 E 20 ST 41.25 X 135

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COMMON PLEAS COURT		LEGAL NOTICE	COMMON PLEAS COURT
J19-0103	MORRISON MARGARET, Her Heirs, Successors and Assigns	18-050-015.0-217.00	2401 GERMAN ST 35 X 85
J19-0104	MORRISON MARGARET, Her Heirs, Successors and Assigns	18-050-015.0-218.00	GERMAN ST 40 X 132
J19-0105	STEWART WALTER	18-050-016.0-224.00	N S E 19 ST BET PAR & WALLACE
J19-0111	FARRELL MANAGEMENT GROUP INC	18-050-022.0-240.00	540 E 23 ST 40 X 135
J19-0112	BURGOS LUIS ANGEL	18-050-023.0-102.00	525 E 25 ST 60 X 143
J19-0113	HICKS JERRY R	18-050-023.0-212.00	517 E 24 ST 33 X 128
J19-0113	HICKS JOSEPH E	18-050-023.0-212.00	517 E 24 ST 33 X 128
J19-0114	AL AWADY HAIDER SOBHI	18-050-023.0-229.00	550 E 25 ST 30 X 128
J19-0115	FARRELL MANAGEMENT GROUP INC	18-050-027.0-110.00	623 E 25 ST 90 X 143
J19-0116	SCOTT KEVIN	18-050-033.0-127.00	816 E 22 ST 40 X IRR
J19-0120	LAZAN ALOISIUS, His Heirs, Successors and Assigns	18-050-034.0-214.00	813 E 22 ST 40 X 135
J19-0122	TRUEBLOOD KENNETH H Estate, (c/o Kenndrea Trueblood, Exe.)	18-050-041.0-100.00	1060 E 24 ST LOT 30 50 X 135
J19-0123	LAWRENCE DOROTHY	18-050-052.0-110.00	943 E 27 ST 37 X 127.75
J19-0134	WINSCHER & BERLIN BUILDERS LLC	18-050-092.0-102.00	3218 OLD FRENCH RD IRR
J19-0136	YOUNG LUANNA LEE	18-050-094.0-215.00	2053 WARFEL AVE 45 X IRR
J19-0137	VACTOR KEVIN L	18-051-001.0-112.00	1241 E 21 ST 80 X 105
J19-0137	HARRIS WILMA	18-051-001.0-112.00	1241 E 21 ST 80 X 105
J19-0138	STRICKLAND EULA L	18-051-001.0-200.00	2020 ELM ST 85 X 81.85
J19-0138	KING MELITA J	18-051-001.0-200.00	2020 ELM ST 85 X 81.85
J19-0139	BELL KENNETH W	18-051-004.0-133.00	1242 E 28 ST 40 X 135
J19-0139	BELL STEPHANIE M	18-051-004.0-133.00	1242 E 28 ST 40 X 135
J19-0140	VINMAK LLC	18-051-004.0-140.00	1270 E 28 ST 40 X 135
J19-0151	LOCKETT THOMAS	18-051-021.0-122.00	1736 E 28 ST 46 X 142.71
J19-0158	FARRELL MANAGEMENT GROUP INC	18-051-033.0-109.00	2239 BUFFALO RD 40.01X149.1
J19-0160	MOSSO CRAIG W, His Heirs, Successors and Assigns	18-052-014.0-219.00	3615 BURTON AVE 66X120
J19-0162	LEUSCHEN JOSEPH G, His Heirs, Successors and Assigns	18-053-028.0-218.00	3331 PEACH ST 40X135
J19-0167	FOSBURG BARRY	19-060-005.0-121.00	238 W 20 ST 34 X 135
J19-0168	NEGRON HELEN F. Collins, Her Heirs, Successors and Assigns	19-060-009.0-108.00	1915 CHESTNUT ST 38.67 X 123
J19-0169	CRENSHAW CLAUDE, His Heirs, Successors and Assigns	19-060-010.0-210.00	325 W 20 ST 33 X 130
J19-0170	SPEAR TERRY L	19-060-014.0-133.00	534 36 W 19 ST 32X130
J19-0170	KIRKSEY WILLIE C	19-060-014.0-133.00	534 36 W 19 ST 32X130
J19-0171	BALLMAN GARY O	19-060-014.0-136.00	526 W 19TH ST 32X130
J19-0172	WOLF DENNIS A	19-060-018.0-101.00	2218 CHERRY ST 30.5 X 110
J19-0173	ROBSON MICHAEL J	19-060-018.0-110.00	621 W 22 ST 32.5X135
J19-0174	HEDGES THERESA	19-060-029.0-108.00	CASCADE ST
J19-0175	VARNER BRYAN L	19-060-031.0-233.00	1061 W 22 ST 30 X 90
J19-0177	WINSCHER JAMES	19-060-037.0-114.00	1031 33 W 28TH ST 28 X 135
J19-0177	WINSCHER ANNA	19-060-037.0-114.00	1031 33 W 28TH ST 28 X 135
J19-0178	THOMPSON ROBERT J, His Heirs, Successors and Assigns	19-060-039.0-308.00	907 W 26 ST 45X100
J19-0178	THOMPSON EILEEN, Her Heirs, Successors and Assigns	19-060-039.0-308.00	907 W 26 ST 45X100
J19-0181	GLEBA MICHAEL	19-061-038.0-105.00	1423 W 39 ST 60 X 167.885 AV
J19-0187	KENWIN LLC	24-014-049.0-003.00	9355 TANNERY RD 2.461 AC
J19-0191	DICK MINERVA M, Her Hiers, Successors and Assigns	27-032-124.0-021.00	8636 BELLE RD 102 X 222
J19-0195	WOLFRAM ERIC	28-002-002.1-005.17	10384 W LAKE RD LT 207 TRL
J19-0196	MOWRY IRENE E Her Heirs, Successors and Assigns	28-013-017.0-018.00	10028 RAILROAD ST 50 X 165.8 I
J19-0197	HRESKO PAUL	29-016-064.0-003.89	1810 DEE JAY AVE TRL

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COMMON PLEAS COURT	LEGAL NOTICE	COMMON PLEAS COURT
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J19-0203	KETTLE JAMI A	33-016-019.0-268.89	546 PERINELLA DR	TRL
J19-0205	SHEPARD PEARL, Her Heirs, Successors and Assigns	33-026-159.0-017.50	1240 TWILIGHT DR	TRL
J19-0207	SMITH DAVID W JR	33-034-172.0-022.48	1235 TAKI DR	TRL
J19-0208	WAY DONALD THOMAS	33-035-169.0-004.53	3411 W 12 ST	TRL
J19-0218	BOWEN ANN MARIE LEE	40-011-040.0-008.00	QUEENS BLVD	LT113 40X120
J19-0219	MCGUIRE JOSEPH T	42-007-026.0-005.00	54 W HIGH STREET	81 X 62
J19-0221	FOSTER DAWN M	43-011-034.0-011.00	16678 WAGER RD	1.16 AC
J19-0221	FOSTER TED E II	43-011-034.0-011.00	16678 WAGER RD	1.16 AC
J19-0222	MILLER DARLENE	44-015-037.1-002.58	9445 SUNSHINE LN	
			LOT 12	TRL
J19-0222	BEBEE BEN	44-015-037.1-002.58	9445 SUNSHINE LN	
			LOT 12	TRL
J19-0225	RAGER HILBERT JR, His Heirs, Successors and Assigns	47-026-077.0-017.00	WILSON AVE LOT 147 40X102.25	
J19-0233	GRAY JOANNA K	50-005-063.0-006.00	E 30 ST LOT 46	40X123IRR
J19-0234	GRAY JOANNA K	50-005-063.0-006.01	E 30 ST LOT 45	40X123

Auct #	Mortgage/Lienholders	Parcel #	Address
J19-0001	Capital One Bank, USA, Na c/o Rogert W. Cusick, Esq.	01-005-046.0-009.00	38 CHERRY ST 50X125
J19-0018	Green Tree Consumer Discount Co.	14-010-012.0-219.00	319 E 2ND 41.25X165
J19-0037	Equity Trust Company, Custodian FBO Floyd Hatch IRA	14-010-039.0-337.00	614 BRANDES ST 35 X 54.9
J19-0037	Marin Ashley Levy, Esq. Zucker Goldbert & Ackerman	14-010-039.0-337.00	614 BRANDES ST 35 X 54.9
J19-0040	Midland Funding LLC c/o Santucci, Esq.	14-011-005.0-220.00	1424 ATKINS ST 30X116
J19-0049	Citizens Bank Philadelphia	15-020-023.0-325.00	444 E 13th 40x105
J19-0061	Sterling Jewelers, Inc. c/o Frederic Weinberg, Esq.	15-020-034.0-208.00	749 E 8TH 30x100
J19-0078	Tommie L Dunlap	16-030-026.0-112.00	531 33 W 17 ST 40X132.5
J19-0083	Kelev Funding	16-030-056.0-201.00	1030 RASPBERRY ST 33X82.5
J19-0094	Comprehensive Foreclosure Services Corp.	18-050-006.0-237.00	110 E 23RD ST 37.75x50
J19-0103	AVCO Financial Services, n/b/m Citigroup Inc.	18-050-015.0-217.00	2410 GERMAN ST 35X85
J19-0103	Commodore Consumer Discount Co.	18-050-015.0-217.00	2401 GERMAN ST 35 X 85
J19-0123	US Mortgage Resolution LLC	18-050-052.0-110.00	943 E 27th 37x127.75
J19-0136	AVCO Financial Services Consumer Discount Company One	18-050-094.0-215.00	2053 Warfel Ave 45xIRR
J19-0145	Citizens Bank Philadelphia	18-051-013.0-213.00	1523 BUFFALO RD 30X135
J19-0145	Citizens Bank, NA (Providence RI)	18-051-013.0-213.00	1523 BUFFALO RD 30X135
J19-0167	Beth L. Hill, Successor Trustee of the Bert Pasquale Trust dated May 21, 1999	19-016-005.0-121.00	238 W 20TH 34x135
J19-0177	Barclays Bank Delaware, c/o Frederic Weinberg, Esq.	19-060-037.0-114.00	1031-33 W 28th ST 28x135
J19-0178	Capital One Bank, USA, Na c/o Michael Ratchford, Esq.	19-060-039.0-308.00	907 WEST 26 45X100
J19-0191	US Mortgage Resolution LLC	27-032-124.0-0121.00	8636 BELLE RD 102X222
J19-0191	Citifinancial Services, Inc. c/o Ct Corp	27-032-124.0-0121.00	8636 BELLE RD 102X222
J19-0199	FIA Card Services, NA c/o Frederic Weinberg, Esq.	29-017-057.0-005.00	1210 RANKIN AVE 26.8X125
J19-0206	Citizens Bank Philadelphia	33-028-077.0-015.00	3434 W 11TH 53X167.5
J19-0212	Blueview Corporation	35-007-052.0-013.00	60 WALL ST. 41.25x140.25
J19-0215	Four Seasons Investments, LLC	39-019-057.0-007.00	ROUTE 215 129X1025 TRI
J19-0216	Four Seasons Investments, LLC	39-019-057.0-016.00	ROUTE 215 TR 554 555x300S
J19-0237	Enders John A.	14-010-014.0-219.00	409 E 4TH ST 33X70
J19-0237	Enders, Melodie A.	14-010-014.0-219.00	409 E 4TH ST 33X70

THE ABOVE ARE HEREBY NOTIFIED THAT PROPERTY IN WHICH THEY MAY HOLD AN INTEREST WILL BE SOLD, FREE AND CLEAR OF ANY INTEREST THEY MAY HAVE BEGINNING AT 10:00 A.M.

ON THURSDAY, DECEMBER 5, 2019. FOR FURTHER INFORMATION, THE ABOVE MAY CONTACT THE UNDERSIGNED PRIOR TO THE DATE OF SALE.

Lorie Watson, MacDONALD, ILLIG, JONES & BRITTON LLP, 100 State Street,
Suite 700, Erie, PA 16507, 814-870-7770, taxsaleinfo@mjb.com, www.eriejudicialtaxsale.com.

IN THE COURT OF COMMON PLEAS OF ERIE COUNTY, PENNSYLVANIA - NO. 12356-2019

SUPPLEMENTAL RULE TO SHOW CAUSE ORDER

AND NOW, this 29th day of October, 2019, the within Motion for Leave to Serve by Publication being presented, it is hereby ORDERED, ADJUDGED AND DECREED as follows:

1. A Rule is hereby directed to all legal owners and lienholders not previously served to appear and show cause why a decree should not be made that said property be sold free and clear of their respective tax and municipal claims, liens, mortgages, charges and estates.

2. This Rule is returnable before the Honorable Stephanie Domitrovich on **December 3, 2019 1:30 P.M.** in Courtroom G, Room 222 of the Erie County Courthouse at which time the Court will hear from any owner or party who opposes the relief sought in the Petition.

BY THE COURT,

/s/Stephanie Domitrovich, Judge
Nov. 1

LEGAL NOTICE

In re:	:	IN THE COURT OF COMMON PLEAS
PETITION OF THE ERIE COUNTY TAX CLAIM	:	OF ERIE COUNTY, PENNSYLVANIA
BUREAU FOR SALE OF REAL ESTATE AT	:	
PUBLIC SALE FREE AND CLEAR OF CLAIMS,	:	
LIENS, MORTGAGES, TAX CLAIMS, CHARGES,	:	CIVIL ACTION - LAW
AND ESTATES EXCEPT SEPARATELY TAXED	:	
GROUND RENTS IN ACCORDANCE WITH THE	:	
PROVISIONS OF THE REAL ESTATE TAX SALE	:	
LAW, Petitioner	:	NO. 12356 - 2019

PUBLIC NOTICE OF JUDICIAL "LIEN FREE" TAX SALE

TO BE HELD DECEMBER 05, 2019 AT 10:00 A.M.

BAYFRONT CONVENTION CENTER, 1 SASSAFRAS PIER, ERIE, PENNSYLVANIA

TO: ALL INTERESTED MEMBERS OF THE PUBLIC

On October 29, 2019, the Erie County Court of Common Pleas entered an Order at Erie County Civil Action No. 12356-2019, authorizing a judicial tax sale to be conducted pursuant to the Pennsylvania Real Estate Tax Sale Law, 72 P.S. § 5860.101 *et seq.*, and it will involve the sale, to the highest bidder, of certain parcels of Erie County real estate for which there has been a delinquency in the payment of their real estate taxes for a period exceeding three (3) years. The purchasers at this judicial sale take the property free and clear of all tax and municipal claims, mortgages, liens, charges and estates of whatsoever kind in existence as of March 1, 2019, except ground rents separately taxed and any rights asserted by the government of the United States. Liens filed after March 1, 2019 may not receive notice of the sale, and thus remain with the property. Prospective purchasers are encouraged to conduct their own due diligence.

1. The sale shall be conducted on Thursday, December 05, 2019 beginning at 10:00 A.M. at the Bayfront Convention Center, 1 Sassafras Pier, Erie, Pennsylvania 16507, and continuing thereafter until completed.

2. The sale shall be open to any interested member of the public and there shall be no charge for admission to the sale.

3. The sale shall be conducted in the style of an auction on a parcel-by-parcel basis, sale to the highest bidder on each parcel.

4. All persons interested in bidding at the judicial sale, if not already pre-registered through MacDonald Illig Law Firm, should arrive at the Bayfront Convention Center beginning at 8:00 A.M. and register as a potential bidder. **Photo identification must be presented at time of registration. A fee of \$20, cash only, will be charged at the time of registration on December 5, 2019.** Such registration will create no obligation to bid on any property.

By participating in the sale, you agree to be bound by these Rules:

5. **TITLE, CONDITION and OCCUPANCY** All properties are sold "as is" with no warranty or guaranties of any kind regardless of statement of condition made from the auction block. Bidders shall rely entirely on their own inspection and information and are responsible for knowing the properties which they are bidding upon. **ALL SALES ARE FINAL.**

The "As Is" sale includes, but is not limited to environmental conditions such as possible wetlands, storm water drainage matters, underground storage tanks, or hazardous or toxic waste or materials in, on or under the property.

During the auction, information taken from the Erie County Assessment Office will be posted on the projection screen

pertaining to the parcel then being sold. Neither the County nor the attorneys or auctioneer make any guaranty or warranty that the information displayed is accurate. **For example, the information may include a photo of a structure that is no longer on the property.** In particular, mobile homes are MOVABLE and may not be on the property anymore, despite being in a photograph displayed during the sale.

As such, Bidders shall *rely entirely on their own inspection and information* and are responsible for knowing the current condition of properties upon which they are bidding.

With the exception of mobile homes without land, no personalty is included in the sale.

The Bureau conducts a limited title search in order to attempt to notify all known holders of mortgages, judgments or liens that, by Order of the Erie County Court of Common Pleas, the property will be offered for sale divested of such mortgages, judgments or liens. These searches occur during the year leading up to the sale, not on the day of the sale. Thus, liens or judgments that are filed after the search, but before the sale, will not receive notice of the sale and such liens may continue as valid liens. For this reason, the Bureau places a "good through" date of March 1, 2019 on its searches. Buyers are warned that if they do not perform "bring down" searches after that date, they could take a property subject to a valid lien. No warranty or guaranty is made regarding the title searches.

Any trailers that are purchased from the sale may have an encumbrance on the trailer's certificate of title and will be sold under and subject to said encumbrance.

Note: land title insurance companies usually will not insure the title of judicially sold property. Buyers should consult legal counsel concerning the title and the advisability of bringing a court action to Quiet Title. The County, its attorneys and representatives make no warranty, guarantee, or representation as to the description of a property, nor will it make any survey on the property.

The Erie County Tax Claim Bureau reserves the right to participate, or not to participate in any post-sale litigation.

The Erie County Tax Claim Bureau will sell subject to existing tenancies and possessors (i.e., renters or others occupying the property). You may have to bring an action for eviction or ejectment to remove any such occupants.

All those participating in the bidding process or who may otherwise be affected thereby and have an interest therein are reminded of the following: the risk of loss due to casualty or other destruction or damage to the premises, and responsibility and liability for any injuries to persons arising out of the condition of the premises will be upon the bidder, effective upon payment of the bid price. **Winning bidders have an insurable interest the moment they pay for the property and need not wait to receive a deed to obtain insurance on the property.**

**** **Note:** The existence of a Federal Tax Lien creates a 120-day right of redemption in favor of the federal agency. This entitles the federal authorities to purchase the property within 120 days of the sale from the successful bidder at the bid price. Therefore, bidders are cautioned to refrain from improving the premises by improvement or demolition during this redemption period.

6. PERSONAL CHECKS WILL NOT BE ACCEPTED. Purchases may only be made by cash, cashier's check or certified check made payable to "MacDonald, Illig, Jones & Britton LLP" or to the winning bidder and then endorsed. If you have a cashiers or certified check in an amount in excess of the purchase price, a refund check will be issued to you for the difference within 14 days of the Sale date.

We plan to have three (3) Intermissions during the course of the sale. All sales under \$5,000 must be paid in full prior to the conclusion of the sale; **with the winning bid amount, transfer taxes, City of Erie administrative fee (if applicable), and recording fees paid PRIOR TO THE CONCLUSION OF THE INTERMISSION FOR THE INTERMISSION PERIOD IMMEDIATELY FOLLOWING THAT PROPERTY'S BID.** Failure to do so will result in the property being placed back in the auction and reoffered for sale during this or the next judicial tax sale. For purchases **over \$5,000**, the high bidder must pay at least \$5,000 or twenty-five (25%) percent of the bid price, whichever is greater, prior to the conclusion of the sale; **with the required winning bid amount, transfer taxes, City of Erie administrative fee (if applicable), and recording fees paid PRIOR TO THE CONCLUSION OF THE INTERMISSION FOR THE INTERMISSION PERIOD IMMEDIATELY FOLLOWING THAT PROPERTY'S BID,** with the balance to be paid within seven (7) days. Said balance payment is to be made at the offices of MacDonald, Illig, Jones & Britton LLP located at 100 State Street, Suite 700, Erie, PA 16507.

*****Failure to make any required payments within the time frame set forth above will result in the property being re-auctioned at this or the next judicial tax sale and may result in a prohibition of bidding on any other properties in the sale, as well as pursuit of the winning bidder for damages resulting from the winning bidder's failure to make the required payment. The payments are non-refundable and all payments made by bidders will be retained as liquidated damages.**

Any failure to pay the required minimum prior to leaving the sale location shall be treated as a breach of contract and the County reserves all rights to pursue the winning bidder for all damages resulting from the winning bidder's failure to make the required minimum payment, including but not limited to the costs and legal fees associated with placing the property in a subsequent sale.

All Prospective bidders will be required to complete and execute an "Affidavit of Bidder" and shall provide the original Affidavit to MacDonald, Illig, Jones & Britton LLP at the time of registration.

BIDDERS WILL BE PROHIBITED FROM BIDDING IF THEY HAVE DELINQUENT TAXES OR

OUTSTANDING MUNICIPAL UTILITY BILLS ON ANY OF THEIR OWN PROPERTY IN ERIE COUNTY, AT THE TIME OF THE SALE.

FAILURE TO PROVIDE THE COMPLETED AFFIDAVIT OF BIDDER SHALL BE DEEMED A FAILURE TO CONSUMMATE THE TRANSACTION AND WILL RESULT IN THE PROPERTY BEING RE-AUCTIONED AT THE NEXT JUDICIAL TAX SALE. ALL PAYMENTS MADE BY BIDDERS WILL BE RETAINED AS LIQUIDATED DAMAGES.

7. The auctioneer reserves the right to accept any bids in any increment he feels is in the best interest of the Erie County Tax Claim Bureau. The auctioneer reserves the right to refuse any bid for any reason, from any person, whose actions, conduct or adverse comments are not in the best interest of the Erie County Tax Claim Bureau.

8. "Bid rigging," "pooling" or "collusion" by bidders can be a felony violation and will be treated accordingly.

Under the Pennsylvania Real Estate Tax Sale Law, 72 P.S. § 5860.618, the owner of a property has no right to purchase his or her own property at a judicial tax sale. It is also prohibited for a property owner to use a family member, friend or other "straw" person to circumvent this rule. Any payment made in violation of this provision by or on behalf of any owner will be retained as liquidated damages, the sale voided and the property will be re-auctioned at this or a subsequent judicial sale.

9. Bidders acknowledge responsibility for any personal injury or property damage caused by bidders or their agents, and further agree to hold Chesley Auctioneering, the Erie County Tax Claim Bureau, MacDonald, Illig, Jones & Britton LLP and all their employees or representatives harmless from any personal injury to themselves or their agents and any property damage incurred on the auction premises. The auctioneers and their representatives are acting as agents for the Erie County Tax Claim Bureau only.

10. This Judicial Sale is being held according to the provisions of the Pennsylvania Real Estate Tax Sale Law, 72 P.S. § 5860.101 *et seq.*, and a Petition and Order to hold this sale was filed at the Erie County Court of Common Pleas, Civil Action No. 12356-2019, which Petition and Order is available for public inspection in the Erie County Prothonotary's Office. In the event of any conflict between these terms and conditions and the Pennsylvania Real Estate Tax Sale Law, the Real Estate Tax Sale Law shall control.

11. It is anticipated that successful bidders will receive a quit claim deed in approximately three months after the Judicial Tax Sale.

UNTIL SUCH TIME AS THE SUCCESSFUL BIDDER RECEIVES THE QUIT CLAIM DEED CONVEYING TITLE TO THE PROPERTY, THE SUCCESSFUL BIDDER HAS ONLY EQUITABLE OWNERSHIP. IF THE PROPERTY IS OCCUPIED, IT IS THE WINNING BIDDER'S RESPONSIBILITY TO FOLLOW ALL LAWS AND RULES GOVERNING THE REMOVAL OF OCCUPANTS. If needed, MacDonald, Illig, Jones & Britton LLP will supply a letter confirming the winning bidder's equitable ownership in a given property.

*The County, its attorneys and representatives are not permitted to provide legal advice. If you have any questions regarding this point, you are encouraged to contact your attorney. If you do not have an attorney, you may contact the Lawyer Referral Service of the Erie County Bar Association at (814) 459-4411.

12. A deed recording fee of approximately \$86.00 and \$2.00 for Realty Transfer Tax Statement of Value filing fee will automatically be added to each purchase of real property. The City of Erie, City Engineer administrative fee of \$100.00 will automatically be added where appropriate. Mobile homes, purchased without land, are not subject to the deed recording fee or Realty Transfer Tax Statement of Value filing fee.

13. A real estate transfer tax equal to 2%* of the **computed value** of the property will **automatically be added to each purchase of real property.** and must be paid on the day of sale. The computed value is the **assessed value** of the parcel **multiplied by the common level factor of 1.11.** The transfer tax is NOT based on the bid price. However, if the bid price is more than the assessed value, then the bid price will be used as the value of the property for transfer tax purposes. Mobile homes, purchased without land, are not subject to the real estate transfer tax. (*The transfer tax is 2.5% in the Borough of Edinboro).

14. Successful bidders will take properties free and clear of claims, liens, mortgages, tax claims, charges and estates, except separately taxed ground rents, filed through March 1, 2019.

15. THE SUCCESSFUL BIDDER IS RESPONSIBLE FOR PAYMENT OF ALL 2020 CALENDAR YEAR REAL ESTATE TAXES, THE 2020-2021 FISCAL YEAR TAXES AND SUBSEQUENTLY LEVIED REAL ESTATE TAXES AND MUNICIPAL CHARGES. THESE TAXES MAY ALREADY HAVE BEEN BILLED AND/OR NEW BILLS MAY NOT BE ISSUED TO THE NEW OWNERS. IT IS THE WINNING BIDDER'S RESPONSIBILITY TO CONTACT THE TAX COLLECTOR TO DETERMINE THE TAX AND MAKE PAYMENT.

16. The Erie County Tax Claim Bureau reserves the right to withdraw any parcel from the auction at any time and change the minimum bid for any parcel at any time, regardless of any previous advertisements or notices which have been made to the public.

17. The Land Bank Act, 68 Pa.C.S. § 2101, *et seq.*, provides that the Land Bank Authority may acquire property at a Judicial Tax Sale. As a result of the Land Bank Act, certain properties may be subject to prior intragovernmental agreements of sale to the Land Bank and will not be sold at the auction; these properties will be announced at the sale.

18. Successful bidders agree to cooperate in correcting any errors or other irregularities that may occur after the sale

(for example an incorrect deed description or other similar clerical errors).

19. **The minimum bid for all parcels located in Millcreek Township may be changed prior to the sale.**

20. **ALL CELL PHONES MUST BE TURNED OFF UPON ENTRY INTO THE SALE.**

21. **The Judicial Tax Sale proceedings will be monitored via live videotaping.**

There will be no pre-registration fee for the 2019 judicial sale. *****There will be a \$20 (cash only) registration fee for those registering at the Bayfront Convention Center on Thursday, December 5, 2019.** Those wishing to pre-register may do so through Wednesday, December 4, 2019 at MacDonald Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507, Monday-Friday, 8:30 a.m. to 5:00 P.M. Registrants must complete an Affidavit of Bidder form and present a valid driver's license or other valid photo identification at the time of registration. Out-of-town residents may pre-register by e-mailing to lwatson@mijb.com a fully-executed and notarized Affidavit of Bidder form, together with a clear, fully legible copy of the registrant's valid driver's license or other valid photo identification.

22. The following properties will be sold at the Judicial Tax Sale on December 5, 2019, reserving the right to pull any sales because taxes have been brought current or for any other reason:

Auction #	Parcel #	Owner Name(s)	Property Location/Description
J19-0001	01-005-046.0-009.00	HOLLIS STEPHANIE A	38 CHERRY ST 50 X 125
J19-0002	04-018-050.0-023.00	REMOVED - TCB	TR 517 ROUTE 18 1.12 AC
J19-0003	05-027-169.0-012.00	SLIKE JOSEPH C ETAL	E SOUTH ST 56 X 107
J19-0004	05-027-169.0-013.00	SLIKE JOSEPH C ETAL	15 E SOUTH ST 51.25X113.2
J19-0005	05-027-169.0-014.00	SLIKE JOSEPH C ETAL	16 S CENTER ST L 8 113.2X104.5
J19-0006	05-028-189.0-018.00	TRIPP DENNIS K	425 E PLEASANT ST TR 52 66X165
J19-0007	05-028-190.0-003.00	PROCTOR PAULA M	522 E MAIN ST TR 52 140 X 140
J19-0008	05-029-107.0-018.00	COX ELIZABETH J ET COX DIANA L	933 BURTON AVE 100X194
J19-0009	06-015-023.0-003.00	LESLIE JANE	22 E IRVING ST 68 X 226 IRR
J19-0010	07-023-031.0-016.00	COMBS JEAN M	29 W SMITH ST 55X142
J19-0011	07-025-067.0-025.00	COMMUNITY BANK NA TRUST DEPARTMENT as Trustee of the ANN MARIE DAMCOTT Living Trust	SHEA ALLEY TR 51 41 X 100 IRR
J19-0012	07-025-067.0-026.00	COMMUNITY BANK NA TRUST DEPARTMENT as Trustee of the ANN MARIE DAMCOTT Living Trust	SHEA ALLEY TR 51 100 X 100
J19-0013	08-034-134.0-007.00	HAZLETT KEVIN UX ANN M	SHERMAN ST TR 51 57.5X100
J19-0014	08-034-138.0-010.00	FRODELIUS GREGORY S UX ALLISON	124 LEMON ST 100X100
J19-0015	08-037-127.0-013.00	PANAS OLGA	503 S 2 AVE TR 51 79 X 145
J19-0016	08-038-160.0-006.00	REMOVED - Paid in Full	140 RIDGE ST 200 X 165
J19-0017	11-014-042.0-001.01	REMOVED - Paid in Full	112 MEADVILLE ST 47 X 77
J19-0018	14-010-012.0-0219.00	LEBLANC LAURENE D	319 E 2 ST 41.25 X 165
J19-0019	14-010-013.0-0101.00	COOPER MOSES UX ADLINE NELL	722 WALLACE ST 27.5 X 100
J19-0020	14-010-013.0-440.00	REMOVED - Paid in Full	608 WALLACE ST 30 X 40
J19-0021	14-010-016.0-240.00	ALDAFAAI KARAR M	544 E 7 ST 30 X 165
J19-0022	14-010-018.0-130.00	REMOVED - Paid in Full	544 E 4 ST 33 X 126
J19-0023	14-010-019.0-108.00	ALDAFAAI HUSSAIN M	641 E 7 ST 40 X 157.5
J19-0024	14-010-019.0-123.00	GUVNO INC	713 ASH ST 27 X 77.5
J19-0025	14-010-019.0-201.00	ZAC ASSOCIATES LLC	622 24 REED ST 40 X 80
J19-0026	14-010-019.0-212.00	REMOVED - Paid in Full	617 19 E 6 ST 40 X 165
J19-0027	14-010-020.0-216.00	BURTON DONALD P ET DIANE L	621 E 4 ST 30 X 157.5
J19-0028	14-010-022.0-120.00	REMOVED - RACE	704 06 E 8 ST 33.75 X 66
J19-0029	14-010-022.0-122.00	REMOVED - Paid in Full	716 E 8 ST 32 X 80
J19-0030	14-010-022.0-135.00	REMOVED - Paid in Full	758 E 8 ST 28 X 70
J19-0031	14-010-022.0-301.00	SANCHEZ ANGEL LUIS COLON	622 WAYNE ST 30 X 82.5
J19-0032	14-010-028.0-102.00	ROSS ALBENNIE ET ROMMIE MAE ET JOHN	418 20 WILSON ST 30 X 107

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J19-0033	14-010-035.0-221.00	OLSON LEROY D	1032 MCCARTER AVE 30 X 67.5
J19-0034	14-010-036.0-120.00	ARELLANO TERESA RAMIREZ	517 19 EAST AVE 40 X 80
J19-0035	14-010-036.0-132.00	FLOREZ BRUNO ET JAMES TWILA MAY	1013 1/2 E 5 ST BL 29.5 X IRR
J19-0036	14-010-036.0-202.00	CLARIETT EVANS UX SUE W	1053 E 4 ST 30 X 90.5
J19-0037	14-010-039.0-337.00	PARADIGM INVESTMENTS LLC	614 BRANDES ST 35 X 54.05
J19-0038	14-010-040.0-122.00	SMITH SHANNON D	1118 E LAKE RD 32 X 125.5
J19-0039	14-010-053.0-205.00	ROSSI RONALD	112 SOBIESKI ST 35 X 100
J19-0040	14-011-005.0-220.00	MANN CHARLES A	1424 ATKINS ST 30 X 116
J19-0041	14-011-011.0-100.00	POMMER CARL F	1866 68 E LAKE RD 80 X 125
J19-0042	14-011-022.0-210.00	REMOVED - Paid in full	408 EUCLID AVE 43 X 135
J19-0043	15-020-013.0-102.00	USCINSKI CHARLES (deceased)	1316 GERMAN ST 35X150
J19-0044	15-020-013.0-105.00	224 THOMPSON AVE LLC	1304 GERMAN ST 32 X 75
J19-0045	15-020-017.0-132.00	REMOVED - Erie Land Bank	1121 GERMAN ST 40 X 41.25
J19-0046	15-020-018.0-137.00	JETHROE SAMUEL UX ELSIE	340 E 14 ST 25.42X124.5
J19-0047	15-020-020.0-223.00	CONNER RICHARD L	354 E 17 ST 31 X 60
J19-0048	15-020-021.0-120.00	TENON EDWARD L	422 E 10 ST 38.75X120
J19-0049	15-020-023.0-325.00	MALINSKI NANCY L	444 E 13 ST 40X105
J19-0050	15-020-026.0-130.00	NGUYEN NGHIA D	514 E 10 ST 29.65X IRR REAR
J19-0051	15-020-026.0-232.00	JUSTKA JOHN J UX MARY JO	514 E 9 ST 41 X 157.5
J19-0052	15-020-028.0-118.00	YOUNG THERESA	515 E 14 ST 30X105
J19-0053	15-020-028.0-120.00	KASSIM ABDALLA	511 E 14 ST 38X105
J19-0054	15-020-028.0-208.00	REMOVED - Paid in full	537 E 13 ST 31.5X105
J19-0055	15-020-028.0-223.00	REMOVED - Paid in full	514 E 14 ST 40 X 105
J19-0056	15-020-028.0-302.00	BURGOS REGINA A	557 E 12 ST 30X105
J19-0057	15-020-033.0-202.00	WILLIAMS DEVONNE S	653 E 13 ST 35 X 105
J19-0058	15-020-033.0-327.00	REMOVED - RACE	634 E 13 ST 30 X 105
J19-0059	15-020-033.0-337.00	** ERIE INVESTMENTS LLC	602 E 13 ST 73.3 X 37.5
J19-0060	15-020-034.0-104.00	OWENS PHILLIP R	751 E 9 ST 31X158
J19-0061	15-020-034.0-208.00	GREENWOOD JUSTIN	749 E 8 ST 30 X 100
J19-0062	15-020-034.0-215.00	COVEL JOYCE VIR ARTHUR B SR ET SCHN	727 E 8 ST 33X165
J19-0063	15-020-035.0-103.00	BROWN MICHELE M	755 E 11 ST 39.75 X 157.5
J19-0064	15-020-035.0-114.00	MADURSKI GREGORY F	709 E 11 ST 39X157.5
J19-0065	15-020-036.0-306.00	REMOVED - RACE	741 E 12 ST 40 X 105
J19-0066	15-020-043.0-106.00	**HAMILTON-CHRISTIAN-D MALONEY SHERRALL ET CROCKETT DEANDRE	912 EAST AVE 35X82.5
J19-0067	15-020-043.0-139.00	BERTI LAWRENCE L UX BETH J	944 E 10 ST 30X155
J19-0068	15-020-043.0-214.00	REMOVED - Paid in full	937 E 8 ST 40 X 155
J19-0069	15-020-044.0-116.00	**LANAGAN LORI	911 E 11 ST 27.5X165
J19-0070	15-020-047.0-203.00	SALSBURY TRACY A	1153 E 8 ST 33.33X121.22
J19-0071	15-020-054.0-124.00	SORENSEN KATHLEEN VIR JON L	1146 BUFFALO RD 40 X 105
J19-0072	15-021-006.0-310.00	CONNER RICHARD L	1218 E 19 ST 37 X 88.49
J19-0073	15-021-007.0-223.00	WEIGAND JOHN A	GASKELL SUB LOT 77 40 X 105 (E.20th)
J19-0074	15-021-016.0-104.00	OGLESBY DANA	SCHAAL SUB LOT 88 40X124.5
J19-0075	15-021-024.0-120.00	KITCHEN PAUL R UX CAROLYNN S	LT 10 REP W .5 BLK 69 14X44
J19-0076	15-021-028.0-204.00	REMOVED - RACE	1904 JUNE ST LOTS 14-16 120 X1
J19-0077	16-030-011.0-302.00	REMOVED - RACE	1618 20 SASSAFRAS ST 40X330
J19-0078	16-030-026.0-112.00	**SALTER ANGELA N (EMERGENT DEMO'D)8/13 Lot only	531 33 W 17 ST 40X132.5
J19-0079	16-030-043.0-225.00	**DUEY STRANGE	934 W 17 ST 40 X 132.5

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J19-0080	16-030-043.0-228.00	RUTKOWSKI JAMES	924 W 17TH ST 30X132.5
J19-0081	16-030-051.0-100.00	**DOWLING CLARK E	1132 CASCADE ST 48 X 69
J19-0082	16-030-056.0-110.00	ROBERTS DENNIS J SR TRUSTEE FOR	1119 W 11 ST 29.5 X 165
J19-0083	16-030-056.0-201.00	MILTON OATIS and KELEV FUNDING	1030 RASPBERRY ST 33X82.5
J19-0084	16-031-033.0-114.00	LEWIS S P	GREENGARDEN RD 1.767 AC
J19-0085	17-040-016.0-115.00	REMOVED - Paid in full	555 W 7 ST 31X100
J19-0086	17-040-018.0-114.00	REMOVED - Paid in full	533 W 3 ST 30X155
J19-0087	17-040-018.0-119.00	REMOVED - Paid in full	W 3 ST 28 1/2 X 155
J19-0088	17-040-020.0-100.00	ZAC ASSOCIATES LLC	518 CHERRY ST 50X62
J19-0089	17-040-026.0-214.00	HE ZHOU	417 PLUM ST 35X91
J19-0090	17-040-029.0-110.00	MULLEN LEROY C	933 W 5 ST 41.25 X 165
J19-0091	17-040-029.0-117.00	**REMOVED - RACE (COLLINS AARON B UX ANGELA)	501 CASCADE ST 33X82.5
J19-0092	17-040-031.0-129.00	PARFENYUK PAVEL	723 RASPBERRY 43*75X41*25
J19-0093	18-050-002.0-116.00	REMOVED - Paid in full	18 E 24 ST 34 X 63.75
J19-0094	18-050-006.0-237.00	BARNETT ALBERT UX JIMMIE	110 E 23 ST 37.75 X 50
J19-0095	18-050-009.0-131.00	MORGAN ALICE	210 E 22 ST 30 X 135
J19-0096	18-050-010.0-102.00	CROCKETT JAMES E	2320 GERMAN ST 37.5 X 130
J19-0097	18-050-010.0-202.00	VACTOR GEORGE E UX LARITHA	2222 GERMAN ST 31 X 95
J19-0098	18-050-013.0-136.00	SIMS JEANIE	342 E 22 ST 32 X 135
J19-0099	18-050-013.0-209.00	MORGAN ALICE	333 E 20 ST 41.25 X 135
J19-0100	18-050-013.0-222.00	SHERMAN LEVI JR UX MAE F	338 E 21 ST 31 X 135
J19-0101	18-050-014.0-211.00	CONNER RICHARD L	341 E 22 ST 75 X 135
J19-0102	18-050-015.0-115.00	LYONS BILLY RAY UX YVONNE I	327 E 25 ST 50 X 150
J19-0103	18-050-015.0-217.00	MORRISON TROY UX M	2401 GERMAN ST 35 X 85
J19-0104	18-050-015.0-218.00	MORRISON TROY ET MARGARET	GERMAN ST 40 X 132
J19-0105	18-050-016.0-224.00	STEWART MAUDIE ET WILLIE ET	N S E 19 ST BET PAR & WALLACE
J19-0106	18-050-018.0-104.00	JORDAN JAMES M	463 E 23 ST 33 X 100
J19-0107	18-050-018.0-131.00	ZAC ASSOCIATES LLC	452 E 24 ST 30 X 75
J19-0108	18-050-021.0-133.00	CONNER RICHARD L	530 E 22 ST 30 X 135
J19-0109	18-050-021.0-134.00	CONNER RICHARD L	532 E 22 ST 30 X 135
J19-0110	18-050-022.0-210.00	RANDALL MELINDA MARIE	539 E 22 ST 33 X 135
J19-0111	18-050-022.0-240.00	**FARRELL MANAGEMENT GROUP INC	540 E 23 ST 40 X 135
J19-0112	18-050-023.0-102.00	BURGOS LUIS ANGEL	525 E 25 ST 60 X 143
J19-0113	18-050-023.0-212.00	HICKS JOSEPH E ET HICKS JERRY R	517 E 24 ST 33 X 128
J19-0114	18-050-023.0-229.00	**AL AWADY HAIDER SOBHI	550 E 25 ST 30 X 128
J19-0115	18-050-027.0-110.00	FARRELL MANAGEMENT GROUP INC	623 E 25 ST 90 X 143
J19-0116	18-050-033.0-127.00	** SCOTT KEVIN ET STRAWCUTTER BONNIE	816 E 22 ST 40 X IRR
J19-0117	18-050-033.0-135.00	GORE JOHN W UX ROSA M	852 E 22 ST 40 X 128
J19-0118	18-050-033.0-136.00	HOOVLER ROBERT L	856 E 22 ST 40 X 128
J19-0119	18-050-034.0-212.00	KITCHEN PAUL R UX CAROLYNN S	821 E 22 ST 28 X 135
J19-0120	18-050-034.0-214.00	**LAZAN ALOISIUS (& BERNICE ERHART PER SEARCH)	813 E 22 ST 40 X 135
J19-0121	18-050-035.0-214.00	JORDAN TIMOTHY	829 E 24 ST 28 X 135

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J19-0122	18-050-041.0-100.00	TRUEBLOOD KENNETH H	1060 E 24 ST LOT 30 50 X 135
J19-0123	18-050-052.0-110.00	LAWRENCE DOROTHY	943 E 27 ST 37 X 127.75
J19-0124	18-050-053.0-106.00	ZAC ASSOCIATES LLC	2904 EAST AVE 67.5 X 120.37
J19-0125	18-050-056.0-114.00	ZAC ASSOCIATES LLC	2610 PERRY ST 32 X 86.12
J19-0126	18-050-073.0-103.00	BARNES ANDRE M	3107 PINE AVE 49.30 X 182.86IR
J19-0127	18-050-073.0-105.00	REMOVED - RACE	3031 PINE AVE IRREG
J19-0128	18-050-077.0-208.00	**REMOVED - RACE (STANTON COLLIN L)	437 E 26 ST 60 X 143
J19-0129	18-050-079.0-211.00	** REMOVED - RACE (JONES VALERIE L)	333 E 28 ST 40 X 140
J19-0130	18-050-081.0-121.00	ZAC ASSCIATES LLC	2701 HOLLAND ST 42 X 70
J19-0131	18-050-083.0-250.00	SIEROTA JONATHAN A ET KATHERINE E	E 30 ST 10 X 30
J19-0132	18-050-085.0-205.00	GILES DARBY M	2806 HOLLAND ST 35 X 120
J19-0133	18-050-086.0-204.00	ZAC ASSOCIATES LLC	3014 HOLLAND ST 35 X 110
J19-0134	18-050-092.0-102.00	WINSCHER & BERLIN BUILDERS LLC	3218 OLD FRENCH RD IRR
J19-0135	18-050-092.0-211.00	CALIPO JULIA	235 E 32 ST 66.57 X IRR
J19-0136	18-050-094.0-215.00	**YOUNG LUANNA LEE	2053 WARFEL AVE 45 X IRR
J19-0137	18-051-001.0-112.00	VACTOR KEVIN L ET HARRIS WILMA	1241 E 21 ST 80 X 105
J19-0138	18-051-001.0-200.00	STRICKLAND EULA L and Melita L. King	2020 ELM ST 85 X 81.85
J19-0139	18-051-004.0-133.00	BELL KENNETH W UX STEPHANIE M	1242 E 28 ST 40 X 135
J19-0140	18-051-004.0-140.00	VINMAK LLC	1270 E 28 ST 40 X 135
J19-0141	18-051-004.0-221.00	** REMOVED - RACE (BARNES PAMELA)	1207 E 26 ST 40 X 145
J19-0142	18-051-011.0-205.00	PARKS GENNETT	2056 CAMPHAUSEN AVE 50X123.26
J19-0143	18-051-011.0-216.00	CARR CHRISTOPHER UX PAULA	2045 KILPATRICK AVE 40X161.49
J19-0144	18-051-013.0-115.00	TRIGGS SANDRA VIR JOHNNY O	1517 PROSPECT 44.4 X 135
J19-0145	18-051-013.0-213.00	JULIUS STACEY	1523 BUFFALO RD 30 X 135
J19-0146	18-051-014.0-140.00	GOSTOMSKI BOBBI M	C K RIBLET SUB PT LT8 15X130.3
J19-0147	18-051-014.0-201.00	REMOVED - Paid in Full	2216 PEAR ST 46 X 141
J19-0148	18-051-015.0-233.00	ZAC ASSOCIATES LLC	1538 WOODLAWN AVE 48X126 IRR
J19-0149	18-051-018.0-100.00	**REMOVED - RACE (KEYS TEKEEYSHA)	2126 DOWNING AVE 46 X 141
J19-0150	18-051-019.0-217.00	ZAC ASSOCIATES LLC	1733 FAIRMOUNT PKWY 60 X 88
J19-0151	18-051-021.0-122.00	LOCKETT THOMAS	1736 E 28 ST 46 X 142.71
J19-0152	18-051-021.0-216.00	JOHNSON JEAN K	2615 PEAR ST 46 X 141
J19-0153	18-051-025.0-113.00	ATTERBURY LOUISE	1817 WOODLAWN AVE 81X134.64
J19-0154	18-051-025.0-124.00	Z A C ASSOCIATES LLC	N S OF E 26 30OFT E OF DOWNING
J19-0155	18-051-030.0-208.00	SK INVESTMENT SOLUTIONS LLC	NORWOOD SUB LT 1 40 X 140
J19-0156	18-051-030.0-209.00	SK INVESTMENT SOLUTIONS LLC	NORWOOD SUB LOT 2 40 X 140
J19-0157	18-051-032.0-603.00	Z A C ASSOCIATES	FAIRVILLE SUB LOTS 4 ET 5
J19-0158	18-051-033.0-109.00	FARRELL MANAGEMENT GROUP INC	2239 BUFFALO RD 40.01X149.1
J19-0159	18-051-064.0-415.00	MCKANE CHARLES C	3203 MCCLELLAND AVE 95.03X199
J19-0160	18-052-014.0-219.00	MOSSO CRAIG W	3615 BURTON AVE 66X120
J19-0161	18-052-034.0-216.00	MIJNADNEB HOLDINGS LLC	FARGO ST LOT 321 66 X 203.85 IR
J19-0162	18-053-028.0-218.00	**LEUSCHEN CLARA A ET JOS GEO	3331 PEACH ST 40X135
J19-0163	18-053-030.0-316.00	REMOVED - Paid in Full	2941 PEACH ST 30X110
J19-0164	18-053-077.0-100.00	REMOVED-Paid in Full	840 E 40 ST 50.2 X 108.13
J19-0165	18-053-077.0-125.00	REMOVED-Paid in Full	LT 14 ANDREWS CO 45X117.

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J19-0166	18-053-083.0-117.00	REMOVED - Paid in Full	945 E 38 ST 43.33 X 110
J19-0167	19-060-005.0-121.00	FOSBURG BARRY	238 W 20 ST 34 X 135
J19-0168	19-060-009.0-108.00	NEGRON EEFRAIN UX HELEN	1915 CHESTNUT ST 38.67 X 123
J19-0169	19-060-010.0-210.00	CRENSHAW CLAUDE	325 W 20 ST 33 X 130
J19-0170	19-060-014.0-133.00	SPEAR TERRY L	534 36 W 19 ST 32X130
J19-0171	19-060-014.0-136.00	BALLMAN GARY O UX DENISE F	526 W 19TH ST 32X130
J19-0172	19-060-018.0-101.00	WOLF DENNIS A	2218 CHERRY ST 30.5 X 110
J19-0173	19-060-018.0-110.00	ROBSON MICHAEL J UX STACI M	621 W 22 ST 32.5X135
J19-0174	19-060-029.0-108.00	HEDGES THERESA	CASCADE ST
J19-0175	19-060-031.0-233.00	CAPWILL JOLINE M ET VARNER BRYAN L	1061 W 22 ST 30 X 90
J19-0176	19-060-036.0-127.00	REMOVED - Bankruptcy	1160-62 W 26 ST 30X100
J19-0177	19-060-037.0-114.00	WINSCHERL JAMES ET ANNA	1031 33 W 28TH ST 28 X 135
J19-0178	19-060-039.0-308.00	THOMPSON ROBERT J UX EILEEN	907 W 26 ST 45X100
J19-0179	19-060-053.0-312.00	REMOVED - (PAID IN FULL)	227 GOODRICH ST 27 X 140
J19-0180	19-061-028.0-215.00	REMOVED - Paid in Full	1147 W 36 ST 45X143.78
J19-0181	19-061-038.0-105.00	GLEBA MICHAEL	1423 W 39 ST 60 X 167.885 AV
J19-0182	19-061-070.0-201.00	FISHER NANCY L	4420 WASHINGTON 52 X 100
J19-0183	19-062-010.0-228.00	CARTER ALIR UX ELOISE	1832 W 23RD ST 51.85 X 135
J19-0184	21-011-011.0-067.00	REMOVED - (PAID IN FULL)	631 AVONIA RD 6.93 AC NET
J19-0185	21-040-058.2-010.00	GRIMM STEVEN M UX DEBORAH L	1545 TAYLOR RIDGE CT 358.46 X 251
J19-0186	24-012-036.3-074.47	REMOVED - Paid in Full	477 SHADYBROOK CIRCLE TRL
J19-0187	24-014-049.0-003.00	KENWIN LLC	9355 TANNERY RD 2.461 AC
J19-0188	25-001-032.0-003.00	REMOVED - Bankruptcy	8122 LK PLEASANT RD 2.41 AC
J19-0189	25-005-020.6-023.19	AUSTIN KIMBERLY	82 PINELEAF DR LOT 82 TRL
J19-0190	25-016-043.0-036.06	LAZER ALEXANDER UX LINDA	DUTCH RD PCL C 1 AC w/TRL
J19-0191	27-032-124.0-021.00	DICK JOHN J UX MINERVA M	8636 BELLE RD 102 X 222
J19-0192	27-053-213.0-001.21	REMOVED - Paid in Full	39 MINDI CT TRL
J19-0193	27-053-213.1-001.73	REMOVED - Paid in Full	1 MINDI CT TRL
J19-0194	27-053-213.1-001.87	HAKOLA DAREN	50 MINDI CT TRL
J19-0195	28-002-002.1-005.17	WOLFRAM ERIC	10384 W LAKE RD LT 207 TRL
J19-0196	28-013-017.0-018.00	MOWRY SIGSBEE D UX IRENE E	10028 RAILROAD ST 50 X 165.8 I
J19-0197	29-016-064.0-003.89	HRESKO PAUL	1810 DEE JAY AVE TRL
J19-0198	29-016-064.2-003.73	MATLOCK DANIEL	4092 TARRA ST TRL
J19-0199	29-017-057.0-005.00	YOUNT GERALD W UX ELLEN	1210 RANKINE AVE 26.8X125
J19-0200	31-009-016.9-003.13	REMOVED - (demo'd)	17 ASPEN DR LOT 17 TRL
J19-0201	31-013-047.1-003.37	REMOVED - (demo'd)	307 MAPLE ST TRL
J19-0202	33-006-019.0-094.00	FORREST FRANCIS L UX BEATRICE	3505 LAKE FRONT DR 30X152 IRR Landlocked
J19-0203	33-016-019.0-268.89	KETTLE JAMI A	546 PERINELLA DR TRL
J19-0204	33-023-130.2-009.61	LARKIN JAYME	5205 AMBERWOOD LANE TRL
J19-0205	33-026-159.0-017.50	SHEPARD PEARL	1240 TWILIGHT DR TRL
J19-0206	33-028-077.0-015.00	OUTLAW JON L	3434 W 11 ST 53 X 167.5
J19-0207	33-034-172.0-022.48	SMITH DAVID W JR	1235 TAKI DR TRL
J19-0208	33-035-169.0-004.53	WAY DONALD THOMAS	3411 W 12 ST TRL
J19-0209	33-053-225.0-001.70	SCHROEDER KYLE STEVENS	3548 W 22 ST TRL
J19-0210	33-055-247.0-009.96	REMOVED - (demo'd)	4065 W RIDGE RD LOT 55 TRL
J19-0211	33-113-640.1-002.75	MUNDY KEVIN	5149 HENDERSON RD LOT 63 TRL
J19-0212	35-007-052.0-013.00	BARANOWSKI JAMES E UX PATRICE	60 WALL ST 41.25X140.25

ERIE COUNTY LEGAL JOURNAL

COMMON PLEAS COURT

LEGAL NOTICE

COMMON PLEAS COURT

J19-0213	39-025-088.3-015.62	REMOVED-Paid in Full prior to list	5321 LOOMIS ST TRL
J19-0214	39-009-026.0-008.00	REMOVED - Paid In Full	12548 W LAKE RD 19.416 AC NET W/TRL
J19-0215	39-019-057.0-007.00	BROCIOUS MATHEW A ET MOORE MARY S	ROUTE 215 129 X 102S TRI
J19-0216	39-019-057.0-016.00	BROCIOUS MATHEW ET MOORE MARY S	ROUTE 215 TR 554 55S X 300S T
J19-0217	39-024-050.1-008.38	REMOVED - Paid in Full	5300 NASH ROAD LOT 41 TRL
J19-0218	40-011-040.0-008.00	BOWEN ANN MARIE LEE	QUEENS BLVD LT113 40X120
J19-0219	42-007-026.0-005.00	MCGUIRE JOSEPH T	54 W HIGH STREET 81 X 62
J19-0220	42-015-078.0-018.00	REMOVED - Paid in Full	16 MERRILL ST 208.15 X 150 IRR
J19-0221	43-011-034.0-011.00	FOSTER TED E II UX DAWN M ET	16678 WAGER RD 1.16 AC
J19-0222	44-015-037.1-002.58	MILLER DARLENE ET BEBEE BEN	9445 SUNSHINE LN LOT 12 TRL
J19-0223	47-017-037.0-005.01	SCHALL RUTH E TRUSTEE	SEDGWICK RD LOT A 1.25 AC
J19-0224	47-021-046.0-015.51	SPAICH RENE	13185 CLUTE RD TRL
J19-0225	47-026-077.0-017.00	RAGER HILBERT JR ET ANNA M	WILSON AVE LOT 147 40X102.25
J19-0226	47-026-084.0-049.00	THOMPSON LAWRENCE E JR	WASHINGTON CIR LOT 46 38.8 X 105
J19-0227	47-026-084.0-076.00	CRAIN HERBERT W	WASHINGTON CIR LOT 16
J19-0228	48-002-012.0-004.01	BENSINK JUDITH E	14481 MAIN ST 130 X 139 w/TRL
J19-0229	49-017-043.0-001.00	REMOVED - Paid in full	12135 TURNPIKE RD 108.56 AC
J19-0230	49-017-043.0-004.00	REMOVED - Paid in full	18345 KING RD 108.25 AC
J19-0231	49-020-044.0-021.00	REMOVED - Paid in full	18358 KING RD 5 AC CAL
J19-0232	50-003-023.0-012.00	BLUMISH DAVID M UX ELAINE M	2104 WILLOW ST 40.45X102.04
J19-0233	50-005-063.0-006.00	GRAY JOANNA K	E 30 ST LOT 46 40X123IRR
J19-0234	50-005-063.0-006.01	GRAY JOANNA K	E 30 ST LOT 45 40X123
J19-0235	19-061-068.0-128.00	BIANCARDI CAROL A	1534 W 42 ST 58X135
J19-0236	15-020-031.0-227.00	ZIMBAR, LLC	630 E 9TH ST.
J19-0237	14-010-014.0-219.00	MELISSA A. STORA	409 E 4TH ST 33X70

** (preceeding Owner's name) = Property has been declared "Blighted" by Erie Redevelopment Authority

Please call MacDonald Illig Law Firm for the minimum Bid, which is subject to change. It is strongly recommended that you complete your own title search prior to the Sale. Please direct any questions to MacDonald Illig Law Firm at 814-870-7770 or taxsaleinfo@mijb.com

ALL SALES ARE FINAL

Nov. 1

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SHERIFF SALES

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

NOVEMBER 15, 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

Oct. 25 and Nov. 1, 8

SALE NO. 1

Ex. #10944 of 2019

**Northwest Bank f/k/a Northwest Savings Bank, Plaintiff
v.**

Joseph A. Laska and Carolyn A. Laska a/k/a Carolyn A. Stockman, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed at No. 10944-2019, Northwest Bank f/k/a Northwest Savings Bank v. Joseph A. Laska and Carolyn A. Laska a/k/a Carolyn A. Stockman, owner of property situated in Millcreek Township, Erie County, Pennsylvania being commonly known as 2910 Homestead Drive, Erie, PA with 1,234 square footage and 0.3054 acreage.

Assessment Map No. (33) 65-252-24

Assessed Value Figure: \$127,504.80
Improvement thereon: One-story dwelling

Mark G. Claypool, Esquire
Knox McLaughlin Gornall & Sennett, P.C.

120 West Tenth Street
Erie, Pennsylvania 16501
(814) 459-2800

Oct. 25 and Nov. 1, 8

SALE NO. 2

Ex. #12691 of 2016

**Northwest Savings Bank,
Plaintiff
v.**

**Joseph G. Wise et al, Defendants
DESCRIPTION**

By virtue of a Writ of Execution filed at No. 2016-12691, Northwest Savings Bank v. Joseph G. Wise et al, owner of property situated in Waterford Township, Erie County, Pennsylvania being commonly known as 722 Sedgwick Road, Waterford, PA 16441 with 2,112 square footage and 17.9510 acreage. Assessment Map No. (47) 17-37.0-5.00 and (47) 17-37.0-5.01

Assessed Value Figure: \$175,350
Improvement thereon: Two-story dwelling

Mark G. Claypool, Esquire
Knox McLaughlin Gornall & Sennett, P.C.

120 West Tenth Street
Erie, Pennsylvania 16501
(814) 459-2800

Oct. 25 and Nov. 1, 8

SALE NO. 3

Ex. #10549 of 2019

**U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR MASTR ASSET BACKED SECURITIES TRUST 2006-HE5 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-HE5, Plaintiff
v.**

JOYCE E. COVEL; ARTHUR B. COVEL, Defendant(s)

DESCRIPTION

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

BEING KNOWN AS: 3214 BRANDES ST, ERIE, PA 16504
PARCEL NUMBER: 18-050-047.0-102.00

IMPROVEMENTS:
RESIDENTIAL PROPERTY
RAS Citron, LLC
Robert Flacco, Esq.
Attorney ID No. 325024
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
855-225-6906

Oct. 25 and Nov. 1, 8

SALE NO. 4

Ex. #11760 of 2019

**EQUITY TRUST COMPANY CUSTODIAN FBO FLOYD HATCH IRA, Plaintiff
v.**

**PARADIGM INVESTMENTS, LLC, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11760-19, EQUITY TRUST COMPANY CUSTODIAN FBO FLOYD HATCH IRA vs. PARADIGM INVESTMENTS, LLC, owner(s) of property situated in City of Erie, ERIE County, Pennsylvania
614 BRANDES STREET, ERIE, PA 16503

14-010-039.0-337.00; 1200 square feet; 0.0430 acreage
Assessment Map number: 14-010-039.0-337.00

Assessed Value figure: \$38,380.00
Improvement thereon: SINGLE FAMILY

Vincent DiMaiolo, Jr.
Court I.d. No. 59461

Ashleigh Levy Marin, Esq.
Court I.d. No. 306799
7660 Imperial Way, Suite 121
Allentown, Pennsylvania 18195
(610) 395-3535

Oct. 25 and Nov. 1, 8

SALE NO. 6

Ex. #10889 of 2016

**WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST A, Plaintiff
v.**

STEVEN A. MORGAN, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 10889-16, Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A vs. Steven A. Morgan owner of property situated in the Borough of Wesleyville, Erie County, Pennsylvania being 2205-2207 Station Road, Wesleyville, PA 16510

2080 square feet 0.1313 acres

Assessment Map number: 50002039001600

Assessed Value figure: 110,200

Improvement thereon: Residential

Jill M. Fein, Esquire

Attorney I.D. 318491

Hill Wallack LLP

777 Township Line Rd., Suite 250

Yardley, PA 19067

(215) 579-7700

Oct. 25 and Nov. 1, 8

SALE NO. 7

Ex. #11462 of 2019

**METROPOLITAN LIFE
INSURANCE COMPANY,
Plaintiff**

v.

SUE M. MAY, Defendant

DESCRIPTION

By virtue of a Writ of Execution filed to No. 11462-19, METROPOLITAN LIFE INSURANCE COMPANY vs. SUE M. MAY, owner(s) of the property situated in Erie County, Pennsylvania being 1173 BELLEVIEW DRIVE, ERIE, PA 16504

Assessment Map Number: 33105473000900

Assessed Value Figure: \$161,880.00

Improvement Thereon: A

Residential Dwelling

KML LAW GROUP, P.C.

ATTORNEY FOR PLAINTIFF

701 MARKET STREET,

SUITE 5000

PHILADELPHIA, PA 19106

(215) 627-1322

Oct. 25 and Nov. 1, 8

SALE NO. 8

Ex. #11147 of 2019

**KEY BANK, N.A. S/B/M FIRST
NIAGARA BANK, N.A., Plaintiff**

v.

SHELLY A. BENTLEY and

**CHAD T. BENTLEY, Defendants
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11147-2019, KEY BANK, N.A. S/B/M FIRST NIAGARA BANK, N.A. vs. SHELLY A. BENTLEY and CHAD T. BENTLEY, owner(s) of the property situated in Erie County, Pennsylvania being 4144 ALISON AVENUE, ERIE, PA 16506

Assessment Map Number: 33092376007028

Assessed Value Figure: \$220,930.00

Improvement Thereon: A

Residential Dwelling

KML LAW GROUP, P.C.

ATTORNEY FOR PLAINTIFF

701 MARKET STREET,

SUITE 5000

PHILADELPHIA, PA 19106

(215) 627-1322

Oct. 25 and Nov. 1, 8

SALE NO. 9

Ex. #12276 of 2018

**BAYVIEW LOAN SERVICING,
LLC, Plaintiff**

v.

**The Unknown Heirs of Julius
C. Moffett Deceased, LINDA
MOFFETT Solely in Her
Capacity as Heir of Julius C.
Moffett Deceased, SHIRLEEN
MOFFETT Solely in Her
Capacity as Heir of Julius C.
Moffett Deceased, DEWITT
C. MOFFETT Solely in His
Capacity as Heir of Julius C.
Moffett Deceased and LANE
MOFFETT A/K/A DELANO
J. MOFFETT Solely in His
Capacity as Heir of Julius C.
Moffett Deceased, Defendants**

DESCRIPTION

By virtue of a Writ of Execution filed to No. 12276-18, BAYVIEW LOAN SERVICING, LLC vs. The Unknown Heirs of Julius C. Moffett Deceased, LINDA MOFFETT Solely in Her Capacity as Heir of Julius C. Moffett Deceased, SHIRLEEN MOFFETT Solely in Her Capacity as Heir of Julius C. Moffett Deceased, DEWITT C. MOFFETT Solely in His Capacity as Heir of Julius C. Moffett Deceased and LANE MOFFETT A/K/A DELANO J. MOFFETT

Solely in His Capacity as Heir of Julius C. Moffett Deceased, owner(s) of the property situated in Erie County, Pennsylvania being 2210 PARADE STREET, ERIE, PA 16503

Assessment Map Number: 18050014020600

Assessed Value Figure: \$45,100.00

Improvement Thereon: A

Residential Dwelling

KML LAW GROUP, P.C.

ATTORNEY FOR PLAINTIFF

701 MARKET STREET,

SUITE 5000

PHILADELPHIA, PA 19106

(215) 627-1322

Oct. 25 and Nov. 1, 8

SALE NO. 10

Ex. #11733 of 2018

**WILMINGTON SAVINGS
FUND SOCIETY, FSB, AS
TRUSTEE OF FINANCE OF
AMERICA STRUCTURED
SECURITIES ACQUISITION
TRUST 2018-HB1, Plaintiff**

v.

**BRUCE STANKO AKA BRUCE
E. STANKO, Defendant**

DESCRIPTION

By virtue of a Writ of Execution filed to No. 11733-18, WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF FINANCE OF AMERICA STRUCTURED SECURITIES ACQUISITION TRUST 2018-HB1 vs. BRUCE STANKO AKA BRUCE E. STANKO, owner(s) of the property situated in Erie County, Pennsylvania being 4222 WEST LAKE ROAD, ERIE, PA 16505

Assessment Map Number: (33) 019-001.0-075.00

Assessed Value Figure: \$363,900.00

Improvement Thereon: A

Residential Dwelling

KML LAW GROUP, P.C.

ATTORNEY FOR PLAINTIFF

701 MARKET STREET,

SUITE 5000

PHILADELPHIA, PA 19106

(215) 627-1322

Oct. 25 and Nov. 1, 8

SALE NO. 11

Ex. #11880 of 2019

PENNSYLVANIA HOUSING

**FINANCE AGENCY, Plaintiff
v.
AARON E. DANIEL AND
ERICA L. FERRARO,
Defendants
DESCRIPTION**

By virtue of a Writ of Execution No. 2019-11880, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. AARON E. DANIEL AND ERICA L. FERRARO, Defendants
Real Estate: 3615 OAKWOOD STREET, ERIE, PA 16508
Municipality: City of Erie
Erie County, Pennsylvania
Dimensions: 45 x 130
Deed Book/Inst#: 2010-008447
Tax I.D. (19) 6145-212
Assessment: \$26,600 (Land)
\$57,200 (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

Oct. 25 and Nov. 1, 8

SALE NO. 13

**Ex. #11881 of 2019
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff
v.
JUSTIN TANNER LOESLEIN,
Defendant
DESCRIPTION**

By virtue of a Writ of Execution No. 2019-11881, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. JUSTIN TANNER LOESLEIN, Defendant
Real Estate: 1205 PRIESTLEY AVENUE, ERIE, PA 16511
Municipality: Lawrence Park Township
Erie County, Pennsylvania
Dimensions: 15.85 x 109
Deed Book/Inst#: 2016-011903
Tax I.D. (29) 17-57-32
Assessment: \$15,800 (Land)
\$39,300 (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
Oct. 25 and Nov. 1, 8

SALE NO. 14

**Ex. #11661 of 2019
PENNSYLVANIA HOUSING
FINANCE AGENCY, Plaintiff
v.
AMY L. WARNER, Defendant
DESCRIPTION**

By virtue of a Writ of Execution No. 2019-11661, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. AMY L. WARNER, Defendant
Real Estate: 3485 PONDVIEW DRIVE, ERIE, PA 16506
Municipality: Township of Millcreek
Erie County, Pennsylvania
Dimensions: 84 x 127
Deed Book/Inst#: Bk 1600, page 2221
Tax I.D. (33) 69-258-1
Assessment: \$27,200 (Land)
\$127,000 (Bldg)
Improvement thereon: a residential dwelling house as identified above
Leon P. Haller, Esquire
Purcell, Krug & Haller
1719 North Front Street
Harrisburg, PA 17104
(717) 234-4178

Oct. 25 and Nov. 1, 8

SALE NO. 15

**Ex. #11687 of 2019
Pennsylvania Housing Finance
Agency, Plaintiff
v.
Jennifer R. Derner, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11687-19, Pennsylvania Housing Finance Agency vs. Jennifer R. Derner, owner of property situated in the Township of Greene, Erie County, Pennsylvania being: 11178 Lake Pleasant Road, Union City, PA 16438
Dimensions: Square Feet: 1687
Acreage: 0.7842
Assessment Map Number: (25)-019-054.0-006.00
Assess Value figure: \$132,290.00
Improvement thereon: Single Family Dwelling
Lois M. Vitti, Esquire
Attorney for Plaintiff

333 Allegheny Avenue, Suite 303
Oakmont, PA 15139
(412) 281-1725
Oct. 25 and Nov. 1, 8

SALE NO. 16

**Ex. #11479 of 2019
Fifth Third Bank, Plaintiff
v.
Charlette Cross, AKA Charlette
A. Cross, Defendant
DESCRIPTION**

By virtue of a Writ of Execution file to No. 2019-11479, Fifth Third Bank vs. Charlette Cross, AKA Charlette A. Cross, owner(s) of property situated in The Borough of Union City, Erie County, Pennsylvania being 5 Merrill Avenue, Union City, PA 16438
801 SQFT
Assessment Map Number: 42015078000100
Assessed Value figure: \$44,450.00
Improvement thereon: Single Family Dwelling
Justin F. Kobeski, Esquire
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

Oct. 25 and Nov. 1, 8

SALE NO. 17

**Ex. #11143 of 2019
PNC Bank, National Association,
Plaintiff
v.
Eric J. Ballentine AKA
Eric Ballentine; Michelle L.
Ballentine, Defendants
DESCRIPTION**

By virtue of a Writ of Execution file to No. 2019-11143, PNC Bank, National Association vs. Eric J. Ballentine, AKA Eric Ballentine; Michelle L. Ballentine, owner(s) of property situated in The City of Erie, Erie County, Pennsylvania being 832 West 8th Street, Erie, PA 16502
2159 sq ft
Assessment Map Number: 17040025012100
Assessed Value figure: \$65,900.00
Improvement thereon: Single Family Dwelling
Justin F. Kobeski, Esquire
Manley Deas Kochalski LLC

P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

Oct. 25 and Nov. 1, 8

SALE NO. 18

Ex. #11444 of 2019

**PNC Bank, National Association,
Plaintiff
v.**

**Steven Daniels, AKA Steven C.
Daniels; Karen Daniels, AKA
Karen S. Daniels, Defendants
DESCRIPTION**

By virtue of a Writ of Execution file to No. 2019-11444, PNC Bank, National Association vs. Steven Daniels, AKA Steven C. Daniels; Karen Daniels, AKA Karen S. Daniels, owner(s) of property situated in The Township of Concord, Erie County, Pennsylvania being 19572 Route 89, Corry, PA 16407

4132 SQFT

Assessment Map Number:
03009032000400

Assessed Value figure: \$76,010.00
Improvement thereon: Single
Family Dwelling

Justin F. Kobeski, Esquire
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

Oct. 25 and Nov. 1, 8

SALE NO. 19

Ex. #13120 of 2018

**PNC Bank, National Association,
Plaintiff
v.**

**Jennifer L. Dworek, AKA
Jennifer Dworek; Charles M.
Dworek, AKA Charles Dworek,
Defendants**

DESCRIPTION

By virtue of a Writ of Execution file to No. 2018-13120, PNC Bank, National Association vs. Jennifer L. Dworek, AKA Jennifer Dworek; Charles M. Dworek, AKA Charles Dworek, owner(s) of property situated in The Township of Fairview, Erie County, Pennsylvania being 8340 Ridge Road AKA 8340 West Ridge Road, Girard, Pennsylvania 2.5000 acres

Assessment Map Number:
21067102001302
Assessed Value figure: \$197,680.00
Improvement thereon: Single
Family Dwelling
Justin F. Kobeski, Esquire
Manley Deas Kochalski LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

Oct. 25 and Nov. 1, 8

SALE NO. 20

Ex. #12401 of 2015

**U.S. NATIONAL
ASSOCIATION, AS TRUSTEE
FOR CITIGROUP MORTGAGE
LOAN TRUST 2006-WFHE4,
ASSET-BACKED PASS-
THROUGH CERTIFICATES,
SERIES 2006-WFHE4, Plaintiff
v.**

**DANIEL R. STODDARD
A/K/A DANIEL STODDARD,
HEATHER A. STODDARD
A/K/A HEATHER STODDARD,
Defendants
DESCRIPTION**

ALL that certain piece or parcel of land situate in the Township of Harbortcreek, County of Erie and State of Pennsylvania
BEING KNOWN AS: 356
CAMBRIDGE ROAD, ERIE, PA 16511

PARCEL # (27) 14-45-7

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

Oct. 25 and Nov. 1, 8

SALE NO. 21

Ex. #11951 of 2019

**Pennsylvania Housing Finance
Agency, Plaintiff
v.**

**Glen W. Akerly, Jr., Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11951-19, Pennsylvania Housing Finance Agency v. Glen W. Akerly, Jr., Owner(s) of property

situated in City of Erie, Erie County, Pennsylvania, being 3013 Liberty Street, Erie, PA 16508

ALL that certain piece or parcel of land situate in the City of Erie, County of Erie, and Commonwealth of Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the east line of Liberty Street, four hundred fifty (450) feet south of the south line of Twenty-ninth Street; THENCE eastwardly and parallel with Twenty-ninth Street, one hundred fifteen (115) feet to a point; THENCE southwardly and parallel with Liberty Street, forty (40) feet to a point; THENCE westwardly and parallel with Twenty-ninth Street, one-hundred fifteen (115) feet to the east line of Liberty Street; THENCE northwardly along the east line of Liberty Street, forty (40) feet to the place of beginning.

SAME premises having erected thereon a dwelling commonly known as 3013 Liberty Street, Erie, Pennsylvania and is further identified by Erie County Tax Index No. (19) 6042-139.

BEING the same premises conveyed to Grantor by deed dated July 15, 2002 and recorded July 24, 2002 in Record Book 903, page 1601.

Assessment Map number: 19-060-042.0-139.00

Assessed Value figure: \$84,000.00
Improvement thereon: Residential
Dwelling

MARTHAE. VONROSENSTIEL, PC.
Martha E. Von Rosenstiel, Esq /
No 52634

Lorraine Gazzara Doyle, Esq / No
34576

649 South Ave, Ste 7
Secane, PA 19018

(610) 328-2887

Attorneys for Plaintiff

Oct. 25 and Nov. 1, 8

SALE NO. 22

Ex. #11568 of 2019

**Wilmington Trust, National
Association, not in its individual
capacity, but solely as trustee for
MFRA Trust 2015-1, Plaintiff
v.**

**Jeffrey A. Frantz, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11568-19, Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2015-1 v. Jeffrey A. Frantz, Owner(s) of property situated in Lawrence Park, Erie County, Pennsylvania, being 1211 Rankine Avenue, Erie, PA 16511

All that certain piece or parcel of land situate in the Township of Lawrence Park, County of Erie and Commonwealth of Pennsylvania, being part of Lawrence Park Realty Company plot of portions of Tracts Nos. 247 and 246 as recorded in Erie County Map Book 3, pages 38, 40 and 41, subject to the terms and conditions therein and herein mentioned, and located on the east side of Rankine Avenue, being the fourth southernmost of the eight apartments located on Lots Nos. 1, 2, 3, 4 and part of 5 of Block one hundred eighty-five (185), being more particularly bounded and described as follows, to-wit:

BEGINNING at a point called "I" located on the east line of Rankine Avenue, ninety and forty-six hundredths (90.46) feet south of the south line of Field Street; thence eastwardly, parallel with Field Street, one hundred nine (109) feet to a point, "J" on the west line of a sixteen (16) foot alley; thence southwardly parallel with Rankine Avenue and along the west line of said sixteen (16) foot alley nineteen and twenty-seven hundredths (19.27) feet to a point "K"; thence westwardly parallel with Field Street, one hundred nine (109) feet to a point, "L" on the east line of Rankine Avenue; thence northwardly along the east line of Rankine Avenue, nineteen and twenty-seven hundredths (19.27) feet to a point, "T", the place of beginning; having erected thereon a brick dwelling commonly known as 1211 Rankine Avenue, Erie, Pennsylvania, and further identified by Erie County Tax Number (29) 17-58-24.

The lines IJ and LK pass through the center of the party walls which divided the building located upon

the premises hereby conveyed and the premises located immediately north and south thereof, known as 1209 and 1213 Rankine Avenue, which walls are to be considered as party walls. The Grantees, their heirs and assigns, shall have no right to remove or interfere with said walls, except by and with the consent of the adjoining party wall owner or owners.

Being the same premises conveyed to Grantors by deed dated and recorded May 29, 2003 in the Erie County Recorder of Deeds office in Record Book 1017, page 496.

Assessment Map number: 29-017-058.0-024.00

Assessed Value figure: \$52,990.00

Improvement thereon: Residential Dwelling

MARTHAE.VONROSENSTIEL, PC. Martha E. Von Rosenstiel, Esq / No 52634

Lorraine Gazzara Doyle, Esq / No 34576

649 South Ave, Ste 7

Secane, PA 19018

(610) 328-2887

Attorneys for Plaintiff

Oct. 25 and Nov. 1, 8

SALE NO. 23

Ex. #10212 of 2017

**U.S. Bank National Association,
not in its individual capacity
but solely as Trustee for RMAC
Trust, Series 2016-CTT, Plaintiff
v.**

**Lorraine M. Dahl a/k/a Lorraine
M. Miles, Defendant
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10212-17, U.S. Bank National Association, not in its individual capacity but solely as Trustee for RMAC Trust, Series 2016-CTT vs. Lorraine M. Dahl a/k/a Lorraine M. Miles, owners of property situated in Corry City, Erie County, Pennsylvania being 406 West Pleasant Street a/k/a 406 West Pleasant, Corry, PA 16407

Square Feet: 3,242 Acreage: 0.1148
Assessment Map number: 08033143000300
Assessed Value figure: \$97,090.00
Improvement thereon: Residential Dwelling

Roger Fay, Esquire
1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400

Oct. 25 and Nov. 1, 8

SALE NO. 24

Ex. #13418 of 2014

**Wells Fargo Bank, N.A., Plaintiff
v.
Christopher L. Black, Sr a/k/a
Christopher L. Black, Teresa R.
Black, Defendant(s)
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 13418-14, Wells Fargo Bank, N.A. vs. Christopher L. Black, Sr a/k/a Christopher L. Black, Teresa R. Black, Amount Due: \$67,197.43

Christopher L. Black, Sr a/k/a Christopher L. Black, Teresa R. Black, owner(s) of property situated in SPRINGFIELD TOWNSHIP, Erie County, Pennsylvania being 3219 Route 215, East Springfield, PA 16411-9117

Acreage: 1.000

Assessment Map number: 39007010001800

Assessed Value: \$83,090.00

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

Oct. 25 and Nov. 1, 8

SALE NO. 25

Ex. #11824 of 2019

**Wells Fargo Bank, N.A., Plaintiff
v.
Deborah E. Butler a/k/a Deborah
A. Butler, Defendant(s)
DESCRIPTION**

By virtue of a Writ of Execution filed to No. 11824-19, Wells Fargo Bank, N.A. vs. Deborah E. Butler a/k/a Deborah A. Butler Amount Due: \$62,303.65

Deborah E. Butler a/k/a Deborah A. Butler, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 515 West 9th Street, A/K/A 515 West 9 Street, Erie, PA 16502-1351
Dimensions: 41.25 X 165

Assessment Map number: 16-030-030.0-108.00
Assessed Value: \$74,000.00
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

Oct. 25 and Nov. 1, 8

SALE NO. 26

Ex. #11231 of 2019

**Matrix Financial Services
Corporation, Plaintiff**

v.

Donald S. Caldwell, Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 11231-19, Matrix Financial Services Corporation vs. Donald S. Caldwell
Amount Due: \$101,387.51
Donald S. Caldwell, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 3909 Marion Street, Erie, PA 16510-3431
Dimensions: 120 X IRR
Assessment Map number: 18052028032900
Assessed Value: \$92,160.00
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

Oct. 25 and Nov. 1, 8

SALE NO. 27

Ex. #10933 of 2019

**The Bank of New York Mellon,
f/k/a The Bank of New York as
Successor to JPMorgan Chase
Bank, National Association,
as Indenture Trustee for The
Registered Holders of Abfs
Mortgage Loan Trust 2002-3,
Mortgage-Backed Pass-Through
Certificates, Series 2002-3,
Plaintiff**

v.

**Shearice Guerrero a/k/a Shearice
Howard-Guerrero, in Her
Capacity as Administratrix of
The Estate of Barbara Deberry**

**a/k/a Barbara Ann Deberry
and in Her Capacity as Heir
of Anthony D. Deberry a/k/a
Anthony Dwayne Deberry,
Deceased, Shannon Jones, in His
Capacity as Heir of The Estate of
Barbara Deberry a/k/a Barbara
Ann Deberry, Antonio Debberly,
II, in His Capacity as Heir of The
Estate of Barbara Deberry a/k/a
Barbara Ann Deberry, D'Andre
Deberrry, in His Capacity as
Heir of The Estate of Barbara
Deberrry a/k/a Barbara Ann
Deberrry, Robert James Deberrry,
in His Capacity as Heir of The
Estate of Barbara Deberrry a/k/a
Barbara Ann Deberrry, Jasmine
Young, in Her Capacity as Heir
of The Estate of Barbara Deberrry
a/k/a Barbara Ann Deberrry,
SHANA DEBERRY, in her
capacity as Heir of ANTHONY
D. DEBERRY A/K/A ANTHONY
DWAYNE DEBERRY, Deceased
Heir of the Estate of BARBARA
DEBERRY A/K/A BARBARA
ANN DEBERRY, Unknown
Heirs, Successors, Assigns,
and All Persons, Firms, or
Associations Claiming Right,
Title or Interest From or
Under Barbara Deberrry a/k/a
Barbara Ann Deberrry, Deceased,
Unknown Heirs, Successors,
Assigns, and All Persons, Firms,
or Associations Claiming Right,
Title or Interest From or Under
Anthony D. Deberrry a/k/a
Anthony Dwayne Deberrry,
Deceased Heir of The Estate of
Barbara Deberrry a/k/a Barbara
Ann Deberrry, Defendant(s)**

DESCRIPTION

By virtue of a Writ of Execution filed to No. 2019-10933, The Bank of New York Mellon, f/k/a The Bank of New York as Successor to JPMorgan Chase Bank, National Association, as Indenture Trustee for The Registered Holders of Abfs Mortgage Loan Trust 2002-3, Mortgage-Backed Pass-Through Certificates, Series 2002-3 vs. Shearice Guerrero a/k/a Shearice Howard-Guerrero, in Her Capacity as Administratrix of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry and in Her Capacity as Heir of Anthony D.

Deberrry a/k/a Anthony Dwayne Deberrry, Deceased, Shannon Jones, in His Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry, Antonio Debberly, II, in His Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry, D'Andre Deberrry, in His Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry, Robert James Deberrry, in His Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry, Jasmine Young, in Her Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry, SHANA DEBERRY, in her capacity as Heir of ANTHONY D. DEBERRY A/K/A ANTHONY DWAYNE DEBERRY, Deceased Heir of the Estate of BARBARA DEBERRY A/K/A BARBARA ANN DEBERRY, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Barbara Deberrry a/k/a Barbara Ann Deberrry, Deceased, Unknown Heirs, Successors, Assigns, and AH Persons, firms, or Associations Claiming Right, Title or Interest From or Under Anthony D. Deberrry a/k/a Anthony Dwayne Deberrry, Deceased Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry
Amount Due: \$27,337.33
Shearice Guerrero a/k/a Shearice Howard-Guerrero, in Her Capacity as Administratrix of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry and in Her Capacity as Heir of Anthony D. Deberrry a/k/a Anthony Dwayne Deberrry, Deceased, Shannon Jones, in His Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry, Antonio Debberly, II, in His Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry, D'Andre Deberrry, in His Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry, Robert James Deberrry, in His Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara Ann Deberrry, Jasmine Young, in Her Capacity as Heir of The Estate of Barbara Deberrry a/k/a Barbara

Ann Deberry, SHANA DEBERRY, in her capacity as Heir of ANTHONY D. DEBERRY A/K/A ANTHONY DWAYNE DEBERRY, Deceased Heir of the Estate of BARBARA DEBERRY A/K/A BARBARA ANN DEBERRY, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Barbara Deberry a/k/a Barbara Ann Deberry, Deceased, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Anthony D. Deberry a/k/a Anthony Dwayne Deberry, Deceased Heir of The Estate of Barbara Deberry a/k/a Barbara Ann Deberry, owner(s) of property situated in ERIE CITY, Erie County, Pennsylvania being 317 West 4th Street, Erie, PA 16507-1240
Acreage: 0.0862
Assessment Map number: 17040011024000
Assessed Value: \$61,200.00
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

Oct. 25 and Nov. 1, 8

SALE NO. 28

Ex. #12174 of 2018
U.S. Bank National Association,
Plaintiff
v.

Brandy J. Abbey-Jones,
Christopher E. Jones,
Defendant(s)

DESCRIPTION

By virtue of a Writ of Execution filed to No. 12174-18, U.S. Bank National Association vs. Brandy J. Abbey-Jones, Christopher E. Jones Amount Due: \$143,005.63
Brandy J. Abbey-Jones, Christopher E. Jones, owner(s) of property situated in MILLCREEK TOWNSHIP, Erie County, Pennsylvania being 1028 Montpelier Avenue, Erie, PA 16505-1533
Dimensions: 60 X 130

Acreage: 0.1791
Assessment Map number: 33019099002000
Assessed Value: \$149,270.00
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

Oct. 25 and Nov. 1, 8

SALE NO. 30

Ex. #11901 of 2018
REO Trust 2017-RPL1, Plaintiff
v.

Joshua E. Waite, Known Heir
of Robert J. Waite, deceased,
Unknown Heirs of Robert J.
Waite and United States of
America, Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 2018-11901, REO Trust 2017-RPL1 v. Joshua E. Waite, Known Heir of Robert J. Waite, deceased, Unknown Heirs of Robert J. Waite and United States of America owner(s) of property situated in Erie County, Pennsylvania being 1604 Fairmount Parkway, Erie, PA 16510
Assessment Map Number: 18051013013500
Assessed Value Figure: \$74,940.00
Improvement, thereon: Single Family Home - 0.1742 Acreage
Richard M. Squire & Associates, LLC
Chandra M. Arkema, Esq.
(PA I.D. #203437)
Attorneys for Plaintiff

Oct. 25 and Nov. 1, 8

SALE NO. 31

Ex. #11401 of 2019
Deutsche Bank National Trust
Company, as Trustee for
Amerquest Mortgage Securities
Inc., Asset-Backed Pass-Through
Certificates, Series 2005-R5, c/o
PHH Mortgage Corporation,
Plaintiff
v.

Robert L. Marsh, Christina M.
Marsh, Defendants

DESCRIPTION

ALL that certain piece or parcel of land situate in the City of Erie,

County of Erie and Commonwealth of Pennsylvania, bounded and described as follows, to-wit: Being Lot Nos. 1 and 2 of Block "A" of the Andrews Land Company Subdivision of Reserve Tract No. 33, as shown in Erie County Map Book No. 1 at Pages 374 and 375.
ALSO KNOWN AS: 2805 Ash Street, Erie, PA 16504
PARCEL # 1805006502200 and 18050065021900
BEING the same premises which Patricia Bielinski, single, by Deed dated December 8, 1995 and recorded on December 11, 1995 in the office of the recorder of deeds in and for Erie County at book 0416 page 1557 granted and conveyed unto Robert L. Marsh and Christina M. Marsh, his wife, as tenants by the entireties with the right of survivorship.
BRIAN T. LAMANNA, ESQUIRE
STERN & EISENBERG, PC
1581 Main Street, Suite 200
The Shops at Valley Square
Warrington, PA 18976
(215) 572-8111

Oct. 25 and Nov. 1, 8

SALE NO. 32

Ex. #11591 of 2019
Quicken Loans Inc., Plaintiff
v.

Thomas J. Havern and Amy L.
Moore, Defendants

DESCRIPTION

By virtue of Writ of Execution No. 11591-19, Quicken Loans Inc. v. Thomas J. Havern and Amy L. Moore, 402 Parkside Drive, Township of Harborcreek, Erie, PA 16511, Parcel No. 27008067001900. Improvements thereon consisting of a Residential Dwelling, sold to satisfy judgment in the amount of \$175,947.87.
Attorneys for Plaintiff:
Brian T. LaManna, Esquire
Stern & Eisenberg, PC
1581 Main Street, Suite 200
The Shops at Valley Square
Warrington, PA 18976
(215) 572-8111

Oct. 25 and Nov. 1, 8

SALE NO. 33
Ex. #11298 of 2017
The Bank of New York Mellon, et
al., Plaintiff

v.

Dennis I. Henderson and
Jacqueline Henderson,
Defendants

DESCRIPTION

By virtue of a Writ of Execution filed to No. 11298-17, The Bank of New York Mellon, et al. vs. Dennis I. Henderson and Jacqueline Henderson

Dennis I. Henderson, owner(s) of property situated in City of Erie,

Erie County, Pennsylvania being
 2005 Schaal Avenue, Erie, PA
 16510
 140x124.5, 1824 Sq. Feet
 Assessment Map number:
 15021016010600
 Assessed Value figure: 36,330.00
 Improvement thereon: Residential
 Dwelling
 Michelle Pierro, Esquire
 Weltman, Weinberg & Reis, Co. LPA
 436 7th Avenue, Suite 2500
 Pittsburgh, PA 15219
 412-434-7955

Oct. 25 and Nov. 1, 8

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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

**BALKOVIC, LORETTA,
deceased**

Late of the Township of Millcreek, County of Erie, and State of Pennsylvania
Executor: Dean Balkovic
Attorney: Gerald J. Villella, Esquire, Dailey, Karle & Villella, 150 East Eighth Street, 2nd Floor, Erie, PA 16501

**BOETGER, ELAINE J.,
deceased**

Late of the City of Erie
Executor: Don J. Boetger, 10221 Sampson Road, Erie, PA 16509
Attorney: None

**BOWERS, GORDON J.,
deceased**

Late of the Township of East Springfield, County of Erie, Commonwealth of Pennsylvania
Executrix: Tammy M. Smith, c/o Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506
Attorney: Michelle M. Alaskey, Esq., Quinn, Buseck, Leemhuis, Toohey & Kroto, Inc., 2222 West Grandview Blvd., Erie, PA 16506

**BURNS, KATHLEEN A., a/k/a
KATHLEEN ANN BURNS, a/k/a
KATHLEEN BURNS,
deceased**

Late of the Township of Harborcreek, County of Erie, Commonwealth of Pennsylvania
Executor: Robert L. Burns, 2225 Lake Street, Lake City, PA 16423
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**CONSTANTINE, RICHARD J.,
a/k/a R J CONSTANTINE, a/k/a
RICHARD CONSTANTINE, a/k/a
R JOHN CONSTANTINE,
deceased**

Late of the City of Erie, County of Erie and State of Pennsylvania
Executrix: Evelyn Vitanza, 1440 NE 24th Ct., Wilton Manors, Florida 33305
Attorney: Ronald J. Susmarski, Esq., 4030 West Lake Road, Erie, PA 16505

**LOOKENHOUSE, EMOGENE,
deceased**

Late of North East Township, Erie County, North East, PA
Executor: Jerome A. Lookenhouse, 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

**NIEMI, LORETTA R.,
deceased**

Late of Millcreek Township
Executor: Jerome J. Niemi, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**ORSINI, MATHEW J.,
deceased**

Late of the Township of Waterford, County of Erie and Commonwealth of Pennsylvania
Administratrix: Dawn Brown, 9731 Peach Street, Waterford, PA 16441-4035
Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**SCHMIDT, JERRY,
deceased**

Late of the Borough of Wesleyville, County of Erie and Commonwealth of Pennsylvania
Executrix: Jennifer L. Jandt
Attorney: Thomas J. Minarcik, Esquire, ELDERKIN LAW FIRM, 456 West Sixth Street, Erie, PA 16507

**SNYDER, BETTY J., a/k/a
BETTY SNYDER,
deceased**

Late of the Township of Millcreek, County of Erie and State of Pennsylvania
Executor: Andrew Barone, 3804 Argyle Avenue, Erie, PA 16505
Attorney: Ronald J. Susmarski, Esq., 4030 West Lake Road, Erie, PA 16505

**TAYLOR, SYLVIA,
deceased**

Late of the Township of Elk Creek, County of Erie, Commonwealth of Pennsylvania
Administratrix: Moya Taylor, PO Box 402, Lansdale, PA 19446
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

TRUST NOTICES

Notice is hereby given of the administration of the Estate and Trust set forth below. All persons having claims or demands against the decedent are requested to make known the same and all persons indebted to said decedent are required to make payment without delay to the executor, trustee or attorney named below:

**COOK, LOIS L.,
deceased**

Late of the Boro of Waterford
Trustee and Executor: Gary R. Cook
Attorney: Edwin W. Smith, Esq., 305 W. 6th Street, Erie, PA 16507

SECOND PUBLICATION

**ALBANO, TERESA IRENE,
deceased**

Late of Fairview Township, Erie County
Administrator: Patrick Ball
Attorney: Erin K. Rudert, Esquire, Ainsman Levine, LLC, 310 Grant Street, 15th Floor, Pittsburgh, PA 15219

**BOLASH, RONALD J.,
deceased**

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

Executor: Derek M. Costa, 427 Bower Hill Road, Venetia, PA 15367-1481

Attorneys: MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**EVANS, ROBERT W.,
deceased**

Late of North East, Erie County, PA

Executrix: Jane Evans, 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

**FOFFI, ANTHONY B.,
deceased**

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

Administratrix: Michele M. Foffi, 2904 Emerson Ave., Erie, PA 16508

Correspondent: John R. Marsden, 1103 Powell Ave., Erie, PA 16505

**LAWRENCE, GARY D.,
deceased**

Late of the Township of McKean, Erie County, Pennsylvania

Executrix: Beverly A. Hallett, c/o Robert Ward, Esq., 307 French Street, Erie, PA 16507

Attorney: Robert Ward, Esq., 307 French St., Erie, PA 16507

**McCALL, JAMES J., a/k/a
JAMES JOSEPH McCALL,
deceased**

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

Executor: James A. McCall, 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

**MOUNTAIN, SHIRLEY M.,
deceased**

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

Administrator: James R. Mountain, c/o David R. Devine, Esq., 201 Erie Street, Edinboro, PA 16412

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

**NIVENS, VALERIE,
deceased**

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

Executor: Gary C. Nivens, 15304 Moate Court, Huntersville, NC 28078

Attorney: None

**ROESCH, ROBERT G.,
deceased**

Late of the City of Erie, Commonwealth of Pennsylvania

Executrix: Karen Link, c/o Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509

Attorney: Richard A. Vendetti, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, PA 16509

**SIMPSON, MARIAN L.,
deceased**

Late of Harborcreek Township, Erie County, Erie, PA

Co-Executors: Calvin I. Simpson and William B. Simpson, 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

**TAYLOR, JANET L., a/k/a
JANET TAYLOR,
deceased**

Late of the Borough of Wesleyville, County of Erie, Commonwealth of Pennsylvania

Co-Administrators: Tim Taylor and Marcie Van Horn, 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

**ZOHNS, CHARLES D.,
deceased**

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

Executrix: Elaine Zohns, c/o Knox Law Firm, 120 W. 10th St., Erie, PA 16501

Attorney: Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

THIRD PUBLICATION

**HARMON, ELNORA V.,
deceased**

Late of the City of Erie, County of Erie

Executor: James Ohrn, c/o Barbara J. Welton, Esquire, 2530 Village Common Drive, Suite B, Erie, PA 16506

Attorney: Barbara J. Welton, Esquire, 2530 Village Common Drive, Suite B, Erie, PA 16506

**KIMMEL, BENJAMIN F., a/k/a
BENJAMIN KIMMEL,
deceased**

Late of the City of Erie, Erie County, Pennsylvania
Executor: James Kimmel, 1 Milbank Avenue #3A, Greenwich, CT 06830
Attorney: Gary J. Shapira, Esquire, 305 West Sixth Street, Erie, PA 16507

**LAIRD, FLORENCE E.,
deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania
Executrix: Michele Happy, 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

**NEUBERT, JOHN E.,
deceased**

Late of Washington Township
Executor: John E. Neubert, II, c/o 246 West 10th Street, Erie, PA 16501
Attorney: Evan E. Adair, Esq., 246 West 10th Street, Erie, PA 16501

**SMOCK, HOWARD ARNOLD,
a/k/a HOWARD SMOCK, a/k/a
HOWARD A. SMOCK,
deceased**

Late of the Borough of Albion, County of Erie, Commonwealth of Pennsylvania
Executor: Roger Howard Smock to be sworn in as Roger Smock, 9680 Crane Road, Cranesville, Pennsylvania 16410
Attorney: Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**SNYDER, WILLIAM J.,
deceased**

Late of North East Boro, County of Erie and Commonwealth of Pennsylvania
Executor: Aaron J. Cavalline, c/o W. Atchley Holmes, Esq., Suite 300, 300 State Street, Erie, PA 16507
Attorney: W. Atchley Holmes, Esq., MARSH, SPAEDER, BAUR, SPAEDER & SCHAAF, LLP, Suite 300, 300 State Street, Erie, PA 16507

**TORRES, REBECCA LOUISE,
a/k/a REBECCA L. TORRES,
deceased**

Late of City of Erie, Erie County, PA
Executor: Andre N. Torres, 4510 Greengarden Blvd., Erie, PA 16509
Attorney: Robert Varsek, Esquire, 112 Center Street, PO Box B, Oil City, PA 16301

**WINIARCZYK, ELEANOR K.,
deceased**

Late of the City of Erie, County of Erie, and Commonwealth of Pennsylvania
Co-Executors: Patricia A. Winiarczyk and Gregory M. Winiarczyk, 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

CHANGES IN CONTACT INFORMATION OF ECBA MEMBERS

LORI L. THIERFELDT716-665-2889
Thierfeldt Law P.C.(f) 716-665-2890
24 East Third Street
Jamestown, NY 14701 lori@thierfeldtlaw.com

Effective Monday, October 21, 2019, the Elderkin Law Firm, members listed below, will be located at 456 West 6th Street, Erie, PA 16507. Phone/fax/emails will not change.

EDWARD J. BETZA
ROBERT C. LESUER
CRAIG A. MARKHAM
THOMAS J. MINARCIK

DAVID J. RHODES
JAMES H. RICHARDSON, JR.
KENNETH G. VASIL
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