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# ERIE COUNTY LEGAL JOURNAL

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## 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

### MONDAY, MAY 2, 2022

Wellness Committee Meeting  
Noon  
ECBA Headquarters in-person or via Zoom

### TUESDAY, MAY 3, 2022

AKT 5K Committee Meeting  
Noon  
ECBA Headquarters in-person or via Zoom

### WEDNESDAY, MAY 4, 2022

Bankruptcy Section Meeting  
Noon  
ECBA Headquarters in-person or via Zoom

### FRIDAY, MAY 6, 2022

Live ECBA Lunch-n-Learn Seminar  
*Title Insurance 101: Clearing Title, Settlement and Title Policies*  
(Part four of a four-part series)  
Noon - 1:00 p.m.  
The Will J. Schaaf & Mary B. Schaaf  
Education Center in-person or via Zoom  
[Click link for details](https://www.eriebar.com/events/public-registration/1751)  
<https://www.eriebar.com/events/public-registration/1751>

### SATURDAY, MAY 7, 2022

Community Law Day  
10:00 a.m. - 2:00 p.m.  
MLK Center, 312 Chestnut Street, Erie  
[Click link for details](https://www.eriebar.com/events/ecba-events/1757-community-law-day)  
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### TUESDAY, MAY 10, 2022

Law Day  
Noon  
Bayfront Convention Center, 1 Sassafras Pier, Erie  
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<https://www.eriebar.com/events/public-registration/1752>

### WEDNESDAY, MAY 11, 2022

Live ECBA Lunch-n-Learn Seminar  
*The Intoxication Defense and Violation of Law Defenses Under the PA & Other States' Workers' Compensation Laws*  
Noon - 1:00 p.m.  
The Will J. Schaaf & Mary B. Schaaf  
Education Center in-person or via Zoom  
[Click link for details](https://www.eriebar.com/events/public-registration/1759)  
<https://www.eriebar.com/events/public-registration/1759>

### FRIDAY, MAY 13, 2022

Live ECBA Lunch-n-Learn Seminar  
*The Burned Out Lawyer: Recognition and Prevention Strategies in the COVID-19 World*  
Noon - 1:00 p.m.  
The Will J. Schaaf & Mary B. Schaaf  
Education Center in-person or via Zoom  
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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  
**MAY 2022 NOTICE**

The following is a list of *May 2022, June 2022, and July 2022* 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](http://www.pawb.uscourts.gov).

***The motions will be heard by the Zoom Video Conference Application. When using the below self-scheduling dates to schedule a matter please include the following Zoom Meeting link in your Notice: <https://www.zoomgov.com/j/16021303488>, or alternatively, to attend and use the following Meeting ID: 160 2130 3488. To join the Zoom hearing please initiate and use the link 15 minutes prior to your scheduled hearing time. All Attorneys and Parties may only appear via the Zoom Video Conference Application and must comply with the Updated Notice of Temporary Modification of Appearance Procedures Before Judge Thomas P. Agresti, as updated on November 22, 2021.***

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 CHAPTERS 13 & 12 MOTIONS ON:**

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

Wednesday, May 4, 2022	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
Wednesday, June 1, 2022	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
Wednesday, June 29, 2022	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 13 matters
Wednesday, July 27, 2022	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

**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, May 5, 2022	9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, May 19, 2022**	10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
Thursday, June 16, 2022	10:30 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters
Thursday, June 30, 2022	11:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters, including all Ch. 7 Motions to Extend/Impose Stay
Thursday, July 7, 2022		
Thursday, July 28, 2022	11:30 a.m.:	Ch. 11 and 7 Sale Motions at this time, only

**\*\*Select the following times for Thursday, May 19, 2022, only:**

9:30 a.m.:	Open for all Erie & Pittsburgh Ch. 11 matters
10:00 a.m.:	Open for all Erie & Pittsburgh Ch. 7 matters, including all Ch. 7 Motions to Extend/Impose Stay
1:30 p.m.:	Ch. 11 and 7 Sale Motions at this time, only

***ALL OF THE 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](http://www.pawb.uscourts.gov)).***

Michael R. Rhodes  
Clerk of Court

Apr. 29

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Apr. 22, 29

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Apr. 8, 15, 22, 29

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

MANDY M. MILANI v. LEVI J. KALKA

IN THE SUPERIOR COURT OF PENNSYLVANIA

No. 1091 WDA 2021

Appeal from the Order Entered August 12, 2021

In the Court of Common Pleas of Erie County Civil Division at No(s): 16419-2021

BEFORE: BENDER, P.J.E., LAZARUS, J., and McCAFFERY, J.

MEMORANDUM BY McCAFFERY, J.:

**FILED: APRIL 19, 2022**

Levi J. Kalka (Appellant) appeals *pro se* from the order entered in Erie County Court of Common Pleas granting the petition filed by his former paramour, Mandy M. Milani (Appellee), under the Protection from Abuse (PFA) Act,<sup>1</sup> following a full hearing. On appeal, Appellant argues the trial court failed to notify him of certain rights and consequences under 23 Pa.C.S. § 6107 of the PFA Act (related to PFA hearings). Additionally, Appellant raises several constitutional claims under the Fifth, Eighth, and Fourteenth Amendments of the United States Constitution. For the below reasons, we affirm.

On August 1, 2021, at approximately 1:00 a.m., Appellee arrived at Appellant's apartment in Erie County, Pennsylvania. N.T. Final PFA H'rg, 8/12/21, at 11. After a verbal argument Appellee threw a glass of water at Appellant and he proceeded to physically attack and threaten to kill Appellee. *Id.* at 12-13. Around 2:00 a.m., Appellee fled the apartment and contacted the police. *Id.* at 9, 13-15.

Two days after the incident, Appellee filed a PFA petition, alleging various acts of physical and emotional abuse by Appellant. A temporary PFA order was granted that same day.

On August 12, 2021, the trial court held a final PFA hearing where both Appellant and Appellee appeared and testified.<sup>2</sup> Appellee described the August 1st incident as follows. At the time, Appellee and Appellant had been dating for "four to five months" N.T. Final PFA H'rg at 9. When Appellee arrived at Appellant's apartment around 1:00 a.m., Appellee stated he "had already been drinking" and "continue[d] to drink" after her arrival. *Id.* at 11-12. While watching television, Appellant made derogatory statements about Appellee and her family. *Id.* at 10-12. Appellee became angry and threw a glass of water in Appellant's face. *Id.* at 12. Appellant "immediately attacked" Appellee. *Id.* Appellee described the ensuing altercation:

He charged at me and pinned me in the corner of the couch. He had both of his legs on my knees and he would not let go of my wrists and he was nose-to-nose screaming in my face, spit[t]ing in my face. He then picked me up and slammed me on the coffee table, which is where I got the bruises on my back[.] From there he picked me up and got me on the ground [and got] on top of me, and that's when it was getting worse. And he would not let go of me.

<sup>1</sup> 23 Pa.C.S. §§ 6101-6122.

<sup>2</sup> Appellant was acting *pro se* while Appellee was represented by counsel.



*Id.*

Appellant then said, “I should just kill you[,]” while Appellee was “begging him” to stop and “get off” of her. N.T. PFA Final H’rg at 13. Despite Appellee’s pleas, Appellant continued his attack. Appellee testified:

[Appellant] still wouldn’t let go of my wrists. He was squeezing tighter and tighter. And he let go of my left wrist, and his fist went back. And the second he let go of my left wrist, I hit him in the face to get away from him. And when that happened, it escalated and got even worse. And that’s when he literally picked me up, slammed me against the corner of the wall and like scraped down my face, which is where all the scratches came from. And I was bleeding some. And then he lifted his right knee into my gut and called me a f\*\*\*\*\*g c\*\*t. And said, you’re never going to get away from me and wrapped his arms around [ ] my neck. And I had to pry his hands from my neck. And I was lucky enough to do that and I got out of there.

*Id.*

After escaping Appellant’s apartment, Appellee drove to a convenience store and called 911. N.T. PFA Final H’rg at 15. Appellant called her at 4:06 a.m., while she was with responding officers. *Id.* at 18. The officers “asked if they could pick up the phone.” *Id.* Appellee handed one of the officers her phone and the officer spoke to Appellant “for a good six to eight minutes, if not[,] maybe ten.” *Id.* The officer told Appellant to “stop contacting” Appellee. *Id.* After ending the conversation with Appellant, the officer told Appellee, “it appears [Appellant] is extremely intoxicated and . . . said he had no recollection of” the attack. *Id.* at 16. Appellee indicated that Appellant continued to contact her through text messages, sending “one after another after another” and “the texts got worse.” *Id.* at 18-19. For example, Appellant texted, “[Y]ou left your keys to my apartment, don’t come back[.] I will shoot on sight[.]” *Id.* at 19.

Appellee stated she had “never been more emotionally abused in [her] life[.]” and was “afraid for [her] physical safety[.]” N.T. Final PFA H’rg at 17. Appellee provided photographic evidence of her injuries and text messages from Appellant, that were admitted into evidence. *Id.* at 18.

Appellant then took the stand and stated that he did not drink any alcohol before Appellee arrived at his apartment on the day of the incident. N.T. Final PFA H’rg at 25. Appellant testified he was upset because he had completed school work for Appellee, and that he believed “she should really be doing her own assignments[.]” *Id.* at 21. Appellant stated Appellee was the one who made an insulting comment about his ethnicity. *Id.* Appellant stated he then made a comment about Appellee’s daughter, to which she threw a drink in his face. *Id.* at 22. Appellant averred that he attempted to restrain Appellee for his own protection and that she hit him in the face several times, which caused him to bleed. *Id.* at 22-23. Appellant stated that he then released Appellee and she left. *Id.* at 22. Appellant admitted that after the incident, he did text Appellee “some stupid things.” *Id.* He also stated he was “not sure” if he was responsible for Appellee’s injuries. *Id.* at 26. The trial court allowed Appellant to submit evidence of text messages and his injuries over Appellee’s objection. *Id.* at 26-27.

At the conclusion of the PFA hearing, the trial court granted Appellee’s petition and issued

an PFA order against Appellant for a period of three years. N.T. Final PFA H’rg, at 29. The trial court specifically found Appellee was “in reasonable fear of imminent, serious, bodily injury.” *Id.*

On September 10, 2021, Appellant filed a timely<sup>3</sup> *pro se* notice of appeal. He also timely complied with the trial court’s order to file a concise statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(b).

Appellant raises the following two claims on appeal:

1. Were Appellant’s right under 23 [Pa.]C.S. § 6107 violated where the [trial] court failed to advise [him] of the right to be represented by counsel[, a]nd of the possibility that any firearm, other weapon, or ammunition owned[, ] and any firearm license possessed may be ordered temporarily relinquished, and of the options for relinquishment of a firearm pursuant to this chapter[?]
2. Were Appellant’s rights under the Fifth, Eighth, and Fourteenth Amendments to the United States [Constitution] violated[?]

Appellant’s Brief at 2 (unpaginated).

We review PFA orders under the following standard of review:

We review the propriety of a PFA order for an abuse of discretion or an error of law. We have described this standard as “not merely an error of judgment, but if in reaching a conclusion the law is overridden or misapplied, or the judgment exercised is manifestly unreasonable, or the result of partiality, prejudice, bias or ill-will, as shown by the evidence or the record, discretion is abused.”

*E.A.M. v. A.M.D.*, 173 A.3d 313, 316 (Pa. Super. 2017) (citations and some quotation marks omitted).

We initially note that while “this Court is willing to construe liberally materials filed by a *pro se* litigant, *pro se* status generally confers no special benefit upon an appellant.” *Commonwealth v. Lyons*, 833 A.2d 245, 251-52 (Pa. Super. 2003) (citation omitted). Furthermore, he is not entitled to have this Court advocate on his behalf. *Commonwealth v. Rivera*, 685 A.2d 1011, 1013 (Pa. Super. 1996).

Appellant first argues that his rights under Section 6107 of the PFA Act were violated when the court asked counsel for Appellee to “inform” Appellant about the “general procedure and the rights and options that everybody has, without informing” Appellant “of his right to be represented by counsel, on the record.” Appellant’s Brief at 5 (some quotation marks omitted).

<sup>3</sup> The trial court stated “Appellant did not timely serve” the court with his notice of appeal until after the court “discovered on its own” that Appellant had filed a notice of appeal. Trial Ct. Op. 11/3/21, at 1, fn. 1; *see also* Order, 9/16/21. Appellant thereafter “served [the t]rial [c]ourt” with a copy of the notice on September 21, 2021, 11 days after the deadline. Trial Ct. Op. 11/3/21, at 1, fn. 1.

Appellant had 30 days from the date the trial court granted the final PFA order, or until September 11, 2021, to file a notice of appeal. *See* Pa.R.A.P. 903(a). The docket reflects Appellant filed his notice of appeal on September 10, 2021. Trial Ct. Docket No. 16419-2021, at 2 (unpaginated); Appellant’s Notice of Appeal, 9/10/21 (wherein Appellant and timestamp both indicate the filing date as September 10, 2021). Therefore, Appellant’s notice of appeal was timely filed.

Appellant asserts:

Given the critical significance of the required notifications and the fact that the defendant had a right to be represented by counsel prior to the ruling of the final order, a defendant must be notified of any rights in which he could have requested a continuance in order to obtain legal counsel for the hearing. Additionally, during the trial criminal charges were claimed to have been made against [Appellant], but these charges were not filed until after the conclusion of the final [PFA] order hearing[, and had he] been aware of the criminal charges (which were subsequently dismissed following testimonies by both parties at a criminal trial) he would have had the opportunity to ask for a continuance of the civil trial until the criminal proceedings had concluded.

Appellant's Brief at 6.

Section 6107 provides, in relevant part:

**(a) General rule.** — Within ten business days of the filing of a petition under this chapter, a hearing shall be held before the court, at which the plaintiff must prove the allegation of abuse by a preponderance of the evidence. **The court shall, at the time the defendant is given notice of the hearing, advise the defendant of the right to be represented by counsel**, of the right to present evidence, of the right to compel attendance of witnesses, of the method by which witnesses may be compelled, **of the possibility that any firearm, other weapon or ammunition owned and any firearm license possessed may be ordered temporarily relinquished**, of the options for relinquishment of a firearm pursuant to this chapter, of the possibility that Federal or State law may prohibit the possession of firearms, including an explanation of 18 U.S.C. § 922(g)(8) (relating to unlawful acts) and 18 Pa.C.S. § 6105 (relating to persons not to possess, use, manufacture, control, sell or transfer firearms), and that any protection order granted by a court may be considered in any subsequent proceedings under this title. . . .

\* \* \*

**(c) Continued hearings.--**

**(1)** If a hearing under subsection (a) is continued and no temporary order is issued, the court may make ex parte temporary orders under subsection (b) as it deems necessary.

**(2)** If a hearing is scheduled to take place within three business days after a defendant is served under section 6106 (relating to commencement of proceedings), the court shall grant a continuance until the three-business-day period has elapsed, if requested by the defendant.

**(3)** The court shall notify the defendant of the right to such continuance.

23 Pa.C.S. § 6107 (emphases added).

Before addressing the merits of Appellant's first argument, we must determine if he has properly preserved this issue on appeal. As noted above, the court ordered Appellant to file a Rule 1925(b) concise statement. Appellant complied and raised the following issues in his statement:

[1.] Eighth and Fourteenth Amendment – Cruel and Unusual Punishment/Deprivation of Property

In reference to the excessive fines clause of the [Eighth] Amendment of the United States Constitution, it is believed that [A]ppellant's property was excessively seized. This is in relation to his firearms being seized. It should be noted that [A]ppellee's counsel attempted to reach an agreement with [A]ppellant regarding the PFA before initial proceedings in which he stated that a request would be made to allow [A]ppellant to keep his firearms as well as requesting a reduction for the term of the PFA. Instead, following the proceedings, a maximum term of [three] years was given, and [A]ppellant's firearms were seized.

[2.] Mistake of Law - *mens rea* for abuse

It is believed that the [trial] court did not properly establish within the reasoning of the given final order the *mens rea* for abuse which, if properly established, would have eliminated the consideration that [A]ppellant acted in self defense. [A]ppellant's testimony included explanations of attempting to restrain [A]ppellee in an act to prevent injury, given that [A]ppellee had attacked [A]ppellant first (evidenced by [A]ppellee's statement in requesting the temporary order and [A]ppellee's testimony during the final order hearing). [A]ppellant did not attempt to injure [A]ppellee and there is no evidence that excessive (non-minor) injuries had occurred[.] Additionally, [A]ppellee indeed injured [A]ppellant in the event, and this is evidenced by image entries during the final order hearing.

[3.] Mistake of Fact – restrain for protection

In the aforementioned paragraph, it was noted that intent for abuse was not established by the [trial] court, and it is believed that intent for abuse did not exist. Similarly, it is believed that the court erred in establishing a distinction between restrain for protection and restraint as an attack. It has been noted that in no instance did [A]ppellant restrain [A]ppellee in a manner which he was preventing her from leaving. In fact, after [A]ppellee had stopped attacking [A]ppellant, he let her go and she was free to gather her belongings, change her clothes, and leave willingly.

[4.] Perjury – [A]ppellee's remarks intentionally swearing a false oath

[A]ppellee claimed that she was at [A]ppellant's apartment within a few days before the incident. [A]ppellant objected to this notion and the [trial] court asked [A]ppellee if she was telling the truth. [A]ppellee affirmed that she was telling the truth. It is confirmed through text messages that [A]ppellee was knowingly and intentionally lying about this fact.

Appellant's *Pro Se* Statement of Matters Complained of on Appeal, 10/7/21.

Upon reviewing Appellant's concise statement, it is evident that Appellant did not raise a claim that his rights under 23 Pa.C.S. § 6107 were violated in either his Rule 1925(b) statement or before the trial court. As such, he has not preserved this argument for appellate review. *See* Pa.R.A.P. 1925(b)(4)(vii) ("Issues not included in the Statement . . . are waived."); Pa.R.A.P. 302(a) ("Issues not raised in the lower court are waived and cannot be raised for the first time on appeal."). *See also Commonwealth v. Bonnett*, 239 A.3d 1096, 1106 (Pa. Super. 2020) (stating that "any issue not raised in a Rule 1925(b) statement will be deemed waived for appellate review.") appeal denied, 250 A.3d 468 (Pa. 2021). Therefore, we conclude Appellant's first argument is waived.

Even if Appellant had preserved this claim, it would be deemed meritless. Under Subsection 6107(a), the trial court must inform Appellant of his right to have counsel and the possibility of relinquishing firearms and firearms licenses "at the time [he] is given notice of the hearing[.]" 23 Pa.C.S. § 6107(a). Here, on August 3, 2021, the trial court served Appellant with a "Notice of Hearing and Order[.]" which explicitly informed Appellant the PFA order may "direct[ him] to relinquish any firearm, other weapon, ammunition, or any firearm license[.]" and of his "right to have a lawyer represent" him at the hearing, but that the court was not required to appoint a lawyer for him. Notice of Hearing and Order, 8/3/21, at 1-2 (unpaginated) (some capitalization omitted). Thus, the court complied with the requirements of Section 6107 and Appellant was put notice and advised of his rights.

Furthermore, his complaint about the lack of notice regarding a continuance would be without merit because the hearing was not held within three business days of the August 3rd notice; rather, it was held nine days later on August 12th. *See* 23 Pa.C.S. § 6107(c)(2). Therefore, a continuance would not be necessary pursuant to Subsection 6107(c).

Next, we turn to Appellant's second claim, in which he alleges his constitutional rights under the Fifth, Eighth, and Fourteenth Amendments were violated because he was punished by the court's final PFA order without being informed of his right to counsel and his right to a continuance. Appellant's Brief at 7. His argument on this issue consists of one paragraph, in which he baldly asserts:

A defendant, criminal or civil, has the right to due process (especially when it considers depriving a person of property without due process of law). This right is enforced upon the states and guaranteed by the Fourteenth Amendment's Due Process Clause ("the sentencing process as well as the trial itself must satisfy the requirements of the Due Process Clause").

*Id.*

We briefly note that constitutional challenges are a "question of law for which our standard of review is *de novo* and our scope of review is plenary." *Kaur v. Singh*, 259 A.3d 505, 509 (Pa. Super. 2021) (citation omitted).

Appellant's second argument fails for numerous reasons. First, like his first issue, Appellant did not raise any allegation concerning his Fifth Amendment rights in his 1925(b) statement or before the trial court. *See* Pa.R.A.P. 1925(b)(4)(vii); Pa.R.A.P. 302(a). As such, that part of his argument was not properly preserved.

Second, while Appellant did raise claims pertaining to the Eighth and Fourteenth Amendments in his Rule 1925(b) statement, he did not raise these claims before the trial court. *See Commonwealth v. Miller*, 80 A.3d 806, 811 (Pa. Super. 2013) (holding constitutional challenge was waived where raised for the first time in the Rule 1925(b) statement). As such, they are waived. *See* Pa.R.A.P. 302(a).

Furthermore, even if these assertions were properly preserved for review, Appellant's argument in his appellate brief amounts to a mere assertion that he has a "right to due process [which is] guaranteed by the Fourteenth Amendment[.]" Appellant's Brief at 7. Pursuant to Rule of Appellate Procedure 2119(a), the argument section of an appellate brief must provide "discussion and citation of authorities as are deemed pertinent." Pa.R.A.P. 2119(a). As Appellant fails to develop any meaningful argument regarding his constitutional concerns, we conclude Appellant's claim would be deemed waived, as it is wholly inadequate to present an issue for our review. *See Butler v. Illes*, 747 A.2d 943, 944 (Pa. Super. 2000) ("When issues are not properly raised and developed in briefs, when briefs are wholly inadequate to present specific issues for review, a court will not consider the merits thereof.") (citation omitted). Accordingly, Appellant has failed to properly preserve his second argument.

In sum, Appellant has not established that the court erred in granting the PFA petition. Therefore, we affirm the order.

Order affirmed.

Judgment Entered.

/s/ Joseph D. Seletyn, Esq.

Prothonotary

Date: 4/19/2022

*Note: Hon. Stephanie Domitrovich was the trial judge. The Opinion was published in the Erie County Legal Journal on November 12, 2021.*

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania 10860-2022 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Ryan Roemer Driver to Ryan Arthur Roemer.

The Court has fixed the 13th day of June, 2022 at 10:30 a.m. in Court Room G, Room 222, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Apr. 29

**CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Erie County, Pennsylvania 10766-22 Notice is hereby given that a Petition was filed in the above named court requesting an Order to change the name of Adrianna Renee Snell to Adrianna Renee Coughenour.

The Court has fixed the 23rd day of June, 2022 at 9:00 a.m. in Court Room G, Room 222, of the Erie County Court House, 140 West 6th Street, Erie, Pennsylvania 16501 as the time and place for the Hearing on said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Apr. 29

**INCORPORATION NOTICE**

Notice is hereby given that IAMA HEALTHNET INC. has been incorporated under the provisions of the Business Corporation Law of 1988, as amended.

Susmarski Hain & Juliante  
Aaron E. Susmarski, Esq.  
4030 West Lake Road  
Erie, PA 16505

Apr. 29

**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

**MAY 20, 2022  
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.

Chris Campanelli  
Sheriff of Erie County

Apr. 29 and May 6, 13

**SALE NO. 2**

**Ex. #10155 of 2020**  
**U.S. Bank Trust National Association, as Trustee of the LB-Cabana Series IV Trust, Plaintiff**

**v.**  
**Nancy Chisholm; Robert Chisholm; et al., Defendants**  
**DESCRIPTION**

By virtue of the Writ of Execution filed to No. 2020-10155, U.S. Bank Trust National Association, as Trustee of the LB-Cabana Series IV Trust vs. Nancy Chisholm; Robert Chisholm; et al.

U.S. Bank Trust National Association, as Trustee of the LB-Cabana Series IV Trust, owners of the property situated in Edinboro,

Erie County, Pennsylvania being 127 Harrison Drive, Edinboro, PA 16412  
2,796 sq. ft.  
Assessment Map Number: 11007032012516  
Assessed Value Figure: \$229,900.00  
Improvement thereon: Residential Dwelling  
Plaintiff's attorney:  
Adam Friedman, Esq.  
Friedman Vartolo LLP  
1325 Franklin Avenue, Suite 160  
Garden City, NY 11530  
T: (212) 471-5100  
F: (212) 471-5150

Apr. 29 and May 6, 13

**SALE NO. 3**

**Ex. #10714 of 2013**  
**BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP F/K/A COUNTRYWIDE HOME LOANS SERVICING, LP, Plaintiff**

**v.**  
**JASON R. LLOYD, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 10714-13, BANK OF AMERICA, N.A., AS SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, LP F/K/A COUNTRYWIDE HOME LOANS SERVICING, LP vs. JASON R. LLOYD, owner of property situated in the Borough of Waterford, Erie County, Pennsylvania being 509 Cherry Street, Waterford, PA 16441

1,512 square feet, 0.1486 acres  
Assessment Map Number: 46006016001500  
Assessed Value Figure: \$97,440.00  
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

Apr. 29 and May 6, 13

**SALE NO. 4**

**Ex. #11333 of 2021**  
**Citibank, N.A., not in its individual capacity but solely as**

**Owner Trustee for New Residential Mortgage Loan Trust 2018-3, c/o NewRez LLC, f/k/a New Penn Financial, LLC, d/b/a Shellpoint Mortgage Servicing, 55 Beattie Place, Suite 100, Greenville, South Carolina 29601, Plaintiff**

**v.**  
**LEANNE MCCLELLAN, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2021-11333, CITIBANK, N.A., NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR NEW RESIDENTIAL MORTGAGE LOAN TRUST 2018-3 vs. LEANNE MCCLELLAN, owner of property situated in Waterford Township, Erie County, Pennsylvania being 10525 Route 97 N, Waterford, PA 16441

1,401 square feet, 1.0000 acres  
Assessment Map Number: 47-003-008.0-016.00  
Assessed Value Figure: \$110,400.00  
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

Apr. 29 and May 6, 13

**SALE NO. 5**

**Ex. #10803 of 2020**  
**PNC BANK, NATIONAL ASSOCIATION, Plaintiff**  
**v.**  
**BETHANY L. GORNDT AKA BETHANY KLECKNER, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2020-10803, PNC BANK, NATIONAL ASSOCIATION vs. BETHANY L. GORNDT AKA BETHANY KLECKNER, owner(s) of the property situated in Erie County, Pennsylvania being 10249 ELGIN ROAD, UNION CITY, PA 16438

Assessment Map Number: 43006018001401  
Assessed Value Figure: \$88,090.00  
Improvement Thereon:

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A Residential Dwelling  
KML LAW GROUP, P.C.  
ATTORNEY FOR PLAINTIFF  
701 MARKET STREET,  
SUITE 5000  
PHILADELPHIA, PA 19106  
(215) 627-1322

Apr. 29 and May 6, 13

**SALE NO. 6**

**Ex. #13597 of 2015**  
**PNC BANK, NATIONAL**  
**ASSOCIATION, Plaintiff**  
**v.**  
**DARLENE M. KANIS a/k/a**  
**DARLENE M. OCHALEK,**  
**Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2015-13597, PNC BANK, NATIONAL ASSOCIATION vs. DARLENE M. KANIS a/k/a DARLENE M. OCHALEK, owner(s) of the property situated in Erie County, Pennsylvania being 4845 CONRAD STREET, ERIE, PA 16510  
Assessment Map Number: 33107480403200  
Assessed Value Figure: \$128,640.00  
Improvement Thereon:  
A Residential Dwelling  
KML LAW GROUP, P.C.  
ATTORNEY FOR PLAINTIFF  
701 MARKET STREET,  
SUITE 5000  
PHILADELPHIA, PA 19106  
(215) 627-1322

Apr. 29 and May 6, 13

**SALE NO. 7**  
**Ex. #10009 of 2022**  
**PENNSYLVANIA HOUSING**  
**FINANCE AGENCY, Plaintiff**  
**v.**  
**KELIN BROWN, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution No. 2022-10009, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. KELIN BROWN, Defendant  
Real Estate: 3520 IDLEWOOD DRIVE, ERIE, PA 16510  
Municipality:  
Borough of Wesleyville  
Erie County, Pennsylvania  
Dimensions: 35 x 100  
Deed Book/Inst#: 2006-023843  
Tax I.D. (50) 2-40-9  
Assessment: \$14,200 (Land)  
\$66,100 (Bldg)  
Improvement thereon: a residential dwelling house as identified above  
Leon P. Haller, Esquire  
Purcell, Krug & Haller  
1719 North Front Street  
Harrisburg, PA 17104  
(717) 234-4178

Apr. 29 and May 6, 13

**SALE NO. 8**  
**Ex. #12515 of 2021**  
**PENNSYLVANIA HOUSING**  
**FINANCE AGENCY, Plaintiff**  
**v.**  
**JON C. HUNT, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution No. 2021-12515, PENNSYLVANIA HOUSING FINANCE AGENCY, Plaintiff vs. JON C. HUNT, Defendant  
Real Estate: 716 BROWN

AVENUE, ERIE, PA 16502  
Municipality: City of Erie  
Erie County, Pennsylvania  
Dimensions: 0.1027 acre - IRR  
Approx. 123 x 14 x 22 x 117 x 38  
Deed Book/Inst#: Book 1493,  
page 1313  
Tax I.D. (19) 6020-122  
Assessment: \$10,900 (Land)  
\$51,150 (Bldg)  
Improvement thereon: a residential dwelling house as identified above  
Leon P. Haller, Esquire  
Purcell, Krug & Haller  
1719 North Front Street  
Harrisburg, PA 17104  
(717) 234-4178

Apr. 29 and May 6, 13

**SALE NO. 9**  
**Ex. #12626 of 2021**  
**The Money Source Inc., Plaintiff**  
**v.**  
**Anthony J. Boscarino, Defendant**  
**DESCRIPTION**

By virtue of a Writ of Execution filed to No. 2021-12626, The Money Source Inc. vs. Anthony J. Boscarino, owner(s) of property situated in the Township of Millcreek, Erie County, Pennsylvania being 1153 Kerry Lane, Erie, PA 16505  
0.4740  
Assessment Map Number: 33020112000600  
Assessed Value figure: \$180,200.00  
Improvement thereon:  
Single Family Dwelling  
Kimberly J. Hong, Esquire  
Manley Deas Kochalski LLC  
P.O. Box 165028  
Columbus, OH 43216-5028  
614-220-5611

Apr. 29 and May 6, 13

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**ESTATE NOTICES**

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

**FIRST PUBLICATION****BARTON, NANCY ANN, a/k/a NANCY A. BARTON, deceased**

Late of Millcreek Township  
*Co-executors:* Thomas B. Barton, 411 Kelso Drive #35, Erie, PA 16505 and Celia Ann Portenier, 13925 Flatts Road, Waterford, PA 16441  
*Attorney:* David J. Mack, Esquire, 510 Parade Street, Erie, PA 16507

**CALHOUN, SHIRLEY, deceased**

Late of Fairview Township  
*Administratrix:* Amy S. Morrow, 3405 Bird Drive, Erie, PA 16510  
*Attorney:* David J. Mack, Esquire, 510 Parade Street, Erie, PA 16507

**HUNTER, HARRIETT J., a/k/a HARRIETT HUNTER, deceased**

Late of Harborcreek Township  
*Executrix:* Mary Patricia Powell, 1348 Davison Avenue, Harborcreek, PA 16421  
*Attorney:* David J. Mack, Esquire, 510 Parade Street, Erie, PA 16507

**JASKIEWICZ, ROBERT C., deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Administratrix:* Karen A. Jaskiewicz  
*Attorney:* Craig A. Zonna, Esquire, ELDERKIN LAW FIRM, 456 West 6th Street, Erie, PA 16507

**JOY, ROBERT C., deceased**

Late of the City of Corry, County of Erie  
*Executrix:* Patricia L. Joy, 12876 Route 6, Corry, Pennsylvania 16407  
*Attorney:* Kari A. Froess, Esquire, CARNEY & GOOD, 254 West Sixth Street, Erie, Pennsylvania 16507

**KENT, EUGENE H., a/k/a EUGENE KENT, deceased**

Late of the Township of Fairview, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Mitchell E. Kent, 461 East 4th Street, Erie, PA 16507  
*Attorney:* Valerie H. Kuntz, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**KOHLER, BARRY L., a/k/a BARRY LEE KOHLER, deceased**

Late of Edinboro Borough, Erie County  
*Executrix:* Lora A. McHale  
*Attorney:* Norman A. Stark, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

**LACKEY, MARILYN L., a/k/a MARILYN LACKEY, deceased**

Late of the Township of Millcreek, Erie County, PA  
*Executor:* Gary R. Lackey, 4581 Kell Road, Fairview, PA 16415  
*Attorney:* M. Kathryn Karn, 4402 Peach Street, Suite 3, Erie, PA 16509

**MCDONALD, DESMOND JORDAN, a/k/a DESMOND MCDONALD, deceased**

Late of the City of Erie, Erie County, Commonwealth of Pennsylvania  
*Administrator:* Desmond John McDonald, c/o Thomas C. Hoffman, II, Esq., 120 West Tenth Street, Erie, PA 16501  
*Attorney:* Thomas C. Hoffman, II, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**OLESNANIK, WILLIAM, a/k/a WILLIAM J. OLESNANIK, a/k/a WILLIAM JOHN OLESNANIK, deceased**

Late of Girard Borough, Erie County, Pennsylvania  
*Executrix:* Meghan Kremer, a/k/a Meghan L. Kremer, c/o Jeffrey J. Cole, Esq., 2014 West 8th Street, Erie, PA 16505  
*Attorney:* Jeffrey J. Cole, Esq., 2014 West 8th Street, Erie, PA 16505

**SCHEU, FRANK, deceased**

Late of the City of Erie, County of Erie, Commonwealth of Pennsylvania  
*Executrix:* Connie J. Scheu, 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

**SHALLENBERGER, GARY M., deceased**

Late of Franklin Township, County of Erie, and Commonwealth of Pennsylvania  
*Administratrix:* Susan Shallenberger  
*Attorney:* Patrick J. Loughren, Esquire, Loughren & Loughren, P.C., 8050 Rowan Road, Suite 601, Rowan Towers, Cranberry Township, Pennsylvania 16066

**SMITH, VERA LEONA, deceased**

Late of the City of Erie, Erie County, Pennsylvania  
*Executor:* Gregory P. Smith, c/o Jerome C. Wegley, Esq., 120 West Tenth Street, Erie, PA 16501  
*Attorney:* Jerome C. Wegley, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West Tenth Street, Erie, PA 16501

**SPANGLER, JOHN FRANKLIN, a/k/a JOHN F. SPANGLER, a/k/a JOHN SPANGLER, deceased**

Late of the Township of Waterford, County of Erie, State of Pennsylvania  
*Administratrix:* Melissa H. Shirey, c/o 337 West 10th Street, Erie, PA 16502  
*Attorneys:* THE FAMILY LAW GROUP, LLC, 337 West 10th Street, Erie, PA 16502

**WEST, ANNA M., deceased**

Late of Millcreek Township, County of Erie, Commonwealth of Pennsylvania  
*Executrix:* Cynthia J. Bogniak 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

**YOUNG, RUSSELL L., SR., a/k/a RUSSELL L. YOUNG, deceased**

Late of the Township of Millcreek, Commonwealth of Pennsylvania  
*Administrator:* Kirk Young, c/o Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509  
*Attorney:* Richard A. Vendetti, Esquire, Vendetti & Vendetti, 3820 Liberty Street, Erie, Pennsylvania 16509

**SECOND PUBLICATION****BREINDEL, WALTER W., deceased**

Late of the Township of Greene, Erie County, Commonwealth of Pennsylvania  
*Executrix:* Karen M. Omniewski, c/o 120 W. 10th St., Erie, PA 16501  
*Attorney:* Christine Hall McClure, Esq., Knox McLaughlin Gornall & Sennett, P.C., 120 West 10th Street, Erie, PA 16501

**BUELL, DOLORES A., a/k/a DOLORES BUELL, deceased**

Late of the Township of Millcreek, County of Erie, Commonwealth of Pennsylvania  
*Executor:* Benjamin L. Jarvi, 3665 Walker Ave., Fairview, PA 16415  
*Attorney:* Grant M. Yochim, Esq., 24 Main St. E., P.O. Box 87, Girard, PA 16417

**DODICK, ALAN B., deceased**

Late of the City of Erie, Erie County  
*Executrix:* Shannon Clise  
*Attorney:* William J. Kelly, Jr., Esquire, 230 West 6th Street, Suite 201, Erie, PA 16507

**GREGOROFF, CARL, deceased**

Late of the City of Erie, County of Erie and Commonwealth of Pennsylvania  
*Executor:* Matthew F. Gregoroff, c/o 504 State Street, Suite 300, Erie, PA 16501  
*Attorney:* Alan Natalie, Esquire, 504 State Street, Suite 300, Erie, PA 16501

**HAIBACH, NORBERT R., a/k/a NORBERT ROBERT HAIBACH, deceased**

Late of the Township of Harborcreek, County of Erie, Commonwealth of Pennsylvania  
*Executrix:* Kathleen C. Haibach, c/o 100 State Street, Suite 700, Erie, PA 16507-1459  
*Attorneys:* MacDonald, Illig, Jones & Britton LLP, 100 State Street, Suite 700, Erie, Pennsylvania 16507-1459

**HORNYAK, ANNE M., deceased**

Late of the City of Erie, Erie County, Pennsylvania  
*Executor:* Jack Tabaka, 912 Reed Street, Erie, PA 16503  
*Attorney:* Michael S. Butler, Esq., Heritage Elder Law, 318 South Main Street, Butler, PA 16001

**KEEFE, LAURENCE A., deceased**

Late of North East Township, Erie County, North East, PA  
*Co-executors:* Laurence A. Keefe, Jr. and Christine G. Good, 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

**KEYACK, MARIAN E., deceased**

Late of the Township of Millcreek, Erie County, Pennsylvania  
*Executor:* Barry Locke, c/o Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507  
*Attorney:* Joseph P. Martone, Esquire, Martone & Peasley, 150 West Fifth Street, Erie, Pennsylvania 16507

**QUINLAN, BRUCE WARD, a/k/a BRUCE W. QUINLAN, deceased**

Late of the City of Erie, Erie County  
*Administrator:* Ruth E. Quinlan  
*Attorney:* Edwin W. Smith, Esq., Marsh Schaaf, LLP, 300 State Street, Suite 300, Erie, PA 16507

**REGALLA, AUDREY A., a/k/a AUDREY ANN REGALLA, deceased**

Late of Harborcreek Township, Erie County, Pennsylvania  
*Administrator:* Kenneth J. Regalla, c/o 502 Parade Street, Erie, PA 16507  
*Attorney:* Gregory L. Heidt, Esquire, 502 Parade Street, Erie, PA 16507

**RUMPF, MICHAELINA J., deceased**

Late of Millcreek Township, County of Erie, Commonwealth of Pennsylvania  
*Executor:* John Rumpf, 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

**STANLEY, ELEANOR M., a/k/a  
ELEANOR MAE STANLEY,  
deceased**

Late of Harborcreek Township,  
Erie County, Pennsylvania  
*Executrix:* Donna L. Roesch,  
c/o Jerome C. Wegley, Esq.,  
120 West Tenth Street, Erie, PA  
16501  
*Attorney:* Jerome C. Wegley,  
Esq., Knox McLaughlin Gornall  
& Sennett, P.C., 120 West Tenth  
Street, Erie, PA 16501

**TABAKA, MARY ROSE,  
deceased**

Late of the City of Erie, Erie  
County, Pennsylvania  
*Executor:* Jack Tabaka, 912 Reed  
Street, Erie, PA 16503  
*Attorney:* Michael S. Butler, Esq.,  
Heritage Elder Law, 318 South  
Main Street, Butler, PA 16001

**TURNER, HARVEY A.,  
deceased**

Late of the Borough of McKean,  
County of Erie, Commonwealth of  
Pennsylvania  
*Executor:* Carl A. Turner,  
8735 Edinboro Road, McKean,  
PA 16426  
*Attorney:* John M. Bartlett, Esq.,  
24 Main St. E., P.O. Box 87,  
Girard, PA 16417

**WELLS, NANCY ANN,  
deceased**

Late of Harborcreek Township,  
Erie County, Pennsylvania  
*Executrix:* Molly Amann,  
2420 Deer Run Trail, Erie, PA  
16509  
*Attorney:* Michael S. Butler, Esq.,  
Heritage Elder Law, 318 South  
Main Street, Butler, PA 16001

**THIRD PUBLICATION**

**BERNARD, DIANNE T.,  
deceased**

Late of the City of Erie, Erie  
County, Pennsylvania  
*Executrix:* Darlene Doeherl,  
c/o Nathaniel K. Conti, Esq.,  
234 West Sixth Street, Erie, PA  
16507  
*Attorney:* Nathaniel K. Conti,  
Esq., Bernard Stuczynski Barnett  
& Lager, PLLC, 234 West Sixth  
Street, Erie, PA 16507

**CASEY, FRANCES F.,  
deceased**

Late of Millcreek Township,  
County of Erie, PA  
*Executrix:* Mai Lien Sicari  
*Attorney:* Thomas Brasco, Jr.,  
Esquire, 100 State Street, Ste. 508,  
Erie, PA 16507

**CATRABONE, JOHANNE L.,  
deceased**

Late of Harborcreek Township,  
Erie County  
*Executor:* Gregory T. Catrabone,  
Jr.  
*Attorney:* William J. Kelly, Jr.,  
Esquire, 230 West 6th Street,  
Suite 201, Erie, PA 16507

**GORNIAC, DELPHINE H.,  
deceased**

Late of the City of Erie, County  
of Erie, Commonwealth of  
Pennsylvania  
*Executor:* Gerard Gorniak,  
635 Sparkleberry Boulevard,  
Quincy, FL 32351  
*Attorney:* John M. Bartlett, Esq.,  
24 Main St. E., P.O. Box 87,  
Girard, PA 16417

**GRODE, NORMAN I., a/k/a  
NORMAN GRODE,  
deceased**

Late of the Township of Millcreek,  
County of Erie and Commonwealth  
of Pennsylvania  
*Executor:* Timothy N. Grode,  
c/o James J. Bruno, Esquire,  
3820 Liberty Street, Erie, PA  
16509  
*Attorney:* James J. Bruno, Esquire,  
3820 Liberty Street, Erie, PA  
16509

**HAIBACH, RONALD RICHARD,  
deceased**

Late of the Borough of Waterford,  
County of Erie and Commonwealth  
of Pennsylvania  
*Executrix:* Carol Ann Boyer  
*Attorney:* David J. Rhodes,  
Esquire, ELDERKIN LAW FIRM,  
456 West 6th Street, Erie, PA  
16507

**KRIEGER, JOHN, JR., a/k/a  
JOHN KRIEGER,  
deceased**

Late of the Township of Waterford,  
County of Erie, Commonwealth of  
Pennsylvania  
*Administratrix C.T.A.:* Mars L.  
McGie, 38 Pleasant Street, Union  
City, PA 16438  
*Attorney:* Valerie H. Kuntz, Esq.,  
24 Main St. E., P.O. Box 87,  
Girard, PA 16417

**LEWIS, ANITA M., a/k/a  
ANITA M. KRAUT,  
deceased**

Late of Harborcreek Township,  
Erie County, Pennsylvania  
*Executor:* Norman C. Lewis,  
c/o Jeffrey D. Scibetta, Esq.,  
120 West Tenth Street, Erie, PA  
16501  
*Attorney:* Jeffrey D. Scibetta,  
Esq., Knox McLaughlin Gornall  
& Sennett, P.C., 120 West Tenth  
Street, Erie, PA 16501

**OAKES, MARGARET E.,  
deceased**

Late of North East Borough, Erie  
County, North East, PA  
*Co-executors:* Kenneth W.  
Oakes and Karen E. Henning,  
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

**ROBERTSON, PHILLIP  
WILLIAM, a/k/a  
PHILLIP W. ROBERTSON,  
deceased**

Late of Millcreek Twp., Erie  
County, PA  
*Administrator:* James W.  
Robertson, 16 Conestoga Manor,  
Leola, PA 17540  
*Attorney:* Elizabeth B. Place,  
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PA 17101

**RUSSELL, LOIS J., a/k/a  
LOIS RUSSELL, a/k/a  
LOIS JEANNE  
PETROFF RUSSELL,  
deceased**

Late of the City of Erie, County  
of Erie and Commonwealth of  
Pennsylvania  
*Executor:* Mike Petroff, c/o Kurt  
L. Sundberg, Esq., Suite 300,  
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*Attorney:* Kurt L. Sundberg, Esq.,  
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**SIMMONS, TERRANCE BLAISE,  
a/k/a TERRANCE BLAZE  
SIMMONS, a/k/a  
TERRANCE B. SIMMONS, a/k/a  
TERRY BLAISE SIMMONS, a/k/a  
TERRY B. SIMMONS, a/k/a  
TERRY SIMMONS,  
deceased**

Late of the Township of McKean,  
County of Erie and Commonwealth  
of Pennsylvania  
*Executrix:* Sharon Simmons,  
c/o James J. Bruno, Esquire,  
3820 Liberty Street, Erie, PA  
16509  
*Attorney:* James J. Bruno, Esquire,  
3820 Liberty Street, Erie, PA  
16509

**TELISKI, ROBERT JOHN, a/k/a  
ROBERT J. TELISKI, a/k/a  
ROBERT TELISKI,  
deceased**

Late of Millcreek Township,  
County of Erie and Commonwealth  
of Pennsylvania  
*Administrator:* Daniel R. Teliski,  
c/o 504 State Street, Suite 300,  
Erie, PA 16501  
*Attorney:* Alan Natalie, Esquire,  
504 State Street, Suite 300, Erie,  
PA 16501

**ZMIJEWSKI, LEO H., a/k/a  
LEO ZMIJEWSKI, a/k/a  
LEO ZONJWSKI,  
deceased**

Late of the Borough of Waterford,  
County of Erie, Commonwealth of  
Pennsylvania  
*Executrix:* Debra Samick, c/o John  
J. Shimek, III, Esquire, Sterrett  
Mott Breski & Shimek, 345 West  
6th Street, Erie, PA 16507  
*Attorney:* John J. Shimek, III,  
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## WEEKLY WRAP-UP

**April 29, 2022**

**Supreme Court rules for Austin, Texas, in digital billboard case; First Amendment inquiry isn't over** - The U.S. Supreme Court gave the city of Austin, Texas, an initial win Thursday in a challenge to its sign restriction allowing digital billboards on business property but not off premises. The high court ruled that the distinction between on-site and off-site digital billboards was content neutral under the First Amendment and not subject to strict scrutiny. The challenge was filed by two outdoor advertising companies, Reagan National Advertising of Austin and the Lamar Advantage Outdoor Co. Austin, Texas, had denied their permits to digitize some of its off-premises billboards. The Austin, Texas, restriction banned digital signs advertising a business, activity, goods or services that were not located on the site where the sign was installed. Read more ... <https://www.abajournal.com/web/article/supreme-court-rules-for-austin-in-digital-billboard-case-first-amendment-inquiry-isnt-over>

**End of the five-star burnt lasagne?** - The Competition and Markets Authority (CMA) published proposals to protect consumers from fake online reviews and to give full legal status to the CMA's guidance published earlier this year regarding goods and services supplied via a subscription model. Under the proposals a new law would be implemented to make it "clearly illegal" to pay for the writing or hosting of fake online reviews with new powers for the CMA to fine businesses up-to 10% of global turnover for breaches. It would also become an offence to offer to write or commission fake reviews. Perhaps of most interest is that websites hosting reviews will be expected to take "reasonable steps" to check that those reviews are genuine with business minister Paul Scully hailing the proposals as meaning an end to "visiting a five star reviewed restaurant only to find burnt lasagne". Read more ... <https://www.natlawreview.com/article/end-five-star-burnt-lasagne>

**Defendants say Fla. man's suit over alleged inequitable will distribution doesn't pass muster** - Defendants named in a Florida man's lawsuit over the alleged inequitable distribution of assets from his mother's will to himself and his two siblings, have countered that the plaintiff's suit fails to state a claim upon which relief could be granted. Read more ... <https://pennrecord.com/stories/623873840-defendants-say-fla-man-s-suit-over-alleged-inequitable-will-distribution-doesn-t-pass-muster>

**Paparazzi has entered the chat** - Buchalter filed a trade secret lawsuit in Utah District Court on behalf of clothing accessory wholesaler Paparazzi. The complaint takes aim at eight former Paparazzi consultants for allegedly conspiring to "harass and harm" the company by creating a group chat on social media for the purpose of misappropriating and sharing confidential information. Counsel have not yet appeared for the defendants. The case is 4:22-cv-00028, *Paparazzi v. Sorenson et al.*

**Restaurants can't recover COVID-19 losses through 'business interruption' insurance, 2 top state courts rule** - The top state courts in Iowa and Massachusetts have ruled that restaurants can't recover COVID-19 shutdown losses from "business interruption" policies. Read more ... <https://www.abajournal.com/news/article/restaurants-cant-recover-covid-losses-through-business-interruption-insurance-2-top-state-courts-rule>

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