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PATRICK BRIAN KIRWAN

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NOTICE

The Tax Claim Bureau of Adams County, Pennsylvania, hereby gives notice that it presented a Consolidated Return of Sale to the Court of Common Pleas of Adams County, Pennsylvania, on October 16, 2018, of the Upset Tax Sale of real estate for delinquent taxes held by the Bureau on September 21, 2018, pursuant to due notices required by the Real Estate Tax Sale law of 1947, as amended. The Court confirmed this Return Nisi on October 16, 2018. Any owner or lien creditor may file exceptions or objections to the Return within thirty (30) days after October 16, 2018. If no exceptions or objections are filed by that date, the Return will be confirmed absolutely.

Adams County Tax Claim Bureau
By: Daryl G. Crum, Director

10/26

COMMONWEALTH OF PENNSYLVANIA VS.
PATRICK BRIAN KIRWAN

1. At the time of original sentencing following a pre-sentence investigation and an extensive sentencing hearing, the Defendant was sentenced to serve no less than nine months nor more than 23 months and 29 days in partial confinement with concurrent terms of five years of probation. The Defendant was also designated a sexually violent predator and, consequently, ordered to comply with lifetime registration pursuant to 42 Pa. C.S.A. § 9795.4 (repealed)(known as “Megan’s Law II”).

2. Ultimately, the Defendant’s sentences terminated as served in full on September 29, 2017. Defendant files the current P.C.R.A. Petition seeking relief from the lifetime registration requirements pursuant to recent appellate court precedent, which has found registration requirements to be illegal.

3. Absent direct instruction from appellate courts to the contrary, this Court is unwilling, through judicial fiat, to extend *Muniz* to create jurisdiction in post conviction litigation in the face of specific statutory authority to the contrary. The plain language of the P.C.R.A. relevant to this issue limits eligibility to one currently serving a sentence of imprisonment, probation, or parole.

4. More specifically, regardless of whether S.O.R.N.A. II is constitutional or unconstitutional, because Defendant did not timely challenge the finding under then controlling Megan’s Law II, he will remain subject to such registration.

5. Changes in the law do not amount to new facts within the meaning of statutory exceptions to the timeliness provisions of the Post Conviction Relief Act. Moreover, since appellate courts have yet to rule on the legality and constitutionality of S.O.R.N.A. II, Defendant cannot properly seek relief from its provisions under retroactive application of the constitutional determination.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, CP-01-CR-188-2010, COMMONWEALTH OF
PENNSYLVANIA VS. PATRICK BRIAN KIRWAN

Kelley L. Margetas, Esq., Attorney for Commonwealth

Sean A. Mott, Esq., Attorney for Defendant

George, J., September 28, 2018

OPINION

The Defendant, Patrick Brian Kirwan, seeks post conviction relief from his September 20, 2012 sentencing, which resulted from guilty pleas to two counts of indecent assault¹. At the time of original sentencing following a pre-sentence investigation and an extensive sentencing hearing, the Defendant was sentenced to serve no less than nine months nor more than 23 months and 29 days in partial confinement with concurrent terms of five years of probation. The

¹ 18 Pa. C.S.A. § 3126(a)(7) graded as misdemeanors of the first degree.

Defendant was also designated a sexually violent predator and, consequently, ordered to comply with lifetime registration pursuant to 42 Pa. C.S.A. § 9795.4 (*repealed*) (known as “Megan’s Law II”). Defendant did not file direct appeal so the judgment of sentence became final on October 20, 2012². Subsequent to sentencing, Defendant’s probation was revoked and he was re-sentenced on December 22, 2016. Ultimately, the Defendant’s sentences terminated as served in full on September 29, 2017. Defendant files the current P.C.R.A. Petition seeking relief from the lifetime registration requirements pursuant to recent appellate court precedent, which has found registration requirements to be illegal.

Before addressing the merits of Defendant’s challenge, this Court must preliminarily determine whether jurisdiction to consider the claim exists. 42 Pa. C.S.A. § 9543(a) identifies eligibility for relief under the P.C.R.A. That section relevantly provides that in order to be eligible for relief, the petitioner must have been convicted of a crime and is:

- (i) currently serving a sentence of imprisonment, probation, or parole for the crime;
- (ii) awaiting execution of a sentence of death for the crime; or
- (iii) serving a sentence, which must expire before the person may commence serving the disputed sentence.

42 Pa. C.S.A. § 9543(a)(1). Defendant is unable to meet any of the eligibility requirements as he has served his sentence in full. *Commonwealth v. Stultz*, 114 A.3d 865 (Pa. Super. 2015), *appeal denied*, 125 A.3d 1201 (defendant was no longer eligible for relief under the P.C.R.A. for he had completed serving his sentence). Although Defendant does not directly address this issue, his petition suggests that he remains eligible for relief under the P.C.R.A. as he is currently subject to “punishment” pursuant to the lifetime registration requirements. This argument derives from the recent Pennsylvania Supreme Court Opinion in *Commonwealth v. Muniz*, 164 A.3d 1189

² A conviction becomes final for purposes of Pennsylvania’s Post Conviction Relief Act (“P.C.R.A.”) at the conclusion of direct review or at the expiration of the time for seeking the review. *Commonwealth v. Breakiron*, 781 A.2d 94 (Pa. 2001).

(Pa. 2017) wherein the Supreme Court concluded that registration requirements constitute punishment for purposes of federal and state constitutions. Absent direct instruction from appellate courts to the contrary, this Court is unwilling, through judicial fiat, to extend *Muniz* to create jurisdiction in post conviction litigation in the face of specific statutory authority to the contrary.

The plain language of the P.C.R.A. relevant to this issue limits eligibility to one currently serving a sentence of imprisonment, probation, or parole. This language is unambiguous and precise in limiting the class of persons eligible for relief. It does not, as Defendant suggests, provide eligibility to one who may be subject to other forms of punishment.³

In reaching this conclusion, I am mindful of the argument that an individual subject to punishment after a sentence of incarceration, probation, or parole has expired may be deprived of important due process rights. This argument, however, was specifically addressed and rejected by the Supreme Court in *Commonwealth v. Turner*, 80 A.3d 754 (Pa. 2013). In *Turner*, the Court addressed a claim that the appellant's due process rights were infringed by her inability to challenge trial counsel's alleged ineffectiveness due to the expiration of her two-year probationary sentence while her petition was pending. In considering the claim, the Court first noted that duly enacted legislation carries with it a strong presumption of constitutionality which will not be overcome unless legislation clearly, palpably, and plainly violates the constitution. *Id.* A.2d at 759. The Court further noted that appellant was not left without a remedy but rather failed to take advantage of remedies available through direct appeal and post conviction proceedings during the period of time she was under

³ By specifically limiting its scope to those sentences involving imprisonment, probation, or parole, the P.C.R.A. does not provide relief to petitioners whose only sentence is a fine. *Commonwealth v. Fisher*, 703 A.2d 714 (Pa. Super. 1997). This remains true even though a fine is undoubtedly a criminal "punishment." See 42 Pa. C.S.A. § 9721(a) (a court may impose a fine as part of the criminal sentence).

sentence. The Court concluded because appellant's liberty was no longer burdened by a sentence, upholding the legislation did not violate due process protections.⁴

In addition to Defendant being ineligible to seek post conviction relief under Section 9543, a second jurisdictional preclusion exists. The P.C.R.A. requires a petition to be filed within one year of the date judgment became final. 42 Pa. C.S.A. § 9545(b). This timeliness requirement is jurisdictional in nature and must be strictly construed. *Commonwealth v. Walters*, 135 A.3d 589 (Pa. Super. 2016). Instantly, Defendant's judgment of sentence became final on October 20, 2012 thereby requiring a timely filed petition to be filed on or before October 20, 2013. Defendant's current petition was not filed until March 13, 2018, approximately four-and-a-half years beyond the statutory filing deadline.

Defendant seeks to avoid this jurisdictional limitation by arguing that the facts on which his claim is predicated were unknown to him and could not have reasonably been ascertained by the exercise of due diligence. He argues the most recent legislative addition of S.O.R.N.A. did not become effective until February 21, 2018 and therefore his petition, filed March 13, 2018, is timely. Although Defendant currently cites the exception to the one-year limitation period, see 42 Pa. C.S.A. § 9545(b), his application of that exception currently is erroneous. The legality or constitutionality of S.O.R.N.A. II does not impact the 2012 finding of Defendant as a sexually violent predator under Megan's Law II, which, at the time, was valid law. Indeed, there is nothing in the recent Supreme Court's *Muniz* decision, or in any other appellate decision, which has held Megan's Law II to be illegal or unconstitutional. Moreover, *Muniz*, which struck down S.O.R.N.A. in violation of the constitution's ex post facto laws, has not been held to apply retroactively. See 42 Pa.

⁴ An argument that *Muniz* found Pennsylvania's Sexual Offender Registration Notification Act ("S.O.R.N.A.") to be an infringement on one's liberty interest is unpersuasive. Even if *Muniz* is read to reach such a conclusion, the legislation under consideration in *Muniz* is significantly different than the statutory legislation in place at the time of Defendant's sentencing. *Muniz*'s conclusion that the registration requirements under S.O.R.N.A. constitute "punishment" took into account specific statutory reporting requirements which were not present in Megan's Law II legislation. Moreover, the Pennsylvania Supreme Court specifically determined the Megan's Law II provisions did not constitute "punishment." *Commonwealth v. Williams*, 832 A.2d 962 (Pa. 2003). Indeed, the *Muniz* Court itself recognized the "significant differences between Pennsylvania's [S.O.R.N.A.] and the statutes upheld in *Williams*. *Muniz*, 164 A.3d at 1218.

C.S.A. § 9545(a)(b)(1)(iii) (timeliness exception applies to a constitutional right recognized by either the United States Supreme Court or Pennsylvania Supreme Court which has been held to apply retroactively).

In his brief, Defendant claims S.O.R.N.A. II, recently adopted on February 21, 2018, effectively replaces S.O.R.N.A., which was found to be unconstitutional by *Muniz*. He further notes S.O.R.N.A. replaced Megan’s Law III, which was found to be unconstitutional in *Commonwealth v. Neiman*, 84 A.3d 604 (Pa. 2013). His domino argument next makes the unjustified leap to conclude that Megan’s Law II was void as replaced by Megan’s Law III. Thus, his designation as a sexually violent predator was made pursuant to legislation which is invalid. Defendant, however, has failed to cite any authority for the cornerstone of his argument that Megan’s Law II was ever determined to be unconstitutional at the time of its application or any time retroactively thereafter. The fallacy of Defendant’s argument is his mistaken assumption that S.O.R.N.A. II is the basis for the determination that he is a “sexually violent predator.” To the contrary, that determination was made under Megan’s Law II. More specifically, regardless of whether S.O.R.N.A. II is constitutional or unconstitutional, because Defendant did not timely challenge the finding under then controlling Megan’s Law II, he will remain subject to such designation.

To the extent Defendant is challenging additional requirements which may be applicable to him under S.O.R.N.A. II, he is still not entitled to relief. Changes in the law do not amount to new facts within the meaning of statutory exceptions to the timeliness provisions of the Post Conviction Relief Act. *Commonwealth v. Whitehawk*, 146 A.3d 266 (Pa. Super. 2016). Moreover, since appellate courts have yet to rule on the legality and constitutionality of S.O.R.N.A. II, Defendant cannot properly seek relief from its provisions under retroactive application of the constitutional determination. Thus, post conviction proceedings challenging his 2012 sentencing are not the proper mechanism to challenge S.O.R.N.A. II’s expansive requirements. Rather, Defendant’s relief, if any, is triggered once the Commonwealth seeks to enforce the S.O.R.N.A. II requirements against him.

For the foregoing reasons, the attached Order is entered.

ORDER OF COURT

AND NOW, this 28th day of September, 2018, the Defendant's P.C.R.A. Petition is denied for the reasons set forth in the attached Opinion.

The Defendant is advised that he has the right to file an appeal to the Pennsylvania Superior Court within thirty (30) days of the entry of this Order. If he fails to do so, any issues he may have related to this Order will be lost forever. He is further advised he has the right to be represented by counsel on appeal. If he is unable to afford counsel, counsel will be appointed on his behalf at no charge to him by filing application with the Adams County Court Administrator's Office. The Defendant is advised that Attorney Sean Mott is available to represent him on appeal at no charge, however, will not take any action on his behalf unless he specifically requests him to do so.

It is further Ordered that the Adams County Clerk of Courts Office shall serve a copy of this Order on counsel pursuant to local practice and upon the Defendant by certified mail, return receipt requested.

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on Friday, the 16th day of November 2018, at 10:00 o'clock in the forenoon at the 4th floor Jury Assembly room in the Adams County Court House, 117 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

No. 18-SU-367**JPMorgan Chase Bank, National Association**

vs.
August M. Ayre, Jr., Linda A. Ayre
Address: 308 Maple Drive, Hanover, PA 17331
Parcel: 08021-0246---000
Conewago Township
Improvements Thereon: Residential Dwelling
Judgment Amount: \$229,160.09
Attorneys for Plaintiff:
Shapiro and Denardo

No. 18-SU-453**Suntrust Mortgage, Inc.**

vs.
Joshua J. Barrett, Jessica L. Barrett
Address: 315 Coon Road, Gardners, PA 17324-9639
Tax Parcel: 40F03-0004A--000
Tyrone Township, Adams County, Pennsylvania
Improvements: Residential Dwelling
Judgment Amount: \$181,185.52
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-153**Wells Fargo Bank, N.A.**

vs.
Regis J. Beaken, Sr., Cindy L. Beaken
Address: 528 Lexington Way, Littlestown, PA 17340
Borough of Littlestown
Parcel Number: 27013-0033-000
Improvements: Residential Dwelling
Judgment Amount: \$207,740.84
Attorneys for Plaintiff:
Manley Deas Kochalski, LLC
P.O. Box 165028
Columbus, OH 43216-5028
614-220-5611

No. 18-SU-503**Freedom Mortgage Corporation**

vs.
Daniel R. Boyer, Kathleen Teresa Boyer
Address: 96 Pine Grove Furnace Road, Aspers, PA 17304-9656
Parcel Number: 29E04-0061A
Menallen Township, Adams County, Pennsylvania
Improvements: Residential Dwelling
Judgment Amount: \$193,513.12
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-438**First Guaranty Mortgage Corporation vs.****Michelle Nicole Boyle, Scott Michael Boyle**

Address: 35 Shirley Lane, Littlestown, PA 17340
Parcel Number: 15117-0142---000
Germany Township, Adams County, Pennsylvania
Improvements Thereon: Residential Judgment Amount: \$195,502.54
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-122**Metlife Insurance Company USA vs.****America A. Calderon, Eduardo A. Calderon**

Address: 158 A Main Street, Arendtsville, PA 17303
Borough of Arendtsville
Parcel: 02006-00040-00000
Improvements Thereon: Residential Dwelling
Judgment Amount: \$138,290.73
Attorneys for Plaintiff:
KML Law Group, P.C.

No. 18-SU-174**Citibank, N.A.**

vs.
Garrett W. Carter, Unknown Heirs, Successors, Assigns and all Persons, Firms or Associations claiming Right, Title or Interest from or under Garrett W. Carter, Deceased
Address: 2781 Cold Springs Road, Orrtanna, PA 17353
Parcel Number: 18B13-0026A-000
Hamiltonban Township, Adams County, Pennsylvania
Improvements Thereon: Residential Dwelling
Judgment Amount: \$102,530.55
Attorneys for Plaintiff:
Powers, Kirn & Associates, LLC

No. 18-SU-727**Bank Of America, N.A.**

vs.
Joseph Allen Connelly, Sr., Connie Louise James Connelly
Address: 99 Toms Creek Trail, Fairfield, PA 17320
Parcel Number: 430460023-000
Carroll Valley Borough, Adams County, Pennsylvania
Improvements Thereon: Residential Dwelling
Judgment Amount: \$139,204.83
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-674**JPMorgan Chase Bank, N.A., S/B/M Chase Home Finance, LLC**

vs.
Glen J. Davis, Donna L. Davis
Address: 131 East King St., Littlestown, PA 17340
Parcel : 27008-0281
Littlestown Borough, Adams County, Pennsylvania
Improvements Thereon: Residential Dwelling
Judgment Amount: \$120,137.64
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-426**Pennymac Loan Services, LLC vs.**

Ralph H. Doxsey
Address: 17 McGinley Drive, Fairfield, PA 17320
Parcel: 11007-0012---000
Situate in the Carroll Valley Borough, Adams County, Pennsylvania
Improvements Thereon: Residential Dwelling
Judgment Amount: \$149,005.16
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-482**Ditech Financial, LLC**

vs.
Ashley N. Eckard, Brent Jaymes Neiman
Address: 349 Greensprings Road, Hanover, PA 17331
Berwick Township
Parcel: 04L12-0066---000
Improvements: Residential
Judgment Amount: \$167,828.45
Attorneys for Plaintiff:
KML Law Group, P.C.

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller
Sheriff of Adams County
www.adamscounty.us
10/19, 10/26 & 11/2

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on Friday, the 16th day of November 2018, at 10:00 o'clock in the forenoon at the 4th floor Jury Assembly room in the Adams County Court House, 117 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

No. 18-SU-96

JPMorgan Chase Bank, N.A.

vs.
Joshua Lee Eyler, Michele M. Eyler, Ralph L. Eyler, Deborah K. Eyler

Address: 1 C Pin Oak Drive, Gettysburg, PA 17325
Parcel: 06006-0006C--000
Bonneauville Borough, Adams County, PA
Improvements: Residential Dwelling
Judgment Amount: \$156,964.23
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-609

JPMorgan Chase Bank, National Association

vs.
Michael J. Ferguson, Melissa Jayne Ferguson

Address: 20 North High Street, Biglerville, PA 17307
Parcel: 05003-0088-000
Biglerville Borough
Improvements: A Residential Dwelling
Judgment Amount: \$255,428.49

No. 18-SU-380

Orrstown Bank

vs.
Robert L. Guberman, Terry A. Guberman

Address: 2819 York Road, Gettysburg, PA 17325
Parcel: 38H11-0056---000
Straban Township, Adams County, PA
Judgment Amount: \$490,951.62
Improvements: Residential
Attorneys for Plaintiff:
JSDC

No. 18-SU-373

Wells Fargo Bank, N.A.

vs.
Jerry Edward Haley, Jr.

Address: 220 Pine Grove Road, Hanover, PA 17331
Parcel: 41K17-0032---000
Union Township, Adams County, Pennsylvania
Improvements: Residential Dwelling
Judgment Amount: \$372,447.67
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 16-NO-121

New Oxford Municipal Authority vs.

Larry John Henschke, Wilma L. Henschke

Address: 125 Curtis Drive, New Oxford, PA 17350
Parcel: 35013-0144---000
Oxford Township, New Oxford, Adams County, Pennsylvania
Improvements: Residential
Judgment Amount: \$1,847.46
Attorneys for Plaintiff:
Stock and Leader

No. 16-SU-1050

Wells Fargo Bank, N.A.

vs.
Jamie L. Lamb
Address: 20 Sunshine Trail, Fairfield, PA 17320
Borough of Carroll Valley
Parcel Number: 43002-0068
Improvements: Residential Dwelling
Judgment Amount: \$185,392.37
Attorneys for Plaintiff:
Manley Deas Kochalski, LLC
614-220-5611

No. 16-SU-1317

Pacific Union Financial, LLC

vs.
Charles Leduc

Address: 515 Lakeview Circle, Littlestown, PA 17340
Parcel: 27012-0025-000
Borough of Littlestown
Improvements: Residential Dwelling
Judgment Amount: \$150,310.66
Attorneys for Plaintiff:
KML Law Group, P.C.

No. 18-SU-281

Amerihome Mortgage Company, LLC

vs.
Michael A. McNew, Beth A. McNew
Address: 201 Plantation Road, Biglerville, PA 17307
Parcel Number: 29C06-0036M-000
Township of Menallen, Adams County, Pennsylvania
Improvements Are Residential Dwelling
Seized and taken in execution as the of Michael A. McNew and Beth A. McNew
Attorneys for Plaintiff:
McCabe Weisberg & Conway, LLC
123 South Broad Street
Sutie 1400
Philadelphia, PA 19109

No. 18-SU-211

Wells Fargo Bank, N.A.

vs.
Kathy L. Misner
Address: 9 Walnut Lane, New Oxford, PA 17350
Township of Oxford
Parcel: 35009-0040---000
Improvements Residential Dwelling
Judgment Amount: \$48,346.02

Attorneys for Plaintiff:

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

No. 18-SU-442

Freedom Mortgage Corporation

vs.
Robert William Reid
Address: 10 Pheasant Trail, Fairfield, PA 17320

Parcel: 43002-0031---000
Carroll Valley Borough, Adams County, Pennsylvania
Improvements Thereon: Residential Dwelling
Judgment Amount: \$183,802.87
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

No. 16-SU-1082

U.S. Bank National Association, As Trustee For The C-Bass Mortgage Loa

vs.
Michele Rorrer a/k/a Michele Crouse, Individually And In Her Capacity As Heir, Dustin J. Crouse, In His Capacity As Heir Of Neil James Crouse, Deceased, Unknown Heirs, Successors, Assigns And All Persons, Firms Or Associations Claiming Right, Title Or Interest From Or Under Neil James Crouse, Deceased

Address: 202 Plunkert Road, Littlestown, PA 17340
Parcel: 30116-0007C--000
Littlestown Borough, Adams County, Pennsylvania
Improvements Thereon: Residential Dwelling
Judgment Amount: \$289,336.15
Attorneys for Plaintiff:
Phelan Hallinan Diamond & Jones, LLP

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Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller
Sheriff of Adams County

www.adamscounty.us
10/19, 10/26 & 11/2

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 administrators or their attorneys named below.

FIRST PUBLICATION

ESTATE OF BERTHA MARGARET BYERS, a/k/a BERTHA M. BYERS, DEC'D

Late of Tyrone Township, Adams County, Pennsylvania

Executrices: Lavetta G. Caskey, 4820 Old Harrisburg Rd., Lot 150, Gettysburg, PA 17325; Loretta M. Hoffman, 50 W. Reynolds Rd., New Oxford, PA 17350

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF SARA H. CHEMBARS, a/k/a SARAH H. CHEMBERS, DEC'D

Late of Union Township, Adams County, Pennsylvania

Administrator: Richard L. Chembars, 28023 Steeple Court, Mechanicsville, MD 20659

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF BRENDA M. COLESANTI, a/k/a BRENDA MARIE COLESANTI, DEC'D

Late of the Borough of Carroll Valley, Adams County, Pennsylvania

Administratrix: Pamela A. Markle, c/o Barbara Entwistle, Esq., Entwistle & Roberts, 37 West Middle Street, Gettysburg, PA 17325

Attorney: Barbara Entwistle, Esq., Entwistle & Roberts, 37 West Middle Street, Gettysburg, PA 17325

ESTATE OF STEPHEN W. CULLISON, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Patricia A. Stine, 9 Timber Lane, Hanover, PA 17331

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF BETTY JANE HARMS, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Melanie Jane Wright, 4577 Solomons Island Rd., Harwood, MD 20776

Attorney: David K. James, III, Esq., 234 Baltimore St., Gettysburg, PA 17325

ESTATE OF LUCREZIA LAMANO, DEC'D

Late of Berwick Township, Adams County, Pennsylvania

Executor: Thomas Lamano, Jr., 590 Abbottstown Pike, Abbottstown, PA 17301

Attorney: Clayton A. Lingg, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF BARBARA E. SNEERINGER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Rebecca E. Myers, 7860 Sassafras Road, New Tripoli, PA 18066

Attorney: Andrew S. Ziegler, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF JAMES EUGENE STEPHENS, JR., DEC'D

Late of the Borough of York Springs, Adams County, Pennsylvania

Administrator: James E. Stephens, III, 5636 Carlisle Pike, New Oxford, PA 17350

Attorney: Rand A. Feder, Esq., Morris & Vedder, LLP, 32 N. Duke St., P.O. Box 149, York, PA 17405-0149

ESTATE OF PAUL J. WALTER, SR., DEC'D

Late of the Borough of Bonneauville, Adams County, Pennsylvania

Executrices: Paula J. Callahan, 21 Pin Oak Drive, Gettysburg, PA 17325; Lisa A. Shull, 19 Pin Oak Drive, Gettysburg, PA 17325

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

SECOND PUBLICATION

ESTATE OF RALPH L. BOWLING, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executrices: Pamela J. Wildasin; Cathy J. Hess a/k/a Cathy J. Jordan, Lori A. Muntz, c/o Scott A. Ruth, Esq., 123 Broadway, Hanover, PA 17331

Attorney: Scott A. Ruth, Esq., 123 Broadway, Hanover, PA 17331

ESTATE OF JOHN W. BREAM, III a/k/a JOHN WILLIAM BREAM, III a/k/a JOHN W. (JACK) BREAM III, DEC'D

Late of Franklin Township, Adams County, Pennsylvania.

Executor: Mark D. Bream, 90 Peach Tree Road, Orrtanna, PA 17353

Attorney: Bernard A. Yannetti, Jr., Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

ESTATE OF GUY E. KEHR, DEC'D

Late of Mt. Joy Township, Adams County, Pennsylvania

Administrator: Kenneth E. Kehr, 512 Basehoar Road, Littlestown, PA 17340; Shirley A. Waybright, 200 Mason Dixon Road, Gettysburg, PA 17325

Attorney: Todd A. King, Esq., Salzman Hughes, P.C., 112 Baltimore Street, Suite 1, Gettysburg, PA 17325-2311

ESTATE OF HARRY W. WELSHONSE a/k/a HARRY WILLIAM WELSHONSE, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Metha B. Williams, 1203 Old Rte. 30, Orrtanna, PA 17353

Attorney: Donis H. Zagurskie, Esq., Johnston & Zagurskie, PC, 117 Main Street, P.O. Box 0, Mifflin, PA 17058

THIRD PUBLICATION

ESTATE OF RUFUS STAPLES HENDON, a/k/a RUFUS STAPLES HENDON, JR., DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Julia Ann Hendon, 1034 Green Ridge Road, Orrtanna, PA 17353

Attorney: David K. James, III, Esq., 234 Baltimore St., Gettysburg, PA 17325

THIRD PUBLICATION CONTINUED

ESTATE OF LYNN P. MYERS, DEC'D
 Late of Menallen Township, Adams County, Pennsylvania
 Executor: James P. Myers, 239 East Chestnut Hill Road Aspers, PA 17304
 Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street Gettysburg, PA 17325

ESTATE OF THOMAS E. NICHOLAS a/k/a THOMAS EUGENE NICHOLAS, DEC'D
 Late of the Borough of East Berlin, Adams County, Pennsylvania
 Executrix: Natalie Rice, 477 Marion Road, York, PA 17406
 Attorney: John J. Mooney, III, Esq., Mooney & Associates, 230 York Street, Hanover, PA 17331

ESTATE OF KENNETH E. SHUE, DEC'D
 Late of the Borough of East Berlin, Adams County, Pennsylvania
 Executors: Bonnie L. Shue, 445 Beaver Street, East Berlin, PA 17316; Kevin E. Shue, 20 Hunter Circle, Abbottstown, PA 17301
 Attorney: Matthew L. Guthrie, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on Friday, the 16th day of November 2018, at 10:00 o'clock in the forenoon at the 4th floor Jury Assembly room in the Adams County Court House, 117 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

No. 16-SU-919
JPMorgan Chase Bank, National Association
 vs.
Eric Michael Sheffer, Kristi V. Wallace
 Address: 1350 Highland Avenue Road, Gettysburg, PA 17325
 Parcel: 30G14-0007D
 Situate in Mt. Joy Township, Adams County, Pennsylvania
 Parcel: 30G14-0007D
 Improvements Thereon: Residential Dwelling
 Judgment Amount: \$143,877.72
 Attorneys for Plaintiff:
 Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-504
M&T Bank
 vs.
Amanda L. Unger, Brian Lee Unger
 Address: 2940 Hanover Pike, Hanover, PA 17331
 Parcel: 08-L15-0015a-000
 Conewago Township
 Improvements: Residential
 Judgment Amount: \$63,156.92
 Attorneys for Plaintiff:
 KML Law Group, P.C.

No. 18-SU-683
Belco Community Credit Union
 vs.
Richard Eugene Varish, Donna M. Varish
 Address: 800 Bullfrog Road, Gettysburg, PA 17325
 Parcel: 13E17-0085-000
 Freedom Township
 Judgment Amount: \$47,017.38 plus interest and fees accrued From 3/15/18
 Improvements: Residential
 Judgment Amount: \$47,017.38
 Attorneys for Plaintiff:
 Martson Law Office
 Christopher E. Rice and David W. Park

No. 2017-SU-1315
LSF8 Master Participation Trust
 vs.
Jean M. Colopy and David G. Colopy
 Being known and number as 31 Pine Hill Trail, Fairfield, PA 17320 in Carroll Valley Borough, County of Adams, Commonwealth of Pennsylvania
 BEING THE SAME PREMISES which JK Myers Contracting, by Deed dated June 16, 2018, and recorded July 6, 2018, in the Office of the Recorder of

Deeds in and for the County of Adams, in Deed Book 6396, Page 158, and as Instrument No. 201800007418, granted and conveyed unto James Peter Halkias.
 Parcel No.: 43017-0112-000
 Improvements: Residential Dwelling
 Judgment Amount: \$302,978.07
 Attorneys for Plaintiff:
 Richard M. Squire & Associates, LLC
 115 West Square, Suite 104
 Jenkintown, PA 19046
 Phone: (215) 886-8790

No. 18-SU-675
Pennymac Loan Services, LLC
 vs.
Christopher L. Winebrenner
 Address: 7 Barbara Trail, Fairfield, PA 17320
 Parcel: 43032-0001---000
 Carroll Valley Borough, Adams County, Pennsylvania,
 Improvements Thereon: Residential Dwelling
 Judgment Amount: \$172,342.62
 Attorneys for Plaintiff:
 Phelan Hallinan Diamond & Jones, LLP

No. 18-SU-704
ACNB Bank, Formerly Known As Adams County National Bank
 vs.
Harry J. Young, III, Sandra Jo Young
 Address: 52 W. Hanover Street, Gettysburg, PA 17325
 Parcel: 06-004-0003---000
 Bonneauville Borough
 Improvements Thereon: Residential Dwelling
 Judgment Amount: \$13,991.05
 Attorneys for Plaintiff:
 Sharon E. Myers, Esquire
 CGA Law Firm
 135 North George Street
 York, PA 17401
 717-848-4900

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller
 Sheriff of Adams County
 www.adamscounty.us
 10/19, 10/26 & 11/2