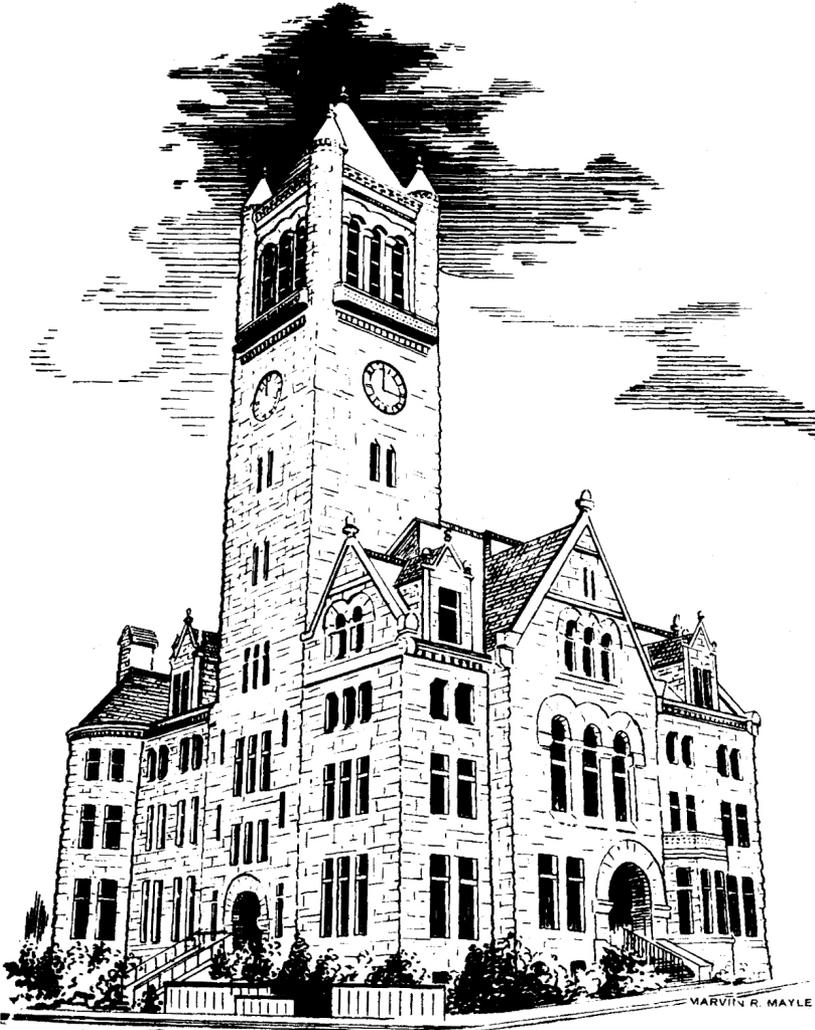


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ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

Third Publication

MARY M. ALLOWATT, late of Franklin Township, Fayette County, PA (3)

Co-Executor: Betty J. Carpeal
805 First Street
Keisterville, PA 15449

Co-Executor: Patty A. Martini
228 Elm Lane
Duncansville, PA 16635

JOHN C. BOONE, A/K/A JOHN CLARENCE BOONE, late of Perryopolis, Fayette County, PA (3)

Executrix: Margaret Ann Clay
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

HELEN M. GUEST, late of Lower Tyrone Township, Fayette County, PA (3)

Personal Representative: Terry L. Kupets
c/o Riverfront Professional Center
208 South Arch Street, Suite 2
Connellsville, PA 15425
Attorney: Richard A. Husband

THOMAS MATTISH, late of Luzerne Township, Fayette County, PA (3)

Executor: Joseph A. Bochna
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Anthony S. Dedola

JESSIE EILEEN POSTLETHWALT, A/K/A JESSIE EILEEN ADAMS, late of Connellsville, Fayette County, PA (3)

Executrix: Deborah Lynn Adams, a/k/a
Deborah Lynn King
c/o Casini & Geibig, LLC
615 West Crawford Avenue
Connellsville, PA 15425
Attorney: Jennifer M. Casini

EVELYN STAUFFER, late of Perry Township, Fayette County, PA (3)

Executrix: Yvonne K. Stauffer
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

ERMA T. ZEMA, late of Belle Vernon Boro, Fayette County, PA (3)

Executor: Gary G. Zema
57 Park Terrace East, Apt. B89
New York, NY 10034
c/o PO Box 384
Shaner Road
Rillton, PA 15678
Attorney: Kimberly J. Gallagher

Second Publication

ROBERT ALDERTON, A/K/A ROBERT DALE ALDERTON, late of Menallen Township, Fayette County, PA (2)

Administratrix: Linda Lobash
c/o P. O. Box 622
Smithfield, PA 15478
Attorney: Charity Grimm Krupa

GARY GALENSKY, SR., late Belle Vernon, Fayette County, PA (2)

Executor: Gary Galensky, Jr.
111 Pepper Drive
Los Altos, CA 94022
c/o Law Offices of Tamora L. Reese, LLC
87 East Maiden Street, Suite 22
Washington, PA 15301
Attorney: Tamora L. Reese

JACQUELYN GALLAGHER, late of Dunbar Township, Fayette County, PA (2)
Executrix: Denise L. Gallagher
 255 Creek Road
 Scottdale, PA 15683

VIOLA MEDVED, A/K/A VIOLA VIRGINIA MEDVED, late of Springhill Township, Fayette County, PA (2)
Executor: Michael Medved
 c/o P.O. Box 622
 Smithfield, PA 15478
Attorney: Charity Grimm Krupa

ETTA MAY SECHRIST, A/K/A ETTA M. SECHRIST, late of Lower Tyrone Township, Fayette County, PA (2)
Personal Representatives:
 Melvin D. Sechrist and Stacy J. Stillwagon
 c/o Watson Mundorff Brooks & Sepic
 720 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Charles W. Watson

First Publication

JOYCE APPLEBY, A/K/A JOYCE ELEAN APPLEBY, late of Wharton Township, Fayette County, PA (1)
Executor: Mark B. Appleby
 c/o 556 Morgantown Road
 Uniontown, PA 15401
Attorney: John A. Kopas, III

MARY JANE LOVERA, late of Springhill Township, Fayette County, PA (1)
Executrix: Dolores Shushko
 457 Gans Road
 Lake Lynn, PA 15451
 c/o 76 East Main Street
 Uniontown, PA 15401
Attorney: Douglas S. Sholtis

BETTY LOUISE LOWE, late of Fayette County, PA (1)
Executors:
 Clarence Ricky Lowe
 PO Box 387
 973 Indian Creek Valley Road
 Indian Head, PA 15446
 James R. Lowe
 PO Box 217
 1011 Indian Creek Valley road
 Indian Head, PA 15446
 c/o 553 Rugh Street, Suite 3
 Greensburg, PA 15601-5635
Attorney: L. Christian DeDiana

SAMUEL F. POPE, A/K/A SAMUEL FREDERICK POPE, late of Perry Township, Fayette County, PA (1)
Executrix: Pamela F. Sendek
 73 Cemetery Road
 Perryopolis, PA 15473
 c/o 300 Fallowfield Avenue
 Charleroi, PA 15022
Attorney: Richard C. Mudrick

BERNICE SHRUM, late of Markleysburg, Fayette County, PA (1)
Personal Representative:
 Robert Earl Shrum
 400 Mudd Pike Road
 Markleysburg, PA 15459
 c/o 5500 Corporate Drive, Suite 150
 Pittsburgh, PA 15237
Attorney: Joseph D. Silvaggio

LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY
CIVIL ACTION – LAW
Civil Action Number: 137 of 2017 GD

**Quicken Loans Inc.,
Plaintiff,**
vs.

**Shannon Kieta, Known Heir of the Estate of
William Vicola and The Unknown Heirs,
Executors and Devisees of the Estate of
William Vicola,
Defendant(s).**

TO: The Unknown Heirs, Executors and
Devisees of the Estate of William Vicola,
Defendant(s)

You have been sued in mortgage
foreclosure on premises: 98 Marie Aly,
Uniontown, PA 15401 based on defaults since
May 1, 2016. You owe \$80,670.85 plus interest.

NOTICE

YOU HAVE BEEN SUED IN COURT. If
you wish to defend against the claims set forth in
the notice above, you must take action within
twenty (20) days after this Complaint and Notice
are served, by entering a written appearance
personally or by attorney and filing in writing
with the Court your defenses or objections to the
claims set forth against you. You are warned
that if you fail to do so the case may proceed
without you and a judgment may be entered
against you by the Court without further notice
for any money claimed in the Complaint or for
any other claim or relief requested by the
Plaintiff. You may lose money or property or
other rights important to you. YOU SHOULD
TAKE THIS PAPER TO YOUR LAWYER AT
ONCE. IF YOU DO NOT HAVE A LAWYER
GO TO OR TELEPHONE THE OFFICE SET
FORTH BELOW. THIS OFFICE CAN
PROVIDE YOU WITH THE 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.

Southwestern Pennsylvania Legal Aid Society, Inc.
48 E. Main St., Uniontown, PA 15401,
724.439.3591

Stern & Eisenberg, PC, Attys. for Plaintiff
1581 Main St., Ste. 200
The Shops at Valley Sq.
Warrington, PA 18976
215.572.8111

MARSHAL'S SALE: By virtue of a Writ of
Execution issued out of the United States
District Court for the Western District of
Pennsylvania and to me directed, I shall expose
to public sale the real property located at 7449
National Pike Road, Uniontown, Pennsylvania
15401, more specifically described in Fayette
County Record Book 2946, Page 1005.

SAID SALE to be held at the Fayette
Courthouse, 61 East Main Street, Uniontown,
PA 15401 at 10:00 a.m. prevailing, standard
time, on July 12, 2017.

All that certain tract of land, together with
the buildings, and improvements erected thereon
described as Tax Map No. 22170023 recorded in
Fayette County, Pennsylvania. Seized and taken
in execution as the property of Raquel R. Smith
and Matthew W. Smith, at the suit of the United
States of America, acting through the Under
Secretary of Rural Development, on behalf of
Rural Housing Service, United States
Department of Agriculture, to be sold on Writ of
Execution as Civil Action No. 16-1523.

TERMS OF SALE: Successful bidder will
pay ten percent (10%) by certified check or
money order upon the property being struck
down to such bidder, and the remainder of the
bid within thirty (30) days from the date of the
sale and in the event the bidder cannot pay the
remainder, the property will be resold and all
monies paid in at the original sale will be
applied to any deficiency in the price at which
the property is resold. The successful bidder
must send payment of the balance of the bid
directly to the U.S. Marshal's Office c/o Sheila
Blessing, 700 Grant Street, Suite 2360,
Pittsburgh, PA 15219. Bidder must have deposit
funds immediately available and on his person in
order to bid, bidder will not be permitted to
leave the sale and return with deposit funds.
Notice is hereby given that a Schedule of
Distribution will be filed by me on the thirtieth
day after the date of sale, and that distribution

will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Steve Frank, United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.
(1 of 4)

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW
No. 2017-00264

**BRANCH BANKING & TRUST
COMPANY,**
Plaintiff,
vs.
**MARK A. PROCTOR A/K/A
MARK PROCTOR
DEBORAH R. PROCTOR,**
Defendants.

NOTICE

To DEBORAH R. PROCTOR

You are hereby notified that on February 8, 2017, Plaintiff, BRANCH BANKING & TRUST COMPANY, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of FAYETTE County Pennsylvania, docketed to No. 2017-00264. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 405 WATER STREET, NEWELL, PA 15466 whereupon your property would be sold by the Sheriff of FAYETTE 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.

Lawyer Referral Service:
Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street.
P.O. Box 186
Harrisburg, PA 17108
Telephone (800) 692-7375

SHERIFF'S SALE

Date of Sale: August 17, 2017

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday, August 17, 2017, at 2:00 p.m. in Courtroom Number One at the Fayette County Courthouse, Uniontown, Pennsylvania.

The terms of sale are as follows:

Ten percent of the purchase price, or a sufficient amount to pay all costs if the ten percent is not enough for that purpose. Same must be paid to the Sheriff at the time the property is struck off and the balance of the purchase money is due before twelve o'clock noon on the fourth day thereafter. Otherwise, the property may be resold without further notice at the risk and expense of the person to whom it is struck off at this sale who in case of deficiency in the price bid at any resale will be required to make good the same. Should the bidder fail to comply with conditions of sale money deposited by him at the time the property is struck off shall be forfeited and applied to the cost and judgments. All payments must be made in cash or by certified check. The schedule of distribution will be filed the third Tuesday after date of sale. If no petition has been filed to set aside the sale within 10 days, the Sheriff will execute and acknowledge before the Prothonotary a deed to the property sold. (1 of 3)

James Custer
Sheriff Of Fayette County

No. 750 of 2011 GD
No. 118 of 2017 ED

**US Bank National Association, as Trustee for
SASCO Mortgage Loan Trust 2006-WF2
Plaintiff,**
vs.
**Unknown Heir s, and/or administrators to
Mary Jane Boger, AKA Mary J. Boger,
Defendant.**

ALL that certain parcel of land lying and being situate in the Township of North Union, County of Fayette, and Commonwealth of Pennsylvania, known as 385 Coolspring Street, Uniontown, PA 15401 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 25-47-0014

BEING the same premises which Patrick J. Stromick and Goldie L. Stromick, his wife and Clarence Ashton and Vivian D. Ashton, his wife, by Deed dated November 29, 1975 and recorded in and for Fayette County, Pennsylvania in Deed Book 1190, Page 355, granted and conveyed unto Ralph H. Boger and Mary Jane Boger, his wife.

By virtue of Ralph H. Boger's death on or about March 5, 2003, his ownership interest was automatically vested in the surviving tenant by the entirety, Mary Jane Boger, AKA Mary J. Boger. Mary Jane Boger, AKA Mary J. Boger died on September 7, 2008. Decendent's surviving heir(s) at law and next-of-kin are unknown.

No. 755 of 2016 GD
No. 105 of 2017 ED

**USAA Federal Savings Bank
Plaintiff,**
vs.
Reed A. Brown;
Laura Brown,
Defendants.

ALL that certain parcel of land lying and being situate in the City of Uniontown, County of Fayette, and Commonwealth of Pennsylvania, known as 70 Oakland Avenue, Uniontown, PA 15401 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 38-05-0145

BEING the same premises which Eunice L. Freeman, a single woman, by Deed dated August 1, 2012 and recorded in and for Fayette County, Pennsylvania in Deed Book 3194, Page 1115, granted and conveyed unto Reed A. Brown and Laura Brown, his wife.

Phelan Hallinan Diamond & Jones, LLP

No. 197 of 2017 GD
No. 131 of 2017 ED

Bank of America, N.A., as Successor by Merger to BAC Home Loans Servicing, LP f/ k/a Countrywide Home Loans Servicing, LP,
Plaintiff,
vs.
Lisa M. Collins,
Defendant(s).

By virtue of a Writ of Execution No. 197 OF 2017 GD, Bank of America, N.A., as Successor by Merger to BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing, LP v. Lisa M. Collins, owner(s) of property situate in the MENALLEN TOWNSHIP, Fayette County, Pennsylvania, being 110 Postoffice Rd, Waltersburg, PA 15488-1019

Parcel No.: 22-02-0046

Improvements thereon: RESIDENTIAL DWELLING

KML Law Group, P.C.
Suite 5000 - BNY Independence Center 701
Market Street
Philadelphia, PA 19106
215-627-1322

No. 2411 of 2016 GD
No. 92 of 2017 ED

JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
c/o 3415 Vision Drive Columbus, OH 43219,
Plaintiff,
vs.
YUDELKA J. CONTRERAS
202 South Tenth Street Connellsville, PA 15425,
Defendant(s).

ALL THAT CERTAIN piece or parcel of land situate in the Connellsville (formerly Dunbar Township), County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL #05-08-0304

PROPERTY ADDRESS: 202 South Tenth Street Connellsville, PA 15425

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF:
YUDELKA J. CONTRERAS

Phelan Hallinan Diamond & Jones, LLP

No. 1138 of 2016 GD
No. 88 of 2017 ED

U.S. Bank National Association, as Trustee for Credit Suisse First Boston Mortgage Securities Corp., Home Equity Asset Trust 2005-6, Home Equity Pass-Through Certificates, Series 2005-6,
Plaintiff,
vs.
Ricky L. Ditmore a/k/a Ricky Ditmore, Sr Andrea S. Ditmore a/k/a Andrea Ditmore,
Defendant(s).

By virtue of a Writ of Execution No. 1138 -OF-2016-GD, U.S. Bank National Association, as Trustee for Credit Suisse First Boston Mortgage Securities Corp., Home Equity Asset Trust 2005-6, Home Equity Pass-Through Certificates, Series 2005-6 v. Ricky L. Ditmore a/k/a Ricky Ditmore, Sr Andrea S. Ditmore a/k/a Andrea Ditmore, owner(s) of property situate in the NORTH UNION TOWNSHIP, Fayette County, Pennsylvania, being 111 Paull Street, Hopwood, PA 15445

Parcel No.: 25-54-0036 -02

Improvements thereon: RESIDENTIAL DWELLING

Phelan Hallinan Diamond & Jones, LLP

No. 2430 of 2015 GD
No. 73 of 2017 ED

No. 118 of 2017 GD
No. 72 of 2017 ED

**U.S. Bank National Association, as Trustee
for Citigroup Mortgage Loan Trust 2006-
WFHE3, A set-Backed Pass- Through
Certificates, Series 2006-WFHE3,
Plaintiff,
vs.
Marian Dulla,
Defendant(s).**

**U.S. BANK N.A., AS TRUSTEE FOR
MANUFACTURED HOUSING CONTRACT
SENIOR/SUBORDINATE PASS-
THROUGH CERTIFICATE TRUST 1996-6,
Plaintiff,
vs.
Victor Dale Fike, Jr. Lori M. Fike
Defendants.**

By virtue of a Writ of Execution No. 118-OF-2017-GD, U.S. Bank National Association, as Trustee for Citigroup Mortgage Loan Trust 2006-WFHE3, Asset-Backed Pass-Through Certificates, Series 2006-WFHE3 v. Marian Dulla, owner (s) of property situate in the REDSTONE TOWNSHIP, Fayette County, Pennsylvania, being 1085 Main Street, Republic, PA 15475

ALL THAT CERTAIN lot of land situate in Wharton Township, Fayette County, Pennsylvania:

BEING THE SAME PREMISES which Victor Dale Fike, Jr. and Lori M. Fike, by Deed dated May 20, 2005 and recorded May 23, 2005 in the Office of the Recorder of Deeds in and for Fayette County in Deed Book Volume 2946, Page 1544, granted and conveyed unto Victor Dale Fike, Jr.

BEING KNOWN AS: RD1 Box 211DD n/ k/a 2993 Dinner Bell - 5 Forks Road, Farmington, PA 15437
PARCEL #42-38-0015

Parcel No.: 30-23-0015
Improvements thereon: RESIDENTIAL DWELLING

No. 2532 of 2016 GD
No. 79 of 2017 ED

No. 1089 of 2016 GD
No. 119 of 2017 ED

**Nationstar Mortgage LLC,
Plaintiff,
vs.
Karla S. Feniello aka Karla Feniello,
Defendant.**

**WELLS FARGO BANK , N.A.,
Plaintiff,
vs.
SANDRA A. FOYLE,
Defendant.**

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF KARLA S. FENIELLO, AKA KARLA FENIELLO, OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN piece or parcel of land located in the Redstone Township, Fayette County, Pennsylvania.

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN CONNELLSVILLE CITY, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED AT DBV 3020 PAGE 1317.

BEING THE SAME PREMISES which Barry A. Douglas and Walda D. Douglas, by Deed dated September 1, 1993 and recorded September 8, 1993 in the Office of the Recorder of Deeds in and for Fayette County in Deed Book Volume 1234, Page 3, granted and conveyed unto Thomas J. Foyle and Sandra A. Foyle.

BEING KNOWN AS 201 ROBBINS STREET, CONNELLSVILLE, PA 15425 TAX MAP NO. 05-09-0335

Thomas J. Foyle departed this life on December 19, 2014 and interest passed to his wife, Sandra upon his death

BEING KNOWN AS: 482 ROYAL ROAD, CHESTNUT RIDGE, PA 15422
PARCEL #30190069 and 30190068

KML Law Group, P.C.
 SUITE 5000 - BNY Independence Center
 701 MARKET STREET
 Philadelphia, PA 19106-1532
 215-627-1322

No. 997 of 2015 GD
 No. 93 of 2017 ED

**PNC BANK, NATIONAL ASSOCIATION,
 SUCCESSOR BY MERGER TO
 NATIONAL CITY BANK, SUCCESSOR BY
 MERGER TO NATIONAL CITY BANK OF
 PENNSYLVANIA**

**3232 Newmark Drive
 Miamisburg, OH 45342**

**Plaintiff,
 vs.**

**RICHARD M GARDNER
 DONNA R. GARDNER,
 Defendants.**

ALL THAT CERTAIN lot of land situate
 in the Bullskin Township, County of Fayette and
 Commonwealth of Pennsylvania.

TAX PARCEL #04-17-0067-01
 PROPERTY ADDRESS: 177 Switzer
 Road Mount Pleasant, PA 15666
 IMPROVEMENTS: A residential
 dwelling.

SOLD AS THE PROPERTY OF:
 RICHARD M GARDNER and DONNA R.
 GARDNER

No. 388 of 2017 GD
 No. 111 of 2017 ED

**PENNSYLVANIA HOUSING FINANCE
 AGENCY,**

**PLAINTIFF,
 vs.**

**EARLA J. GOODWIN,
 DEFENDANT.**

ALL those certain lots of ground in the
 Borough of Vanderbilt, County of Fayette,
 Pennsylvania, being Lot Nos. 59 and 60,
 Nelsonville Plan unrecorded, as follows:

PARCEL I: being approximately 86.67 x
 136.65 x 100 x 136; PARCEL II: being
 approximately 143 x 67.1 x 199.81 x 122.6 x

225.9; containing approximately 40,176 square
 feet; and PARCEL III: being to the south of Lot
 Nos. 59 and 60 herein, bounded by said lots, an
 alley, and State Route 201.

HAVING THEREON ERECTED
 DWELLING KNOWN AS 311 MAIN STREET
 F/K/A 300 FLATWOODS ROAD
 VANDERBILT, PA 15486.

Tax Parcel# 40-02-0046

Fayette County Deed Book 2919, page
 1041.

TO BE SOLD AS THE PROPERTY OF
 EARLA J. GOODWIN.

No. 347 of 2017 GD
 No. 99 of 2017 ED

**MB Financial Bank, N.A.,
 PLAINTIFF,**

vs.

**Zachary C. Hixson,
 DEFENDANT.**

All that certain lot or piece of ground
 situate in the VILLAGE OF EAST LIBERTY,
 DUNBAR TOWNSHIP, County of Fayette, and
 Commonwealth of Pennsylvania, being Lot No.
 39 in the VILLAGE OF EAST LIBERTY Plan
 of Lots as recorded in the Office of the Recorder
 of Deeds of Fayette County, being more
 particularly bounded and described as follows,
 to wit:

Beginning at the intersection of Maple and
 Second Street; thence along Second Street East
 159 feet to an alley; thence North along said
 alley 66 feet to land or lot formerly of Malissa
 Parkhill of Fred Brown; thence by land or lot
 formerly of said Parkhill or Brown, West 159
 feet to Maple Street; thence by said Maple
 Street 66 feet to the place of beginning.

HAVING erected a dwelling thereon
 known as 1226 MAPLE STREET, Dickerson
 Run, PA 15430.

COMMONLY KNOWN AS: 1226 Maple
 Street, Dickerson Run, PA 15430 TAX
 PARCEL NO. 09-03-0058

Keith J. Pappas
 PA State Bar No. 58030
 176 Fayette Street
 Morgantown, WV 26505
 Phone: (304) 292-0821

No. 62555 of 2016 DSB
 No. 120 of 2017 ED

McCABE, WEISBERG & CONWAY, P.C.
 BY: Joseph I. Foley, Esquire - ID # 314675
 123 South Broad Street, Suite 1400
 Philadelphia, PA 19109
 (215) 790-1010

No. 2490 of 2016 GD
 No. 109 of 2017 ED

UNITED BANK, INC.
a West Virginia banking corporation
Petitioner,
v.
G&P PROPERTIES, LLC, a West Virginia
limited liability company,
Respondent.

Ditech Financial LLC,
Plaintiff,
vs.
Joann Ann Holland, Known Surviving Heir
of Alberta June Holland, John E. Holland,
Known Surviving Heir of Alberta June
Holland, Ellen J. Patch, Known Surviving
Heir of Alberta June Holland, Donald A.,
Defendant.

ALL that certain piece, parcel or tract of land situate in the City of Uniontown, Fayette County, Pennsylvania, more particularly bounded and described as follows:

ALL of Lot No. 34 and part of Lot No. 32 in the South Side Addition to Uniontown, as recorded in Plan Book No. 1, Page 26, fronting 70 feet on the North side of Highland Avenue, and extending back of the same width between Lot No. 36 on the East and land now or formerly of Maurice Lomergan and William McCormick on the West, 140 feet to a 15 foot alley in the rear, upon which is erected a large brick dwelling house.

DEED DATE: February 12, 2009

RECORDED in Record Book 3085, at Page 1641 TAX IDENTIFICATION: 38-11-0275

BEING 40 Highland Avenue, Uniontown, PA 15401

One (1) Lot of land with a 72' frontage on which is erected a single dwelling numbered House #8, located in Smock, Colonial #1, in Menallen Township, Fayette County, Pennsylvania.

Being known as: 102 Smock Hill Street, Smock, Pennsylvania 15480

Title vesting in Alberta June Holland a/k/a Alberta J. Holland by deed from Fayette County Tax Claim Bureau dated May 25, 1970 and recorded May 25, 1970 in Deed Book 1093, Page 696 The said Alberta June Holland a/k/a Alberta J. Holland died on February 9, 2016 without a will or appointment of an Administrator.

Tax Parcel Number: 22030045

UDREN LAW OFFICES, P.C.
ATTORNEY FOR PLAINTIFF
WOODCREST CORPORATE CENTER
111 WOODCREST ROAD, SUITE 200
CHERRY HILL, NJ 08003-3620
856-669-5400

No. 1296 of 2016 GD
No. 89 of 2017 ED

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

**PATRICIA L. JOHNSON, INDIVIDUALLY
AND AS A KNOWN HEIR OF THOMAS H.
JOHNSON
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS AND ALL PERSONS, FIRMS
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
THOMAS H. JOHNSON,
Defendant(s).**

ALL THAT CERTAIN LOT OF LAND
SITUATE IN PERRY TOWNSHIP,
FAYETTE COUNTY, PENNSYLVANIA:
BEING KNOWN AS 202 Main Street
(Perry Township), Perryopolis, PA 15473
PARCEL NUMBER: 27-08-0036
IMPROVEMENTS: Residential Property

Phelan Hallinan Diamond & Jones, LLP

No. 1532 of 2013 GD
No. 117 of 2017 ED

**Wilmington Savings Fund Society, FSB d/b/a
Christiana Trust, Not in It's Individual
Capacity But Solely as The Trustee for The
Brougham Fund I Trust,
Plaintiff,
vs.**

**Susan Carol Johnson
Robert W. Johnson,
Defendant(s).**

By virtue of a Writ of Execution No. 1532-OF-2013-GD, Wilmington Savings Fund Society, FSB d/b/a Christiana Trust, Not in It's Individual Capacity But Solely as The Trustee for The Brougham Fund I Trust v. Susan Carol Johnson Robert W. Johnson, owner(s) of property situate in the NICHOLSON

TOWNSHIP, Fayette County, Pennsylvania, being RR 2 Box 337 A, a/k/a 694 Woodside Oldframe Road, Smithfield, PA 15478-1130
Parcel No.: 24-05-0009
Improvements thereon: RESIDENTIAL DWELLING

Phelan Hallinan Diamond & Jones, LLP

No. 149 of 2017 GD
No. 128 of 2017 ED

**Ditech Financial LLC f/k/a Green Tree
Servicing LLC,
Plaintiff,
vs.**

**Tyrone O. Johnson a/k/a Tyrone L. Johnson,
Defendant(s).**

By virtue of a Writ of Execution No. 149-OF-2017-GD, Ditech Financial LLC f/k/a Green Tree Servicing LLC v. Tyrone O. Johnson a/k/a Tyrone L. Johnson, owner(s) of property situate in the NORTH UNION TOWNSHIP, Fayette County, Pennsylvania, being 45 Hogsett Lane, Uniontown, PA 15401
Parcel No.: 25-20-0157
Improvements thereon: RESIDENTIAL DWELLING

No. 2049 of 2016 GD
No. 107 of 2017 ED

**U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR THE PENNSYLVANIA
HOUSING FINANCE AGENCY,
PLAINTIFF**

**vs.
AMANDA R. KEILBACH F/K/A AMANDA
R. PIERNO,
DEFENDANT.**

ALL that certain lot of ground in the Borough of Dunbar, County of Fayette, Pennsylvania, being Lot No. 30, Plan of Lots by Thomas W. Watt, Fayette County Plan Book Volume 5, page 60. HAVING THEREON ERECTED A DWELLING KNOWN AND NUMBERED AS 52 Railroad Street, Dunbar, PA 15431.

PARCEL # 08-03-0236
Fayette County Deed Book 3120, page 2095.

TO BE SOLD AS THE PROPERTY OF
 AMANDA R. KEILBACH F/K/A AMANDA
 R. PIERNO.

KML Law Group, P.C.
 Suite 5000 - BNY Independence Center
 701 Market Street
 Philadelphia, PA 19106
 215-627-1322

No. 2410 of 2016 GD
 No. 94 of 2017 ED

LAKEVIEW LOAN SERVICING, LLC

**425 Phillips Blvd
 Ewing, NJ 08618,
 Plaintiff,**
 vs.

**BRIAN KEITH JOLLY A/K/A BRIAN K
 JOLLY,
 110 Franklin Avenue
 Uniontown, PA 15401,
 Defendant(s).**

ALL THAT CERTAIN lots of land situate
 in the South Union Township, County of Fayette
 and Commonwealth of Pennsylvania.

TAX PARCEL #34-25-0006 & 34-25-0007
 PROPERTY ADDRESS: 110 Franklin
 Avenue Uniontown, PA 15401
 IMPROVEMENTS: A residential
 dwelling.

SOLD AS THE PROPERTY OF: BRIAN
 KEITH JOLLY A/K/A BRIAN K. JOLLY

Phelan Hallinan Diamond & Jones, LLP

No. 398 of 2015 GD
 No. 130 of 2017 ED

**U.S. Bank National Association,
 Plaintiff,**
 vs.

**Jeremy J. Lamanna, Individually and in His
 Capacity as Heir of Sandra D. Lamanna,
 Deceased
 Unknown Heirs, Successors, Assigns, and All
 Persons, Firms, or Associations Claiming
 Right, Title or Interest From or Under
 Sandra D. Lamanna, Deceased,
 Defendant(s).**

By virtue of a Writ of Execution No. 398

OF 2015 GD U.S. Bank National Association v.
 Jeremy J. Lamanna, Individually and in His
 Capacity as Heir of Sandra D. Lamanna,
 Deceased Unknown Heirs, Successors, Assigns,
 and All Persons, Firms, or Associations
 Claiming Right, Title or Interest From or Under
 Sandra D. Lamanna, Deceased, owner(s) of
 property situate in the PERRY TOWNSHIP,
 Fayette County, Pennsylvania, being 119 Mattys
 Lane, Star Junction, PA 15482

Parcel No.: 27-13-0023

Improvements thereon: RESIDENTIAL
 DWELLING

KML Law Group, P.C.
 Suite 5000 - BNY Independence Center
 701 Market Street
 Philadelphia, PA 19106
 215-627-1322

No. 272 of 2017 GD
 No. 82 of 2017 ED

**PNC BANK, NATIONAL ASSOCIATION,
 SUCCESSOR IN INTEREST TO
 NATIONAL CITY REAL ESTATE
 SERVICES, LLC, SUCCESSOR BY
 MERGER TO NATIONAL CITY
 MORTGAGE, INC., FORMERLY KNOWN
 AS NATIONAL CITY MORTGAGE CO.
 3232 Newmark Drive Miamisburg, OH
 45342,**

Plaintiff,
 vs.

**ELISA M. LIBERATORE-THOMAS NK/A
 ELISA M. LIBERATORE
 A/K/A ELISA LIBERATORE
 1 03 Ann Street
 Brownsville, PA 15417
 Defendant(s).**

ALL THAT CERTAIN piece or tract of
 land situate in the Borough of Brownsville,
 County of Fayette and Commonwealth of
 Pennsylvania.

TAX PARCEL #02-06-0294
 PROPERTY ADDRESS: 103 Ann Street
 Brownsville, PA 15417

IMPROVEMENTS: A residential
 dwelling.

SOLD AS THE PROPERTY OF: ELISA
 M. LIBERATORE-THOMAS A/K/A ELISA M.
 LIBERATORE A/K/A ELISA LIBERATORE

Phelan Hallinan Diamond & Jones, LLP

KML Law Group, P.C.
Suite 5000 - BNY Independence Center
701 Market Street
Philadelphia, PA 19106
215-627-1322

No. 2012 of 2016 GD
No. 95 of 2017 ED

No. 86 of 2017 GD
No. 87 of 2017 ED

**HSBC Bank USA, National Association as
Trustee for PHH Alternative Mortgage Trust,
Series 2007- 1,
Plaintiff,
vs.**

**Walter N. McNair, Sr., in His Capacity as
Administrator and Heir of The Estate of
Gladys E. McNair
Lawrence McNair, in His Capacity as Heir of
The Estate of Gladys E. McNair
Walter N. McNair, Jr., in His Capacity as
Heir of The Estate of Gladys E. McNair
Unknown Heirs, Successors, Assigns, and All
Persons, Firms, or Associations Claiming
Right, Title or Interest From or Under
Gladys E. McNair, Deceased,
Defendant(s).**

**QUICKEN LOANS INC.
635 Woodward Avenue
Detroit, MI 48226,
Plaintiff,
vs.**

**KEVIN MCGREGOR
DAWN M. MCGREGOR
Mortgagor(s) and Record Owner(s)
124 South High Street
Fayette City, PA 15438,
Defendants.**

ALL THAT CERTAIN lot, piece or parcel
of land, situate in the Fayette City Borough,
County of Fayette and Commonwealth of
Pennsylvania.

TAX PARCEL #12030087 & 12030086
PROPERTY ADDRESS: 124 South High
Street Fayette City, PA 15438
IMPROVEMENTS: A residential
dwelling.

SOLD AS THE PROPERTY OF: KEVIN
MCGREGOR and DAWN M. MCGREGOR

By virtue of a Writ of Execution No. 2012-
OF-2016-GD, HSBC Bank USA, National
Association as Trustee for PHH Alternative
Mortgage Trust, Series 2007-1 v. Walter N.
McNair, Sr, in His Capacity as Administrator
and Heir of The Estate of Gladys E. McNair,
Lawrence McNair, in His Capacity as Heir of
The Estate of Gladys E. McNair Walter N.
McNair, Jr, in His Capacity as Heir of The
Estate of Gladys E. McNair, Unknown Heirs,
Successors, Assigns, and All Persons, Firms, or
Associations Claiming Right, Title or Interest
From or Under Gladys E. McNair, Deceased,
owner(s) of property situate in the GERMAN
TOWNSHIP, Fayette County, Pennsylvania,
being 375 Old Route 21, a/k/a 375 Old Route 21
Road, Uniontown, PA 15401

Parcel No.: 15280162
Improvements thereon: RESIDENTIAL
DWELLING

No. 439 of 2012 GD
 No. 110 of 2017 ED

No. 228 of 2017 GD
 No. 103 of 2017 ED

CAL ED FCU,
PLAINTIFF,
 vs.
TAMMY M MADER,
DEFENDANT.

The Huntington National Bank,
Plaintiff,
 vs.
Missi Jo Morgan,
Defendant.

ALL THAT CERTAIN lot or piece of
 grounded situate in Connellsville Twp. County
 of Fayette, PA:

BEING THE SAME PREMISES; As
 described in the mortgage from Tammy M.
 Mader, et con., to Cal Ed Federal Credit Union
 recorded in Mortgage Book 2419, p. 333, on
 October 22, 1999.

Known and identified as 1407 Buttermore
 Blvd, Connellsville, PA 15425
 Parcel ID No. 06-04-0082

ALL that certain piece or pared of land
 situate in German Township Fayette County,
 Pennsylvania, being more particularly bounded
 and described as follows:

BEGINNING a point in the center line of
 the presently improved portion of the highway
 leading from Uniontown to Masontown,
 Pennsylvania, known as Pennsylvania State
 Highway Route No. 21. which place of
 beginning is North 54 degrees 59 minutes East,
 a distance of 68.29 feet from the southeast corner
 of the wall at the western side of the bridge over
 Brown’s Run: thence along the center line of the
 presently improved portion of said highway,
 South 26 degrees 01 minutes West, a distance of
 299.54 feet to a point; thence continuing along
 the center line of the presently improved portion
 of said highway by a curve to the right with a
 radius of 3,819.38 feet, a distance of 557.79 feet
 to a point in said center line; thence leaving said
 highway and in former Pennsylvania State
 Highway Route No. 21. North 2 degrees 30
 minutes East a distance of 431.18 feet to a point
 in said former Pennsylvania State Highway
 Route No. 21; thence leaving said former
 Pennsylvania State Highway Route No. 21, and
 along lands now or formerly known as the
 Sterling Graham Plan of Lots, North 32 degrees
 30 minutes West, a distance of 330 feet to a
 point in the division line between the land
 hereby described and lands now or formerly of
 Benjamin R. Lardin; thence along said lands
 now or formerly of Benjamin R. Lardin, North
 82 degrees 15 minutes East, a distance of 243
 feet to a point in former Pennsylvania State
 Highway Route No. 21; thence in said former
 Pennsylvania State Highway Route No. 21,
 South 63 degrees 45 minutes West, a distance of
 32.60 feet to a point; thence leaving said former
 Pennsylvania State Highway Route No. 21 and
 along the aforesaid division line between the
 property hereby described and property now or
 formerly of Benjamin R. Lardin. North 86
 degrees 15 minutes East, a distance of 359.40
 feet to a point in the center line of Pennsylvania

No. 276 of 2017 GD
 No. 101 of 2017 ED

U.S. ROF II LEGAL TITLE TRUST 2015-1,
BY U.S. BANK NATIONAL
ASSOCIATION, AS LEGAL TITLE
TRUSTEE,
Plaintiff,
 vs.
RICHARD MILAN,
Defendant.

ALL THE RIGHT, TITLE, INTEREST
 AND CLAIM OF RICHARD MILAN, OF, IN
 AND TO THE FOLLOWING DESCRIBED
 PROPERTY:

ALL THAT CERTAIN REAL ESTATE
 SITUATED IN REDSTONE TOWNSHIP,
 FAYETTE COUNTY, PENNSYLVANIA.
 HAVING ERECTED THEREON A
 DWELLING KNOWN AS 742 FAIRBANK
 HERBERT ROAD, NEW SALEM, PA 15468.
 DEED BOOK VOLUME 3012, PAGE 2097
 AND PARCEL NUMBER 30-36-0012 & 30-
 36-0013.

McCABE, WEISBERG & CONWAY, P.C.
 BY: Joseph I. Foley, Esquire - ID # 314675
 123 South Broad Street, Suite 1400
 Philadelphia, PA 19109
 (215) 790-1010

State Highway Route No. 21, the place of beginning, containing 4.0541 acres per survey of Charles C. Hooper, Registered Surveyor, made on the 26th day of June, 1956 and attached to the hereinafter recited deed.

EXCEPTING AND RESERVING thereout and therefrom all the nine foot and five foot veins of coal together with the mining rights appurtenant thereto as excepted and reserved in the deed of Jesse A Sterling et ux., et al., to J. Alfred Baer dated March 23, 1920, and recorded in the Recorder's Office of Fayette County, Pennsylvania, in Deed Book Volume 400, Page 74.

ALSO EXCEPTING AND RESERVING unto prior owners in the chain of title, their successors and assigns, all claims for damages heretofore accruing against the Manufacturers Light and Heat Company for laying, relaying and relocating pipe lines across said premises.

ALSO EXCEPTING AND RESERVING unto the Grantor, its successors and assigns all of the oil, gas, minerals, .mining and drilling rights in and under the premises.

UNDER AND SUBJECT to Lease No. 28,329 now or previously held by The People's Natural Gas Company.

ALSO UNDER AND SUBJECT to the same rights, privileges, agreements, rights of way, easements, conditions, exceptions, restrictions and reservations as exist by virtue of prior recorded instruments, deeds or conveyances.

All that certain piece or parcel or Tract of land situate in the Township of German, Fayette County, Pennsylvania.

Being known as: 1912 McClellandtown Road, Masontown, Pennsylvania 15461.

Title vesting in Missi Jo Morgan by deed from Dan Chamberlain, Executor of the Estate of Betty A. Chamberlain dated March 21, 2014 and recorded March 27, 2014 in Deed Book 3245, Page 606 Instrument Number 201400002763.

Tax Parcel Number: 15350249

MARTHA E. VON ROSENSTIEL, P.C.
Martha E. Von Rosenstiel, Esq / No 52634
Heather Riloff, Esq / No 309906
Jeniece D. Davis, Esq / No 208967
Tyler J. Wilk, Esq / No 322247
649 South Ave, Ste 7
Secane, PA 19018
(610)328-2887

No. 1408 of 2012 GD
No. 70 of 2017 ED

**Federal National Mortgage Association
("Fannie Mae")
3900 Wisconsin Avenue, NW Washington
DC 20016-2892,**

**Plaintiff,
vs.**

**John M. Petrosky and Stephanie L. Petrosky
and Donna Lee Petrosky
409 Perry Avenue
Belle Vernon, PA 15012,
Defendants.**

ALL THAT CERTAIN tract of land situate in Washington township, Fayette county, Pennsylvania, bounded and described as follows:

BEGINNING at a point in the eastern line of the Public road leading from Belle Vernon to Perryopolis at the northern line of an unnamed alley; thence by said unnamed alley. North 69 degrees 38 minutes east, a distance of 200 feet, more or less, to the line of land now or formerly of Albert Bealer; thence by the latter, north 20 degrees 32 minutes west, 60.00 feet to a point; thence south 69 degrees 38 minutes west, a distance of 69.45 feet, more or less, to a point; thence by other land of which a portion of the tract herein conveyed is a part, south 20 degrees 39 minutes east, a distance of 36.96 feet to a point; thence by the same, south 69 degrees 21 minutes west, a distance of 130.55 feet to a point in the aforementioned Public road; thence by the latter, south 20 degrees 39 minutes east, 22.40 feet to a point, the place of beginning.

TAX PARCEL # 41-07-0285

PROPERTY: 409 Perry Avenue, Belle Vernon, PA 15012

IMPROVEMENTS: Residential Dwelling
TO BE SOLD AS THE PROPERTY OF:
John M. Petrosky and Stephanie L. Petrosky

No. 356 of 2017 GD
 No. 126 of 2017 ED

STERN AND EISENBERG, PC
 JESSICA N. MANIS, ESQ.

**PENNSYLVANIA HOUSING FINANCE
 AGENCY,
 PLAINTIFF,
 VS.
 BARBARA A. POKORNY,
 DEFENDANT.**

No. 71 of 2017 GD
 No. 83 of 2017 ED

**HSBC Bank USA, National Association, as
 Indenture Trustee for People’s Choice Home
 Loan Securities Trust Series 2005-3 c/o
 Ocwen Loan Servicing, LLC,
 Plaintiff,
 vs.
 Paul C. Shropshire, Jr. a/k/a Paul C.
 Shropshire c/o Kathleen G. Shropshire,
 Defendant(s).**

ALL THAT CERTAIN piece or parcel of
 land situate in the Borough of Masontown,
 Fayette County, Pennsylvania, as shown on a
 survey by Edwin J. Taylor, Sr., dated May,
 1972, which survey is recorded in Fayette
 County Deed Book 1127, Page 774, and having
 thereon erected a dwelling known as: 124 N.
 WASHINGTON STREET, MASONTOWN,
 PA 15461.

SITUATE IN THE THIRD WARD OF
 THE CITY OF CONNELLSVILLE, FAYETTE
 COUNTY, PENNSYLVANIA, BEING
 KNOWN AS 246 South Prospect Street,
 Connellsville, PA 15425 PARCEL NO. 05-07-
 0320

Tax Parcel # 21-07-0252
 Reference Fayette County Record Book
 2226, Page 170.

IMPROVEMENTS - RESIDENTIAL
 REAL ESTATE
 SOLD AS THE PROPERTY OF- Paul C.
 Shropshire, Jr. a/k/a Paul C. Shropshire c/o
 Kathleen G. Shropshire

No. 331 of 2017 GD
 No. 138 of 2017 ED

**WELLS FARGO BANK, N.A.,
 Plaintiff,
 vs.
 AMY E. ROSS,
 Defendant.**

Phelan Hallinan Diamond & Jones, LLP

No. 2397 of 2016 GD
 No. 141 of 2017 ED

ALL THAT CERTAIN LOT OR PIECE
 OF GROUND SITUATE IN THE FIFTH
 WARD OF THE CITY OF CONNELLSVILLE,
 COUNTY OF FAYETTE AND
 COMMONWEALTH OF PENNSYLVANIA.

**CitiMortgage, Inc.,
 Plaintiff
 vs.
 Jeremy Staley , in His Capacity as Heir of
 Albert L. Staley, Deceased
 Derek Staley, in His Capacity as Heir of
 Albert L. Staley, Deceased
 Carly Robinson, in Her Capacity as Heir of
 Albert L.
 Staley, Deceased
 Unknown Heirs, Successors, Assigns, and All
 Persons, Firms, or Associations Claiming
 Right, Title or Interest From or Under
 Albert L. Staley, Deceased,
 Defendant(s).**

BEING THE SAME PREMISES which
 Michael S. McClain and Lori McClain, husband
 and wife, by Deed dated May 24, 2013 and
 recorded May 30, 2013 in the Office of the
 Recorder of Deeds in and for Fayette County in
 Deed Book Volume 3220, Page 2356, granted
 and conveyed unto AMY E. ROSS, unmarried.

BEING KNOWN AS: 403 EAST
 WASHINGTON AVENUE,
 CONNELLSVILLE, PA 15425
 PARCEL #05120015

By virtue of a Writ of Execution No. 2397-
 0F-2016-GD CitiMortgage, Inc. v. Jeremy
 Staley, in His Capacity as Heir of Albert L.
 Staley, Deceased Derek Staley, in His Capacity

as Heir of Albert L. Staley, Deceased Carly Robinson, in Her Capacity as Heir of Albert L. Staley, Deceased, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Albert L. Staley, Deceased, owner(s) of property situate in the JEFFERSON TOWNSHIP, Fayette County, Pennsylvania, being 453 Newell rd, Fayette City, PA 15438-1157

Parcel No.: 17010029

Improvements thereon: RESIDENTIAL DWELLING

No. 173 of 2017 GD
No. 112 of 2017 ED

PENNSYLVANIA HOUSING FINANCE AGENCY,

PLAINTIFF,

vs.

ANTHONY A. STILIANIDIS AND HOLLI A. STILIANIDIS,
DEFENDANTS.

ALL that certain lot in the City of Uniontown (formerly North Union Township), Fayette County, Pennsylvania, being known as Lot No. 124, Coffey's Addition to Uniontown, Fayette Plan Book Volume 1, page 131. HAVING THEREON ERECTED DWELLING KNOWN AS 78 EAST KERR STREET UNIONTOWN, PA 15401.

TAX PARCEL#: 38-01-0262
Deed Book 3249, page 1537.

TO BE SOLD AS THE PROPERTY OF HOLLI A. STILIANIDIS AND ANTHONY A. STILIANIDIS.

No. 1053 of 2016 GD
No. 114 of 2017 ED

Wells Fargo Bank, NA,
Plaintiff,

vs.

Unknown Heirs, and/or Administrators of the Estate of Paul K. Tate; Susan Mullins, as believed heir and/or Administrator to the Estate of Paul K. Tate; Robert A. Tate, as believed heir and/or administrator to the Estate of Paul K. Tate; William R. Tate, as believed heir and/or administrator to the Estate of Paul K. Tate; Russell P. Tate, as believed heir and/or administrator to the

Estate of Paul K. Tate; Betty J. Tate, as believed heir and/or administrator to the Estate of Paul K. Tate,
Defendants.

ALL that certain parcel of land lying and being situate in the Township of Redstone, County of Fayette, and Commonwealth of Pennsylvania, known as 6 Redstone Street, Republic, PA 15475 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 30-23-0093

BEING the same premises which Dorothy Fraley, an unremarried widow, by Deed dated March 17, 2005 and recorded in and for Fayette County, Pennsylvania in Deed Book 2939, Page 1243, granted and conveyed unto Paul K. Tate.

No. 106 of 2017 GD
No. 71 of 2017 ED

Deutsche Bank National Trust Company, as Trustee for FFMLT Trust 2006-FF3, Mortgage Pass-Through Certificates, Series 2006-FF3,

PLAINTIFF,

vs.

Charles B. Toms,
DEFENDANT.

ALL that certain lot of land situate now in the Third Ward of the City of Uniontown, formerly in the Second Ward of the Borough of Uniontown, Fayette County, Pennsylvania, being Lot No. 76 in plan of lots laid out by A.E. Wilson's heirs as recorded in the Recorder's Office of Fayette County, Pennsylvania, in Plan Book 1, page 83, said lot being bounded and described as follows: FRONTING 40 feet on the northerly side of Prospect Street and extending back of uniform width in a northerly direction 150 feet to a 20 foot alley, being bounded on the east by Lot No. 77, on the west by Lot No. 75, on the north by said 20 foot alley, and on the south by Prospect Street.

EXCEPTING AND RESERVING, thereout and therefrom, all the nine foot or Connellsville vein of coking coal in and underlying the above described lot of land, with the same mining rights and privileges that have been conveyed heretofore to J. V. Thompson, et al.

COMMONLY KNOWN AS: 43 Prospect
Street, Uniontown, PA 15401
TAX PARCEL NO. 38-03-0276

Daniel Muklewicz, Esquire
Hladik, Onorato & Federman, LLP
298 Wissahickon Avenue
North Wales, PA 19454

No. 836 of 2015 GD
No. 137 of 2017 ED

Bayview Loan Servicing, LLC,
Plaintiff,
vs.

Fred H. Voithofer, Jr. and
Michelle S. Voithofer,
Defendant.

By virtue of Writ of Execution No.: 00836
of 2015 GD, Bayview Loan Servicing, LLC
(Plaintiff) vs. Fred H. Voithofer, Jr. and
Michelle S. Voithofer (Defendant)

Property Address: 615 Old Frame Road,
Smithfield, PA 15478

Parcel I.D. No.: 24-19-36

Improvements thereon of the residential
dwelling.

Judgment Amount: \$303,723.87

KML Law Group, P.C.
Suite 5000 - BNY Independence Center
701 Market Street
Philadelphia, PA 19106
215-627-1322

No. 552 of 2017 GD
No. 132 of 2017 ED

PNC BANK, NATIONAL ASSOCIATION,
SUCCESSOR IN INTEREST TO
NATIONAL CITY REAL ESTATE
SERVICES, LLC, SUCCESSOR BY
MERGER TO NATIONAL CITY
MORTGAGE, INC., FORMERLY KNOWN
AS NATIONAL CITY MORTGAGE CO.
3232 Newmark Drive Miamisburg, OH
45342,

Plaintiff,
vs.

CANDRA WASHINGTON
Mortgagor(s) and Record Owner(s)

1713 2nd Street
Connellsville, PA 15425,
Defendant(s).

ALL THAT CERTAIN piece, parcel or lot
of land situate in the Borough of South
Connellsville, County of Fayette and
Commonwealth of Pennsylvania.

TAX PARCEL #33-08-0086-03

PROPERTY ADDRESS: 1713 2nd Street
Connellsville, PA 15425

IMPROVEMENTS: A residential
dwelling.

SOLD AS THE PROPERTY OF:
CANDRA WASHINGTON

Phelan Hallinan Diamond & Jones, LLP

No. 47 of 2016 GD
No. 113 of 2017 ED

JPMorgan Chase Bank, N.A.,
Plaintiff,
vs.

Kenneth A. Yauger a/k/a Kenneth Alan
Yauger,
Defendant(s).

By virtue of a Writ of Execution No. 47 OF
2016 GD JPMorgan Chase Bank, N.A.

v. Kenneth A. Yauger a/k/a Kenneth Alan
Yauger, owner(s) of property situate in the
NORTH UNION TOWNSHIP, Fayette County,
Pennsylvania, being 120 Fernwood Road,
Lemont Furnace, PA 15456-1202

Parcel No.: 2527012604

Improvements thereon: RESIDENTIAL
DWELLING

JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY,
PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF	:
PENNSYLVANIA,	:
v.	:
BRIAN JEFFREY HESS,	: NO. 615 OF 2012
Defendant.	: JUDGE STEVE P. LESKINEN

J.W. Eddy, Assistant District Attorney, for the Commonwealth
John E. Perrott, Esq., for the Defendant

OPINION AND ORDER

LESKINEN, J.

May 30, 2017

Before the Court is a Petition for Expungement Pursuant to Pa.R.Crim.P. 790. An evidentiary hearing on this matter was held on May 9, 2017. The Commonwealth presented no testimony but only asked the Court to take judicial notice of Defendant's jury trial conviction of possession of child pornography on October 8, 2014. {1} The Commonwealth made no additional arguments in opposition to Defendant's Petition. Defendant testified on his own behalf in support of his Petition.

For the reasons set forth below, the Court denies Defendant's Petition.

BACKGROUND

Defendant was arrested in the instant case on February 16, 2012. As stated above, Defendant was convicted by a jury of possession of child pornography following a three-day trial on October 8, 2014. He was sentenced to nine (9) to twenty-four (24) months' incarceration, and a timely appeal was filed by his trial counsel. Both the undersigned and the Honorable John F. Wagner, Jr., President Judge, issued separate opinions on the appellate issues raised by Defendant. The Court hereby incorporates those opinions by reference. {2} On September 18, 2015, the Pennsylvania Superior Court vacated Defendant's sentence, reversed Judge Wagner's Order, and discharged him due to the Commonwealth's failure to adhere to Pa.R.Crim.P.600. Defendant was released from incarceration in March 2016.

{1} Defendant was also charged with dissemination of child pornography; however, the jury was hopelessly deadlocked in reaching a verdict. Accordingly, the Court declared a mistrial. The Commonwealth declined to retry Defendant on that offense and nolle prossed it.

{2} President Judge Wagner's opinions were issued on November 28, 2012 and September 28, 2014. The undersigned's opinion was issued on February 13, 2015.

On March 13, 2017, Defendant filed a Petition for Expungement, and the Court held an evidentiary hearing on May 9, 2017. Defendant, 44, testified on his own behalf and stated that he has been unable to obtain employment due to his arrest in this matter, even though it is not the only item on Defendant's criminal record. Defendant has a prior aggravated assault conviction wherein his now - deceased parents were the victims; however, that conviction is seventeen (17) years-old. Defendant's employment history is virtually nonexistent overall.

DISCUSSION

Expungement of a criminal record is a long-standing right in the Commonwealth of Pennsylvania. *Carlacci v. Mazaleski*, 798 A.2d 186, 188 (Pa.2002). "The decision to grant or deny a petition to expunge rests with the sound discretion of the trial court," and the appellate courts only review the court's decision for abuse of discretion. *Commonwealth v. Waughtel*, 999 A.2d 623, 624-25 (Pa.Super.2010); *Commonwealth v. A.M.R.*, 887 A.2d 1266, 1268 (Pa.Super.2005).

The disposition of the petitioner's criminal case(s) is at the forefront of the trial court's analysis and evaluation of every petition for expungement. When an individual has been convicted of the offenses charged, then the circumstances under which expungement may be granted are very limited. 18 Pa.C.S. § 9122; *Hunt v. Pennsylvania State Police*, 983 A.2d 627, 633 (Pa.2009). When an individual has been tried and acquitted, then he is "automatically entitled to the expungement of his arrest record." *Commonwealth v. D.M.*, 695 A.2d 770, 772- 73 (Pa.1997). When a prosecution has been terminated without a conviction or acquittal, the trial court is required "to balance the individual's right to be free from the harm attendant to maintenance of the arrest record against the Commonwealth's interest in preserving such records." *Commonwealth v. Wexler*, 431 A.2d 877, 879 (Pa.1981). The Wexler factors include but are not limited to:

[1] the strength of the Commonwealth's case against the petitioner, [2] the reasons the Commonwealth gives for wishing to retain the records, [3] the petitioner's age, criminal record, and employment history, [4] the length of time that has elapsed between the arrest and the petition to expunge, and [5] the specific adverse consequences the petitioner may endure should expunction be denied.

Id. at 879.

In *Commonwealth v. Moto*, 23 A.3d 989 (Pa.2011), the Supreme Court applied the Wexler factors to a case where appellee sought to expunge his arrest, trial, conviction, and sentence after he was granted a new trial, and the Commonwealth ultimately withdrew the charges. In 1987, appellee was convicted of rape, involuntary deviate sexual intercourse, robbery, and criminal conspiracy and was sentenced to twelve (12) to twenty-four (24) years' incarceration. *Id.* at 991. Appellee filed a PCRA seeking DNA evidence from the underwear the alleged victim wore on the night of the assault. *Id.* The evidence revealed the presence of DNA from three different men, none of whom could have been appellee; accordingly, he was granted a new trial. *Id.* The Commonwealth was compelled to withdraw the charges due to its inability to locate the alleged victim.

Id.

In 2008, appellee sought expungement of his arrest, trial, conviction, and sentence. Id. at 992. The trial court held a hearing where the Commonwealth presented testimony in opposition to appellee's petition. Id. The Commonwealth contended that the DNA evidence did not exonerate appellee and offered several reasons in support of the strength of its case against appellee. Id. The procedural history was as follows: the trial court denied appellee's petition; appellee appealed to the Superior Court; the Superior Court vacated the trial court's decision; the Commonwealth appealed to the Supreme Court ; and, the Supreme Court upheld the trial court's decision in holding that it properly applied the Wexler factors and therefore did not abuse its discretion. Id. at 991, 998. It is further noted that the Court also held that the trial court was not required to apply all of Wexler factors; rather, it was permissible to balance the pertinent ones. Id. at 995-96.

In the case sub judice, the Commonwealth is heavily relying on the strength of its case; hence, its request for judicial notice of Defendant's trial and subsequent conviction. Unlike Moto, Defendant's conviction was overturned on a violation of Rule 600, which is not an exoneration on the merits. The Commonwealth was not required to proffer additional evidence with regard to this point since the record was clear. The Court finds that the Commonwealth's case is strong due to the fact that there was sufficient evidence for him to be convicted by a jury. The Commonwealth did not offer additional evidence with regard to the other Wexler factors.

Defendant, aged 44, offered his criminal history, which consisted of a 2000 aggravated assault conviction wherein his now-deceased parents were the victims. Presumably, that conviction has hampered Defendant's ability to obtain employment since Defendant had no significant employment history whatsoever. It is inconsequential that Defendant has not had any additional arrests or convictions since 2012 or that Defendant waited five years after the date of his arrest to file his Petition. The Court finds that the instant conviction has not been the primary reason he has been unemployed. Possession of child pornography is a serious offense, similar to pedophilia. Recidivism rates are high. The Court, after balancing the Wexler factors, concludes that in the interest of protecting society, his arrest record should be retained.

WHEREFORE, the Court enters the following Order:

ORDER

AND NOW, this 30th day of May, 2017, upon consideration of Defendant's Petition for Expungement, it is hereby ORDERED and DECREED that the Petition is DENIED.

Defendant is advised that he has 30 days to file an appeal of this Order to the Pennsylvania Superior Court.

BY THE COURT,
STEVE P. LESKINEN

ATTEST:
CLERK OF COURTS

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