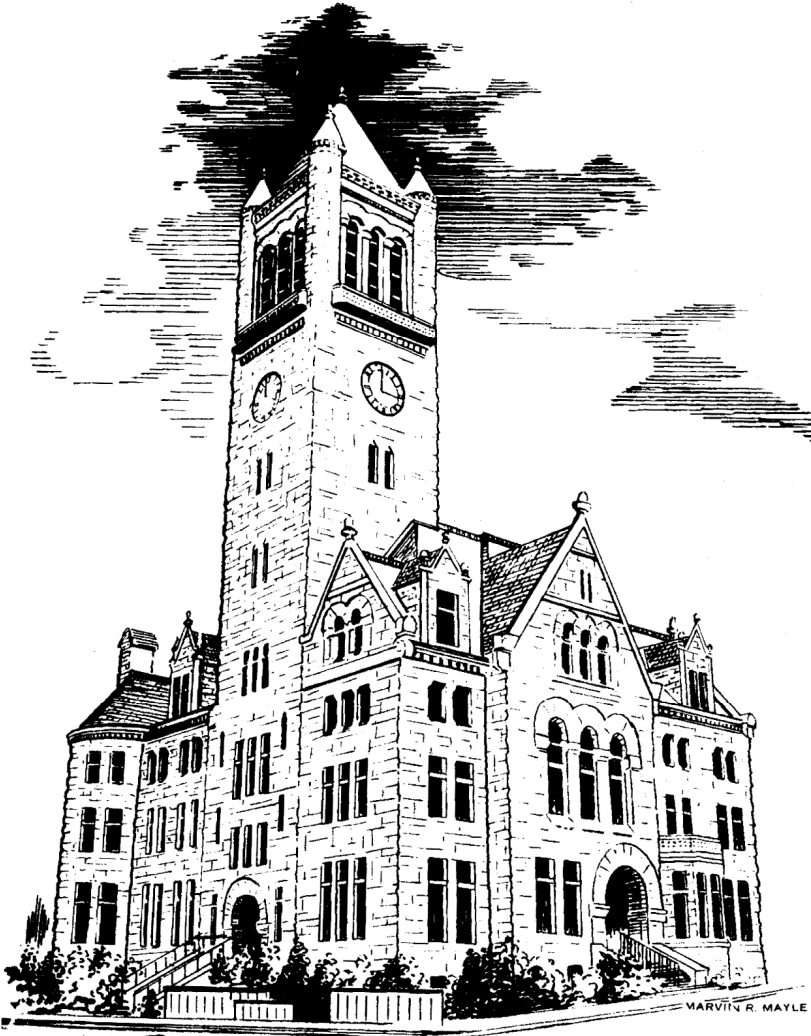


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ESTATE NOTICES

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

EDWARD ELNIKAR, SR., a/k/a EDWARD ELNIKAR, late of Perry Township, Fayette County, PA (3)

Executor: Edward J. Elnikar
c/o Hajduk & Associates
77 South Gallatin Avenue
P.O. Box 1206
Uniontown, PA 15401
Attorney: Mary Lenora Hajduk

MARY JONES, late of North Union Township, Fayette County, PA (3)

Executor: Robert G. Jones
c/o Adams & Adams
55 East Church Street
Uniontown, PA 15401
Attorney: Jason F. Adams

CARL KOBOSKY, late of Washington Township, Fayette County, PA (3)

Executor: Rudolph Andrew Kobosky
145 Stotler Drive
Delmont, PA 15626
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark Ramsier

ANITA E. KOLLAR, late of Redstone Township, Fayette County, PA (3)

Executrix: Donna Lee Lilley
620 Hill Street, Box 73
Fairbank, PA 15435
c/o P.O. Box 652
Monongahela, PA 15063
Attorney: Neil J. Marcus

JOHN F. MUNDORFF, late of South Connellsville, Fayette County, PA (3)

Personal Representative:
Gretchen A. Mundorff
c/o Watson Mundorff & Sepic, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Charles W Watson

FREDA TEETS, a/k/a FREDA BELLE TEETS, a/k/a FREDA BELLE WYATT, a/k/a FREDA BELLE NUCE, a/k/a FREDA B. TEETS, late of Smithfield, Fayette County, PA

Executor: Jennings Davis II (3)
P.O. Box 613
Eleanor, WV 25070
Attorney: Jennings Davis II

BILLY V. WEDGE, late of Mill Run, Fayette County, PA (3)

Personal Representative:
Linda Hutchinson
c/o Casini & Geibig, LLC
615 West Crawford Avenue
Connellsville, PA 15425
Attorney: Jennifer M. Casini

GERALD RAY WILLIAMS, late Georges Township, Fayette County, PA (3)

Personal Representative:
Barbara Ann Kozak
c/o Davis & Davis
1007 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

Second Publication

GARY BRAND, a/k/a GARY WAYNE BRAND, GARY W. BRAND, late of Luzerne Township, Fayette County, PA (2)

Personal Representative: Ryan Brand
18 Arlington Avenue
Charleroi, PA 15022
c/o P.O. Box 136
Bentleyville, PA 15314
Attorney: John P. Friedmann

RICHARD J. RUGGIERI, late of South Union Township, Fayette County, PA (2)
Co-Executors: Richard Palko and Darryl Gesso
 c/o Zebley Mehalov & White, P.C.
 18 Mill Street Square
 P.O. Box 2123
 Uniontown, PA 15401
Attorney: Mark M. Mehalov

First Publication

SOPHIA MARIE DURATZ, a/k/a SOPHIA M. DURATZ, late of Uniontown, Fayette County, PA (1)
Personal Representative: Carla DellaPenna
 c/o Davis & Davis
 107 East Main Street
 Uniontown, Pa 15401
Attorney: James T. Davis

BARBARA H. GEORGE, a/k/a BARBARA GEORGE, a/k/a BARBARA HITCHCOCK GEORGE, late of Bullskin Township, Fayette County, PA (1)
Personal Representative: Michael George
 c/o Watson Mundorff & Sepic, LLP
 720 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Charles W. Watson

EDWARD W. HARRY, a/k/a EDWARD WILLIAM HARRY, JR., late of Bullskin Township, Fayette County, PA (1)
Personal Representative: Gladys LaPorte
 c/o Watson Mundorff & Sepic, LLP
 720 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Charles W. Watson

PHILLIP M. JONES, late of South Union Township, Fayette County, PA (1)
Executor: Phillip Bruce Jones
Executrix: Jennifer J. Falcinelli
 c/o Webster & Webster
 51 East South Street
 Uniontown, PA 15401
Attorney: Webster & Webster

ELSIE KOWASIC, late of Washington Township, Fayette County, PA (1)
Executrix: Kyra L. Kowasic
 5460 White Oak Avenue Apt. A305
 Encino, CA 91316
 c/o 823 Broad Avenue
 Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

SUSAN LYNN SNYDER, a/k/a S. LYNN SNYDER, a/k/a LYNN SNYDER, late of South Union Township, Fayette County, PA (1)
Executor: Larry D. Schupp
 c/o Fitzsimmons and Barclay
 55 East Main Church Street, Suite 102
 Uniontown, PA 15401
Attorney: James N. Fitzsimmons

STANLEY E. TABAJ, late of Dunbar Township, Fayette County, PA (1)
Executrix: Irene C. Tabaj
 c/o 815 A Memorial Boulevard
 Connellsville, PA 15425
Attorney: Margaret Zylka House

LEGAL NOTICES

**Notice of Revocable Trust Pursuant to
20 Pa. C.S. § 7755(c)**

William J. Mitchell Revocable Trust
under agreement dated 9/30/1993,
amended and restated 3/1/2007

Notice is hereby given of the administration of THE WILLIAM J. MITCHELL REVOCABLE TRUST, DATED SEPTEMBER 30, 1993, AMENDED AND RESTATED MARCH 1, 2007. WILLIAM J. MITCHELL, settlor of the trust, of the City of Uniontown, County of Fayette, and Commonwealth of Pennsylvania, died on March 31, 2018. All persons indebted to the said decedent are requested to make payment to the undersigned without delay, and all persons having claims or demands against said trust are requested to make known the same.

Elizabeth Henry, Trustee

c/o WATSON MUNDORFF & SEPIC, LLP
720 Vanderbilt Road
Connellsville, PA 15425-6218
Phone: 724/626-8882 (2 of 3)

NOTICE

NOTICE is hereby given that a Petition for the Disposition of Property Held in Trust by Washington Township Pursuant to 53 Pa. Stat. Ann. Section 3381 et seq., was filed in the Court of Common Pleas of Fayette County at Docket No. 28-OC-2018, by the Township of Washington, 1390 Fayette Avenue, Belle Vernon, Pennsylvania, 15012. Said Petition pertains to property known as Parcel ID No. 41-16-0096, and further known as Lot Nos. 37 and 38 in the Brownstown Plan, of record in Plan Book Volume 1, page 108, in the Office of the Recorder of Deeds of Fayette County. The Court has set a hearing on said Petition for Monday, August 27, 2018, at 11:00 a.m., prevailing time, in Courtroom No. 1 of the Fayette County Courthouse, 61 E. Main Street, Uniontown, Pennsylvania, 15401. Matthew J. Kalina, Esq., Witherel & Associates, 966 Perry Highway, Pittsburgh, PA, 15237, (412)366-6629. (3 of 3)

**IN THE UNITED STATES DISTRICT
COURT FOR THE WESTERN DISTRICT
OF PENNSYLVANIA
CIVIL ACTION NO. 2:18-cv-00241-MRH**

**UNITED STATES OF AMERICA,
Plaintiff
vs.
PAULA J. MURPHY,
Defendant**

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 and being more fully described at Fayette County Deed Book 2684 Page 302.

SAID SALE to be held at the Fayette County Courthouse in the hallway outside of the Sheriff's Office, 61 East Main Street, Uniontown, PA 15401 at **10:00 a.m.** prevailing standard time, on **September 13, 2018.**

ALL that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Parcel No. 33-08-0132 recorded in Fayette County, Pennsylvania, commonly known as: **1727 Fourth Street, South Connellsville, Pennsylvania 15425.**

IDENTIFIED as Tax/Parcel #: 33-08-0132 in the Deed Registry Office of Fayette County, Pennsylvania. **HAVING** erected a dwelling thereon known as 1727 FOURTH STREET, SOUTH CONNELLSVILLE, PA 15425. **BEING** the same premises conveyed to Paula J. Murphy, dated February 21, 2001, and recorded on February 26, 2001 in the office of the Recorder of Deeds in and for Fayette County, Pennsylvania. Seized and taken in execution as the property of Paula J. Murphy 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. 2:18-cv-00241.

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 (30th) 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. Michael Baughman, Acting United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov. (2 of 4)

**NOTICE OF CERTIFICATE OF
ORGANIZATION -
LIMITED LIABILITY COMPANY**

Notice is hereby given that Certificate of Organization was filed and approved with the Department of State of the Commonwealth of Pennsylvania for a limited liability company formed under the Limited Liability Company Law of 1994 on the 12th day of April, 2018. The name of the company is Miller Land Holdings, Limited Liability Company.

Margaret Zylka House
815A Memorial Boulevard
Connellsville, PA 15425
724-628-4955

NOTICE

Notice is hereby given that a Petition to Decrease the Number of Members of Council of the Borough of Markleysburg, Fayette County, Pennsylvania, from seven members to five members, has been filed and that a hearing shall be held to consider such Petition on the 18th day of September, 2018, at 11:00 a.m. in Courtroom No. 5 of the Fayette County Courthouse, Uniontown, Pennsylvania. Interested persons may appear at this time to offer testimony in favor of or in opposition to said Petition.

NOTICE

NOTICE is hereby given pursuant to the provisions of Act 295 of December 16, 1982, P.L. 1309, that a Certificate was filed in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on or about July 12, 2018 to conduct a business in Fayette County, Pennsylvania, under the assumed or fictitious name of Walk by Faith FMC, with the principal place of business at 53 S. Morgantown Street Fairchance, PA 15436. The name or names and addresses of persons owning and interested are Pastor Charles McLaughlin, 53 S. Morgantown Street Fairchance, PA 15436.

Fictitious Name Registration

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on July 16, 2018 for Studio M by Morgan Faris at 870 McClellandtown Rd. Suite 6, McClellandtown, PA 15458. The name and address of each individual interested in the business is Morgan Faris at 870 McClellandtown Rd. Suite 6, McClellandtown, PA 15458. This was filed in accordance with 54 Pa.C.S. 311.

SHERIFF'S SALE

Date of Sale: October 11, 2018

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, October 11, 2018, at 2:00 p.m. in Courtroom Number Five 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. (2 of 3)

James Custer
Sheriff Of Fayette County

No. 797 of 2018 DSB
No. 188 of 2018 ED

**WELLS FARGO BANK, N.A., AS
TRUSTEE FOR THE BENEFIT OF THE
HOLDERS OF COMM 2014-CCRE18
MORTGAGE TRUST COMMERCIAL
MORTGAGE PASS-THROUGH
CERTIFICATES,**

**Plaintiff,
vs.**

**AM UNIONTOWN HOTEL, L.P.,
Defendant.**

ALL THE RIGHT TITLE, INTEREST
AND CLAIMS OF AM UNIONTOWN
HOTEL, L.P. OF, IN AND TO THE
FOLLOWING DESCRIBED PROPERTY:

ALL THAT PARCEL OF LAND
SITUATE IN NORTH UNION TOWNSHIP,
FAYETTE COUNTY, PA, BEING PARCEL
25-17-0011, MORE FULLY DESCRIBED IN
BOOK 3244, PAGE 2077.

BEING KNOWN AS 700 WEST MAIN
STREET, UNIONTOWN, PA 15401
TAX PARCEL NO. 25-17-0011

No. 32 of 2018 GD
No. 250 of 2018 ED

**CIT Bank, N.A.,
PLAINTIFF,
vs.**

**Paul G. Barclay, Jr., Executor of the Estate of
Betty June Barclay a/k/a Betty J. Barclay,
Deceased and The Betty June Barclay
Revocable Living Trust and,
DEFENDANTS.**

COMMONLY KNOWN AS: 190 Wymps
Gap Road, Smithfield, PA 15478
TAX PARCEL NO. 36-21-0040

No. 128 of 2018 GD
No. 181 of 2018 ED

ANNE N. JOHN Esq.
ATTORNEY AT LAW

JPMorgan Chase Bank, National Association,
PLAINTIFF,
vs.
Rodger C. Coddington, II,
DEFENDANT.

No. 2325 of 2017 GD
No. 251 of 2018 ED

FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION OF GREENE COUNTY, a
corporation,
Plaintiff,
vs.
LEE W. ENGLAND and MARY LYNN
ENGLAND,
Defendants.

COMMONLY KNOWN AS: 116 North
High Street, Fayette City, PA 15438
TAX PARCEL NO. 12030035

ALL that certain lot of land situate in South
Union Township, Fayette County, PA known as
and being Lot No. 34 in the Edgewood Park
Plan of Lots, Second Addition, a plot of which is
recorded in the Recorder of Deeds Office of
Fayette County, PA, in Plan Book No. 9, Page
167.

No. 2733 of 2012 GD
No. 241 of 2018 ED

JAMES B. NUTTER & COMPANY,
Plaintiff,
vs.
KENNETH DANIELS, IN HIS CAPACITY
AS HEIR OF BETTY DANIELS,
DECEASED

FOR prior title see Record Book 2833 at
page 1767.

UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS AND ALL PERSONS, FIRM OR
ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
BETTY DANIELS, DECEASED

UPON which is erected a single-family
dwelling known locally as 109 Kendall Drive,
Hopwood, PA 15445.

SCOTT OHLER,
Defendants.

Fayette County Tax Assessment Map No.:
34-41-0013.

All that certain parcel of land situate in
Stewart Township, Fayette County,
Pennsylvania, bounded and described as
follows:

No. 893 of 2018 GD
No. 187 of 2018 ED

UNITED BANK, INC.
Plaintiff,
vs.
FP PROPERTIES, LLC,
Defendant.

BEING THE SAME PREMISES which
Ada Daniels, by Deed dated February 2, 1995
and recorded February 10, 1995 in the Office of
the Recorder of Deeds in and for Fayette County
in Deed Book Volume 1490, Page 328, granted
and conveyed unto JAMES DANIELS AND
BETTY DANIELS, husband and wife.

BEING KNOWN AS: 441 MAPLE
SUMMIT ROAD, MILL RUN, PA 15464
PARCEL #37-08-0034

FIRST: All that property situate in the
City of Uniontown, Fayette County,
Pennsylvania, being described as Tax Map
Number 38-13-0174, and Lot No. 14 in the Plan
of Lots laid out by the Uniontown Land
Company, and being more particularly described
in a deed dated July 3, 2008 and recorded in
Record Book 3066, page 476.

SECOND: All those two certain lots
situate in the City of Uniontown, Fayette
County, Pennsylvania, being described as Tax
Parcel No. 38-13-0175 and Lots Nos. 15 and 16
in the Plan of Lots laid out by the Uniontown
Land Company and being more particularly

described in a deed dated August 22, 2008 and recorded in Record Book 3088, page 2167.

Together with such rights-of-way and under and subject to the exceptions and reservations as appear in prior deeds of record.

Seized and taken in execution as the properties of FP Properties, LLC, owner or reputed owner of the properties, at the suit of United Bank, Inc. in the Court of Common Pleas of Fayette County, Pennsylvania at No. 893 of 2018, G. D.

No. 418 of 2018 GD
No. 175 of 2018 ED

FIRST NATIONAL BANK OF PENNSYLVANIA,

Plaintiff,

vs.

THE UNKNOWN HEIRS, EXECUTORS AND/OR ADMINISTRATORS OF THE ESTATE OF MARK L. KEFFER, Defendants.

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF THE UNKNOWN HEIRS, EXECUTORS AND/OR ADMINISTRATORS OF THE ESTATE OF MARK L. KEFFER OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN NORTH UNION TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA. HAVING ERECTED THEREON A DWELLING BEING KNOWN AND NUMBERED AS 141 HOGSETT STREET, UNIONTOWN, PA 15401. DEED BOOK VOLUME 2830, PAGE 2089, AND PARCEL NUMBER 25-23-0092.

No. 482 of 2018 GD
No. 163 of 2018 ED

US Bank National Association, Not in Its Individual Capacity but Solely as Trustee as Trustee for the CIM Trust 2017-8 Mortgage-Backed Notes, Series 2017-8,

Plaintiff,

vs.

Cindy George, AKA Cindy Lou George; Charles A. George, AKA Charles Allen George, Defendants.

ALL that certain parcel of land lying and being situate in the Borough of Masontown, County of Fayette, and Commonwealth of Pennsylvania, known as 526 South Main Street, Masontown, PA 15461 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 21-08-0172

BEING the same premises which Alex Kovach and Blanche Kovach, his wife, by Deed dated April 27, 1998 and recorded in and for Fayette County, Pennsylvania in Deed Book 2081, Page 51, granted and conveyed unto Charles Allen George and Cindy Lou George, his wife.

No. 246 of 2018 GD
No. 235 of 2018 ED

PNC BANK, NATIONAL ASSOCIATION, SUCCESSOR BY MERGER TO NATIONAL CITY BANK,

Plaintiff,

vs.

MICHAEL KITTA, EXECUTOR OF THE ESTATE OF JAMES P. WOLAK A/K/A JAMES PETER WOLAK, Defendant.

ALL THE RIGHT TITLE, INTEREST AND CLAIMS OF MICHAEL KITTA, EXECUTOR OF THE ESTATE OF JAMES P. WOLAK A/K/A JAMES PETER WOLAK, OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT OF LAND SITUATE IN THE BOROUGH OF EVERSON, FAYETTE COUNTY, COMMONWEALTH OF PA, BEING PARCEL 10040058, MORE FULLY DESCRIBED IN DEED BOOK

VOLUME 598, PAGE 1.

BEING KNOWN AS 628 PAINTER STREET, EVERSON, PA 15631. TAX PARCEL NO. 10040058

No. 2607 of 2017 GD
No. 234 of 2018 ED

**MIDFIRST BANK,
PLAINTIFF,
VS.**

**TERESA KOCH A/K/A THERESA COKE,
EXECUTRIX OF THE ESTATE OF
CAROL BAILES AKA CAROL JEAN
BAILES AKA CAROL J. BAILES,
DECEASED,
DEFENDANT.**

ALL that certain parcel of land in Upper Tyrone Township, Fayette County, Commonwealth of Pennsylvania, being Lots Nos. 1, 2, 3, 4, 5 and 6, Section 16, Livengood-Sherrick Farm Addition to Everson, Fayette Plan Book Vol. 1, part 2, page 157. HAVING THEREON ERECTED DWELLING KNOWN AND NUMBERED AS: 925 BROWN STREET N/K/A 446 EVERSON VALLEY ROAD EVERSON, PA 15631.

Tax Parcel # 39-09-0022

Fayette Deed Book 2941, page 13

TO BE SOLD AS THE PROPERTY OF TERESA KOCH AKA THERESA COKE, EXECUTRIX OF THE ESTATE OF CAROL BAILES AKA CAROL JEAN BAILES AKA CAROL J. BAILES UNDER JUDGMENT NO. 2017-02607.

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

No. 564 of 2018 GD
No. 249 of 2018 ED

**BAYVIEW LOAN SERVICING, LLC, A
DELAWARE LIMITED LIABILITY
COMPANY
4425 Ponce de Leon Blvd
Coral Gables, FL 33146,
Plaintiff,**

vs.

**MATTHEW TREY LEASURE as
Administrator of the Estate of Floyd A.
Leasure, Jr. Deceased
2012 Devon Lane Hopwood, PA 15445,
Defendant(s).**

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

TAX PARCEL# 25-50-0064

PROPERTY ADDRESS: 2012 Devon Lane Hopwood, PA 15445

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF: MATTHEW TREY LEASURE as Administrator of the Estate of Floyd A. Leasure, Jr. Deceased

No. 1 of 2018 GD
No. 166 of 2018 ED

**DOLLAR BANK, FEDERAL SAVINGS
BANK,
Plaintiff,
VS.**

**GREGORY LYONS, HEIR OF THE
ESTATE OF NANCY E. LYONS, AND
KELLY HARVEY, HEIR OF THE ESTATE
OF NANCY E. LYONS, AND JOSEPH
OLSZEWSKI, HEIR OF THE ESTATE OF
NANCY E. LYONS, AND DANIELLE
OLSZEWSKI, HEIR OF THE ESTATE OF
NANCY E. LYONS, AND THE UNKNOWN
HEIRS OF THE ESTATE OF NANCY E.
LYONS,
Defendants.**

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF GREGORY LYONS, HEIR OF THE ESTATE OF NANCY E. LYONS, KELLY HARVEY, HEIR OF THE ESTATE OF NANCY E. LYONS, JOSEPH OLSZEWSKI, HEIR OF THE ESTATE OF NANCY E. LYONS, DANIELLE OLSZEWSKI, HEIR OF THE ESTATE OF NANCY E. LYONS, AND THE UNKNOWN HEIRS OF THE ESTATE OF NANCY E. LYONS OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE

BOROUGH OF BELLE VERNON, FAYETTE COUNTY, PENNSYLVANIA. HAVING ERECTED THEREON A DWELLING BEING KNOWN AND NUMBERED AS 17 GRAND AVENUE, BELLE VERNON, PA 15012. DEED BOOK VOLUME 2951, PAGE 674, AND PARCEL NUMBER 01-04 -0164.

No. 2719 of 2017 GD
 No. 178 of 2018 ED

JPMorgan Chase Bank, National Association,
PLAINTIFF,
VS.
Brandon V. McMillen,
DEFENDANT.

ALL THAT CERTAIN lot or piece of ground situate in the Township of South Union, County of Fayette and Commonwealth of Pennsylvania, being more particularly bounded and described as follows, to wit:

BEGINNING at a stake on the northeastern side of a 33 foot street, at corner of the property herein conveyed and property now or formerly of George E. Tajc, et ux.; thence along the division line between the property herein conveyed and property now or formerly of George E. Tajc, et ux., North 35° East, 135.00 feet to a stake; thence, South 55° 67' feet to a point in the public road leading from Hopwood to Fairchance; thence in said public road, South 19° 30' West, 140.16 feet to a point; thence, North 55° West, 104.00 feet to a point, the place of BEGINNING.

FOR INFORMATIONAL PURPOSES ONLY: Being known as 200 Shaffers Comer Road, Uniontown, PA 15401

Tax Parcel#: 34-27-0333 in the Deed Registry Office of Fayette County, Pennsylvania.

B
 COMMONLY KNOWN AS: 200 Shaffers Corner Road, Uniontown, PA 15401
 TAX PARCEL NO. 34270333

Phelan Hallinan Diamond & Jones, LLP

No. 903 of 2018 GD
 No. 242 of 2018 ED

Citibank, N.A., Not in Its Individual Capacity, But Solely as Trustee of Nrz Pass-Through Trust VI,
Plaintiff,
V.
Brian Margavage a/k/a Brian J. Margavage,
Defendant(s).

By virtue of a Writ of Execution No. 903-OF-2018-GD, Citibank, N.A., Not in Its Individual Capacity, But Solely as Trustee of Nrz Pass-Through Trust VI v. Brian Margavage a/k/a Brian J. Margavage, owner(s) of property situate in the DUNBAR TOWNSHIP, Fayette County, Pennsylvania, being 42B Fayette Street, A/K/A 42 Fayette & Hancock Street, Dunbar, PA 15431-1648

Parcel No.: 08-06-001001
 Improvements thereon: RESIDENTIAL DWELLING

No. 1088 of 2018 GD
 No. 257 of 2018 ED

DOLLAR BANK, FEDERAL SAVINGS BANK,
Plaintiff,
vs.
JASON J. OPENBRIER,
Defendant.

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF JASON J. OPENBRIER, OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN REAL ESTATE SITUATED IN THE TOWNSHIP OF REDSTONE, FAYETTE COUNTY, PENNSYLVANIA. HAVING ERECTED THEREON A DWELLING KNOWN AS 117 PLATEAU BOULEVARD, BROWNSVILLE, PA 15417.

DEED BOOK VOLUME 3243, PAGE 1754 AND PARCEL NUMBER 30-17-0018.

No. 636 of 2018 GD
No. 172 of 2018 ED

**U.S. Bank National Association, as Trustee
for Lehman XS Trust Mortgage Pass-
Through Certificates, Series 2006-14N,
PLAINTIFF,
vs.
Richard J. Orsky a/k/a Richard Orsky and
Jody Orsky,
DEFENDANTS.**

ALL those three parcels or tracts of lots of land situate in Franklin Township, Fayette County, Pennsylvania, said tracts being more particularly described as follows:

TRACT ONE: ALL that certain lot or parcel of ground situate in Franklin Township, Fayette County, Pennsylvania, being known and designated as Lot No. 17 in Plan of Lots laid out by Guy S. Fleming, and recorded in Plan Book 1, page 37 ½, being more particularly bounded and described as follows:

FRONTING fifty (50) feet on a public road extending northwardly maintaining the same width between Lot No. 16 on the West and Lot No. 18 on the East, being 160 feet along Lot No. 16 and 132 feet along Lot No. 18 to an alley in the rear, fronting 60 feet on said alley.

TRACT TWO: ALL that certain lot or parcel of ground situate in Franklin Township, Fayette County, Pennsylvania, being known and designated as Lot No. 16 in Plan of Lots laid out by Guy E. Fleming and recorded in Plan Book 1, page 37 ½, being more particularly bounded and described as follows:

FRONTING fifty (50) feet on a public road and extending northwardly maintaining the same width between Lot No. 15 on the West and Lot No. 17 on the East, being 190 feet along Lot No. 15 and 160 feet along Lot No. 17 to an alley in the rear, fronting 60 feet on said alley;

TRACT THREE: ALL that certain piece or parcel of land situate in Franklin Township, Fayette County, Pennsylvania, bounded and described per Blueprint #10-E-1041.

BEGINNING at a point that marks the westernmost corner of that certain cemetery lot that was conveyed by deed of H. C. Frick Coke Company to the Rt. Rev. Canevin, in trust for the Slavish Roman Catholic Congregation, dated May 3, 1912, which point is also in line of Lot No. 13 in the plan of Smock Farm laid out by Bush and Marshall; thence by said cemetery lot

North 19 ° 37' East 187.59 feet to a point; thence through land known as the John McVey tract, of which this is a part North 70° 16' West 437.00 feet to a point in a small stream; thence through same South 19 ° 37' West 187.59 feet to a point; thence by said Lot No. 13 South 70° 16' East 437.00 feet to the place of beginning.
Containing an area of 1.8819 acres.

No. 894 of 2018 GD
No. 245 of 2018 ED

**UNITED BANK, INC.,
Plaintiff,
vs.
FRANCIS J. PALUMBO, II and
JOAN W. PALUMBO, his wife,
Defendants.**

ALL that certain lot of ground situate in the City of Uniontown, Fayette County, Pennsylvania, known as Lot 16 in the Derrick Farm Plan of Lots more particularly described in a deed dated May 3, 2002 and recorded in Record Book 2820, page 2493 and as Tax Parcel No. 38- 16-0021.

TOGETHER with such rights and under and subject to the exceptions and reservations as appear in prior deeds of record.

Seized and taken in execution as the property of Francis J. Palumbo, II and Joan W. Palumbo, his wife, owner or reputed owner of the property, at the suit of United Bank, Inc. in the Court of Common Pleas of Fayette County, Pennsylvania at No. 894 of 2018, G. D.

STERN AND EISENBERG, PC
M. TROY FREEDMAN, ESQ.

No. 850 of 2018 GD
No. 243 of 2018 ED

**The Bank of New York Mellon f/k/a The
Bank of New York as successor in interest to
JP Morgan Chase Bank, N.A., as Trustee for
C-BASS Mortgage Loan Asset-Backed
Certificates, Series 2005-RP2 c/o Ocwen Loan
Servicing, LLC,
Plaintiff,
v.
Dawna M. Pitts a/k/a Donna M. Pitts,
Defendant(s).**

SITUATE IN THE THIRD WARD OF THE TOWNSHIP OF FRANKLIN, FAYETTE COUNTY, PENNSYLVANIA, BEING KNOWN AS 223 Main Street a/k/a 33 Bitner Place, Dunbar, PA 15431

PARCEL NO. 13170018
 IMPROVEMENTS - RESIDENTIAL REAL ESTATE
 SOLD AS THE PROPERTY OF - Dawna M. Pitts a/k/a Donna M. Pitts

No. 2423 of 2017 GD
 No. 256 of 2018 ED

U.S. Bank National Association,
Plaintiff,
 vs.
James Ritenour,
Defendant.

ALL that certain parcel of land lying and being situate in the Township of Connellsville, County of Fayette, and Commonwealth of Pennsylvania, known as 2090 Isabella Road, Connellsville, PA 15425 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 0609012701

BEING the same premises which Wilbert N. Brooks and Dorothy J. Brooks, his wife, by Deed dated September 29, 1999 and recorded October 4, 2099 in and for Fayette County, Pennsylvania in Deed Book 2409, Page 22, granted and conveyed unto James Ritenour, single.

Phelan Hallinan Diamond & Jones, LLP

No. 1564 of 2016 GD
 No. 170 of 2018 ED

U.S. Bank National Association, as Trustee for Credit Suisse First Boston Mortgage Securities Corp., Home Equity Asset Trust 2006-1, Home Equity Pass-Through Certificates, Series 2006-1,
Plaintiff,
 v.
Janet J. Ross a/k/a Janet J. Ross Rolek Raymond Rolek, Jr,
Defendant(s).

By virtue of a Writ of Execution No. 2016-

01564 U.S. Bank National Association, as Trustee for Credit Suisse First Boston Mortgage Securities Corp., Home Equity Asset Trust 2006 -1, Home Equity Pass-Through Certificates, Series 2006-1 v. Janet J. Ross a/k/a Janet J. Ross Rolek, Raymond Rolek, Jr, owner(s) of property situate in the WASHINGTON TOWNSHIP, Fayette County, Pennsylvania, being 121 Vernon Avenue, a/k/a 121 Vernon Street, Belle Vernon, PA 15012-2359

Parcel No.: 41-06-0068

Improvements thereon: RESIDENTIAL DWELLING

No. 1803 of 2016 GD
 No. 244 of 2018 ED

Wells Fargo Bank, N.A., as Trustee, for the certificate holders of Asset-Backed Pass-Through Certificates, Series 2005-WCW3,
Plaintiff,
 vs.
Debbie J. Shartzter,
Defendant.

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF DEBBIE J. SHARTZER OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN UNIONTOWN CITY, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED AT DBV 2881 PAGE 1613

BEING KNOWN AS 79 MAURICE STREET, UNIONTOWN, PA 15401
 TAX MAP NO. 38-11-0220

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

No. 653 of 2018 GD
 No. 176 of 2018 ED

NATIONSTAR MORTGAGE LLC D/B/A MR. COOPER
8950 Cypress Waters Boulevard
Coppell, TX 75019,

Plaintiff,
vs.

CHARLES HARVEY SICKLES JR.
HEIDI L. SICKLES
Mortgagor(s) and Record Owner(s)
102 Fourth Avenue
Uledi, PA 15484
Defendant(s).

No. 771 of 2017 GD
No. 199 of 2018 ED

SOMERSET TRUST COMPANY,
Plaintiff,

v.
GARY M. TINKEY, JR., and KRISTEN M.
TINKEY,
Defendants.

ALL THAT CERTAIN lots of land situate in the County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL # 37-07-0040
PROPERTY ADDRESS: 102 Fourth Avenue Uledi, PA 15484
IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF: CHARLES HARVEY SICKLES JR. and HEIDI L. SICKLES

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

No. 548 of 2018 GD
No. 240 of 2018 ED

REVERSE MORTGAGE SOLUTIONS, INC.
14405 Walters Road, Suite 200
Houston, TX 77014,
Plaintiff,
VS.

IRENE D. SPRINGER
JAMES H. SPRINGER
Mortgagor(s) and Record Owner(s)
63 Vernon Street
Uniontown, PA 15401
Defendant(s).

ALL THOSE CERTAIN lots of land situate in the County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL #34 -16-0240
PROPERTY ADDRESS: 63 Vernon Street Uniontown, PA 15401
IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF: IRENE D. SPRINGER and JAMES H. SPRINGER

All the real property described in the Writ of Execution, the following of which is a summary: SOMERSET TRUST COMPANY v. GARY M. TINKEY, JR., and KRISTEN M. TINKEY

Property of: Gary M. Tinkey, Jr., and Kristen M. Tinkey

Located in: Saltlick Township
Street Address: 251 Melcroft Road, Melcroft, PA. 15462

Brief Description of Property: Land and building, other buildings (frame utility sheds)
Improvements: Building and other buildings (frame utility sheds)

Record Book Volume 2957, Page 2389
Parcel No 31-11-0003

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

No. 628 of 2018 GD
No. 164 of 2018 ED

WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST A C/O Carrington Mortgage Services, LLC
1600 S. Douglass Road, Suite 210-A
Anaheim, CA 92806,
Plaintiff,

vs.
PATRICIA L. TOWNS AKA PATRICIA TOWNS

Mortgagor(s) and Record Owner(s)
2711 West Crawford Avenue
Connellsville, PA 15425,
Defendant(s)

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND situate in the County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL# 09-11-0124
 PROPERTY ADDRESS: 2711 West
 Crawford Avenue Connellsville, PA 154 25
 IMPROVEMENTS: A residential
 dwelling.
 SOLD AS THE PROPERTY OF:
 PATRICIA L. TOWNS AKA PATRICIA
 TOWNS

Andrew J. Marley, Esquire
 Stern & Eisenberg, PC
 1581 Main Street, Suite 200
 The Shops at Valley Square
 Warrington, PA 18976
 Phone: (215) 572-8111

No. 1012 of 2018 GD
 No. 253 of 2018 ED

New Penn Financial LLC,
Plaintiff,
 v.
Stephanie Treat,
Defendant.

By virtue of Writ or Execution No. 1012 of 2018 GD New Penn Financial LLC v. Stephanie Treat, 548 North Gallatin Avenue, North Union Township, Uniontown, PA 15401. Tax Parcel No. 25-31-0007. Improvements thereon consisting of a Residential Dwelling, sold to satisfy judgment in the amount of \$98,886.50.

McCABE, WEISBERG & CONWAY, LLC
 123 South Broad Street, Suite 1400
 Philadelphia, PA 19109
 (215) 790-1010

No. 1459 of 2016 GD
 No. 239 of 2018 ED

Lakeview Loan Servicing, LLC,
Plaintiff,
 v.
Thomas A. Willis a/k/a Thomas Arthur Willis
and Rozann M. Willis,
Defendants.

ALL THAT CERTAIN LOT OF
 GROUND SITUATE IN SOUTH UNION
 TOWNSHIP, FAYETTE COUNTY,
 PENNSYLVANIA, KNOWN AND
 DESIGNATED AS LOT NO. 51 IN THE

HIGHLAND VILLAGE "F" PLAN OF LOTS,
 WHICH SAID PLAN WAS LAID BY
 FAYETTE ENGINEERING COMPANY IN
 MARCH, 1973, AND RECORDED IN THE
 RECORDER'S OFFICE OF FAYETTE
 COUNTY, PENNSYLVANIA, IN PLAN
 BOOK VOLUME 11, PAGE 130, SAID LOT
 BEING MORE PARTICULARLY BOUNDED
 AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN ON THE
 SOUTHERLY SIDE OF GENTILE DRIVE, AT
 THE NORTHEAST CORNER OF LOT NO. 50,
 SAID IRON PIN BEING NORTH 71
 DEGREES 33 MINUTES 20 SECONDS EAST,
 5 FEET FROM A CONCRETE MONUMENT
 ON THE SOUTHERLY SIDE OF SAID
 GENTILE DRIVE; THENCE FROM SAID
 BEGINNING POINT, NORTH 71 DEGREES
 33 MINUTES 20 SECONDS EAST, 90 FEET
 TO AN IRON PIN AT THE NORTHWEST
 CORNER OF LOT NO. 52 IN SAID PLAIN;
 THENCE ALONG THE DIVIDING LINE
 BETWEEN LOT NO. 51 AND LOT NO. 52 IN
 SAID PLAN, SOUTH 18 DEGREES 26
 MINUTES 40 SECONDS EAST, 150 FEET TO
 AN IRON PIN AT THE SOUTHWEST
 CORNER OF LOT NO. 52 IN SAID PLAN;
 THENCE SOUTH 71 DEGREES 33 MINUTES
 20 SECONDS WEST, 90 FEET TO AN IRON
 PIN AT THE SOUTHEAST CORNER OF LOT
 NO. 50 IN SAID PLAN; THENCE ALONG
 THE DIVIDING LINE BETWEEN LOT NO.
 50 AND LOT NO. 51 IN SAID PLAIN,
 NORTH 18 DEGREES 26 MINUTES 40
 SECONDS WEST, 150 FEET TO AN IRON
 PIN IN THE SOUTHERLY SIDE OF SAID
 GENTILE DRIVE, THE PLACE OF
 BEGINNING.

All that certain piece or parcel or Tract of
 land situate in the Township of South Union,
 Fayette County, Pennsylvania, and being known
 as 39 Gentile Drive, Uniontown, Pennsylvania
 15401.

Being known as: 39 Gentile Drive,
 Uniontown, Pennsylvania 15401

Title vesting in Thomas A. Willis a/k/a
 Thomas Arthur Willis, by deed from Rex A.
 Johnson and Connie S. Johnson, husband and
 wife, dated February 17, 2012 and recorded
 February 21, 2017 in Deed Book 3178, Page
 2415

Instrument Number 201200002719.
 Tax Parcel Number: 34050103

Registers' Notice

Notice by JEFFREY L. REDMAN, Register of Wills and Ex-Officio Clerk of the Orphans' Court Division of the Court of Common Pleas

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Tuesday, September 4, 2018, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2616-0766	CHRISTINA M. FREY	Robert A. Miller, Executor

Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Monday, September 17, 2018, at 9:30 A.M.

in Courtroom No. 1 of the **Honorable STEVE P. LESKINEN**, or his chambers, 2nd Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

Notice is also hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Tuesday, September 4, 2018, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2616-0885	MARY M. ALLOWATT	Patty A. Martini and Betty J. Carpeal, Executrices
2615-0795	REGINA D. CARLETTO	Monica Ann Carletto, Executrix
2616-0135	ALVA C. JOHNSON a/k/a ALVA JOHNSON	Lester F. Johnson, Executor

Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Monday, September 17, 2018, at 9:30 A.M.

in Courtroom No. 5 of the **Honorable JOSEPH M. GEORGE, JR.** or his chambers, 3rd Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JUDICIAL OPINION

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

COMMONWEALTH OF	:	
PENNSYLVANIA	:	
V.	:	
PATRICK ALAN DUGAN,	:	No. 817 of 2016
Defendant.	:	Honorable Linda R. Cordaro

OPINION

CORDARO, J.

July 31, 2018

SUMMARY

Appellant, Patrick Dugan, was tried before this Court in a non-jury trial and found guilty of multiple counts of attempted homicide, aggravated assault, and recklessly endangering another person, and one count of discharging a firearm into an occupied structure. Mr. Dugan was sentenced to five-to-ten years of incarceration and now appeals his conviction.

BACKGROUND

On January 26, 2016, Lisa and Aubrey Boyer were hosting a birthday party for Mrs. Boyer’s 26-year-old son, Roy Friend. Sixteen people were present, including seven children. At approximately 8:15 that evening, bullets started flying through the house. Windows shattered. One bullet went into the kitchen freezer, where partygoers had been reaching into just moments before. Two young adults on the porch outside had to throw themselves to the ground to avoid being hit. Three bullets came right to the level of their heads and chests had they remained standing. Miraculously, nobody was injured or killed.

Earlier that day, Roy Friend-the person for whom the birthday party was thrown-called Zach Helisek to buy about \$1,000 worth of marijuana. Zach Helisek retrieved two individuals to accompany him in this endeavor. One was Chris Cicconi. The other was Patrick Dugan.

Mr. Dugan possessed the weed that was to be sold to Mr. Friend. Mr. Helisek drove Mr. Cicconi and Mr. Dugan to an alley by a car wash in Smock, Pennsylvania to meet Mr. Friend for the transaction. Mr. Helisek got out of the car with the weed and Mr. Friend asked if he could smell it. Mr. Friend then took the weed without paying, got in his car, and sped away.

Enraged, the other three men wanted to either retrieve the weed or receive proper pay-

ment. Mr. Helisek knew where Mr. Friend lived and drove to the house. As Mr. Helisek was driving by slowly, Mr. Dugan began shooting from out the back seat window. Mr. Helisek sped away.

Police were summoned to the residence and began an investigation of the crime scene.

Meanwhile, the three men went to Uniontown to change vehicles, knowing that Mr. Helisek's car might be identified. The three men returned later that night to the same house- this time in Mr. Dugan's car - with the hopes of retrieving the weed. Upon arrival near the residence, the three got out of the car but were shot at by a rifle. They quickly got back into Mr. Dugan's car and sped away. Eventually, Mr. Dugan got his vehicle stuck in a snow bank, and was later found by police and arrested that night.

Mr. Dugan was charged with 16 counts of criminal homicide, 16 counts of aggravated assault, 16 counts of recklessly endangering another person, and one count of discharging a firearm into an occupied structure. He was represented by Attorney Blaine Jones. Mr. Dugan waived his rights to a jury trial, opting instead for a non-jury trial before this Court. The trial proceeded on February 1-2, 2018. After the trial concluded, Mr. Dugan was found guilty of two counts of criminal homicide, 16 counts of aggravated assault, 16 counts of recklessly endangering another person, and one count of discharging a firearm into an occupied structure. Mr. Dugan was sentenced to a total of five-to-ten years of incarceration.

ISSUE ON APPEAL

Mr. Dugan filed a timely appeal. In accordance with Pa.R.A.P. 1925(b), this Court ordered Appellant to file a concise statement of errors complained of on appeal. Appellant raises one issue: whether there was sufficient evidence to find the appellant guilty beyond a reasonable doubt of the criminal charges.

DISCUSSION

Initially, this Court notes that Appellant fails to provide any specificity in his concise statement of errors complained of on appeal. While a party has a right to challenge the sufficiency of the evidence on appeal, as per Pa.R.Crim.P. 606(A)(7), it is also necessary under Pa.RAP. 1925(b)(4) for the statement of errors complained of on appeal to concisely identify each ruling or error that the appellant intends to challenge with sufficient detail to identify all pertinent issues for the judge.

Appellant's statement of errors on appeal is so vague that it ought to constitute a waiver of that issue. The Superior Court in *Commonwealth v. Dowling* addressed this as such: "a Concise Statement which is too vague to allow the court to identify the issues raised on appeal is the functional equivalent of no Concise Statement at all." *Commonwealth v. Dowling*, 778 A.2d 683, 686-687 (Pa. Super. Ct. 2001).

In Pennsylvania, “when a trial court directs a defendant to file a Concise Statement of Matters Complained of on Appeal, any issues not raised in such a statement will be waived.” Dowling at 686, citing *Commonwealth v. Lord*, 719 A.2d 306, 308 (Pa. 1998). The Pennsylvania Supreme Court in *Lord* reasoned that:

The absence of a trial court opinion poses a substantial impediment to meaningful and effective appellate review. Rule 1925 is intended to aid trial judges in identifying and focusing upon those issues [that] the parties plan to raise on appeal. Rule 1925 is thus a crucial component of the appellate process.

Lord at 308. Further, “[w]hen a court has to guess what issues an appellant is appealing, that is not enough for meaningful review.” Dowling at 686, citing *Commonwealth v. Butler*, 756 A.2d 55, 57 (Pa. Super. Ct. 2000). Failure of an appellant to concisely identify issues for appeal impedes the trial court in its preparation of a legal analysis that is pertinent to those issues. Dowling at 686, citing *In re Estate of Daubert*, 757 A.2d 962, 963 (Pa. Super. Ct. 2000).

The Superior Court in *Dowling* extended the rule in *Lord* to include “Concise Statements which are so vague as to prevent the court from identifying the issue to be raised on appeal.” *Id.* at 687.

To sustain a challenge to the sufficiency of the evidence, an appellant must show that the Commonwealth failed to produce evidence that establishes each material element of the crime charged, and the commission thereof by the accused, beyond a reasonable doubt. *Commonwealth v. Widmer*, 744 A.2d 745, 751 (Pa. 2000); *Commonwealth v. Karkaria*, 625 A.2d 1167, 1170 (Pa. 1993). Without the benefit of a more succinct statement of errors complained of on appeal, it is difficult for this Court to address exactly what elements of which crimes Appellant believes the Commonwealth failed to establish.

In *Commonwealth v. Hansley*, 24 A.3d 410, 415 (Pa. Super. Ct. 2011), one of the issues raised by the appellant, similar to the instant case, read: “[w]as the evidence presented at trial insufficient to prove beyond a reasonable doubt that [appellant] was guilty of robbery?” The Superior Court held that the issue was not specific and precluded the trial court’s review of those claims and deemed the claim to be waived. *Id.* at 416.

Nonetheless, in the interest of justice this Court will address the sufficiency of the evidence issue raised by Appellant.

In *Widmer*, the Pennsylvania Supreme Court held that “[e]vidence will be deemed sufficient to support the verdict when it establishes each material element of the crime charged and the commission thereof by the accused, beyond a reasonable doubt.” *Widmer* at 751. Evidence is insufficient as a matter of law when the evidence offered to support the verdict is in contradiction to physical facts, or in contravention to human experience and the laws of nature. *Widmer* at 751, citing *Commonwealth v. Santana*,

333 A.2d 876, 878 (Pa. 1975). The fact-finder may resolve any doubts regarding a defendant's guilt "unless the evidence is so weak and inconclusive that as a matter of law no probability of fact may be drawn from the combined circumstances." *Commonwealth v. Fortson*, 165 A.3d 10, 14 (Pa. Super. Ct. 2017), citing *Hansley* at 416. The Commonwealth may use wholly circumstantial evidence to sustain its burden of proving every element of the crime beyond a reasonable doubt. *Id.* at 14-15.

Mr. Dugan was charged with various counts of four distinct crimes: Criminal Homicide-Criminal Attempt, Aggravated Assault, Discharge of a Firearm into an Occupied Structure, and Recklessly Endangering Another Person. The evidence presented by the Commonwealth during the trial was sufficient as it established each material element of each crime charged and the commission thereof by Mr. Dugan beyond a reasonable doubt.

First, Mr. Dugan was charged with 16 counts of Criminal Homicide-Criminal Attempt. He was found guilty on two counts. Criminal Attempt is defined in 18 Pa.C.S.A. §901(a): "[a] person commits an attempt when, with intent to commit a specific crime, [that person] does any act [that] constitutes a substantial step towards the commission of that crime." The specific crime Mr. Dugan was charged with intending to commit was Criminal Homicide, defined in 18 Pa.C.S.A. §2501: "[a] person is guilty of criminal homicide if [that person] intentionally, knowingly, recklessly[,] or negligently causes the death of another human being."

Unlike the charge of homicide, which can be established by showing that a defendant acted with an intent to cause serious bodily injury or with reckless disregard for human life, to be found guilty of attempted homicide the Commonwealth must establish that a defendant had a specific intent to kill. See, *Commonwealth v. Geathers*, 847 A.2d 730, 734 (Pa. Super. Ct. 2004). The Commonwealth can prove a specific intent to kill through circumstantial evidence. *Commonwealth v. Koehler*, 737 A.2d 225, 234 (Pa. 1999), citing *Commonwealth v. Brown*, 711 A.2d 444, 449 (Pa. 1998). A finder of fact "may properly infer an intent to kill from the use of a deadly weapon on a vital part of the victim's body." *Commonwealth v. Hobson*, 604 A.2d 717,720 (Pa. Super. Ct. 1992), citing *Commonwealth v. Terry*, 521 A.2d 398,412 (Pa. 1987) cert. denied, 482 U.S. 920 (1987), (overruled on other grounds by *Commonwealth v. Frey*, 554 A.2d 27, 27 (Pa. 1989)).

First, the Commonwealth established beyond a reasonable doubt that Mr. Dugan was the shooter. The Court accepted the testimony of Zach Helisek, who drove the car during the shooting. Mr. Helisek testified that sometime on the day of the shooting, he got a call from Roy Friend, who wanted to buy weed. *Criminal Non-Jury Trial Proceedings* at 115. Mr. Helisek had dealt with Mr. Friend before. *Id.* at 116. Mr. Friend wanted to buy a quarter-pound of weed, worth approximately \$1,000. *Id.* As Mr. Helisek did not personally have the weed, he called Mr. Dugan and Chris Cicconi. *Id.* Mr. Helisek picked those two up; Mr. Dugan brought the weed with him. *Id.* at 117-119. Mr. Helisek drove his four-door Chevy Corsica sedan, with Mr. Cicconi in the passenger seat and

Mr. Dugan in the rear driver's side seat. Id. at 122-123.

The three then met Mr. Friend next to a car wash in Smock, PA to consummate the transaction. Id. at 120. When Mr. Helisek got out of the car to exchange the weed, Mr. Friend asked if he could smell it. Id. Mr. Friend then took off with the weed without paying Mr. Helisek. Id. at 121. Mr. Helisek went back to his car and told Mr. Dugan and Mr. Cicconi what happened. Id. The three then had a heated argument; they were upset and wanted the weed back, or to be paid for it. Id. at 121-122.

Mr. Helisek knew where Mr. Friend lived, so the three of them drove to Mr. Friend's house. Id. at 122. As Mr. Helisek was driving up past front of the house slowly, he heard shots fired from right behind him-from Patrick Dugan. Id. at 123-124. Mr. Helisek sped off. Id. at 124-125.

The three returned to Uniontown because, as Mr. Helisek put it, his car was "hot"-meaning it was involved in a shooting. Id. at 125. The three then went to get Mr. Dugan's car, so they could go back to Mr. Friend's house and try to get the weed back again. Id. at 127. When they returned to Mr. Friend's house for a second time in Mr. Dugan's car, they got out of the vehicle and someone shot at them. Id. at 127-128. They got back in the car and drove off, eventually getting stuck in a snow bank after they saw police lights. Id. at 130. Mr. Helisek ran to escape detection, but turned himself in to the police the next day. Id. at 131-132.

Mr. Helisek's testimony is corroborated by the testimony of other witnesses and evidence that established that Mr. Dugan was the shooter that night. Shawn Hagyard, a Pennsylvania State Trooper, was called to help with the investigation and apprehended Mr. Dugan after finding his vehicle stuck in a snow bank. Id. at 102. Tina Mahallick lived near where Mr. Dugan's vehicle was stuck in the snow; the next morning she found two handguns, clips, and a box of shells under her car. Id. at 163-167. Trooper Mrosko ran an eTrace weapons search through the Bureau of Alcohol, Tobacco, Firearms, and Explosives on the Glock 23-one of the guns recovered in Ms. Mahallick's driveway. It was purchased by Patrick Dugan. Id. at 235-238. Trooper Morrison, a forensic technician with the Pennsylvania State Police, collected evidence at the scene, and determined from the casings that they were fired by a Glock pistol. Id. at 178-233. Corporal Robert Hagins, a forensic firearm and toolmark examiner with the Pennsylvania State Police determined that the Glock 23 was functional, and that the casings recovered at the scene were from the Glock 23-the one owned by Patrick Dugan. Id. at 316-331. Albert Latanzi, a forensic scientist with the Pennsylvania State Police and a trace evidence analyzer, determined that Mr. Dugan had gunshot residue on his hands after he was arrested. Id. at 332-338. Rachel Rodriguez, a forensic DNA scientist with the Pennsylvania State Police, determined that Mr. Dugan's DNA matched the DNA found on the Glock 23. Id. at 291-314.

The evidence produced by the Commonwealth during the trial, along with the testimony of the witnesses, was sufficient to establish that the shooter was Patrick Dugan.

Second, the Commonwealth established beyond a reasonable doubt that Mr. Dugan had an intent to kill—a necessary element for attempted homicide. This Court found the testimony of Samantha Hall to be credible. Ms. Hall testified that she was at the home of Lisa Boyer-110 Post Office Road—on January 26, 2016 at around 8 PM. Criminal Non-Jury Trial Proceedings at 36-37. She had just returned to the residence from an errand to get milk and was on the side porch, which faces Post Office Road, with Abigail Hoffman. *Id.* at 39, 41. Ms. Hall and Ms. Hoffman were finishing their cigarettes. *Id.* at 39.

At that time, Ms. Hall saw a four-door sedan driving slowly down the street—as if the car was barely moving. *Id.* at 39-40. She saw the rear window on the driver's side was down. *Id.* at 40. The next thing she noticed was muzzle fire—red flames—coming from the rear window on the driver's side. *Id.* at 40-41.

As gunshots started ringing out, Ms. Hall fell to the ground. *Id.* at 41. Ms. Hoffman stood motionless, so Ms. Hall grabbed her and pulled her to the ground as well. *Id.* They huddled there until the gunshots ended. *Id.*

Ms. Hall also testified that the car was about 30 yards away, and that the porchlight was on. *Id.* at 49-50, 43. After the shooting ended and the car sped away, Ms. Hall had the opportunity to look at the porch. *Id.* at 44. Three rounds of bullets hit the porch. *Id.* They were three-to-four inches above where Ms. Hall and Ms. Hoffman were standing. *Id.* Ms. Hall testified that if she hadn't pulled Ms. Hoffman down, Ms. Hoffman would have been killed, as the rounds that entered the porch were right at the chest and head level of where they had been standing. *Id.* at 42-43.

To summarize Ms. Hall's testimony: the porch faced the road, the porchlight was on, the two women were standing there smoking, and the car was about 30 yards away. Further, the bullet holes on the porch were three-to-four inches above where the women dropped and would have been in their chests or heads had they remained standing.

Mr. Dugan's intentions are further illuminated by the testimony of Mr. Helisek, who said that the three in the car were heated as they had just had weed stolen from them by Mr. Friend. In light of Mr. Dugan's anger about the situation and the legal principle that specific intent to kill can be inferred by the use of a deadly weapon on a vital part of the body, the Commonwealth presented sufficient evidence to establish beyond a reasonable doubt that Mr. Dugan did possess a specific intent to kill Ms. Hall and Ms. Hoffman when he shot at them from the rear driver's side seat of Mr. Helisek's car.

Mr. Dugan was also charged with and found guilty of 16 counts of aggravated assault, which is defined by 18 Pa.C.S.A. §2702(a)(1): “[a] person is guilty of aggravated assault if [that person] attempts to cause serious bodily injury to another . . .” Aggravated assault does not require proof that serious bodily injury was inflicted; only that an attempt was made to cause such injury. See, *Commonwealth v. Rosado*, 684 A.2d 605, 610 (Pa. Super. Ct. 1996); *Commonwealth v. Elrod*, 572 A.2d 1229, 1231 (Pa. Super. Ct. 1990).

The Pennsylvania Superior Court has held that discharging a firearm into an occupied home is enough to demonstrate the intent to commit aggravated assault. *Commonwealth v. Hunter*, 644 A.2d 763, 764 (Pa. Super. Ct. 1994). “Because there exists the probability that a person in the home could be harmed if someone were to shoot into the home, an attempt to cause serious bodily harm to such a person can be inferred.” *Id.*; see also, *Rosado* at 610.

Here, the evidence presented by the Commonwealth was sufficient to sustain a conviction for all 16 counts of aggravated assault. The evidence showed that 16 people were in the home when Mr. Dugan fired his Glock 23 into the house. *Criminal Non-Jury Trial Proceedings* at 16-17. Lisa Boyer, the homeowner and mother of Roy Friend, testified that she had to be pulled down by another son when the shooting started. *Id.* She also testified that lights were on in the house, that people were going in and out, including the two girls on the porch *Id.* at 17. Windows were shattered and many of the bullets projected through the house; one bullet even struck the kitchen freezer, which partygoers had been using just moments before the shooting began. *Id.* at 17-22.

Mr. Dugan was also charged with and found guilty of 16 counts of Recklessly Endangering Another Person, defined in 18 Pa.C.S.A. §2705 as a second-degree misdemeanor when a person “recklessly engages in conduct [that] places or may place another person in danger of death or serious bodily injury.” For the reasons described in detail above, the evidence presented by the Commonwealth was sufficient to sustain a conviction for these charges.

Finally, Mr. Dugan was also charged with and found guilty of one count of Discharging a Firearm into an Occupied Structure, defined in 18 Pa.C.S.A. §2701: “[a] person commits an offense if [that person] knowingly, intentionally[,], or recklessly discharges a firearm from any location into an occupied structure.” For the reasons described in detail above, the evidence presented by the Commonwealth was sufficient to sustain a conviction for this charge.

CONCLUSION

For the foregoing reasons, it is respectfully submitted that the judgment and sentence of Patrick Dugan should be AFFIRMED.

BY THE COURT:
Linda R. Cordaro, Judge

ATTEST:
Clerk of Courts

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