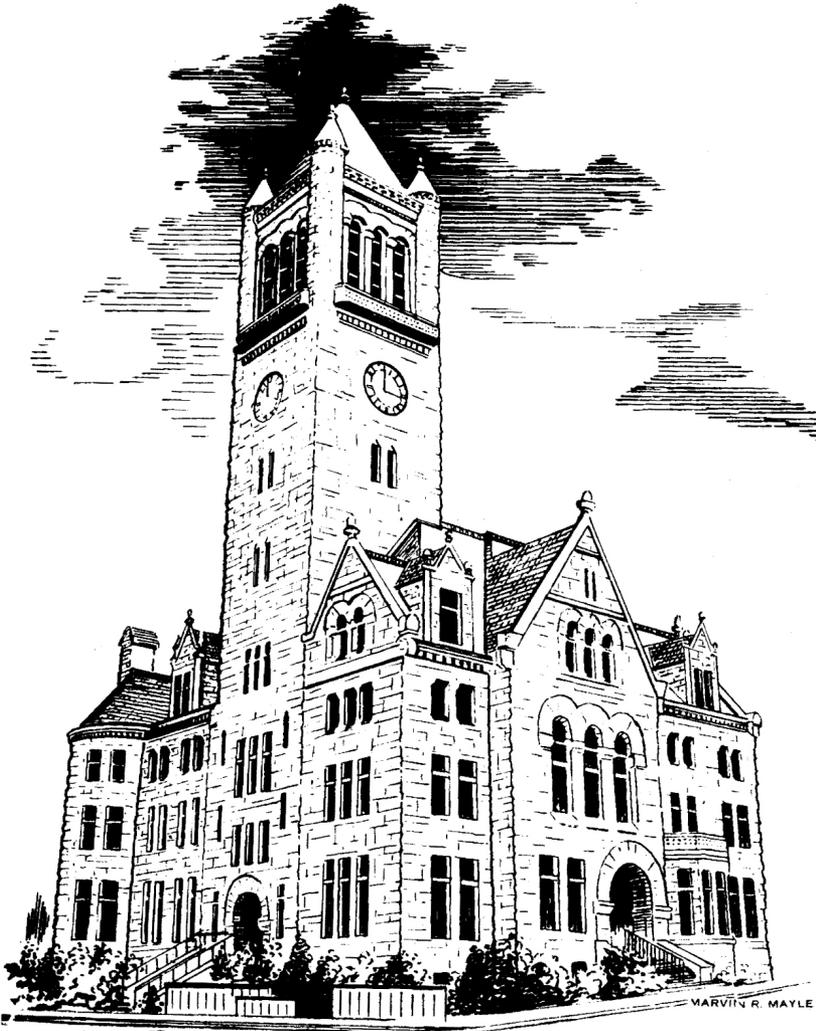


FAYETTE LEGAL JOURNAL

VOL. 80

OCTOBER 14, 2017

NO. 41



FAYETTE LEGAL JOURNAL

The FAYETTE LEGAL JOURNAL is published weekly by the Fayette County Bar Association, 2 West Main Street, Suite 711, Uniontown, Pennsylvania 15401, 724-437-7994. Legal advertisements should be submitted online at www.fcbar.org no later than 12:00 noon on Friday for publication the following Saturday. No date of publication is promised, however. Legal notices are published exactly as submitted by the advertiser. Copyright 2001 Fayette County Bar Association. All rights reserved.

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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

VERNA CULLEN, a/k/a VERNA WOZNAK CULLEN, late of Point Marion Borough, Fayette County, PA (3)

Executor: Colleen Cullen
410 Highland Avenue
Point Marion, PA 15474
c/o 76 East Main Street
Uniontown, PA 15401
Attorney: Douglas S. Sholtis

RAYMOND FRANK DALZELL, a/k/a RAYMOND F. DALZELL, a/k/a RAYMOND DALZELL, late of Georges Township, Fayette County, PA (3)

Co-Administrators CTA: Evelyn J. Simmons and Louanne Nicholson
c/o Zebley Mehalov & White, P.C.
18 Mill Street Square
P.O. Box 2123
Uniontown, PA 15401
Attorney: Daniel R. White

JOSEPH G. FRIEDHOF, late of Uniontown, Fayette County, PA (3)

Administratrix: Margaret Friedhof
c/o Radcliffe & DeHaas, L.L.P.
2 West Main Street, Suite 700
Uniontown, PA 15401
Attorney: Ernest P. DeHaas, III

MADELEINE P. JOHN, late of South Union Township, Fayette County, PA (3)

Executrix: Simone L. John
c/o Fitzsimmons and Barclay
55 East Church Street, Suite 102
Uniontown, PA 15401
Attorney: James N. Fitzsimmons, Jr.

BERTHA E. FISHER SANTINI, a/k/a BERTHA E. SANTINI, late of Washington Township, Fayette County, PA (3)

Executrix: Sharon L. Valentine
c/o 382 West Chestnut Street, Suite 102
Washington, PA 15301
Attorney: Frank C. Roney, Jr.

Second Publication

DANIEL K. CONTI, a/k/a DANIEL K. CONTI, SR., late of Belle Vernon, Fayette County, PA (2)

Executrix: Elaine F. Conti
415 Market Street
Belle Vernon, PA 15012
c/o Bassi, Vreeland & Associates, P.C.
P.O. Box 144
111 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Bradley M. Bassi

JAMES FARNELLA, late of Uniontown, Fayette County, PA (2)

Executrix: Tammy Boyle
c/o Higinbotham Law Offices
45 East Main Street, Suite 500
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

GEORGIA M. PETROSKY, late of South Union Township, Fayette County, PA (2)

Administrators: Edna E. Petrosky and Keith O. Petrosky
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

LINDA L. STEWART, late of Newell Borough, Fayette County, PA (2)

Administrator: Mark D. Stewart
PO Box 202
Newell, PA 15466
c/o 1747 Rostraver Road
Belle Vernon, PA 15012
Attorney: Megan A. Kerns

ANN WALLS, a/k/a KATHY WALLS, a/k/a ANN KATHERINE WALLS, a/k/a ANN K. WALLS, late of Georges Township, Fayette County, PA (2)

Executor: Judy M. Rode
c/o 556 Morgantown Road
Uniontown, PA 15401
Attorney: John A. Kopas, III

First Publication

THOMAS J. CERVENAK, a/k/a THOMAS JOSEPH CERVENAK, late of South Union Township, Fayette County, PA (1)

Executrix: Patricia Albani
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

BARRY LEE EWART, late of McClellandtown, Fayette County, PA (1)

Personal Representative: Jamie Lynn Ewart
c/o George Port & George
92 East Main Street
Uniontown, PA 15401
Attorney: Joseph M. George

CHARLES A. HIXON, SR., late of North Union Township, Fayette County, PA (1)

Executrix: Ada M. Rockwell
c/o Radcliffe & DeHaas, LLP
2 West Main Street, Suite 700
Uniontown, PA 15401
Attorney: William M. Radcliffe

ANTONETTA J. MCKLVEEN, late of Connellsville, Fayette County, PA (1)

Executor: Ronald G. McKlveen, Jr.
172 East Askren Street
Uniontown, PA 15401
c/o Moore Becker Smarto & Ciszek, P.C.
121 West Second Street
Greensburg, PA 15601
Attorney: Lawrence F. Becker, III

LISA MARIE OZANICK, late of North Union Township, Fayette County, PA (1)

Administrator: Kenneth Ozanick
1336 Connellsville Road
Lemont Furnace, PA 15456
c/o 92 East Main Street
Uniontown, PA 15401
Attorney: David Kaiser

EDWARD R. SHARKEY, a/k/a EDWARD RICHARD SHARKEY, late of Connellsville, Fayette County, PA (1)

Administratrix: Diane S. Paul
c/o Molinaro Law Offices
P.O. Box 799
Connellsville, PA 15425
Attorney: Carmine V. Molinaro, Jr.

CHARLES SPARROW, a/k/a CHARLES H. SPARROW, JR., late of Franklin Township, Fayette County, PA (1)

Executor: David C. Sparrow
c/o Higinbotham Law Offices
45 East Main Street, Suite 45
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

LEGAL NOTICES

NOTICE

Notice is hereby given pursuant to the provisions of the Fictitious Names Act of Pennsylvania that an application for registration of a fictitious name was filed with the Department of State of the Commonwealth of Pennsylvania under 54 Pa.C.S., for the conduct of a business under the fictitious name of Riverside Family Market, with its principal office or place of business at 1 North Main Street, Point Marion, PA 15474. The names and addresses of all persons who are parties to the registration are: A.J. Giles Enterprises, LLC, 101 Walnut Street, PO Box 298, Millsboro, PA 15348.

David A. York, Esq.,
P.O. Box 9036
Pittsburgh, PA 15224.

In the Court of Common Pleas of Fayette
County, Pennsylvania

Orphans' Court Division
No. 62 ADOPT 2017

**In Re: Adoption of Arielle Dawn Foster,
a minor child**

To: Unknown Father of Arielle Dawn Foster

A petition has been filed asking the Orphans' Court Division of the Court of Common Pleas of Fayette County, Pennsylvania, at No. 62 ADOPT 2017, to put an end to all rights you have to your child, Arielle Dawn Foster, born June 26, 2017 to Desiray Foster. The Court has set a hearing to consider ending your rights to your child. That hearing will be held in the Fayette County Courthouse, Uniontown, Fayette County, Pennsylvania, in Courtroom No. 1, on November 1, 2017 at 1:30 P.M. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer.

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

PENNSYLVANIA LAWYER REFERRAL
100 South Street
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Sheryl R. Heid, Esquire
4 N. Beeson Blvd.
Uniontown, PA 15401
724-437-4700

(2 of 3)

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION -LAW
NO. 2068 OF 2017, G.D.

**IN RE: NAME CHANGE OF
TYLER JAMES ONESKO**

NOTICE

NOTICE is hereby given that on the 25th day of September, 2017, the Petition of Tyler James Onesko was filed with the above-named Court, requesting an Order of Court to change the name of Tyler James Onesko to Tyler James Onesko-Dale.

The Court has fixed the 13th day of December, 2017 at 10:00 o'clock a.m. in Court Room No. 5, of the Fayette County Courthouse, Uniontown, Pennsylvania, as the time and place for the hearing on the matter when and where all interested parties may appear and show cause; if any, why the request of the petitioner should not be granted.

Herbert G. Mitchell, Jr., Attorney
902 First Street
P.O. Box 310
Hiller, PA 15444

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 October 3, 2017 to conduct a business in Fayette County, Pennsylvania, under the assumed or fictitious name of Triple A Motorsports, with the principal place of business at 4857 State Route 51, Belle Vernon, PA 15012. The name or names and addresses of persons owning and interested are Angel's World of Cycles, Inc. and Allan Angelicchio 4857 State Route 51, Belle Vernon, PA 15012.

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 1919 of 2017 G.D.
Judge Steve P. Leskinen

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION-DIVORCE
No. 505 of 2017 G.D.

**IN RE: CHANGE OF NAME OF
AYDEN JOSEPH FOREMAN,
a minor child.**

**CANDICE CINTRON,
PLAINTIFF,
vs.
DALE GORDEN KEITH,
DEFENDANT.**

NOTICE OF CHANGE OF NAME

NOTICE TO DEFEND AND CLAIM RIGHTS

NOTICE IS HEREBY GIVEN, that on September 12, 2017, the Petition of Peter J. Muchnok was filed in the above-named Court, praying for a decree to change the name of Ayden Joseph Foreman.

You, Dale Gorden Keith, Defendant herein, have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action, You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the court. A judgment may also be entered against you for any other claim or relief requested in these papers by the plaintiff. You may also lose money or property or other rights important to you, including custody or visitation of your children.

The Court has fixed Wednesday, November 1, 2017, at 1:45 o'clock p.m., in Courtroom No. 1 of the Fayette County Courthouse, Uniontown, Pennsylvania, as the time and place for a hearing on the merits of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

When the grounds for the divorce are indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary at the Fayette County Courthouse, 61 E. Main Street, Uniontown, PA 15401.

Simon B. John, Esquire
96 East Main Street
Uniontown, PA 15401
(724) 438-8560

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 September 05, 2017 for The Yoga Garden Studio located at 39 W Main Street Uniontown, PA 15401. The name and address of each individual interested in the business is Michael Livingston 39 W Main Street Uniontown, PA 15401. This was filed in accordance with 54 Pa.C.S. 311.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE DECREE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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Harrisburg, PA 17108
Telephone No. (800) 932-0311

Southwestern PA Legal Services
45 E. Main Street Uniontown, PA 15401
Telephone No. (724) 439-3591

JUDICIAL OPINION

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

COMMONWEALTH OF	:
PENNSYLVANIA	:
	:
vs.	:
	:
ROGER BALDWIN	: No. 719 of 2017
Defendant.	: Honorable President Judge John F. Wagner, Jr.

OPINION and ORDER

Wagner, P.J.

Before the Court is an Omnibus Pretrial Motion seeking habeas corpus relief and suppression of incriminating statements. Defendant is now charged with Forgery, Theft by Deception, and Conspiracy arising out of an alleged scheme of submitting falsified time sheets to the Perryopolis Area Heritage Society (hereinafter "Heritage Society"), receiving checks made out to third parties, endorsing those checks by signing the third parties' names to them, and then retaining all or some of the proceeds from said checks.

A hearing on this instant motion was scheduled for September 19, 2017, at time the Commonwealth and defense counsel, Attorney Vincent Tiberi, agreed that the Court should decide the issues on the transcript from the hearing held before Magisterial District Justice Richard Kasunic, II, on April 17, 2017. Testimony at that preliminary hearing can be summarized as follows:

Defendant's mother, Shirley Baldwin, a board member of the Heritage Society, directed witness Cynthia Wadsworth, the Treasurer of the group, to provide Defendant with checks issued to two other men who performed manual labor for the Heritage Society. N.T. MDJ Proceedings, p. 11. A second Commonwealth witness, Pamela Neumyer, becoming suspicious after being approached by Cynthia Baldwin, took it upon herself to keep an eye on Defendant during his ostensible work days. Id. p.14. At a prior Heritage Society meeting, Defendant had stated that he was working 13-14 hours a day. Id. p.-15. Ms. Neumyer checked on Defendant on various days at various times at various places, sometimes he was working, sometimes he was not. Id. Sometimes Defendant would just leave after people talked to him. Id. p.16. Ms. Neumyer kept an eye on Defendant for at least a year, and it appeared to her that he was not working as much as he should have been in light of what he was paid. Id.

Dennis Eugene Hall testified that he performed much work for the Heritage Society

in the nineteen months between July 1, 2014 and January 31, 2016. Id. p.20. He was paid for his work, and gave Defendant permission to accept checks on his behalf. Id. p.21. Mr. Hall was given a pay check, he allowed Defendant to cash his checks for him, and Defendant would then give Mr. Hall cash. As part of the investigation which led to the filing of the instant charges, Mr. Hall identified a number of checks made out to him by the Heritage Society which he did not know about and did not receive. Id. p.23. He never authorized Defendant to sign his name or cash the checks which he neither knew about nor received. Id. p.24. After the Heritage Society began to use timesheets for its workers, Defendant filled them out on behalf of Mr. Hall. Another witness, Donald R. Lint, likewise testified that he performed manual labor for the Heritage Society and allowed Defendant to keep timesheets for him. Id. p.30. Defendant was Mr. Lint's supervisor. Id. p.31. Mr. Lint testified that he was shown some checks made out to him for work allegedly done during the winter months, but he denied that he worked in winter. Id. He never received any money from those checks and did not authorize anyone to endorse them with his name. Id. p.32.

Lastly, Detective Steven G. Kontaxes, a Captain of the Perryopolis Police Department and a member of the Fayette County Bureau of Investigation, testified that his investigation into this matter revealed that there was no financial reporting by the Heritage Society of the trust funds being used to pay its employees, no tax withholding, and no W-2 employee forms or 1099 independent contractor forms being used or distributed. Id. pp. 36, 40. Upon performing a forensic audit, Detective Kontaxes looked at timesheets filled out by Defendant during the time from 2011 through mid-2014 and noticed claims for I 6-hour days and 14-hour days. Some of Defendant 's timesheets showed that he worked seven days a week. Id. p.44. The police officer then noticed that in mid-2014, after the Heritage Society received a large inheritance, Defendant was paid without having to turn in any timesheets to show that he did any work. Id. p.42. Furthermore, Defendant was receiving payments from the Social Security Administration because he claimed to be disabled, and thus it would have been very unlikely for him to perform the type of work for which he was paid by the Heritage Society. Id. p.44.

Detective Kontaxes also discovered that checks were issued to Donald Lint and Dennis, although there were no timesheets to support the payments to them. Id. p.43. Mr. Hall identified thirty-one (31) checks made out to him, which were unknown to him, but were endorsed by Defendant in a total amount of \$8,690.60, while Mr. Hall identified nine (9) checks valued at \$2,120.00 that he did not receive or authorize Defendant to cash. Id. pp.46-47.

In his Motion for Writ of Habeas Corpus, Defendant claims there is no showing he did not work the hours for which he was paid by the Heritage Society since no timesheets were provided or required; there is no evidence that every one of the one hundred and one (101) checks conveyed to him by the Heritage Society from July 2014 until the end of January 2016, which he endorsed and cashed, constituted a separate and distinct forgery and theft; and finally there is insufficient evidence to establish there was a conspiracy between Defendant and Shirley Baldwin or anyone else relative to

forty (40) counts of theft by unlawful taking and forty (40) counts of conspiracy to commit those thefts.

Following hearing on this matter and carefully considering the evidence more fully set forth in the transcript of the preliminary hearing proceedings, this Court finds no merit in Defendant's request for habeas corpus relief regarding any of the charges. The evidence presented to the Court establishes that Defendant and his co-conspirators often did not comply with timesheet requirements although they knew or, under the circumstances should have known, the same were required. The evidence also shows that, on the occasions when Defendant did fill out a timesheet, he claimed to work very long hours in a day and an inordinately long work week, although he was receiving Social Security disability payments at the same time.

These factors are pieces of evidence which, taken in their entirety and considered as a whole, may be enough to establish beyond a reasonable doubt at trial that Defendant committed the crimes with which he has been charged. Even where the evidence presented at the omnibus pretrial hearing may not be sufficient to meet the Commonwealth's burden of proof at trial, at the pretrial stage the Commonwealth must only establish that enough evidence exists to allow a factfinder to believe that the Defendant may have committed the offenses set forth in the criminal complaint. See *Commonwealth v. Kowalek*, 647 A.2d 948 (1994); see also *Commonwealth v. Lutz*, 661 A.2d 405 (Pa.Super. 1995). The Court finds that the Commonwealth met its pretrial prima facie burden in this case, and therefore Defendant is not entitled to have any of the charges of Forgery, Theft by Deception, or Conspiracy dismissed.

WHEREFORE, the Court enters the following:

ORDER

AND NOW, this 3rd day of October 2017, after careful consideration of the testimony adduced at the preliminary hearing, the Omnibus Pretrial Motion filed at this number, specifically the Motion for Writ of Habeas Corpus is hereby DENIED.

BY THE COURT:
WAGNER, P.J.

ATTEST:
Janice Snyder
Clerk of Courts

SCHOOL LAW CONFERENCE**Fayette County School Law Conference**

Friday, October 27th, 2017

4.0 CLE Credits

8:30 am-1:00 pm

Park Inn, 700 West Main Street, Uniontown, PA

Join us for a half-day conference on education law issues, with guest speakers from the Education Law Center's Pittsburgh office. The event is brought to you by Fayette County Children and Youth Services, the Fayette County Bar Association, and Connect to Classrooms.

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- Changes under the new truancy law
- Students with disabilities
- Alternative Education for Disruptive Youth programs
- School Enrollment
- School Discipline
- Civil Rights Issues

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