

FAYETTE LEGAL JOURNAL

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FAYETTE LEGAL JOURNAL

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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

REYNOLD E. BELL, late of North Union Township, Fayette County, PA (3)

Executor: Donald E. Bell, Jr.
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

PATTY J. BOREK, late of Connellsville, Fayette County, PA (3)

Executor: Thomas Borek, Jr.
c/o 815A Memorial Boulevard
Connellsville, PA 15425
Attorney: Margaret Zylka House

THERESA G. FOLEY, late of Connellsville, Fayette County, PA (3)

Administrator: William P. Foley
P.O. Box 2091
Connellsville, PA 15425
c/o Hergenroeder Rega Ewing & Kennedy, LLC
Centre City Tower, Suite 1700
650 Smithfield Street
Pittsburgh, PA 15222
Attorney: Patrick J. Rega

VERONICA HANYO, a/k/a VERONICA M. HANYO, late of South Township, Fayette County, PA (3)

Executor: John L. Musial
c/o Fitzsimmons & Barclay
55 East Church Street, Suite 102
Uniontown, PA 15401
Attorney: James N. Fitzsimmons, Jr.

THOMAS HATFIELD, late of Dunbar Township, Fayette County, PA (3)

Administratrix: Alicia Lee Weinrich
c/o Adams Law Offices, PC
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason Adams

JOHN HELA, JR., late of Jefferson Township, Fayette County, PA (3)

Executrix: Marcia Ann Hela
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

SANDRA SUE HOWELL, a/k/a SANDRA S. HOWELL, late of Dunbar Township, Fayette County, PA (3)

Personal Representative:
Melanie D. Klepsky
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Robert A. Gordon

IRENE KEENER, late of Point Marion, Fayette County, PA (3)

Executrix: Sue Ann Malinsky
c/o 96 East Main Street
Uniontown, PA 15401
Attorney: Anne N. John

MARGARET MERMON, late of South Union Township, Fayette County, PA (3)

Executrix: Judith Foreman
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

SUZANNE M. MILLER, late of Saltlick Township, Fayette County, PA (3)

Personal Representative:
Lawrence Murray Tong
726 Colorado Avenue
Baltimore, Maryland 21210
c/o 527 Austin Street
Greensburg, PA 15601
Attorney: Melissa Guiddy

WILLIAM E. NULL, SR., late of Borough of Fairchance, Fayette County, PA (3)
Executor: William E. Null, Jr.
 c/o Fitzsimmons & Barclay
 55 East Church Street, Suite 102
 Uniontown, PA 15401
Attorney: James N. Fitzsimmons, Jr.

EDGAR WILLIAM PRICE, a/k/a EDGAR W. PRICE, JR., late of South Union Township, Fayette County, PA (3)
Executor: Maurice Carter Crossland
 c/o 208 South Arch Street, Suite 2
 Connellsville, PA 15425
Attorney: Richard A. Husband

JANICE M. RITCHER, late of Jefferson Township, Fayette County, PA (3)
Executrix: Laurreta J. Nemetz
 c/o 45 East Main Street, Suite 400
 Uniontown, PA 15401
Attorney: Charles C. Gentile

WILLIAM R. RODGERS, late of Bullskin Township, Fayette County, PA (3)
Administratrix: Lois Rodgers
 c/o 815A Memorial Boulevard
 Connellsville, PA 15425
Attorney: Margaret Zylka House

HELEN SZELC, late of Dunbar Township, Fayette County, PA (3)
Administratrix: Cynthia Rulli
 c/o 815A Memorial Boulevard
 Connellsville, PA 15425
Attorney: Margaret Zylka House

Second Publication

SHERRI LYNN DRISCOLL, late of Upper Tyrone Township, Fayette County, PA (2)
Administratrix: Leisha Renae Driscoll
 129 Center Avenue
 Mount Pleasant, PA 15666
 c/o 314C Porter Avenue
 Scottsdale, PA 15683
Attorney: David G. Petonic

MARLENE R. HUNTER, a/k/a MARLENE RAE HUNTER, late of Menallen Township, Fayette County, PA (2)
Personal Representative: Thomas W. Hunter
 c/o Watson Mundorff, LLP
 720 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Robert A. Gordon

MICHELE R. LINDSTROM, late of Bullskin Township, Fayette County, PA (2)
Executor: Bernard R. Lindstrom,
 a/k/a Bernard Ray Lindstrom
 213 Deer Meadow Drive
 Pittsburgh, PA 15241
 c/o 101 North Church Street
 Mount Pleasant, PA 15666
Attorney: Randall G. Klimchock

SHIRLEY SELLONG, a/k/a SHIRLEY A. SELLONG, late of Uniontown, Fayette County, PA (2)
Executrix: Deborah A. Spaw
 204 Prison Road
 Waynesburg, PA 15370
 c/o Tremba Kinney Greiner & Kerr
 1310 Morrell Avenue, Suite C
 Connellsville, PA 15425
Attorney: Mark Brooks

ANTOINETTE SMITLEY, a/k/a ANTOINETTE M. SMITLEY, late of Georges Township, Fayette County, PA (2)
Administratrix: Lori L. Smitley
 c/o 556 Morgantown Road
 Uniontown, PA 15401
Attorney: John Kopas

JAMES EDGAR SYPHERS, a/k/a JAMES E. SYPHERS, late of South Union Township, Fayette County, PA (2)
Executrix: Marcia E. Griffith
 c/o Higinbotham Law Offices
 68 South Beeson Boulevard
 Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

First Publication

ANNA MAY GATCOMB, late of Uniontown,
Fayette County, PA (1)

Executor: David C. Boggs
802 West George Street
Carmichaels, PA 15320
c/o Peacock Keller, LLP
95 West Beau Street, Suite 600
Washington, PA 15301
Attorney: Dorothy A. Milovac

MICHELLE A. GRIBBLE, late of Redstone
Township, Fayette County, PA (1)

Personal Representative:
Richard D. Stevens, III
c/o Dellarose Law Office, PLLC
99 East Main Street, Suite 101
Uniontown, PA 15401
Attorney: Melinda Deal Dellarose

JUNE KEFOVER, late of Jefferson Township,
Fayette County, PA (1)

Co-Executors: Dana B. Kefover and
Vicki Gardner
200 Clark Road
Perryopolis, PA 15473
c/o Sweat Law Offices
375 Valley Brook Road, Suite 112
McMurray, PA 15317
Attorney: Sarah Scott

**THERESA R. MILLER, a/k/a THERESA
ROSE MILLER**, late of South Union
Township, Fayette County, PA (1)

Executor: Robert L. Webster, Jr.
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

MILDRED TUCCI, late of Uniontown, Fayette
County, PA (1)

Executrix: Denise Tucci
c/o 11 Pittsburgh Street
Uniontown, PA 15401
Attorney: Thomas W. Shaffer

LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 441 of 2024, G.D.

ROBERT M. ANTHONY and SALLY L.
ANTHONY, his wife
Plaintiffs,
vs.

JOHN J. SCHEICK, his heirs, personal
representatives, and assigns, generally,
ELIZABETH SCHEICK, her heirs, personal
representatives, and assigns, generally,
ELIZABETH S. RICHARDS, her heirs,
personal representatives, and assigns, generally,
and WILLIAM H. SCHEICK, his heirs, personal
representatives, and assigns, generally,
Defendants.

TO: John J. Scheick, Elizabeth Scheick,
Elizabeth S. Richards, and William H. Scheick,
their heirs, personal representatives and assigns,
generally:

You are hereby notified that the Plaintiffs
have filed an action in quiet title at the above
number and term in the above mentioned court
where it is alleged that they are the owners in fee
and in possession of all rights, title and interest
in and to in that certain tract of land situate in
South Union Township, Fayette County
Pennsylvania, identified as Lot No. 52 in the
Addition to Glendale Plan of Lots, a plot which
is of recorded in the Recorder of Deeds of
Fayette County, Pennsylvania in Plan Book
Volume 4, Page 146,

Said Action sets forth that the Plaintiffs are
the owners in fee simple of the above-described
premises. The Action was filed for the purpose
of barring all of your right, title and interest, or
claim in and to said premises.

NOTICE TO DEFEND

You have been sued in court. If you wish to
defend against the claims, 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 plaintiffs. 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 OR CANNOT AFFORD ONE, GO TOOR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. 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.

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REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 South Street
P. O. Box 186
Harrisburg, PA 17108
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By G.T. George, Esquire
George & George
92 East Main Street
Uniontown, PA 15401
724-438-2544

**JOB OPENING
EXECUTIVE DIRECTOR
WESTMORELAND COUNTY LA WYERS
ABSTRACT COMPANY, INC.
GREENSBURG, PA**

The Board of Directors of Lawyers Abstract Company is seeking applications from attorneys interested in the position of Executive Director of the Company upon the retirement of its Executive Director, Phil Shelapinsky, at or near the end of 2024. Requirements include experience in real estate law, title searches, closings, deeds, and office management. Interested parties may send their resume and/or a letter of interest outlining their experience to:

Attn: Philip N. Shelapinsky, Executive Director
Lawyers Abstract Company
35 West Otterman Street
Greensburg, PA 15601
Email: pnshelapinsky@lacwest.com

SHERIFF'S SALE

Date of Sale: May 16, 2024

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 May 16, 2024, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realauction on-line registration process at <https://fayette.pa.realforeclose.com> to participate in the auction.

All bidders must place a 10% deposit equal to the successful bid for each property purchased to Realauction via wire transfer or ACH per Realauction requirements. Upon the auction's close, buyer shall have 10 business days to pay the remaining balance to the Fayette County Sheriff's Office via cashier's check. No cash will be accepted. Failure to comply with the Conditions of Sale, shall result in a default and the down payment shall be forfeited by the successful bidder and applied to the costs and judgments. The schedule of distribution will be filed no later than 30 days after the sale of real property. If no petition has been filed to set aside the sale or objections to the distribution are filed within 10 days of filing the distribution, the Sheriff will prepare and record a deed transferring the property to the successful bidder. (3 of 3)

James Custer
Sheriff of Fayette County

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2257 of 2022 GD
No. 26 of 2024 ED

LAKEVIEW LOAN SERVICING, LLC
c/o Nationstar Mortgage LLC
8950 Cypress Waters Boulevard
Coppell, TX 75019
Plaintiff

vs.

B.D. A MINOR c/o their natural guardian
Breanna Lynch, as Heir of Brandon Donley,
Deceased

C.D. A MINOR c/o their natural guardian,
Arianna Haky, as Heir of Brandon Donley,
Deceased

THE UNKNOWN HEIRS OF BRANDON
DONLEY, DECEASED
28 Wilmac Street
Uniontown, PA 15401
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN SOUTH UNION TOWNSHIP,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 28 WILMAC
STREET, UNIONTOWN, PA 15401

TAX PARCEL #34-16-0176

IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF: B.D. A
MINOR C/O THEIR NATURAL GUARDIAN
BREANNA LYNCH, AS HEIR OF BRANDON
DONLEY, DECEASED, C.D. A MINOR C/O
THEIR NATURAL GUARDIAN, ARIANNA
HAKY, AS HEIR OF BRANDON DONLEY,
DECEASED AND THE UNKNOWN HEIRS
OF BRANDON DONLEY, DECEASED

Dana Marks, Esq.
1325 Franklin Avenue, Suite 160
Garden City, NY 11530
(212) 471-5100

No. 930 of 2023 GD
No. 39 of 2024 ED

U.S. Bank Trust National Association, as
Trustee of the Igloo Series IV Trust

v.

Sheila J. Bowers, Aaron K. Bowers, Eric T.
Bowers

By virtue of Writ of Execution No. 39 of
2024 ED, U.S. Bank Trust National Association,
as Trustee of the Igloo Series IV Trust v Sheila
J. Bowers, Aaron K. Bowers, Eric T. Bowers
Docket Number: 2023-930

Property to be sold is situated in the
borough/township of Georges, County of
Fayette and State of Pennsylvania.

Commonly known as: 21 Hazel Street,
Fairchance, PA 15436

Parcel Number: 14-27-0001

Improvements thereon of the residential
dwelling or lot (if applicable):

Judgment Amount: 72,479.67

No. 1074 of 2022 GD
No. 62 of 2024 ED

Allied First Bank, SB DBA Servbank
Plaintiff,

vs.

Edward A. Bugai; Damara J. Bugai
Defendants.

ALL that certain parcel of land lying and
being situate in the Township of Luzerne,
County of Fayette, and Commonwealth of
Pennsylvania, known as 810 York Street,
Brownsville, PA 15417 having erected thereon a
dwelling house.

Being known and designated as Tax ID
No.: 19-13-0112

BEING the same premises which Edward
A. Bugai, by Deed dated March 8, 2017 and
recorded in and for Fayette County,
Pennsylvania in Deed Book 3335, Page 161,
granted and conveyed unto Edward A. Bugai
and Damara J. Bugai, father and daughter.

Brock & Scott, PLLC
No. 1696 of 2023 GD
No. 24 of 2024 ED

Tax Parcel Number: 0425027201
Improvements thereon: Single family residential dwelling
Judgment Amount: \$8,433.27

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2007-HE7 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-HE7

**V.
DENNIS A. CALVERT**

By virtue of a Writ of Execution No. 1696 OF 2023

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2007-HE7 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-HE7

**V.
DENNIS A. CALVERT** owner(s) of property situate in the CITY OF CONNELLSVILLE, FAYETTE County, Pennsylvania, being 524 RACE STREET, CONNELLSVILLE, PA 15425

Tax ID No. 05-07-0369
Improvements thereon: RESIDENTIAL DWELLING
Judgment Amount: \$56,361.55

Padgett Law Group
Jacqueline F. McNally, Esq.
700 Darby Road, Suite 100
Havertown, PA 19083
(850) 422-2520

No. 2263 of 2023 GD
No. 59 of 2024 ED

Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust IV

**v.
Chris Coughenour and Lori Coughenour**

By virtue of Writ of Execution No. 2263 of 2023 GD

Wilmington Savings Fund Society, FSB, d/ b/a Christiana Trust as Trustee for PNPMS Trust IV v. Chris Coughenour and Lori Coughenour.

Property Address: 540 Pleasant Valley Road, Connelssville, PA 15425 Township of Bullskin, County of Fayette, Commonwealth of Pennsylvania

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 977 of 2021 GD
No. 61 of 2024 ED

RESOLVE EQUITY INVESTMENTS, LLC C/O Madison Management Services, LLC 4600 Kietzke Ln Suite K-225 Reno, NV 89502

**Plaintiff
vs.
EUGENE CRANDLE AKA EUGENE WILBUR CRANDLE WILLIAM JOSEPH CRANDLE
Mortgagor(s) and Record Owner(s)
294 Little Summit Road
Dunbar, PA 15431
Defendant(s)**

ALL THAT CERTAIN LOT OF LAND SITUATE IN DUNBAR TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA. BEING KNOWN AS: 294 LITTLE SUMMIT ROAD, DUNBAR, PA 15431
TAX PARCEL #09-20-0118
IMPROVEMENTS: A RESIDENTIAL DWELLING
SOLD AS THE PROPERTY OF: EUGENE CRANDLE AKA EUGENE WILBUR CRANDLE AND WILLIAM JOSEPH CRANDLE

Robertson, Anschutz, Schneid, Crane &
Partners, PLLC
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
(855)225-6906

No. 1310 of 2023 GD
No. 65 of 2024 ED

PNC BANK, NATIONAL ASSOCIATION
Plaintiff

v.

**DANNY R. DANIELS, IN HIS CAPACITY
AS EXECUTOR AND HEIR OF THE
ESTATE OF MERLE A. DANIELS.;
ANGELA CROSS, IN HER CAPACITY AS
HEIR OF MERLE A. DANIELS;
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS AND ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
MERLE A. DANIELS.**

Defendant(s)

ALL THAT CERTAIN PARCEL OF
LAND SITUATE IN STEWART TOWNSHIP,
FAYETTE COUNTY, PENNSYLVANIA,
BEING KNOWN AS: 449 MAPLE
SUMMIT RD MILL RUN, PA 15464
BEING PARCEL NUMBER: 37080033
IMPROVEMENTS: RESIDENTIAL
PROPERTY

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 390 of 2023 GD
No. 20 of 2024 ED

PNC BANK, NATIONAL ASSOCIATION
3232 Newmark Drive
Miamisburg, OH 45342
Plaintiff

vs.

**DOLLY DANIELS AKA DOLLY E.
DANIELS
LARRY DANIELS AKA LARRY K.
DANIELS**
Mortgagor(s) and Record Owner(s)
842 Walnut Hill Road
Uniontown, PA 15401
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN GEORGES TOWNSHIP,

COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.
BEING KNOWN AS: 842 WALNUT
HILL ROAD, UNIONTOWN, PA 15401
TAX PARCEL #14-01-0035
IMPROVEMENTS: A RESIDENTIAL
DWELLING
SOLD AS THE PROPERTY OF: DOLLY
DANIELS AKA DOLLY E. DANIELS AND
LARRY DANIELS AKA LARRY K.
DANIELS

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 614 of 2023 GD
No. 60 of 2024 ED

**FIRSTKEY MASTER FUNDING 2021-A
COLLATERAL TRUST**
3217 S. Decker Lake Drive
Salt Lake City, UT 84119
Plaintiff

vs.

DEBRA D. DAVISON
Mortgagor(s) and Record Owner(s)
45 Grant Street
New Salem, PA 15468
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN TOWNSHIP OF MENALLEN,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.
BEING KNOWN AS: 45 GRANT
STREET, NEW SALEM, PA 15468
TAX PARCEL #22-16-0047
IMPROVEMENTS: A RESIDENTIAL
DWELLING
SOLD AS THE PROPERTY OF: DEBRA
D. DAVISON

No. 465 of 2017 GD
No. 22 of 2024 ED

**Community Loan Servicing, LLC f/k/a
Bayview Loan Servicing, LLC
c/o Nationstar Mortgage LLC d/b/a Mr.
Cooper,
Plaintiff,
Vs.
Raymond I Fallecker, Jr. and James Benford
Defendants**

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF RAYMOND I FALLECKER, JR. INDIVIDUALLY AND AS CO-EXECUTOR OF THE ESTATE OF JOSEPH E. GEORGE, DECEASED, ANGELA GEORGE INDIVIDUALLY AND AS CO-EXECUTOR OF THE ESTATE OF JOSEPH E. GEORGE, DECEASED, JAMES BENFORD, DEANNA MILLIRON, MELANIE GOOD, JOSEPH A GEORGE, TIMOTHY GEORGE AND CHRISTOPHER ALAN GEORGE OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

All the following premises situate in Redstone Township, Fayette County, Pennsylvania:

Beginning at a point in the center of a 30 foot street, said point being located South 88 degrees 14' West, a distance of 992.86 feet and North 2 degrees 06' West, a distance of 405.84 feet from a property corner common to lands of Robert Johnson and Allison Land Company (formerly W.J. Rainey, Inc) thence North 2 degrees 06' West, a distance of 127.52 feet to the center of a 12 foot alley; thence in the center of said Alley, South 87 degrees, 47' West, a distance of 60.00 feet, thence South 2 degrees 06' East, a distance of 127.39 feet to the center of a 30 foot street; thence in the center of said street, North 87 degrees, 54' East, a distance of 60.00 feet to the place of beginning.

Under and subject to all exceptions, reservation, conditions, easements, rights of way etc contained in prior instruments of record.

Title to said Premises vested in James Benford by Deed from Raymond I Fallecker Jr dated June 30, 2017, and recorded on June 30, 2017 in the Fayette County Recorder of Deeds in/at Book RB3344 Page 1814.

Parcel No. 30-20- 0080

BEING KNOWN AS 480 2ND ST,
CHESTNUT RIDGE, PA 15422

Perry Russell, Esq.
1325 Franklin Avenue, Suite 160
Garden City, NY 11530
(212) 471-5100

No. 261 of 2022 GD
No. 17 of 2024 ED

**U.S. Bank Trust National Association, as
Trustee of the Lodge Series IV Trust
v
Lori Fisch, Brian C. Fisch**

By virtue of Writ of Execution No.-----
U.S. Bank Trust National Association, as
Trustee of the Lodge Series IV Trust v Lori
Fisch, Brian C. Fisch

Docket Number: 261 of 2022

Property to be sold is situated in the
Bullskin Township, County of Fayette and State
of Pennsylvania.

Commonly known as: 234 Rural Lane,
Connellsville, PA 15425

Parcel Number: 04-36-0012-07

Improvements thereon of the residential
dwelling or lot (if applicable):

Judgment Amount:78,041.49

No. 2158 of 2023 GD
No. 41 of 2024 ED

**PENNSYLVANIA HOUSING FINANCE
AGENCY,
PLAINTIFF
vs.
SCOTT J. FRANKS, II, EXECUTOR OF
THE ESTATE OF SCOTT J. FRANKS,
DECEASED,
DEFENDANT**

ALL THAT CERTAIN parcel of land in
Dunbar Township, Fayette County,
Pennsylvania, being Lot No. 1 in the Harold R.
Garlick, et ux. plan of lots, Fayette County Plan
Book 10, Page 91.

HAVING THEREON ERECTED
DWELLING KNOWN AND NUMBERED AS:
1017 BLAIR STREET, CONNELLSVILLE, PA
15425.

TAX PARCEL # 09-05-0185
Deed Book 3142, page 174

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 33 of 2023 GD
No. 4 of 2024 ED

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

**3232 Newmark Drive
Miamisburg, OH 45342**

Plaintiff

vs.

**CHARLES GALLAHER, Solely in their
capacity as heir of MARTHA GALLAHER
AKA MARTHA A. GALLAHER, Deceased
UNKNOWN HEIRS OF MARTHA
GALLAHER AKA MARTHA A.
GALLAHER**

**KENNETH GALLAHER, Solely in their
capacity as heir of MARTHA GALLAHER
AKA MARTHA A. GALLAHER, Deceased
12 Circle Street**

Brownsville PA 15417

Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN REDSTONE TOWNSHIP,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 12 CIRCLE
STREET, BROWNSVILLE, PA 15417

TAX PARCEL #30-13-0111

IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
CHARLES GALLAHER, Solely in their
capacity as heir of MARTHA GALLAHER
AKA MARTHA A. GALLAHER, Deceased,
UNKNOWN HEIRS OF MARTHA
GALLAHER AKA MARTHA A. GALLAHER
AND KENNETH GALLAHER, Solely in their
capacity as heir of MARTHA GALLAHER
AKA MARTHA A. GALLAHER, Deceased

Brock & Scott, PLLC

No. 2147 of 2023 GD
No. 312 of 2023 ED

**FREEDOM MORTGAGE CORPORATION
v.
PAUL WILSON LONG III**

By virtue of a Writ of Execution No. 2023-
02147

FREEDOM MORTGAGE
CORPORATION v. PAUL WILSON LONG III
owner(s) of property situate in the BOROUGH
OF POINT MARION, FAYETTE County,
Pennsylvania, being

1093 MORGANTOWN RD, POINT
MARION, PA 15474

Tax ID No. 29030104 aka 29-03-0104

Improvements thereon: RESIDENTIAL
DWELLING

Judgment Amount: \$167,124.53

Brock & Scott, PLLC

No. 2255 of 2023 GD
No. 6 of 2024 ED

**NATIONSTAR MORTGAGE LLC D/B/A
MR. COOPER**

v.

BRYAN MCKAHAN; LISA MCKAHAN

By virtue of a Writ of Execution No. 2023-
02255 NATIONSTAR MORTGAGE LLC D/B/
A MR. COOPER v. BRYAN MCKAHAN;
LISA MCKAHAN owner(s) of property situate
in the MASONTOWN BOROUGH, FAYETTE
County, Pennsylvania, being

231 SANGSTON AYE, MASONTOWN,
PA 15461

Tax ID No. 21-03-0108

Improvements thereon: RESIDENTIAL
DWELLING

Judgment Amount: \$69,035.13

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2051 of 2022 GD
No. 9 of 2024 ED

PENNYMAC LOAN SERVICES, LLC
3043 Townsgate Road
Suite 200
Westlake Village, CA 91361
Plaintiff

vs.

ANTHONY R. MIKULAK
Mortgagor(s) and Record Owner(s)
779 New Geneva Road
Point Marion, PA 15474
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN SPRINGHILL TOWNSHIP,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 779 NEW
GENEVA ROAD, POINT MARION, PA 15474
TAX PARCEL #36-06-0082
IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
ANTHONY R. MIKULAK

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 209 of 2023 GD
No. 57 of 2024 ED

NATIONSTAR MORTGAGE LLC
8950 Cypress Waters Boulevard
Coppell, TX 75019
Plaintiff

vs.

**JENNIFER MINOR AKA JENNIFER
PRATT, Solely in Her Capacity as Heir of
Vincent Pratt, Deceased**
**VINCENT PRATT, JR., Solely in His
Capacity as Heir of Vincent Pratt, Deceased**
**KEVIN PRATT, Solely in His Capacity as
Heir of Vincent Pratt, Deceased**
**TERRANCE PRATT, Solely in His Capacity
as Heir of Vincent Pratt, Deceased**
**ANTHONY PRATT, Solely in His Capacity
as Heir of Vincent Pratt, Deceased**
12 Collins Avenue

Uniontown, PA 15401
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN CITY OF UNIONTOWN,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 12 COLLINS
AVENUE, UNIONTOWN, PA 15401
TAX PARCEL #38-13-0354
IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
JENNIFER MINOR AKA JENNIFER PRATT,
Solely in Her Capacity as Heir of Vincent Pratt,
Deceased, VINCENT PRATT, JR., Solely in
His Capacity as Heir of Vincent Pratt, Deceased,
KEVIN PRATT, Solely in His Capacity as Heir
of Vincent Pratt, Deceased, TERRANCE
PRATT, Solely in His Capacity as Heir of
Vincent Pratt, Deceased AND ANTHONY
PRATT, Solely in His Capacity as Heir of
Vincent Pratt, Deceased

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 1710 of 2023 GD
No. 25 of 2024 ED

PENNYMAC LOAN SERVICES, LLC
3043 Townsgate Road
Suite 200
Westlake Village, CA 91361
Plaintiff

vs.

KAITLIN OWENS
WILLIAM OWENS
Mortgagor(s) and Record Owner(s)
26 Mulberry Street
Belle Vernon, PA 15012
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN BOROUGH OF BELLE
VERNON, COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 26 MULBERRY
STREET, BELLE VERNON, PA 15012
TAX PARCEL #01-04-0114
IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
KAITLIN OWENS AND WILLIAM OWENS

FEIN, SUCH, KAHN & SHEPARD, P.C.

No. 2460 of 2023 GD
No. 56 of 2024 ED

Judgment Amount: \$32,150.33
Being County Parcel No. 38-13-0007

All that certain lot of land situate in the Third Ward of the City of Uniontown, Fayette County, Pennsylvania, being lot no. 15 and the southern half of lot no. 16, both contiguous and forming one lot, in Murray Place Plan, as recorded in the Recorder's Office of Fayette County, Pennsylvania, in Plan Book 2, page 26, said lot and one half being bounded and described as follows: Fronting 51 1/2 feet on the Western side of Cleveland Avenue and extending back of equal width 69.8 feet to a ten foot alley, being bounded on the south by Lot No. 14 and on the north by the Northern half of Lot No. 16.

Parcel No.: 38-13-7

Current/Prior Deed Reference: Deed from Mary Bennett and Frances E. Belford to Duane B. Pratt, Jr. dated 4/30/2001 recorded on 3/1/2001 at DBV 2734, Page 41.

TO BE SOLD AS THE PREMISES OF TODD A. ROBINSON.

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
(855)225-6906

No. 1667 of 2023 GD
No. 325 of 2023 ED

NATIONSTAR MORTGAGE LLC

Plaintiff

v.

KATHLEEN J. SCARMAZZI
Defendant(s)

ALL THOSE CERTAIN TRACTS OF LAND SITUATE IN REDSTONE TOWNSHIP, FAYETTE COUNTY, COMMONWEALTH OF PENNSYLVANIA,

BEING KNOWN AS: 600 BELL STREET FAIRBANK, PA 15435

BEING PARCEL NUMBER: 30390017, 30390018

IMPROVEMENTS: RESIDENTIAL PROPERTY

Jill M. Fein, Esquire
Hill Wallack LLP
1000 Floral Vale Blvd., Suite 300
Yardley, PA 19067
(215) 579-7700

No. 618 of 2019 GD
No. 18 of 2024 ED

Wilmington Trust, National Association, not in its Individual Capacity, but solely as Trustee for MFRA Trust 2014-1

Plaintiff

v.

Charles Samuel Smith and Valerie Suzanne Smith

Defendant

By virtue of a writ of execution case number: 2019-618

Plaintiff: Wilmington Trust, National Association, not in its Individual Capacity, but solely as Trustee for MFRA Trust 2014-1 v. Defendant: Charles Samuel Smith and Valerie Suzanne Smith

Owners of property situate on the South side of Georges Creek in Springhill Township, Fayette County, Pennsylvania, being pin number 36-05-0029

Property being known as: 126 Georges Creek Road, Smithfield, PA 15478

Improvements thereon:- Residential Property

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2005 of 2023 GD
No. 21 of 2024 ED

PENNYMAC LOAN SERVICES, LLC

3043 Townsgate Road
Suite 200

Westlake Village, CA 91361

Plaintiff

vs.

SAMUEL D. SNYDER

Mortgagor(s) and Record Owner(s)

102 South Liberty Street
Masontown, PA 15461

Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN MASONTOWN BORO, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 102 SOUTH LIBERTY STREET, MASON TOWN, PA 15461

TAX PARCEL #21-07-0067 IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: SAMUEL D. SNYDER

No. 1889 of 2023 GD
No. 10 of 2024 ED

Wells Fargo Bank, N.A.
Plaintiff
vs.
Christopher Swink
Defendant(s)

All those two adjoining tracts of land situate in South Connellsville Borough, formerly Connellsville Township, Fayette County, Pennsylvania.

BEING THE SAME PREMISES which Constance P. McMahon and Leslie V. McMahon, Jr., Spouses to each other; Eric Cable, a single man; and Lachelle Kyte and Mark Kyte, spouses to each other, by Deed dated 3/21/2009 and recorded in the Office of the Recorder of Deeds of Fayette County on 4/21/2009 in Deed Book Volume 3091, Page 882, Instrument No. 200900004366 granted and conveyed unto Christopher Swink.

BEING known as 1121 East Gibson Avenue, Connellsville, Pennsylvania 15425
PARCEL #33-04-0189

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2123 of 2023 GD
No. 44 of 2024 ED

MIDFIRST BANK
999 N.W. Grand Boulevard
Suite 100
Oklahoma City, OK 73118-6116
Plaintiff
vs.
The Unknown Heirs of Brandon J. Davis
Deceased
115 Palmer Road
Adah, PA 15410
Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN GERMAN TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 115 PALMER ROAD, ADAH, PA 15410

TAX PARCEL #15-22-001-02 IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: The Unknown Heirs of Brandon J. Davis Deceased

No. 2012 of 2023 GD
No. 314 of 2023 ED

PNC BANK, NATIONAL ASSOCIATION
3232 Newmark Drive
Miamisburg, OH 45342
Plaintiff
vs.
The Unknown Heirs of LINDA L. SHULTZ
Deceased
Mortgagor(s) and Record Owner(s)
34 Walnut Avenue
Dunbar, PA 15431
Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN DUNBAR BOROUGH, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 34 WALNUT AVENUE, DUNBAR, PA 15431

TAX PARCEL #08-03-0203 IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: THE UNKNOWN HEIRS OF LINDA L. SHULTZ DECEASED

Vitti Law Group, Inc.
 BY: Lois M. Vitti, Esquire
 PA ID #209865
 663 Fifth Street
 Oakmont PA 15139
 (412) 281-1725

No. 1942 of 2023 GD
 No. 69 of 2024 ED

Pennsylvania Housing Finance Agency,
Plaintiff,
 vs.
Carlee Jo Tolnai,
Defendant.

Menallen Twp, Cty of Fayette, CmwltH of
 PA, HET a dwg k/a 24 Grant Avenue, New
 Salem, PA 15468. Parcel ID 22-16-0063

Perry Russell, Esq. (202929)
 1325 Franklin Avenue, Suite 160
 Garden City, NY 11530
 (212) 471-5100

No. 2242 of 2022 GD
 No. 35 of 2024 ED

**U.S. Bank Trust National Association, as
 Trustee of Igloo Series III Trust**

v.

**John A. Triggiani, Individually in his
 capacity as heir of the Estate of Lora Lee
 Triggiani a/k/a Lora Triggiani, deceased, and
 in his capacity as Personal Representative of
 the Estate of Lora Lee Triggiani a/k/a Lora
 Triggiani, deceased**

By virtue of Writ of Execution No. 35 of
 2024 ED

U.S. Bank Trust National Association, as
 Trustee of Igloo Series III Trust v John A.
 Triggiani, Individually in his capacity as heir of
 the Estate of Lora Lee Triggiani a/k/a Lora
 Triggiani, deceased, and in his capacity as
 Personal Representative of the Estate of Lora
 Lee Triggiani a/k/a Lora Triggiani, deceased

Docket Number: 2242-2022-GD

Property to be sold is situated in the
 borough/township of Belle Vernon, County of
 Fayette and State of Pennsylvania.

Commonly known as: 301 Wood St, Belle
 Vernon, PA 15012

Parcel Number: 01-02-0077

Improvements thereon of the residential
 dwelling or lot (if applicable):

Judgment Amount: \$113,514.81

KML LAW GROUP, P.C.
 Suite 5000
 701 Market Street
 Philadelphia, PA 19106-1532
 (215) 627-1322

No. 1669 of 2023 GD
 No. 35 of 2024 ED

**TOWD POINT MORTGAGE TRUST 2019-
 4, U.S. BANK NATIONAL ASSOCIATION,
 AS INDENTURE TRUSTEE**
3217 S. Decker Lake Drive
Salt Lake City, UT 84119
Plaintiff

vs.

JEFFREY L. WILFONG
LISA L. WILFONG
Mortgagor(s) and Record Owner(s)
423 Yauger Hollow Road
Lemont Furnace, PA 15456
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
 SITUATE IN NORTH UNION TOWNSHIP,
 COUNTY OF FAYETTE AND
 COMMONWEALTH OF PENNSYLVANIA.
 BEING KNOWN AS: 423 YAUGER
 HOLLOW ROAD, LEMONT FURNACE, PA
 15456

TAX PARCEL #25-16-0367

IMPROVEMENTS: A RESIDENTIAL
 DWELLING

SOLD AS THE PROPERTY OF:
 JEFFREY L. WILFONG AND LISA L.
 WILFONG

*** END SHERIFF'S SALE ***

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE E&O INSURED WILL TRAVEL ACCEPTING NEW CLIENTS



DiBella Weinheimer

Geer McAllister Best Coco Lloyd Whalen



Holly Whalen ◊ Amy Coco ◊ Bethann Lloyd

INSIST UPON OUR EXPERIENCED TEAM

LAWYERS DEFENDING LAWYERS

- Disciplinary Board
- Legal Malpractice
- Security Fund / IOLTA
- Ethics & Conflict Analysis
- Subpoena Assistance
- Licensure
- Conflict Resolution

WWW.DIBELLA-WEINHEIMER.COM 412 261-2900

JUDICIAL OPINION

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

COMMONWEALTH OF :
 PENNSYLVANIA, :
 :
 vs. :
 :
 ANITA SCHELLER, :
 Defendant/Appellant. : No. 836 of 2022

OPINION IN SUPPORT OF JURY VERDICT

VERNON, J.

October 17, 2023

Following a trial by jury, Appellant, Anita Scheller, was found guilty of Theft by Unlawful Taking [18 Pa.C.S.A. §3921] and Receiving Stolen Property [18 Pa.C.S.A. §3925]. Appellant was sentenced to a term of incarceration of six months to twelve months for her conviction of Theft by Unlawful Taking and no further penalty was imposed for the Receiving Stolen Property conviction. Appellant has appealed to the Superior Court and this Opinion is in support of the jury verdict and sentence imposed.

On appeal, Appellant raises the following issues:

1. Did the Trial Court abuse its discretion by denying the defense to present a material fact witness’ testimony; namely Rodney Allen?
2. Did the Commonwealth fail to present sufficient evidence to prove beyond a reasonable doubt that Defendant did not have permission to remove items from the home at issue?

STATEMENT OF THE CASE

Linda Allen and husband, Rodney Allen, own a rental property located at 796 Elliottsville Road, Farmington, Pennsylvania, at which a mobile home sits upon an acre of land. N.T., 6/5/2023, at 7-8. The Allens rented the trailer to Appellant Anita Scheller at a rate of seven hundred fifty dollars per month beginning in June 2000. Id. at 8-9. The trailer was fully furnished. Id. at 10. Ms. Allen reviewed the lease and testified that she never told Appellant nor did the lease allow her to keep the furniture if she moved out. Id. at 13. Ms. Allen testified in detail as to the furnishings that were in each room of the rental unit when Appellant took possession. Id. at 13-17. She then testified that “[e]verything was missing [and ...] I mean everything” when Appellant moved out in January 2021. Id. at 19. Ms. Allen described things like light bulbs, sheets, curtains, bedspreads, bedroom sets, sofa, love seat, end tables, towels, rugs, microwave, coffee maker, mattresses, and box springs that were all gone. Id. at 19-22. Ms. Allen appraised the

fair market value of her items at two thousand dollars. *Id.* at 23. Ms. Allen further testified that after Appellant left the rental unit that she and Appellant engaged in text messages wherein Appellant stated that the furnishings were “all junk and garbage” and that she “got rid of it.” *Id.* 26-27. Appellant text messaged Ms. Allen stating that Ms. Allen told her she could keep everything, to which Ms. Allen responded in text message denying the same. *Id.* at 27. Thereafter, Appellant did not respond. *Id.*

On January 6, 2021, Trooper Anthony J. Sparico of the Pennsylvania State Police responded to the complaint made by the Allens of missing items from their rental unit. *Id.* at 35-37. About a month later in February 2021, Trooper Sparico located Appellant at her new residence on Carlisle Street, in Uniontown, Fayette County. *Id.* at 40. The Trooper identified himself and stated the reason for his investigatory visit to Appellant. While the two were talking on the front porch, Trooper Sparico saw the wrap-around La-Z-Boy sofa through Appellant’s window that matched the description from the Allens as their missing sofa. *Id.* 41. Trooper Sparico inquired about the couch and Appellant told him that Ms. Allen said she could have the items and that it was in “the paperwork.” *Id.* at 41-42. When asked to produce the paperwork, Appellant was unable to do so. *Id.* at 42. Appellant also admitted to having the table and chairs which the Trooper could view through the window and two dressers. *Id.* As to anything else, Appellant said the items were junked or given to her granddaughter. *Id.* at 43. Trooper Sparico confirmed with the Allens that garbage service was not active at the residence. *Id.* at 43-44. Trooper Sparico requested Appellant’s consent to search her new residence for the missing items to which Appellant first consented “with the caveat that the residence was currently infested with bedbugs.” *Id.* at 44. When the Trooper stated that he would enter anyways, Appellant revoked her consent to the search. *Id.* The Trooper did not request a search warrant because of the bedbugs. *Id.* at 45. Trooper Sparico reviewed the lease agreement between Appellant and the Allens and testified that no provisions allowed her to take the furnishings. *Id.* at 46.

Appellant testified in her defense that she had thirty years’ worth of her own belongings when she moved into the Allens’ rental unit and that Ms. Allen offered things to her. N.T., 6/6/2023 at 5-8. Appellant stated that she was not trying to be rude, but that she did not want the Allens’ furnishing and she “threw it out.” *Id.* at 8. Appellant denied the couch at her new residence was the one taken from the Allens. *Id.* at 9.

Appellant attempted to call Rodney Allen as a witness to which the Commonwealth made a relevancy objection. *Id.* at 33-34. As an offer of proof as to Rodney Allen’s proposed testimony, Appellant’s counsel stated, “He made a statement to the police. Based upon that statement he is subject to cross-examination. He also has prior crimes of falsehood on his record, one. I should say a crime of falsehood. A felony in the third degree but I would like to cross examine him on that.” *Id.* at 33-34. This Court ruled that Rodney Allen’s proposed testimony was inadmissible and that he was not subject to impeachment because he did not testify. *Id.* at 34.

Trooper Sparico testified in rebuttal that the photographs admitted as Commonwealth Exhibit 2 depict the La-Z-Boy sectional inside the Allen residence prior to Appellant moving in and is the same sectional sofa that he observed at Appellant’s new residence. *Id.* at 35-36. Similarly, the kitchen table and chairs are the same from the Allen rental unit that Trooper Sparico observed in Appellant’s new house. *Id.* at 36-37.

DISCUSSION

In her first issue, Appellant alleges that this Court abused its discretion by denying the defense to present a material fact witness' testimony of Rodney Allen. At trial, Appellant requested to call Rodney Allen for two purposes. First, Appellant alleged that Rodney Allen made a statement to the police for which he should be subject to cross-examination. Rule 611 of the Pennsylvania Rules of Evidence provides that, in a criminal case, cross-examination of a witness should be limited to the subject matter of the direct examination and matters affecting credibility. Cross-examination is generally limited to matters brought out on direct examination. The Commonwealth did not call Rodney Allen as a witness and did not put any statement of Rodney Allen into evidence, thus, he could not be subject to cross-examination. The second purpose for which Appellant proposed to call Rodney Allen was to "cross-examine him" on his prior crime of falsehood. A witness who is not the defendant may be impeached by introducing the witness's convictions for felonies or misdemeanors in the nature of *crimen falsi*. Impeachment is directed to the credibility of the witness to discredit him. It ordinarily furnishes no factual evidence. A party seeking to introduce a witness's inconsistent statement for impeachment purposes must establish that the witness in fact made the allegedly inconsistent statement. Thus, a summary of the witness's statement cannot be used to impeach the witness unless the witness has adopted the statement as his or her own. It would be unfair to allow a witness to be impeached on a police officer's interpretation of what was said rather than the witness's verbatim words. *McManamon v. Washko*, 906 A.2d 1259, 1268 (Pa.Super. 2006). Here, Rodney Allen was not called by the Commonwealth, nor was his statement to police admitted into evidence against Appellant at her trial. The Court ruled properly that Rodney Allen could not be called solely for the purpose of impeaching him.

In her second issue raised on appeal, Appellant claims the evidence presented at trial was insufficient to prove that she did not have permission to remove the items from the Allens' rental home. The Court disagrees. When a party challenges the sufficiency of the evidence, the critical inquiry on review does not require a court to ask itself whether it believes that the evidence at the trial established guilt beyond a reasonable doubt. *Commonwealth v. McCurdy*, 943 A.2d 299, 301 (Pa.Super. 2008). Instead, it must determine simply whether the evidence believed by the factfinder was sufficient to support the verdict. All of the evidence and any inferences drawn therefrom must be viewed in the light most favorable to the Commonwealth as the verdict winner. *Id.* at 301-302. While it is true that the Commonwealth must prove every essential element of a crime beyond a reasonable doubt, it is well established that the Commonwealth may sustain this burden by means of wholly circumstantial evidence. *Commonwealth v. Richardson*, 357 A.2d 671, 673 (Pa.Super. 1976). The Commonwealth need not preclude every possibility of innocence or establish the Appellant's guilt to a mathematical certainty. *Commonwealth v. Williams*, 871 A.2d 254, 259 (Pa.Super. 2005).

Further, any doubts regarding an appellant's guilt may be resolved by the factfinder unless the evidence is so weak and inconclusive that no probability of fact may be drawn from the combined circumstances. The trier of fact while passing upon the credibility of the witnesses and the weight of the evidence produced, is free to believe all, part or none of the evidence. *Commonwealth v. Robertson-Dewar*, 829 A.2d 1207, 1211 (Pa.Super. 2003).

With the above principles in mind, we now consider whether the Commonwealth presented sufficient evidence to sustain Appellant's convictions of Theft by Unlawful and Receiving Stolen Property. Viewed under the aforementioned standard, and with this law to guide us, we find Appellant's challenge to the sufficiency of the evidence frivolous. A review of the record reveals evidence, sufficient in kind and quality, presented at trial, such that the trier of fact permissibly concluded that Appellant committed the offenses of Theft by Unlawful and Receiving Stolen Property when she emptied the Allens' rental home of all furnishings. The conviction is supported by the testimony of Linda Allen that Appellant was not given permission to remove the furnishings and by the direct evidence of Trooper Sparico viewing the missing couch and table in Appellant's new residence.

WHEREFORE, it is respectfully submitted that the entire appeal is without merit and should be denied.

BY THE COURT:
NANCY D. VERNON, JUDGE

ATTEST:
Clerk of Courts

129TH ANNUAL
FAYETTE COUNTY BAR ASSOCIATION

BAR BANQUET

FRIDAY, APRIL 26, 2024

5:30 | COCKTAILS & APPETIZERS

6:30 | FABULOUS BUFFET

SIGNATURE COCKTAIL | CEASE AND DESIST
CATERED BY THE YARD

THE GRAYSON HOUSE

157 RIGGIN HILL ROAD
UNIONTOWN, PA 15401

RSVP TO THE ASSOCIATION BY APRIL 5
724-437-7994 OR CINDY@FCBAR.ORG
NO CHARGE FOR FCBA MEMBERS
GUESTS WELCOME/GUEST FEE \$100



LUNCH & LEARN SERIES

The Fayette County Bar Association's next presentation in its Lunch & Learn Series will be:

- Date: **Wednesday, April 17th from 12:00 p.m. to 1:30 p.m.**
- Location: **Courtroom No. 2 of the Fayette County Courthouse**
- Discussion topics: **Staying Safe and Sound – Maintaining a Realistic Work/Life Balance in 2024**
- Presenters: **Brian S. Quinn, Esquire
Lawyers Concerned for Lawyers**

CLE Credit

1.5 hours of Ethics CLE credit for the program. The fees are as follows:

Members of the FCBA

- \$5 fee for attendance without CLE Credit
- \$15 fee for attendance with CLE Credit

Attorneys admitted to practice in Pennsylvania after January 1, 2019

- \$5 fee for attendance with CLE Credit

Non-members of the FCBA

- \$15 fee for attendance without CLE Credit
- \$40 fee for attendance with CLE Credit

**** All fees to be paid at the door ****
A light lunch will be provided.

RSVP

If interested in attending, please call Cindy at the Bar office at 724-437-7994 or email to cindy@fcbbar.org on or before Monday, April 15th.

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