

LACKAWANNA JURIST

JUDICIAL OPINION

CASE NAME AND NUMBER: Holland v. Janesko, 2019 WL 2871235 (Lacka. Co. 2019)

DATE OF DECISION: July 2, 2019

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

John J. Holland, Esquire, Counsel for Plaintiff
Patrick J. Boland III, Esquire, Mark J. Koslowski, Esquire, Counsel for Defendants

SUMMARY OF OPINION:

An assistant chief of police, who reportedly was the only member of the borough police department who sought appointment to the chief of police vacancy, filed this action against the borough mayor, its council, and the individual who was appointed chief of police even though he was not a member of the borough police department. Relying upon the borough's code and its 1988 ordinance mandating that the "Borough Council shall appoint one member of the Police Department to serve as Chief of Police," the assistant chief sought the issuance of a writ of *quo warranto* removing the appointed chief of police from that public position due to his ineligibility under the borough code and ordinance, and alternatively requested a declaratory judgment that the appointment was violative of the borough code and ordinance. The mayor, council and appointed chief of police filed preliminary objections seeking the dismissal of (1) the *quo warranto* action on the ground that the District Attorney had not refused to bring such an action and (2) the declaratory judgment claim on the basis that the requested relief was available only in a *quo warranto* proceeding. A private person who does not have a "special interest" in the challenged public office may file an alternative action to the remedy of *quo warranto* only if the Attorney General and the local district attorney have refused to file a *quo warranto* proceeding, but a private party possessing such a "special interest" in the matter may institute a *quo warranto* action without first notifying the Attorney General or the local district attorney. Since the assistant chief averred that the borough code and ordinance required the mayor and council to appoint an existing member of the police department as the chief of police and that he was the only member of the police department to apply for the chief of police position, he arguably possessed the requisite "special interest" in the contested public office so as to be entitled to initiate a *quo warranto* action without first demanding that the Attorney General and the District Attorney do so. Moreover, assuming *arguendo* that the assistant chief did not have such a "special interest," and in light of the fact that the Attorney General and the District Attorney both declined to file a *quo warranto* action, the assistant chief could institute a declaratory judgment proceeding as an alternative action to the remedy of *quo warranto*. Pennsylvania allows a plaintiff to plead alternative causes of action even if they advance inconsistent or conflicting theories of relief. Therefore, the mayor, council and appointed chief of police did not establish that it was clear and free from doubt that the assistant chief could not obtain *quo warranto* and/or declaratory judgment relief based upon the facts alleged.

JUDICIAL OPINION

CASE NAME AND NUMBER: Slavinski v. Estate of Gallatz, 2019 WL 2906389 (Lacka. Co. 2019)

DATE OF DECISION: July 5, 2019

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED:

John D. Lalley, Esquire, Counsel for Plaintiff
Jennifer M. Brooks, Esquire, Counsel for Hickory Presbyterian Church and German Presbyterian Cemetery

SUMMARY OF OPINION:

A pedestrian, who allegedly snagged her pants leg on a neighbor's chain link fence, fell forward onto the surface of an alleyway owned and maintained by that neighbor, and injured her arm on the protruding tip of a cemetery grave marker that was imbedded in the ground, filed a negligence action against her neighbor, the nearby cemetery, and the church which owned and operated the cemetery. Following the completion of discovery, and based upon the pedestrian's failure to produce any evidence as to (a) how the grave marker became implanted in the neighbor's property, (b) when it left or was removed from the cemetery, or (c) any actual or constructive notice of its relocation on the part of the church or the cemetery, those defendants filed a motion for summary judgment on the grounds that the pedestrian could not establish a duty of care that they owed to the pedestrian. Although a landowner may be liable in a negligence action for an injury caused by a dangerous condition existing on its own property, Pennsylvania law generally does not impose a duty upon an adjacent landowner to correct or warn others about a defective artificial condition on a neighbor's property which the adjacent landowner did not create. The record was devoid of any evidence as to how or when the grave marker became affixed to the neighbor's property, or any actual or imputed awareness by the church or the cemetery regarding its presence there. Even when the record was viewed in the light most favorable to the pedestrian, it did not contain any evidence to support the finding of a duty of care that the church or cemetery owed to the pedestrian. Accordingly, since there was no genuine issue of material fact for the jury to decide and the church and the cemetery were clearly entitled to judgment in their favor as a matter of law, their motion for summary judgment was granted.

ESTATES

First Notice

RE: **ESTATE OF JOHN J. BARRETT, JR.**, late of Scranton, Pennsylvania (died July 9, 2019). Notice is hereby given that Letters Testamentary for the Estate of John J. Barrett, Jr. have been issued to Robert S. McHale, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executor at 837 Woodlawn Street, Scranton, PA 18509 or to Robert T. Kelly, Jr., Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

ESTATE OF HELEN J. BATLUCK, Deceased. Late of: Scranton. Executor: Georgiann Batluck c/o Emily A. Zettlemoyer, Esquire, Zettlemoyer Law Office, LLP, 53 North 3rd Street, Emmaus, PA 18049.

ESTATE OF MATTHEW J. DOMINES, late of Scranton, Lackawanna County, Pennsylvania (died June 26, 2019). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Matthew P. Domines, Executor, 513 North Main Street, Old Forge, Pennsylvania 18518 and Linda Howey, Executor, 54 Williams Street, Taylor, Pennsylvania 18517 or to James J. Gillotti, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, PO Box 240, Clarks Summit, PA 18411.

RE: **ESTATE OF MARILYN FLOREY**, late of Scranton, Pennsylvania. Letters of Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to Mark S. Florey, 701 West Grove Street, Taylor, PA 18517, Executor, or to James W. Reid, Esquire, Oliver, Price & Rhodes, Attorneys for the Estate, 1212 South Abington Road, PO Box 240, Clarks Summit, PA 18411.

RE: **ESTATE OF MARY ELIZABETH GOLO**, late of Scranton, Pennsylvania. Letters of Testamentary in the above estate having been granted, creditors shall make demand and debtors shall make payment to Elizabeth Loughney, 1036 Taylor Avenue, Scranton, PA 18411, or Barbara Roberts, 203 Karen Drive, Scranton, PA 18505, Executrices, or to James W. Reid, Esquire, Oliver, Price & Rhodes, Attorneys for the Estate, 1212 South Abington Road, PO Box 240, Clarks Summit, PA 18411.

NOTICE is hereby given that the **ESTATE OF STEPHEN PREGRIM**, late of Old Forge, Pennsylvania, has been granted Letters Testamentary to Deborah Konnick, 2970 Sullivan's Trail, Falls, PA 18615. Decedent having passed away on April 30th, 2019. All persons having claims or demands against the estate of the decedent shall make them known and present them and all persons indebted to said decedent shall make payment without delay to Deborah Konnick, Executrix, or Amil M. Minora, Esquire, 700 Vine Street, Scranton, PA 18510.

ESTATE OF WILLIAM A. RACK A/K/A WILLIAM RACK, late of Clifton Township, Lackawanna County, PA (May 14, 2019). Notice is hereby given that Letters Testamentary on the above Estate have been granted to Jessica M. Scuzorzo & Andrea M. Rack. All persons indebted to the said estate are required to make payment and those having claims to present the same without delay to the Executrices named above or to Timothy B. Fisher II, Esquire,

Fisher & Fisher Law Offices LLC, Attorneys for the Estate, 525 Main Street, PO Box 396, Gouldsboro, PA 18424.

ESTATE OF RUTH RIDDLE, late of Taylor, Lackawanna County, Pennsylvania, (died July 13, 1999). Notice is hereby given that Letters of Administration have been issued to Charles Riddle, Administrator of the Estate. **MARIANNE M. STIVALA, ESQUIRE, BRIAN J. CALI & ASSOCIATES**, 103 EAST DRINKER STREET, DUNMORE, PENNSYLVANIA 18512.

Second Notice

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF ANTHONY P. EMMI**, late of the City of Scranton, Lackawanna County, Pennsylvania (Died: April 10, 2019). All persons having claims or demands against the Estate of the Decedent shall make them known and present them, and all persons indebted to the said Decedent shall make payment thereto, without delay, to Robert A. Emmi, Executor, c/o Attorney James D. Greco, 507 Linden Street, 7th Floor, Scranton, PA 18503.

ESTATE OF NANCY A. FORD, Deceased, late of South Abington Township, Lackawanna County, Pennsylvania. Letters Testamentary have been granted to the below Executrix, who requests all persons having claims or demands against the Estate of the Decedent to make known the same, and all persons indebted to the Decedent to make payments without delay to: Executrix: Carol Asiello, Estate of Nancy A. Ford c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219 or to her Attorney at the above address.

ESTATE OF ANDREW R. GYURISKA, late of Dunmore, Lackawanna County, Pennsylvania (date of death: May 23, 2019). Letters of Testamentary have been granted in the Estate of Andrew R. Gyuriska, Deceased, to Ashley Kramer- Gyuriska, Executrix, or Powell Law Attorneys, 527 Linden Street, Scranton, PA 18503. All persons having claims against the estate are requested to present them in writing and all persons indebted to the estate to make payment to it in care of the Attorney noted above.

ESTATE OF DELORES E. NAGY, DECEASED, late of Scranton, Lackawanna County, Pennsylvania, (died June 6, 2019). Letters Testamentary having been granted, creditors shall make demand and debtors shall make payment to Stephen J. Evers, Esq., Attorney for the Estate, 213 R. North State Street, Clarks Summit, PA, 18411.

RE: **ESTATE OF EDWIN M. KOSIK**, late of Covington Township, Pennsylvania (died June 13, 2019). Notice is hereby given that Letters Testamentary for the Estate of Edwin M. Kosik have been issued to Carol Kosik, Executrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executrix at 5 Downing Street, Carlisle, PA 17013 or to Robert T. Kelly, Jr., Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Spruce Street, Suite 200, Scranton, PA 18503.

ESTATE OF EUGENE J. PIVOVARNIK, late of South Abington Township, Pennsylvania (died April 27, 2019). All creditors are requested to present their claims and all persons indebted to the decedent will make payment to Gary Pivovarnik, Executor, or to John J. Brazil, Jr., attorney for the Estate, 310 Adams Avenue, Suite 200, Scranton, Pennsylvania 18503.

LACKAWANNA JURIST

ESTATE OF GRACE M. RICHIONE late of Scranton, Pennsylvania (died October 22, 2018). All creditors are requested to present their claims and all persons indebted to the decedent will make payment to Marco Richione, Executor; or to John J. Brazil, Jr., attorney for the Estate, 310 Adams Avenue, Suite 200, Scranton, Pennsylvania 18503.

ESTATE OF SHEILA J. RUSSO, late of Scranton, PA (died May 24, 2019) Letters Testamentary were granted to Anthony O. Russo, Executor. Elaine C. Geroulo, Esq., Attorney for the Estate 411 Jefferson Avenue, Scranton, PA 18510.

Notice is given that Letters Testamentary have been granted in the **ESTATE OF HELEN RYDZIK A/K/A HELEN M. RYDZIK**, late of 936 Main Street, Simpson, PA 18407, Lackawanna County, Pennsylvania, who died on May 13, 2019. All persons indebted to the Estate are requested to make payment, and those having claims or demands are to present the same, without delay, to the Executrix, Julianne A. Harvey or John J. Cerra, Esquire, Attorney for the Estate, 35 South Church Street, P.O. Box 513, Carbondale, PA 18407.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF JUDITH SWARTS**, Deceased, late of 9109 Valley View Drive, Newtown Township, Lackawanna County, Pennsylvania 18411, who died on May 24, 2019. All persons indebted to the Estate are requested to make payment and those having claims or demands are to present same, without delay, to the Executor, Jonathan P. Swarts, or Michael N. Krisa, Attorney for the Estate, 3397 Scranton/Carbondale Highway, Suite 4, Blakely, Pennsylvania 18447.

ESTATE OF CATHERINE LOUISE WHITING, A/K/A CATHERINE L. WHITING, A/K/A CATHERINE WHITING, late of Jermyn Borough, Lackawanna County, PA. Valerie Ann Taylor, 12 Brookside Road, Waymart, PA 18472, Executrix; Nicholas A. Barna, 831 Court Street, Honesdale, PA 18431, Attorney.

Third Notice

RE: **ESTATE OF DONALD BRYK**, late of Clarks Summit, Pennsylvania. Letters of Administration in the above estate having been granted, creditors shall make demand and debtors shall make payment to Rebecca Bryk, 2352 Newton Ransom Blvd., Clarks Summit, PA 18411, Administratrix, or to James W. Reid, Esquire, Oliver, Price & Rhodes, Attorneys for the Estate, 1212 South Abington Road, PO Box 240, Clarks Summit, PA 18411.

Notice is hereby given that Letters Administration have been granted to Francis P. DiRienzo, Jr., in the **ESTATE OF CLAIRE H. DIRIENZO**, late of Scranton, Pennsylvania, who died on February 20, 2019. All persons indebted to the Estate are requested to make payment and those having claims or demand are to present the same without delay to Francis P. DiRienzo, Jr., Administrator c/o Sean P. McDonough, Esquire, 75 Glenmaura National Boulevard, Moosic, Pennsylvania 18507.

ESTATE OF JOSEPH FOLEY, Deceased, late of Olyphant Borough, Lackawanna County. Letters Testamentary on the above estate have been granted to the undersigned who requests all person having claims or demands against the Estate of the decedent to make know the same, and all person indebted to decedent to make payment with delay to: Mary M. Foley, c/o her attorney: JONATHAN E. BECKER, ESQ. ECKELL, SPARKS, LEVY, AUERBACH, MONTE, SLOANE, MATTHEWS &

AUSLANDER, P.C., Attorneys at Law, 300 West State Street, Suite 300, P.O. Box 319, Media, PA 19063.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF EUGENE HUGHES**, (date of death: May 11, 2019) late of Borough of Olyphant, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: EUGENE HUGHES, EXECUTOR, KEVIN R. GREBAS, Esquire, COLBERT & GREBAS, P.C., 210 Montage Mountain Road – Suite A, Moosic, PA 18507.

ESTATE OF PHYLLIS L. FRANKFORD, late of Scranton, Pennsylvania. Executor: Eugene J. Kopp, Jr., c/o Herr & Low, P.C., 234 North Duke Street, Lancaster, PA 17602, Matthew A. Grosh, Attorney for the Estate.

ESTATE OF DOMINIC J. JACOBINI, late of the City of Scranton, Lackawanna County, Pennsylvania. Letters of Administration on the above estate having been granted to Amy Fiorillo, all persons indebted to said estate are requested to make payment, and those having claims to present the same without delay to her c/o Joseph Kosierowski, Esq., 400 Broad Street, Milford, Pennsylvania 18337.

Re: **ESTATE OF HELEN T. PAPARELLI**, late of Eynon, PA, who died on June 19, 2019. Letters Testamentary in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Joseph D. Paparelli, Executor, 350 Hill Street, Peckville, PA 18452.

ESTATE OF MARK P. ROE, Deceased. Late of Clarks Green Twp., Lackawanna County, PA. D.O.D. 5/11/19. Letters Testamentary on the above Estate have been granted to the undersigned, who request all persons having claims or demands against the estate of the decedent to make known the same and all persons indebted to the decedent to make payment without delay to Christopher Roe, Executor, c/o, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341. Or to his Atty: Christopher Roe, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341.

ESTATE OF PETER RUSNAK, late of Taylor, PA (died December 23, 2018). Letters of Testamentary have been granted to Ronald Rusnak. All persons knowing themselves to be indebted to said Estate will make payment immediately, and those having claims will present them for settlement to Ronald Rusnak, Executor, or to: Tullio DeLuca, Attorney for the Estate, 381 N. 9th Avenue, Scranton, PA 18504.

ESTATE OF JOSEPH F. SLUSSAR, Deceased, late of Moosic, Lackawanna County, Pennsylvania (date of death: April 2, 2019). Letters of Testamentary have been granted in the Estate of Joseph F. Slussar, Deceased, to Suzanne Slussar, Executrix, or Powell Law Attorneys, 527 Linden Street, Scranton, PA 18503. All persons having claims against the estate are requested to present them in writing and all persons indebted to the estate to make payment to it in care of the Attorney noted above.

NOTICE IS HEREBY GIVEN that Letters of Administration in the **ESTATE OF PAUL P. SMITH A/K/A PAUL SMITH**, (date of death: May 15, 2019) late of the Borough of Dunmore, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said estate are required to make immediate payment and those having claims shall present them for settlement to: KAREN NAGLE, ADMINISTRATRIX, BRENDA D.

LACKAWANNA JURIST

COLBERT, Esquire, COLBERT & GREBAS, P.C., 210 Montage Mountain Road – Suite A, Moosic, PA 18507.

ESTATE OF SEYMOUR J. WEISSBERGER, Deceased. Late of Taylor Borough, Lackawanna County, PA. D.O.D. 4/16/19. Letters Testamentary on the above Estate have been granted to the undersigned, who request all persons having claims or demands against the estate of the decedent to make known the same and all persons indebted to the decedent to make payment without delay to Stephen J. Weissberger, Executor, c/o Alan Weissberger, Esq., 1727 Pine St., Phila, PA 19103. Or to his Atty: Alan Weissberger, 1727 Pine St., Phila, PA 19103.

FICTITIOUS NAME

An application for registration of the fictitious name **Slagus Landscaping**, 615 Susquehanna Avenue, Apt. B, Olyphant, PA 18447 has been filed in the Department of State at Harrisburg, PA, File Date 05/22/2019 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Timothy Slagus, 615 Susquehanna Avenue, Apt. B, Olyphant, PA 18447.

T1-8/2

FICTITIOUS NAME

An application for registration of the fictitious name **Wood Home Creations**, 221 Park Street, Carbondale, PA 18407 has been filed in the Department of State at Harrisburg, PA, File Date 06/04/2019 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Frank K. Molinaro, 221 Park St., Carbondale, PA 18407.

T1-8/2

NOTICE

Notice is hereby given that, pursuant to the Business Corporation Law of 1988, Travel Home Star, Inc., a corporation incorporated under the laws of the State of Delaware, will withdraw from doing business in Pennsylvania. The address of its principal office is 1621 E. 6th Street, Apt. 1531, Austin, TX 78702 and the name of its commercial registered office provider in Pennsylvania is CT Corporation System.

T1-8/2

NOTICE

COURT OF COMMON PLEAS
CIVIL DIVISION
LACKAWANNA COUNTY
NO: 2019-02867

Bank of New York Mellon Trust Company, N.A. as Trustee
for Mortgage Assets Management Series I Trust
PLAINTIFF

VS.

Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under Richard L. Van Fleet, deceased; Randall Van Fleet, known Heir of Richard L. Van Fleet, deceased; and Judith Van Fleet Henning, known Heir of Richard L. Van Fleet, deceased
DEFENDANTS

To the Defendants, Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under Richard L. Van Fleet, deceased; Randall Van Fleet, known Heir of Richard L. Van Fleet, deceased; and Judith Van Fleet Henning, known Heir of Richard L. Van Fleet, deceased: TAKE NOTICE THAT THE Plaintiff, Bank of New York Mellon Trust Company, N.A. as Trustee for Mortgage Assets Management Series I Trust has filed an action Mortgage Foreclosure, as captioned above.

NOTICE

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE YOUR DEFENSE OR OBJECTIONS WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lackawanna County Lawyer Referral Service
North Penn Legal Services
33 N. Main Street, Suite 200
Pittston, PA 18640

SHAPIRO & DeNARDO, LLC
BY: CHRISTOPHER A. DeNARDO, PA I.D. NO. 78447
KRISTEN D. LITTLE, PA I.D. NO. 79992
KEVIN S. FRANKEL, PA I.D. NO. 318323
MICHELLE L. McGOWAN, PA I.D. NO. 62414
LESLIE J. RASE, PA I.D. NO. 58365
MORRIS A. SCOTT, PA I.D. NO. 83587
ALISON H. TULIO, PA I.D. NO. 87075
KATHERINE M. WOLF, PA I.D. NO. 314307
3600 HORIZON DRIVE, SUITE 150
KING OF PRUSSIA, PA 19406
TELEPHONE: (610) 278-6800
S&D FILE NO. 19-062314 (T1-8/2)

LACKAWANNA JURIST

NOTICE

COURT OF COMMON PLEAS, CIVIL DIVISION, LACKAWANNA COUNTY

DOCKET NO. 2017-CV-02061

BAYVIEW LOAN SERVICING, LLC, A DELAWARE LIMITED LIABILITY COMPANY

VS.

THOMAS SMITH; UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE, OR INTEREST FROM OR UNDER REBECCA ANNE PLACE, A/K/A REBECCA PLACE, DECEASED

NOTICE OF SHERIFF'S SALE OF REAL ESTATE

To: Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title, or Interest from or under Rebecca Anne Place a/k/a Rebecca Place, Deceased.

THIS FIRM IS A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU HAVE PREVIOUSLY RECEIVED A DISCHARGE IN BANKRUPTCY, THIS IS NOT AND SHOULD NOT BE CONSTRUED TO BE AN ATTEMPT TO COLLECT A DEBT, BUT ONLY ENFORCEMENT OF A LIEN AGAINST PROPERTY.

Your house (real estate) at 1413 Maple Street, Scranton, PA 18505 is scheduled to be sold at the Sheriff's Sale on October 15, 2019 at 10:00 a.m. at the First District Plaza, 3801 Market Street, Philadelphia, PA to enforce the court judgment of \$74,608.93 obtained by Plaintiff.

As a result, a writ of execution has been issued in the amount of \$74,608.93, plus interest and other costs.

NOTICE OF OWNER'S RIGHT

YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale, you must take immediate action:

The sale will be cancelled if you pay to the mortgagee the back payments, late charges, costs and reasonable attorneys' fees due. To find out how much you must pay, you may call: Mattleman, Weinroth and Miller, P.C. at 856-429-5507.

1. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.
2. You may also be able to stop the sale through other legal proceedings.
3. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice on page two on how to obtain an attorney.)

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE.

1. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling 570-963-6719.
2. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.
3. The sale will be recorded only if the purchaser pays the Sheriff the full amount of the bid. To find out if this has happened yet, you may call the Sheriff's Office at 570-963-6719.
4. If the amount due from the purchaser is not paid to the Sheriff, the sale must be rescheduled.
5. You have the right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer will bring legal proceedings, if necessary, to evict you.
6. You may be entitled to a share of the proceeds which were paid for your house. A proposed schedule of distribution of the money bid for your house will be prepared by the Sheriff within 30 days of the Sale. The schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the posting of the Schedule of Distribution.
7. You may also have other rights and defenses, or ways of getting your home back, if you act immediately after the sale.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, CONTACT THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE
LACKAWANNA BAR ASSOCIATION
233 PENN AVENUE
SCRANTON, PA 18503
(570) 969-9600

ASOCIACION DE LICENCIADOS
DE LACKAWANNA
SERVICIO DE REFERENCIA
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