

Adams County Legal Journal

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COMMONWEALTH VS. BROWN

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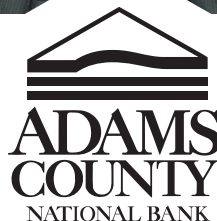
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-46 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-SU-46

WELLS FARGO BANK, N.A.

vs.

RYAN M. BLACK and

JESSICA L. BLACK

190 KNOXLYN ROAD

GETTYSBURG, PA 17325-7413

Parcel No.: 09-E12-0054---000

(Acreage or street address)

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$209,323.46

Attorneys for Plaintiff

Phelan Hallinan & Schmiegl, LLP

SEIZED and taken into execution as the property of **Ryan M. Black & Jessica L. Black** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1776 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1776

ONE WEST BANK FSB

vs.

JENNIFER AZADI

1 EAST PIN OAK DRIVE

GETTYSBURG, PA 17325-7413

Parcel No.: 06-006-006E---000

(Acreage or street address)

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$131,857.72

Attorneys for Plaintiff

Udren Law Offices, P.C.

SEIZED and taken into execution as the property of **Jennifer Azadi** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-239 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 08-S-239

PHH MORTGAGE CORPORATION

vs.

ANDREW L. BOYD

85 SKYLARK TRAIL

FAIRFIELD, PA 17320-8122

Parcel No.: 43-028-0104-000

(Acreage or street address)

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$217,254.38

Attorneys for Plaintiff

Phelan Hallinan & Schmiegl, LLP

SEIZED and taken into execution as the property of **Andrew L. Boyd** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

COMMONWEALTH VS. BROWN

1. The Court readily acknowledges that the statute, as re-printed in Purdon's, does not contain the enacting clause required by Section 1101. However, Purdon's and other unofficial publications are not official statutes and are not produced by the Legislature. An enacted statute is one that comes from the General Assembly and is signed by the Governor. The Court has accessed the 1972 version of the Crimes Code (Act 334 of 1972) and the 1976 amendment of Section 3701 (Act 101 of 1976) and both contain the required enacting clauses.

2. For counsel's action or inaction to be deemed prejudicial, there must be a reasonable probability that the outcome of the trial would have been different. The courts do not employ a hindsight evaluation of the record in determining whether counsel acted reasonably. Instead, counsel will be deemed effective so long as the course chosen had some reasonable basis designed to effectuate the client's interests.

3. An attorney for the Commonwealth may be any assistant district attorney whose authority to act for the district attorney is evidenced by a written designation executed by the district attorney and filed with the clerk of courts. However, Courts have held that the signature requirement is merely directory and its absence renders an information merely voidable and curable by amendment if properly raised in a pre-trial motion to quash.

In the Court of Common Pleas of Adams County, Pennsylvania,
Criminal, No. CR-140-2003, COMMONWEALTH OF PENNSYLVANIA VS. LAMAR BROWN

Shawn C. Wagner, Esq., for Commonwealth
Barbara Jo Entwistle, Esq., for Defendant
Kuhn, P. J., November 12, 2009

OPINION ON DEFENDANT'S PCRA PETITION

Presently before the Court is Defendant's Amended PCRA petition filed December 28, 2007, and pro-se Supplemental Petition filed July 6, 2009. For the reasons stated herein, the Amended Petition is granted in part and the Supplemental Petition is denied.

BACKGROUND

On April 14, 2003, a Criminal Information was filed against Defendant charging him with, among other crimes, four counts of robbery in violation of 18 Pa.C.S. § 3701. The Information was signed by "Brian T. Coffey A.D.A. for P.D."¹ A written designation authorizing Brian Coffey to act as an attorney for the Commonwealth was not filed in the Office of the Clerk of Courts.

On October 20, 2003, Defendant entered a plea of guilty to three counts of Robbery and was sentenced on January 13, 2004. On

¹Paul Dean, Esq., was the District Attorney of Adams County at the time.

January 20, 2004, he filed a Motion For Reconsideration Of Sentence which was denied on April 20, 2004. On March 17, 2004, in correspondence sent by Defendant, he alleged he had spoken with trial counsel about filing an appeal and counsel failed to do so.

Defendant filed a PCRA petition on May 27, 2005, and Attorney Gregory Hollinger, Esq., was appointed to represent him. On January 12, 2006, the Court restored Defendant's direct appeal rights. On January 24, 2006, Defendant filed a Notice of Appeal of the April 20, 2004, Order denying his motion for reconsideration. On January 31, 2006, Defendant was directed to file a Statement of Matters Complained of on Appeal within 14 days. That statement was not filed until March 9, 2006. On January 3, 2007, Superior Court affirmed the Order of April 20, 2004, because the Statement was not timely filed as directed.

On October 30, 2007, Defendant filed a second PCRA petition. Barbara Jo Entwistle, Esq., was appointed to represent Defendant. On December 28, 2007, Defendant, through counsel, filed a Supplemental PCRA Petition. Defendant raised a number of allegations, including ineffective assistance of trial counsel for failing to file a direct appeal and ineffective assistance of previous PCRA counsel for failing to file a timely Statement of Matters Complained of On Appeal.²

On March 10, 2009, the Court conducted a PCRA conference. At the conference, Defendant raised an additional ineffective assistance issue, alleging the criminal information filed against him was signed by an Assistant District Attorney without proper written designation from the District Attorney.

On July 6, 2009, Defendant filed a pro-se Supplemental PCRA petition. Defendant alleges that this Court lacked subject matter jurisdiction over this case because the statutory section under which he was convicted, 18 Pa.C.S. § 3701 (Robbery), does not, as reprinted in non-official publications, contain an appropriate enacting clause.

On July 24, 2009, the Court conducted a PCRA hearing. The Court determined that if it decided adverse to Defendant on the jurisdictional and defective Information issues, it would restore Defendant's direct appeal rights because of trial counsel's ineffectiveness in failing to file a direct appeal and previous PCRA

²Paragraphs 1 and 8, respectively, of the Supplemental PCRA Petition.

counsel's ineffectiveness in failing to file a timely statement of matters complained of on appeal. At that time, both parties were given 30 days to file legal briefs. On August 24, 2009, Defendant, through counsel, filed a brief regarding the defective Information. A supplemental brief was filed September 1, 2009. The Commonwealth has not filed a brief.

DISCUSSION

To be eligible for PCRA relief, the petitioner must plead and prove that his conviction and sentence resulted from one of the enumerated factors set forth in **42 Pa.C.S. § 9543**. Presently, we are concerned with Defendant's ineffective assistance and jurisdictional claims **§ 9543(a)(2)(ii) & (viii)**.

The first issue to address is Defendant's claim that this Court lacks jurisdiction. In a rather detailed brief filed with his pro-se supplemental petition, Defendant alleges that because the enacting clause of the statutory section of the Crimes Code is not re-printed in the unofficial publications of Pennsylvania Statutes, mainly Purdon's, the statute is unconstitutional. Pennsylvania law does require the inclusion of an enacting clause:

(a) All statutes shall begin in the following style: "The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:" Such enacting clause shall be placed immediately after the preamble or the table of contents of the statute, or if there be neither preamble nor table of contents, then immediately after the title.

1 Pa.C.S. § 1101(a).

The Court readily acknowledges that the statute, as re-printed in Purdon's, does not contain the enacting clause required by Section 1101. However, Purdon's and other unofficial publications are not official statutes and are not produced by the Legislature. An enacted statute is one that comes from the General Assembly and is signed by the Governor. The Court has accessed the 1972 version of the Crimes Code (Act 334 of 1972) and the 1976 amendment of Section 3701 (Act 102 of 1976),³ and both contain the required enacting clauses. Accordingly, these statutes were enacted pursuant to

³The 1976 Amendments constitute the current version of the Robbery Statute.

Section 1101 and Defendant's PCRA claim that this Court lacks jurisdiction is denied.⁴

Defendant's next argument is that the Criminal Information was defective because it was signed by an attorney not authorized to act on behalf of the Commonwealth and trial counsel was ineffective for failing to raise this issue.

When raising a PCRA claim of ineffective counsel, the law presumes that counsel is effective and the burden of proving otherwise rests with the petitioner by a preponderance of the evidence. In order to establish a claim of ineffective assistance of counsel, the petitioner must prove that (1) the underlying claim has substantive merit; (2) that counsel did not have a reasonable basis for his or her actions or failure to act; and (3) that the petitioner suffered prejudice as a result of counsel's deficient performance. *Com. v. Zook*, 887 A.2d 1218, 1229 (Pa. 2005). "A chosen strategy will not be found to lack a reasonable basis unless it is proven 'that an alternative not chosen offered a potential for success substantially greater than the course actually pursued'" *Com. v. Williams*, 899 A.2d 1060, 1064 (Pa. 2006) (citing *Com. v. Howard*, 719 A.2d 233, 237 (Pa. 1998)). For counsel's action or inaction to be deemed prejudicial, there must be a reasonable probability that the outcome of the trial would have been different. *Com. v. O'Bidos*, 849 A.2d 243, 249 (Pa. Super. 2004). The courts do not employ a hindsight evaluation of the record in determining whether counsel acted reasonably. Instead, counsel will be deemed effective so long as the course chosen had some reasonable basis designed to effectuate the client's interests. *Zook*, 887 A.2d at 1229.

A criminal information must be signed by an attorney for the Commonwealth, i.e. the District Attorney. **Pa. R. Crim. P. 560(B)**. An attorney for the Commonwealth may also be "any assistant district attorney whose authority to act for the district attorney...is evidenced by a written designation executed by the district attorney...and filed with the clerk of courts." **42 Pa.C.S. § 8931(i)**.

⁴Section 1101, as reprinted in Purdon's, also does not contain an enacting clause. Therefore, if we were to accept Defendant's contention that Section 3701 is unconstitutional because an unofficial version of the statute does not contain an enacting clause, then Section 1101 would also be unconstitutional and Defendant would have no grounds for challenging the alleged lack of jurisdiction.

It is undisputed that no written designation was filed by then District Attorney Paul Dean with the Clerk of Courts authorizing Brian Coffey to act as an attorney for the Commonwealth. However, Courts have held that the signature requirement is merely directory and “its absence renders an information merely voidable and curable by amendment if properly raised in a pre-trial motion to quash.” *Com. v. Veneri*, 452 A.2d 784, 788 (Pa. Super. 1982). Citing *Veneri*, Superior Court later held that “a defendant’s failure to challenge the propriety of a signature appended to an information through the filing of a pre-trial motion to quash, results in the waiver for that claim for purposes of appellate review.” *Com. v. Slyman*, 483 A.2d 519, 527 (Pa. Super. 1984). (See also *Com. v. Golden*, 455 A.2d 162, 163 (Pa. Super. 1983)).

Accordingly, Defendant has waived the issue of the defective information. This is arguably per-se ineffective assistance of counsel. However, Defendant has not shown how the failure of trial counsel to file a pre-trial motion to quash prejudiced him. As the Court pointed out in *Veneri*, the failure to append the appropriate signature to an information renders the information merely voidable. If trial counsel had filed a motion to quash, the Commonwealth would have had the right to amend the information and, presumably, it would have done so.

Therefore, Defendant’s claim for ineffective assistance based on the defective information is denied.

Accordingly, the attached Order is entered.

ORDER

AND NOW, this 12th day of November, 2009, in accordance with the attached Opinion, Averments 1 and 8 of the Supplemental PCRA Petition filed December 28, 2007, are granted. Pursuant to the Order of July 24, 2009, Defendant’s appeal rights are restored nunc pro tunc because of prior PCRA counsel’s ineffectiveness in not filing a Statement of Matters Complained of on Appeal in a timely fashion. Defendant shall have 30 days from the date of this Order to file a notice of appeal with the Clerk of Courts of Adams County directed to the Superior Court of Pennsylvania. The remaining allegations of error raised in the petition will not be decided at this time.

Defendant's supplemental PCRA issue raised in court on March 10, 2009, alleging ineffective assistance of counsel for failing to raise an issue as to the defective Criminal Information, is denied. Defendant's pro-se Supplemental PCRA petition filed July 6, 2009, is denied.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1949 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1949

BRANCH BANKING & TRUST
COMPANY

vs.

DAVID E. POWERS

726 FISH AND GAME ROAD
EAST BERLIN, PA 17316-9549

Parcel No.: 36.L06-13

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$120,845.64

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **David E. Powers** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-1183 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 05-S-1183

WASHINGTON MUTUAL BANK FA
vs.

CHRISTOPHER S. CARR

124 AUCTION DRIVE
YORK SPRINGS PA 17372

Parcel No.: 23-103-0010--000

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$234,778.47

Attorneys for Plaintiff

Udren Law Offices, P.C.

SEIZED and taken into execution as the property of **Christopher S. Carr** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-2003 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-2003

WELLS FARGO BANK, N.A.
vs.

JONATHAN E. WILLIAMS

40 CEDARFIELD DRIVE
GETTYSBURG, PA 17325-7992

Parcel No.: 06-009-0134

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$198,241.05

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Jonathan E. Williams** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-72 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-72

METLIFE HOME LOANS, A DIVISION
OF METLIFE BANK NA

vs.

CHARLES MICHAEL LAWSON
& ANGELA LAWSON

5 DANDELION TRAIL
FAIRFIELD PA 17320-8242

Parcel No.: 43-005-0030---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$332,789.21

Attorneys for Plaintiff

Phelan Hallinan & Schmiegl, LLP

SEIZED and taken into execution as the property of **Charles Michael Lawson & Angela Lawson** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-2000 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-2000

BRANCH BANKING & TRUST
COMPANY

vs.

JAMES T. HAMMETT and
LACY M. HAMMETT

551 GRANT DRIVE
GETTYSBURG, PA 17325-8948

Parcel No.: 33-005-0100-000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$186,262.82

Attorneys for Plaintiff

Phelan Hallinan & Schmiegl, LLP

SEIZED and taken into execution as the property of **James T. Hammett & Lacy M. Hammett** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-106 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-106

BAC HOME LOANS SERVICING, LP
vs.

WALTER DANIEL LOGUE
& MARCI D. LOGUE

615 MIDDLE CREEK ROAD
FAIRFIELD PA 17320-9254

Parcel No.: 13-E17-0114---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$222,092.26

Attorneys for Plaintiff

Phelan Hallinan & Schmiegl, LLP

SEIZED and taken into execution as the property of **Walter Daniel Logue & Marci D. Logue** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-301 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 08-S-301

NATIONAL CITY MORTGAGE,
A DIVISION OF NATIONAL CITY BANK
VS.
TIMOTHY E. MCSPARRAN &
BUFFY N. MCSPARRAN

115 KIME AVENUE
BENDERSVILLE, PA 17306

Parcel No: 3-3-46
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$184,160.78

Attorneys for Plaintiff
Goldbeck, McCafferty & McKeever

SEIZED and taken into execution as the property of **Timothy E. McSparran & Buffy N. McSparran** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-59 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-59

BAC HOME LOANS SERVICING, L.P.
vs.
DAVID W. MONN and
ROBYN J. MONN

1389 OLD ROUTE 30
ORRTANNA, PA 17353-9617

Parcel No.: 12C10-0107--000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$164,570.28

Attorneys for Plaintiff
Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **David W. Monn & Robyn J. Monn** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1743 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1743

WELLS FARGO BANK, N.A.
vs.

DAVID W. PITTINGER
1215 HARNEY ROAD
LITTELSTOWN PA 17340-9368

Parcel No.: 30-H18-0021G---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$360,745.96

Attorneys for Plaintiff
Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **David W. Pittinger** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-8 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-8

HSBC BANK USA, NATIONAL
ASSOCIATION AS TRUSTEE FOR
DEUTSCHE ALT 2007-4
vs.

TIMOTHY RILL

29 COMMERCE STREET
NEW OXFORD, PA 17350-1704

Parcel No.: 34-005-0207-000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$119,261.58

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as
the property of **Timothy Rill** and to be
sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND
CLAIMANTS: You are notified that a
schedule of distribution will be filed by the
Sheriff in his office on July 30, 2010, and
distribution will be made in accordance
with said schedule, unless exceptions are
filed thereto within 20 days after the filing
thereof. Purchaser must settle for prop-
erty on or before filing date.

ALL claims to property must be filed
with Sheriff before sale.

As soon as the property is declared
sold to the highest bidder, 20% of the
purchase price or all of the cost,
whichever may be the higher, shall be
paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-181 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-181

HSBC BANK USA NA AS TRUSTEE
FOR DEUTSCHE ALT 2007-4
vs.

TIMOTHY RILL

33 COMMERCE STREET
NEW OXFORD PA 17350-1704

Parcel No.: 34-005-0209---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$118,434.81

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as
the property of **Timothy Rill** and to be
sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND
CLAIMANTS: You are notified that a
schedule of distribution will be filed by the
Sheriff in his office on July 30, 2010, and
distribution will be made in accordance
with said schedule, unless exceptions are
filed thereto within 20 days after the filing
thereof. Purchaser must settle for prop-
erty on or before filing date.

ALL claims to property must be filed
with Sheriff before sale.

As soon as the property is declared
sold to the highest bidder, 20% of the
purchase price or all of the cost,
whichever may be the higher, shall be
paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-610 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-610

US BANK NA AS TRUSTEE FOR RALI
2006QS2

vs.

DORIS L. ROBINETTE

873 HANOVER PIKE
LITTLESTOWN PA 17340-9613

Parcel No.: 41-17-0066---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$184,831.15

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as
the property of **Doris L. Robinette** and
to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND
CLAIMANTS: You are notified that a
schedule of distribution will be filed by the
Sheriff in his office on July 30, 2010, and
distribution will be made in accordance
with said schedule, unless exceptions are
filed thereto within 20 days after the filing
thereof. Purchaser must settle for prop-
erty on or before filing date.

ALL claims to property must be filed
with Sheriff before sale.

As soon as the property is declared
sold to the highest bidder, 20% of the
purchase price or all of the cost,
whichever may be the higher, shall be
paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-195 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-195

HSBC BANK USA N.A.

vs.

ROBERT M. STANHOPE, JR.
& LINDA Y. STANHOPE

395 ROCK VALLEY ROAD
ASPERS, PA 17304-9756

Parcel No.: 40-H06-0106B--000

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$192,724.51

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Robert M. Stanhope, Jr. & Linda Y. Stanhope** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-210 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-210

AURORA LOAN SERVICES, LLC

vs.

BETTY A. RUEL and PETER R. RUEL,
JR.

465 RACETRACK ROAD
ABBOTTSTOWN, PA 17301-9517

Parcel No.: 04-K11-0129-000

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$240,124.76

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Betty A. Ruel & Peter R. Ruel, Jr.** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-146 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-146

GMAC MORTGAGE, LLC

vs.

JOYCE A. TRACY

15 STARLITE DRIVE
LITTLESTOWN PA 17340-1660

Parcel No.: 27-012-0083---000

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$131,793.08

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Joyce A. Tracy** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/11, 18 & 25

NOTICE

NOTICE IS HEREBY GIVEN that a Certificate of Organization - Domestic Limited Liability Company has been filed with the Pennsylvania Department of State, Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, on June 1, 2010, for the purpose of obtaining a Certificate of Organization for a domestic limited liability company under the Pennsylvania Limited Liability Company Act of 1994. The name of the corporation is Morris Mechanical Plumbing, Heating & Air, LLC.

John S. Phillips, Esq.
Phillips & Phillips
101 West Middle Street
Gettysburg, PA 17325
Attorney for the Corporation

6/18

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
COURT OF COMMON PLEAS
CIVIL DIVISION
Adams County
NO. 10-S-673

Wells Fargo Bank, N.A.

vs.

Denise M. Scheuer
Daniel J. Scheuer

NOTICE

TO Denise M. Scheuer and Daniel J. Scheuer:

You are hereby notified that on 12/14/09, Plaintiff, Wells Fargo Bank, N.A., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of Adams County Pennsylvania, docketed to No. 10-S-673. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 165 Hunter Circle, A/K/A 165 Hunter Circle Lot 28, Abbottstown, PA 17301 whereupon your property would be sold by the Sheriff of Adams County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment

may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

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

ADAMS COUNTY
COURT ADMINISTRATOR
ADAMS COUNTY COURTHOUSE
GETTYSBURG, PA 17325
(717) 334-6781, EXT. 213
LAWYER REFERRAL SERVICE
MIDPENN LEGAL SERVICES
128 BRECKENRIDGE STREET
GETTYSBURG, PA 17325
(717) 334-7624

6/18

IN THE COURT OF
COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW
NO. 10-S-340

U.S. Bank, National Association, as Trustee for TBW Mortgage-Backed Trust 2006-6, Mortgage Pass-Through Certificates, Series 2006-6, Plaintiff

vs.

Angela Bubczyk a/k/a Angela D. Bubczyk; Anthony Bubczyk a/k/a Anthony V. Bubczyk a/k/a Anthony V. Bubczyk Jr.; and Larry Bollinger a/k/a Larry A. Bollinger, Defendants

To the Defendants, Angela Bubczyk a/k/a Angela D. Bubczyk; Anthony Bubczyk a/k/a Anthony V. Bubczyk a/k/a Anthony V. Bubczyk Jr. and Larry Bollinger a/k/a Larry A. Bollinger: TAKE NOTICE THAT THE Plaintiff, U.S. Bank, National Association, as Trustee for TBW Mortgage-Backed Trust 2006-6, Mortgage Pass-Through Certificates, Series 2006-6 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 DEFENSES 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.

Adams County Bar Association
Courthouse
117 Baltimore St.
Gettysburg, PA 17325

Christopher A. DeNardo, Esq.
Atty. for Plaintiff
Shapiro & DeNardo, LLC
3600 Horizon Drive
Suite 150
King of Prussia, PA 19406
610-278-6800

6/18

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF ETHEL K. BOUCHARD, DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Dale Kepner, 354 South Riverside Drive, Crownsville, MD 21032

Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

ESTATE OF JAMES V. CRISFULLI, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Executors: Mark Gary Crisfulli and Thomas Gordon Crisfulli

Attorney: Douglas H. Gent, Esq., Law Offices of Douglas H. Gent, 1157 Eichelberger St., Suite 4, Hanover, PA 17331

ESTATE OF LILLIAN A. GROFT, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Executrices: Donna L. Rudisill and Kay F. Logue, c/o James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York St., Hanover, PA 17331

Attorney: James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York St., Hanover, PA 17331

ESTATE OF JAMES WILLIAM HALE, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Administrator: James C. Hale, 116 Seminary Ave., Gettysburg, PA 17325

Attorney: Chester G. Schultz, Esq., 145 Baltimore Street, Gettysburg, PA 17325

ESTATE OF JOAN B. MALONEY, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executors: John Mark Maloney, 2475 Mummasburg Road, Gettysburg, PA 17325; Kristen F. (Smith) Maloney, 614 Boulevard, Westfield, NJ 07090; Erin B. Maloney, 1203 Prospect St., Westfield, NJ 07090

Attorney: Robert E. Campbell, Esq., Campbell & White, P.C., 112 Baltimore Street, Suite 1, Gettysburg, PA 17325-2311

ESTATE OF VICTORIA LEE MILLER a/k/a VICTORIA MILLER a/k/a VICKY MILLER a/k/a VICTORIA L. MILLER, DEC'D

Late of the Borough of East Berlin, Adams County, Pennsylvania

Co-Administrators: Brenda L. Gross, Richard E. Crone, c/o Terence J. Barna, Esq., Benn Law Firm, 103 E. Market Street, P.O. Box 5185, York, PA 17405-5185

Attorney: Terence J. Barna, Esq., Benn Law Firm, 103 E. Market Street, P.O. Box 5185, York, PA 17405-5185

ESTATE OF JAMES R. SHETTER, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Victoria A. Biesecker, 440 Queen Street, Gettysburg, PA 17325; Teresa M. Myers, 725 Old Route 30, Orrtanna, PA 17353

Attorney: David K. James, III, Esq., 234 Baltimore St., Gettysburg, PA 17325

ESTATE OF BARRY L. STEVENS, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Administrator: Bart A. Stevens, c/o James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

Attorney: James T. Yingst, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

SECOND PUBLICATION**ESTATE OF CHARLES W. EMLET, DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Personal Representative: Keith A. Mummert, 217 Lincolnway East, New Oxford, PA 17350

Attorney: G. Steven McKonly, Esq., 119 Baltimore Street, Hanover, PA 17331

ESTATE OF GERALDINE C. FETROW, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Patricia A. Fetrow, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

ESTATE OF HAZEL V. SIECKENIUS, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: E. Eugene Pyles, 66 Bragg Dr., East Berlin, PA 17316

Attorney: Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

THIRD PUBLICATION**ESTATE OF BEN NOLAN DALE a/k/a B. NOLAN DALE a/k/a BENJAMIN N. DALE, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Michael John Pesare, 225 Opossum Hill Road, Aspers, PA 17304

Attorney: Jeffrey A. Ernico, Esq., Mette, Evans & Woodside, 3401 North Front St., Harrisburg, PA 17110

ESTATE OF DOROTHY M. HOOVER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Co-Executors: David N. Hoover and Tammy Jean Hoover Ruppert, c/o Donald L. Reihart, Esq., Law Office of Donald L. Reihart, 3015 Eastern Blvd., York, PA 17402

Attorney: Donald L. Reihart, Esq., Law Office of Donald L. Reihart, 3015 Eastern Blvd., York, PA 17402

ESTATE OF MARGARET LORETTA YEALY a/k/a MARGARET LORETTA YEALEY, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Co-Executors: R. Thomas Yealy a/k/a Robert Thomas Yealey, 1000 E. Walnut Street, Hanover, PA 17331; Pamela J. Lawyer, 441 Penn Street, Hanover, PA 17331

Attorney: Ronald J. Hagarman, Esq., 110 Baltimore Street, Gettysburg, PA 17325

IN THE COURT OF
COMMON PLEAS
OF ADAMS COUNTY

CIVIL ACTION—LAW
ACTION OF MORTGAGE
FORECLOSURE
NO. 09 S 1822

U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE, FOR THE BENEFIT OF
CITIGROUP MORTGAGE LOAN
TRUST INC. ASSET-BACKED PASS
THROUGH CERTIFICATES SERIES
2007-AHL2, 7105 Corporate Drive, PTX
C-35, Plano, TX 75024, Plaintiff
vs.

STEVEN H. GOCHENOUR, Mortgagor
and Record Owner, 10 Idaville-York
Springs Road, Idaville, PA 17337,
Defendant

THIS LAW FIRM IS A DEBT COLLEC-
TOR AND WE ARE ATTEMPTING TO
COLLECT A DEBT. THIS NOTICE IS
SENT TO YOU IN AN ATTEMPT TO
COLLECT A DEBT. ANY INFORMA-
TION OBTAINED FROM YOU WILL BE
USED FOR THAT PURPOSE.

NOTICE OF SHERIFF'S SALE OF
REAL PROPERTY

TO: STEVEN H. GOCHENOUR,
Defendant, whose last known address is
10 Idaville-York Springs Road, Gardners,
PA 17324.

Your house at 10 Idaville-York Springs
Road, Idaville, PA 17337 is scheduled to
be sold at Sheriff's Sale on Friday, July
23, 2010, at 10:00 AM, in Courthouse 111
Baltimore St. Gettysburg, PA to enforce
the court judgment of \$222,746.03
obtained by U.S. BANK NATIONAL
ASSOCIATION, AS TRUSTEE, FOR
THE BENEFIT OF CITIGROUP MORT-
GAGE LOAN TRUST INC. ASSET-
BACKED PASS THROUGH CERTIFI-
CATES SERIES 2007-AHL2 against you.

NOTICE OF OWNER'S RIGHTS
YOU MAY BE ABLE TO PREVENT
THIS SHERIFF'S SALE

To prevent this Sheriff's Sale you must
take immediate action: 1. The sale will be
cancelled if you pay to U.S. BANK
NATIONAL ASSOCIATION, AS
TRUSTEE, FOR THE BENEFIT OF CITI-
GROUP MORTGAGE LOAN TRUST INC.
ASSET-BACKED PASS THROUGH CER-
TIFICATES SERIES 2007-AHL2, the back
payments, late charges, costs and reason-
able attorney's fees due. To find out how
much you must pay call our office at 215-
825-6329 or 1-866-413-2311. 2. You may
be able to stop the sale by filing a petition
asking the Court to strike or open judg-
ment, if the judgment was improperly
entered. You may also ask the Court to
postpone the sale for good cause. 3. You
may also be able to stop the sale through
other legal proceedings. 4. 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 below on how to obtain an attor-
ney). YOU MAY STILL BE ABLE TO
SAVE YOUR PROPERTY AND YOU
HAVE OTHER RIGHTS EVEN IF THE
SHERIFF'S SALE DOES NOT 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 price by calling the Sheriff of Adams
County at 717-337-9828. 2. You may be
able to petition the Court to set aside the
sale if the bid price was grossly inade-
quate compared to the value of your prop-
erty. 3. The sale will go through only if the
buyer pays the Sheriff the full amount due
in the sale. To find out if this has hap-
pened, you may call the Sheriff of Adams
County at 717-337-9828. 4. If the amount
due from the Buyer is not paid to the
Sheriff, you will remain the owner of the
property as if the sale never happened. 5.

You have a 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 may bring
legal proceedings to evict you. 6. You
may be entitled to a share of the money
which was paid for your house. A schedule
of distribution of the money bid for your
house will be filed by the Sheriff within thirty
(30) days from the date of the Sheriff's
Sale. This 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 pro-
posed distribution is wrong) are filed with
the Sheriff within ten (10) days after the
schedule of distribution is filed. 7. You
may also have other rights and defenses,
or ways of getting your house back, if you
act immediately after the sale. 8. You may
contact the Foreclosure Resource Center:
<http://www.philadelphialfied.org/foreclosure/>

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

PENNSYLVANIA BAR ASSOCIATION
P.O. Box 186, Harrisburg, PA 17108
800-692-7375

LEGAL SERVICES INC.
432 S. Washington Street
Gettysburg, PA 17325
717-334-7623

Michael T. McKeever, Atty. for Plaintiff
GOLDBECK, McCAFFERTY &
McKEEVER, P.C.
Suite 5000
Mellon Independence Center
701 Market St.
Philadelphia, PA 19106
215-825-6318

6/18

SHERIFF'S SALE

IN PURSUANCE of a Writ of
Execution, Judgment No. 09-S-1610
issuing out of Court of Common Pleas
Adams County, and to me directed, will
be exposed to Public Sale on Friday, the
9th day of July, 2010, at 10:00 o'clock in
the forenoon at the Sheriff's Office locat-
ed in the Courthouse, Borough of
Gettysburg, Adams County, PA, the fol-
lowing Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1610

NATIONAL CITY MORTGAGE, A
DIVISION OF NATIONAL CITY BANK
vs.
KATHLEEN MAYE YEAGER and
MICHAEL H. YEAGER

1298 HILLTOWN ROAD
BIGLERVILLE, PA 17307-9223

Parcel No.: (12)D10-0091--000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$259,530.14

Attorneys for Plaintiff

Phelan Hallinan & Schmiegl, LLP

SEIZED and taken into execution as
the property of **Kathleen Maye Yeager**
& **Michael H. Yeager** and to be sold by
me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND
CLAIMANTS: You are notified that a
schedule of distribution will be filed by the
Sheriff in his office on July 30, 2010, and
distribution will be made in accordance
with said schedule, unless exceptions are
filed thereto within 20 days after the filing
thereof. Purchaser must settle for prop-
erty on or before filing date.

ALL claims to property must be filed
with Sheriff before sale.

As soon as the property is declared
sold to the highest bidder, 20% of the
purchase price or all of the cost,
whichever may be the higher, shall be
paid forthwith to the Sheriff.

6/11, 18 & 25