

# FAYETTE LEGAL JOURNAL

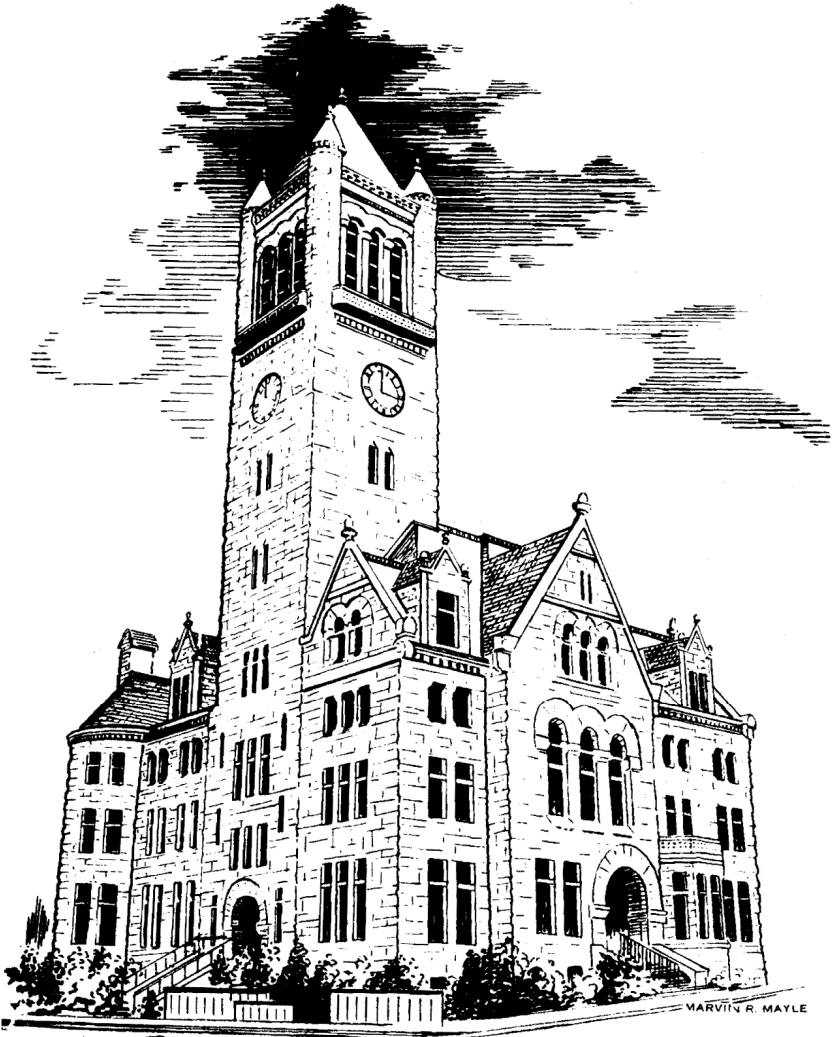
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## FAYETTE LEGAL JOURNAL

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**Co-Editors:** Garnet L. Gordon and Melinda Deal Dellarose

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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

**RONALD R. DIAMOND, SR.**, late of Nicholson Township, Fayette County, PA (3)  
*Administratrix:* Joan Marie Diamond  
 c/o Jones Gregg Creehan & Gerace  
 20 Stanwix Street, Suite 1100  
 Pittsburgh, PA 15222  
*Attorney:* Branden A. Fulciniti

**MARK G. SCHROYER**, late of Connellsville, Fayette County, PA (3)  
*Personal Representative:*  
 Kelsey G. Schroyer  
 c/o Watson Mundorff, LLP  
 720 Vanderbilt Road  
 Connellsville, PA 15425  
*Attorney:* Timothy J. Witt, Esq.

**WAYNE SWANEY**, late of Fairchance Borough, Fayette County, PA (3)  
*Co-Executors:* Jamie Lynn Haines and Wayne Gary Swaney  
 c/o Kopas Law Office  
 556 Morgantown Road  
 Uniontown, PA 15401  
*Attorney:* John A. Kopas III

### Second Publication

**BETTY F. ANDALORO, a/k/a BETTY ANDALORO**, late of North Union Twp, Fayette County, PA (2)  
*Co-Executrix:* Laura Roman  
 488 Bethelboro Road  
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*Co-Executrix:* Diane Sandstrom  
 109 Kendall Street  
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**LOIS ANDERSON**, late of Acme, Fayette County, PA (2)  
*Administrator:* Michael W. Anderson  
 c/o Tremba, Greiner & Brooks  
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*Attorney:* John Greiner

**RONALD J. CHUSKA**, late of South Union Township, Fayette County, PA (2)  
*Executor:* James Edward Emory  
 c/o Proden & O'Brien  
 99 East Main Street  
 Uniontown, PA 15401  
*Attorney:* Wendy L. O'Brien

**DONALD WAYNE GOODWIN, JR.**, late of North Union Township, Fayette County, PA (2)  
*Administratrix:* Cindy Kay Goodwin  
 c/o Schwartz Montoya Legal, LLC  
 424 South 27th Street, Suite 230  
 Pittsburgh, PA 15203  
*Attorney:* Matthew F. Schwartz

**CAROLYN W. HENSHAW**, late of Luzerne Township, Fayette County, PA (2)  
*Executor:* Marc Henshaw  
 c/o 51 East South Street  
 Uniontown, PA 15401  
*Attorney:* Anthony S. Dedola Jr.

**JAMES KANAR, a/k/a JAMES P. KANAR**, late of Bitner, Fayette County, PA (2)  
*Administrator:* Benjamin F. Goodwin  
 c/o Goodwin Como, P.C.  
 92 East Main Street, Suite One  
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*Attorney:* Gerious T. George

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*Executor:* Pamela Lyons  
 c/o Leymarie Clark Long, P.C.  
 423 Sixth Street  
 Ellwood City, PA 16117  
*Attorney:* Edward Leymarie Jr.

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c/o Newcomer Law Offices  
4 North Beeson Boulevard  
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*Administratrix:* Joyce Allen  
c/o Shire Law Firm  
1711 Grand Boulevard  
Park Centre  
Monessen, PA 15062  
*Attorney:* Mark J. Shire

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*Administratrix:* Bobbi Ann Downs  
c/o Radcliffe Martin Law, L.L.C.  
648 Morgantown Road, Suite B  
Uniontown, PA 15401  
*Attorney:* William M. Radcliffe

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ANTHONY PRAH, a/k/a MARK A. PRAH**,  
late of New Salem, Fayette County, PA (2)

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c/o Goodwin Como, P.C.  
92 East Main Street, Suite One  
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*Attorney:* Benjamin F. Goodwin

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4 North Beeson Boulevard  
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*Attorney:* Ewing D. Newcomer

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600 Grant Street, 44th Floor  
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*Attorney:* Nora Gieg Chatha

**ANNIE RUTH WOODBERRY**, late of Belle  
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*Administratrix DBN:* Tonya Rena Martin  
14 Fiddler Drive  
Beaufort, SC 29907  
c/o Mette  
3401 N. Front Street  
P.O. Box 5950  
Harrisburg, PA 17110-0950  
*Attorney:* John B. Zonarich

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*Executrix:* Christine Beneke  
c/o David K. Lucas & Associates  
140 South Main Street, Suite 301  
Greensburg, PA 15601  
*Attorney:* David K. Lucas

## First Publication

**DENNIS CHAW, a/k/a DENNIS ALBERT  
CHAW**, late of Perryopolis Boro, Fayette  
County, PA (1)

*Executrix:* Melissa Ann Hice  
c/o Massaro Law, LLC  
152 East Otterman Street  
Greensburg, PA 15601  
*Attorney:* Joseph Massaro

**IRMA M. DAVIS**, late of Luzerne Township,  
Fayette County, PA (1)

*Co-Executors:* Gene E. Davis and  
Joyce L. Kielbasa  
c/o 51 East South Street  
Uniontown, PA 15401  
*Attorney:* Anthony Dedola

**ROBERT McINTYRE, a/k/a ROBERT NICHOLAS MCINTYRE**, late of Belle

Vernon, Fayette County, PA (1)

*Administratrix:* Christine McIntyre

c/o Schneider Bell

1375 East 9th Street, Suite 900

Cleveland, Ohio 44114

*Attorney:* Justin Stark

**VOLUNTARY DISSOLUTION  
BUSINESS CORPORATION**

Jonathan T. Krassenstein, Esq.,  
Strassburger McKenna Gutnick & Gefsky, 6600  
Brooktree Court, Suite 1200, Wexford, PA  
15090. Notice is hereby given by MET-TECH  
CORP., a Pennsylvania corporation, that said  
corporation is winding up its affairs in the  
manner prescribed by Section 1975 of the  
Business Corporation Law of 1988, so that its  
corporate existence shall cease upon the filing of  
the Articles of Dissolution in the Department of  
State of the Commonwealth of Pennsylvania.

**LEGAL NOTICES**

**NOTICE**

Notice is hereby given that a Certificate of Organization was filed with the Pennsylvania Department of State, on December 29, 2025, for a Limited Liability Company, organized under the Limited Liability Company Law of 1994, as from time to time amended. The name of the Company is MITCHELL'S BOAT CLUB, LLC, having an address of 11 Stadium Drive, Uniontown, Pennsylvania 15401.

James E. Higinbotham, Jr., Esq.  
HIGINBOTHAM LAW OFFICES  
68 South Beeson Boulevard  
Uniontown, PA 15401  
Telephone: 724-437-2800

**NOTICE**

Notice is hereby given that a Certificate of Organization was filed with the Pennsylvania Department of State, on February 17, 2026, for a Limited Liability Company, organized under the Limited Liability Company Law of 1994, as from time to time amended. The name of the Company is M & W SERIES, LLC, having an address of 22 DeBolt Avenue, Masontown, Pennsylvania 15461

James E. Higinbotham, Jr., Esq.  
HIGINBOTHAM LAW OFFICES  
68 South Beeson Boulevard  
Uniontown, PA 15401  
Telephone: 724-437-2800

IN THE COURT OF COMMON PLEAS OF  
FAYETTE COUNTY, PENNSYLVANIA  
CIVIL DIVISION  
No. 40 of 2026 GD  
MEHALOV, J.

IN RE: PETITION FOR CHANGE  
OF NAME OF JAMES C. RUFFING

**ORDER**

AND NOW, February 20, 2026, it is hereby ORDERED and DECREED that a hearing for Name Change shall be held Tuesday, April 28, 2026, at 10:30 o'clock a.m. in Courtroom No. 3, Fayette County Courthouse, Uniontown, Pennsylvania.

Further, it is ORDERED and DIRECTED that the Petitioner give notice of the filing of the within Petition and of the aforesaid date of hearing be published in the Official Legal Journal of Fayette County and the Herald Standard Newspaper at least thirty (30) days before the hearing. Proof of publication shall be submitted at the hearing.

It is further Ordered that Petitioner shall cause an official search be conducted by the County office where the Petitioner resided within the past five (5) years. Petitioner shall submit proper certification from the Prothonotary's Office verifying that there are no judgments, decrees of record, or any other of the like character

Public announcement that James Christian Ruffing of Uniontown, Pennsylvania is legally changing his name to James Potter Wilson IV at a hearing scheduled for April 28, 2026 at the Fayette County Courthouse before Judge Mark Mehalov.

## WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

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Interested candidates should e-mail a cover letter, resume, supporting documentation to:

Somerset County Human Resources Director, Michelle Graham  
[grahamm@somersetcountypa.gov](mailto:grahamm@somersetcountypa.gov)

All applications will be held in the strictest confidence.

Somerset County is an Equal Opportunity employer and will not discriminate on the basis of race, color, national origin, sex or handicap in its activities, programs or employment practices.

**JUDICIAL OPINION**

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

COMMONWEALTH OF	:	
PENNSYLVANIA	:	
Plaintiff,	:	
v.	:	
TONY ALLEN STONEBRAKER	:	No. 1316 of 2025
Defendant.	:	Honorable Linda R. Cordaro

OPINION

Linda R. Cordaro, J.

April 1, 2026

Currently before this Court is Defendant's Omnibus Pretrial ("OPT") Motion for suppression of statements and habeas corpus. Additionally, the issue of Defendant's estranged wife testifying against him must be addressed. The Defendant is charged with Driving Under the Influence under 75 Pa. C.S.A § 3802(a)(1) and numerous related summary offenses.

The Defendant's motion is GRANTED as to Count 1, Suppression of Statements, and DENIED as to Count 2, Habeas Corpus.

BACKGROUND

The following facts were established based on the testimony of Linda Stonebraker, the preliminary hearing transcript, the motor vehicle recording ("MVR"), and the body camera footage that were offered as evidence at the OPT hearing on January 23, 2026.

On March 14, 2025, Linda Stonebraker, the Defendant's estranged wife, was in bed, woke up, and saw a vehicle in the driveway of her residence. She heard someone banging on her bedroom window, but she could not identify who. She looked at her phone and saw several messages and calls from the Defendant, including a text message stating "I'm here." In one voicemail, the Defendant stated that he had been drinking too much beer that night. Based on the way the Defendant was speaking in the voicemails, Ms. Stonebraker believed that he was intoxicated. Ms. Stonebraker woke up her son and called 911. While on the phone with 911, she observed the Defendant back his vehicle onto Kooser Road, a public roadway. The Defendant drove his vehicle into an upper field on Ms. Stonebraker's property, which is where he was stopped by police.

Pennsylvania State Police Troopers Medvit and Kreckle approached the vehicle. Trooper Medvit observed the Defendant to be intoxicated because he was staggering, slurring his speech, his eyes were bloodshot and watery, and it was observed that the Defendant had urinated himself. Trooper Medvit also smelled a strong scent of alcohol. Upon the Defendant stepping out of the vehicle, he was arrested. After going in the home to speak to Ms. Stonebraker and her son, Trooper Medvit questioned the Defend-

ant as to how he got there, where he had come from, and where he had been drinking. After performing the Horizontal Gaze Nystagmus Test, Trooper Medvit believed that the Defendant was under the influence. A Preliminary Breath Test gave a positive reading. Trooper Medvit requested the Defendant submit to a blood test, but the Defendant refused.

## DISCUSSION

### Spousal Privileges

The Defendant argued that Ms. Stonebraker's testimony is inadmissible for either the reason that it is completely barred by the spousal privilege {1} or she cannot testify to the communications from the Defendant under confidential marital communications {2}

As to spousal privilege, Ms. Stonebraker's testimony is not barred. The Defendant is correct to argue that the fact this couple is separated does not disqualify the privilege. Pennsylvania courts have found that a lawful marriage is the litmus test for applying this privilege. See *Commonwealth v. Valle-Velez*, 995 A.2d 1264, 1269 (Pa. Super. 2010). However, the plain language of the statute and case law on the point make it clear that only the testifying spouse, like Ms. Stonebraker, holds the privilege and only she has the ability to waive it. See *Commonwealth v. Savage*, 695 A.2d 820, 823 (Pa. Super. 1997). It is evident Ms. Stonebraker does not wish to assert this privilege not to testify, and therefore, the spousal privilege is not applicable.

As to confidential marital communications, "communications between [spouses] are presumed to be confidential, and the party opposing application of the rule disqualifying such testimony bears the burden of overcoming this presumption." *Commonwealth v. Hancharik*, 633 A.2d 1074, 1078 (Pa. 1993). However, the privilege also depends on the nature and circumstances under which the communication was said. See *Commonwealth v. Hunter*, 60 A.2d 1335, 1342 (Pa. Super 2013). It is evident that not all communications between spouses are deemed to be confidential, even if the communication was made privately. The communication must be shared within the closeness of the marital relationship. See *Commonwealth v. Spetzer*, 722 A.2d 702, 711 (Pa. Super 1998), rev'd on other grounds, 813 A.2d 707, 723 (2002).

Here, it is apparent the communications the Defendant made to Ms. Stonebraker were not said within the closeness of their marital relationship. The couple has been separated since October 2018, nearly six-and-a-half years at the time of this incident. The couple was living separately during this time, and Ms. Stonebraker testified that she has not spoken to the Defendant in seven years. The communications here are not the type of communications between husband and wife that this privilege seeks to protect. Therefore, the confidential marital communications privilege is inapplicable here.

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{1} 42 Pa. C.S.A. § 5913.

{2} 42 Pa. C.S.A. § 5914.

## Suppression of Statements

The Defendant argues that his statements should be suppressed because he was interrogated without being given his Miranda rights. A law enforcement officer must administer Miranda warnings prior to a custodial interrogation. See *Commonwealth v. Johnson*, 541 A.2d 332, 336 (Pa. Super. 1988). "When a person's inculpatory statement is not made in response to a custodial interrogation, the statement is classified as gratuitous, and is not subject to suppression for lack of warnings." *Commonwealth v. Baker*, 24 A.3d 1006, 1019 (Pa. Super. 2011) relying on *Commonwealth v. Simala*, 252 A.2d 575,578 (Pa. 1969).

At the time of the statements, the Defendant was in handcuffs, and Trooper Medvit asked him a series of questions that were likely to elicit an incriminating response. The following interaction, starting at timestamp 13:22 of Trooper Medvit's body cam footage, must be suppressed because the Defendant was not Mirandized.

TPR. MEDVIT: How'd you get here, boss?

DEF.: Pardon me?

TPR. MEDVIT: How'd you get here?

DEF.: In that Subaru.

TPR. MEDVIT: Where'd you come from?

DEF.: Uh my mother.

TPR. MEDVIT: From her house?

DEF.: No...no wait, I'm being a smart ass.

TPR. MEDVIT: (laughs) that's ok, I got a sense of humor. I don't mind But shoot me straight for a second, where'd you come from? Did you come from your mother's house?

DEF.: I came from Latrobe.

TPR. MEDVIT: From Latrobe?

DEF.: Yeah.

TPR. MEDVIT: Where were you drinking at?

DEF.: Uh, right here in the parking lot.

TPR. MEDVIT: Like here?

DEF.: Well, like there's a pull-off down the road.

TPR. MEDVIT: So you were drinking in a pull-off down the road?

DEF.: I don't know the answer that I'm supposed to give ya.

TPR. MEDVIT: The honest one. God's honest truth.

DEF.: God's honest truth?

TPR. MEDVIT: Yeah, I mean, honesty will set you free, right?

DEF.: Right [pause] I was drinking at my apartment.

TPR. MEDVIT: Okay. Where's that?

DEF.: In Latrobe.

[additional discussion between Trooper Medvit and Defendant]

TPR. MEDVIT: Were you drinking on the way here? Cause I don't see no cans or nothing in the car.

DEF.: No, no, no.

TPR. MEDVIT: So you didn't drink in the car, you didn't drink here, you were drinking at your apartment?

DEF.: No, no, no, no, it was a few beers at my apartment, and that was it.

TPR. MEDVIT: How long ago was that?

DEF.: Oh, for good God.

TPR. MEDVIT: Well, how long you been here?

DEF.: I don't know. I've probably been here for about an hour or two.

These statements were made while the Defendant was undoubtedly in custody, and the Trooper's questioning was likely to evoke an admission. However, later in the footage, the Defendant makes incriminating statements gratuitously, as they were not in response to any questioning or statements from the troopers that would elicit such response.

These statements arose at the time the troopers were inquiring with the Defendant as to whether he would submit to blood testing. These statements include the Defendant stating, "I had a few over in Latrobe" (25:28), "I'm just trying to get out of trouble" (25:42), "I'm totally out of place" (26:29), and "I can't lose my license" (28:48). Since these statements were made gratuitously by the Defendant, suppression is not warranted.

For these reasons, Count I of Defendant's OPT Motion is hereby GRANTED as to statements that were obtained by questioning likely to elicit a criminal response.

#### Habeas Corpus

The Defendant contends that the Commonwealth does not have sufficient evidence that the Defendant was driving on a traffic way, as required under the statute. The testimony of Ms. Stonebraker is sufficient evidence that the Defendant was driving on Kooser Road.

For that reason, Count II of Defendant's OPT Motion is hereby DENIED.

#### ORDER

AND NOW, this 1st day of April, 2026, in consideration of Defendant's Omnibus Pretrial Motion and for the reasons set forth in this Court's opinion, it is hereby ORDERED and DIRECTED that Defendant's Motion is GRANTED as to Count 1 of the motion and DENIED as to Count 2 of the motion.

The Commonwealth shall list this case for trial.

BY THE COURT:  
Linda R. Cordaro, Judge

ATTEST:  
Clerk of Courts

## LUNCH & LEARN SERIES

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

- Date: **Wednesday, April 22nd** from **12:00 p.m. to 1:30 p.m.**
- Location: **Fayette County Courthouse - Courtroom Four**
- Discussion topic: **Judicial and Legal Security: Protecting Judges and Attorneys Beyond the Courtroom**
- Presenter: **Steven Bradley - Our Family Wizard**

### **CLE Credit**

1.5 hours of Substantive CLE credit for the program.

### **Attendance Fees**

Members of the FCBA - \$15

Attorneys admitted after January 1, 2021 - \$5

Non-members of the FCBA - \$40

\*\* All fees to be paid at the door \*\*

Lunch will be provided.

### **RSVP**

If interested in attending, please call Leslie at the Bar office at 724-437-7994 or email to [admin@fcbar.org](mailto:admin@fcbar.org) on or before Monday, April 20th.

## LUNCH & LEARN SERIES

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

- Date: **Tuesday, April 28th from 12:00 p.m. to 1:30 p.m.**
- Location: **Fayette County Courthouse - Courtroom Four**
- Discussion topic: **Introduction to Restoring a Pennsylvania Driver's License**
- Presenter: **Pamela Enck, Esquire - Summit Legal Aid**

On Friday, May 15th, the Fayette County Bar Association is partnering with Summit Legal Aid and PA State Representative Charity Grimm Krupa to hold a Driver's License Restoration Clinic at One Voice One Community in Uniontown.

Volunteer attorneys can help individuals regain their independence by providing one-on-one legal consultations to navigate driver's license restoration requirements. Attorneys can also provide personalized guidance on whether clinic attendees can be eligible for a suspension appeal, or limited licenses including Occupational Limited Licenses, Ignition Interlock Licenses, or Probationary Licenses.

The CLE presented by Summit Legal Aid will equip volunteer clinic attorneys with the knowledge to analyze individual circumstances from PennDOT Driver's License Suspension Letters, Driver History Records, and potential criminal records to provide guidance on how to move forward, and whether additional legal assistance beyond the clinic may be required.

### **CLE Credit**

1.5 hours of Substantive CLE credit for the program.

### **Attendance Fees**

Members of the FCBA - \$15

Attorneys admitted after January 1, 2021 - \$5

Non-members of the FCBA - \$40

**\*\* All fees to be paid at the door \*\***

Lunch will be provided.

### **RSVP**

If interested in attending, please call Leslie at the Bar office at 724-437-7994 or email to [admin@fcbar.org](mailto:admin@fcbar.org) on or before Monday, April 27th.