



Chester County Law Reporter

(USPS 102-900)

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Department of Transportation v. Wildauer

Medical recall of driver's license – Physician's report to be submitted to PennDOT within ten days

1. The Vehicle Code authorizes PennDOT to recall licenses if it determines that a licensee is medically incompetent to drive.
2. The Vehicle Code provides for judicial review of PennDOT's determinations.
3. The Vehicle Code provides for physicians to report a driver's disorder or disability to PennDOT within ten days.
4. Following a recall, a licensee is entitled to a *de novo* review by the Court of Common Pleas, where PennDOT has the burden of proving by a preponderance of the evidence the petitioner's incompetency on the date of the recall.
5. On March 11, 2021, PennDOT received an Initial Reporting Form from Great Valley Neurology indicating Defendant was examined on December 18, 2019 and given a diagnosis of "Neuropsychiatric Disorder: Mild cognitive impairment – mood disorder." The Form noted Defendant never completed driving evaluation; had poor judgment and her conditions affect her ability to safely operate a motor vehicle. The lapse of time between Defendant's medical examination and the report to PennDOT was 449 days. Defendant filed an appeal from the medical recall of her license privileges. Defendant argued medical reporting form should not have been admitted to meet PennDOT's burden because the lengthy delay between the examination and the report offered no reliable evidence concerning Defendant's competency on the date of recall. The Court agreed the report was meaningless as a tool to assess a licensee's present competency and, because PennDOT failed to sustain its burden of proof to establish medical incompetency as of the date of recall, the appeal was sustained and the Notice of Recall was rescinded.

R.E.M.

C.C.P., Chester County, Pennsylvania, Civil Action No. 2021-02542-LS;
Commonwealth of Pennsylvania Department of Transportation v. Carol A. Wildauer

Philip Viglione for Plaintiff, PennDOT

Charles DeTulleo for Defendant

Bertin, Sr.J., February 7, 2022:-

Department of Transportation v. Wildauer		87 (2022)]
COMMONWEALTH OF PENNSYLVANIA : DEPARTMENT OF TRANSPORTATION Plaintiff	:	IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
v.	:	NO. 2021-02542-LS
CAROL A. WILDAUER Defendant	:	CIVIL ACTION

MEMORANDUM OPINION AND ORDER

Defendant, Carol A. Wildauer (“Ms. Wildauer”), appealed from the medical recall of her license privileges. A hearing was conducted November 18, 2021. At the conclusion of the hearing, counsel were requested to brief two issues. Briefs having been filed, this matter is ready for decision.

On March 11, 2021, Plaintiff, Commonwealth of Pennsylvania Department of Transportation (“PennDOT”), received an Initial Reporting Form from Great Valley Neurology concerning Ms. Wildauer. (Exh. C-1)

The Initial Reporting Form recites that Ms. Wildauer was examined on December 18, 2019 and given a diagnosis of “Neuropsychiatric Disorder: Mild cognitive impairment – mood disorder[.]” The Initial Reporting Form states under comments: “She never completed driving evaluation; she has poor judgment[.]” In response to the question, “Do these conditions affect the patient’s ability, from a medical standpoint only, to safely operate a motor vehicle?” the Initial Reporting Form is checked “YES[.]”

The Initial Reporting Form is signed by Kathleen Canfield PA-C, neurology specialty. Next to Ms. Canfield’s signature is the date, March 11, 2021. The lapse of time between Ms. Wildauer’s examination and Ms. Canfield’s report is four hundred forty-nine days.

Following receipt of the Initial Reporting Form, PennDOT issued a notice of recall of driving privilege (“Notice”) to Ms. Wildauer on March 22, 2021, in the format of a two-page letter. The Notice advised Ms. Wildauer that her driving privilege was recalled due to a cognitive, neurological, and psychiatric condition which prevents her from safely operating a motor vehicle. Ms. Wildauer was also informed that as of March 29, 2021, she was no longer privileged to drive and was required to return all Pennsylvania driver license products to PennDOT on or before March 29, 2021.

On the second page of the Notice, Ms. Wildauer was informed of her right to appeal to the Court of Common Pleas within thirty days of the mail date of the Notice. Below the notice of appeal right, Ms. Wildauer was informed, “You still must send in your Pennsylvania driver’s license products by the effective date of recall unless

you appear in person before a judge and receive an order permitting you to continue driving.”

Ms. Wildauer turned in her driver’s license.

On April 19, 2021, Ms. Wildauer filed a timely appeal from the recall of her driving privilege.

This matter was first listed for hearing on June 24, 2021, but was continued at Ms. Wildauer’s request. The hearing was next listed for September 2, 2021, but the courthouse closed that date due to Hurricane Ida. The hearing was finally held November 18, 2021. PennDOT offered no testimony and relied on the Initial Reporting Form to establish a medical basis to recall Ms. Wildauer’s driving privilege. Ms. Wildauer offered no testimony.

Counsel were directed to brief the following issues:

1. Did PennDOT have authority to medically recall Ms. Wildauer’s driving privilege based on an Initial Reporting Form submitted four hundred forty-nine days after Ms. Wildauer’s medical examination?
2. Did PennDOT violate Ms. Wildauer’s right to due process by requiring her to appear before the court within seven days of the mailing date of the Notice to obtain a supersedeas?

We address only the first issue below.¹

1. Did PennDOT have authority to medically recall Ms. Wildauer’s driving privilege based on an Initial Reporting Form submitted four hundred forty-nine days after Ms. Wildauer’s medical examination?

The Vehicle Code² authorizes PennDOT to recall licenses if it determines that a licensee is medically incompetent to drive. The Vehicle Code also provides for judicial review of PennDOT’s determinations.

The department shall recall the operating privilege of any person whose incompetency has been established under the provisions of this chapter. The recall shall be for an indefinite period until satisfactory evidence is presented to the department in accordance

¹ PennDOT limits the period for requesting a supersedeas to seven days from the date the Notice of recall of driving privileges is mailed. This is an issue of great concern to this court. Depending on the day of the week the notice is mailed, this amounts to five business days at most to appear before a judge. The time limitation does not allow for mail delays, the licensee to be out of town, or difficulties in reaching an attorney able to advise and assist. The Notice gives only limited information for the basis of the recall making it difficult for the licensee to understand why the Notice issued. Despite our due process concerns, in the instant matter Ms. Wildauer relinquished her license rather than applying for a supersedeas during the seven days permitted and further she offered no testimony to explain what difficulties, if any, she encountered in seeking to exercise her right to seek a supersedeas. Accordingly, we will not take up the issue.

² 75 Pa.C.S.A. § 101-9910.

with regulations to establish that such person is competent to drive a motor vehicle. The department shall suspend the operating privilege of any person who refuses or fails to comply with the requirements of this section until that person does comply and that person's competency to drive is established. *Any person aggrieved by recall or suspension of the operating privilege may appeal in the manner provided in section 1550.* The judicial review shall be limited to whether the person is competent to drive in accordance with the provisions of the regulations promulgated under section 1517 (relating to Medical Advisory Board).

75 Pa.C.S.A. § 1519(c)(emphasis added).

The Vehicle Code provides for PennDOT to receive reports from medical personnel of medical issues affecting driving competency.

All physicians, podiatrists, chiropractors, physician assistants, certified registered nurse practitioners and other persons authorized to diagnose or treat disorders and disabilities defined by the Medical Advisory Board *shall report to the department*, in writing, the full name, date of birth and address of *every person* over 15 years of age *diagnosed as having any specified disorder or disability within ten days.*

75 Pa.C.S.A. § 1518(b)(emphasis added).³ To comply with this provision, medical personnel submit the Initial Reporting Form to PennDOT.

Following recall under §1519 of the Vehicle Code, a licensee is entitled to a *de novo* review by the Court of Common Pleas.⁴ At this hearing, PennDOT has the burden of proving by a preponderance of the evidence the petitioner's incompetency under the terms of the statute. *Klotz v. Com.*, 77 Pa.Cmwlth. 134, 137, 465 A.2d 113, 114–15 (1983). Furthermore, PennDOT “is burdened with proving [petitioner's] incompetency **on the date of the recall** of [petitioner's] operating privileges[.]” *McKay v. Com.*, 52 Pa.Cmwlth. 24, 30, 415 A.2d 910, 913 (1980)(emphasis added). PennDOT may satisfy its burden by the introduction of the medical report relied upon in recalling the driver's license. *Byler v. Com., Dep't of Transp.*, 883 A.2d 724, 728 (Pa.Cmwlth. 2005). The court is not mandated to accept PennDOT's conclusions

³ The administrative regulations for PennDOT provide for the same procedure:

Physicians and other persons authorized to diagnose and treat disorders and disabilities defined by the Medical Advisory Board shall report to the Department, in writing, the full name, date of birth and address of every person 16 years of age and older diagnosed as having any specified disorder or disability within 10 days, under 75 Pa.C.S. § 1518 (relating to reports on mental or physical disabilities or disorders).

67 Pa.Code § 83.6.

⁴ 75 Pa.C.S.A. § 1550(a),(c) (establishing right of appeal and *de novo* review respectively); 42 Pa.C.S.A. § 933(a)(1)(ii) (vesting jurisdiction for such appeals in the court of common pleas and providing that the venue shall be the licensee's county of residence).

based on the content of the Initial Reporting Form. *Turk v. Com., Dep't of Transp.*, 983 A.2d 805, 815 (Pa.Cmwlth. 2009)(“the lack of clarity regarding the extent to which Physician's opinions were based on current examinations are circumstances which a fact-finder may consider in determining whether Licensee carried her burden to prove competency to drive.”) The burden of production shifts to the licensee after PennDOT has met its initial burden. *Byler*, 883 A.2d 724.

Ms. Wildauer chose not to submit evidence of her competency, but rather argued that the Initial Reporting Form, submitted four hundred forty-nine days after her examination, should not have been admitted into evidence because PennDOT violated § 1518(b) by acting on a late report and because a medical examination so removed from the date of recall offers no reliable evidence concerning Ms. Wildauer's competency on the date of recall.

The legislature recognized the need for prompt reporting of a medical disability by mandating that a medical disability “shall” be reported “within ten days.” 75 Pa.C.S.A. § 1518(b). Contrary to PennDOT's assertion that it was “required to act upon” receipt of the Initial Reporting Form, § 1519(c) does not mandate that PennDOT recall the operating privileges of every licensee for whom it receives an Initial Reporting Form. The statute says, “The department shall recall the operating privilege of any person whose incompetency has been established under the provisions of this chapter.” 75 Pa.C.S.A. § 1519(c). PennDOT is mandated to recall operating privileges when a licensee's incompetency has been established in compliance with the provisions of Chapter 15 of the Vehicle Code. Whether or not the ten-day reporting period can be exceeded, four hundred forty-nine days so grossly exceeds a prompt report as to make the report meaningless as a tool to assess a licensee's present competency.

PennDOT was not required to disregard the stale initial report. PennDOT's own regulations permit the agency to request additional examinations or a driver's examination without issuing a recall when the initial reporting form is insufficient.

When a physician submits information indicating that the driver may have a condition which affects the ability to drive safely, but the Medical Unit has insufficient information to compare the patient's condition with the Medical Advisory Board's medical regulations, the Medical Unit requires the driver to have a physician complete additional medical examination forms or the driver may be required to complete a

⁵ “Under the Statutory Construction Act, when the words of a statute are free from ambiguity, its letter is not to be disregarded under the pretext of pursuing its spirit. 1 Pa.C.S.A. § 1921(b)(Supp.1995). Only if a statute is unclear may a court consider the legislature's intent by reviewing the act's necessity and object, the circumstances under which it was enacted, and other factors. *Id.* at § 1921(c). Words are generally construed according to their common usage. 1 Pa.C.S.A. § 1903. “By definition, ‘shall’ is mandatory.” *Coretsky v. Bd. of Comm'rs of Butler Twp.*, 520 Pa. 513, 518, 555 A.2d 72, 74 (1989). PennDOT measures the ten-day requirement from the date of the examination and has not suggested that § 1518(b) is ambiguous. Respondent's Brief filed 12/20/2021, p. 6.

⁶ Respondent's Brief filed 12/20/2021, p. 6.

driver's examination.

* * *

In this instance, the licensee has 30 days to respond and upon failure to do so faces a suspension.

Pa.Code § 82.6(a), (c).

Furthermore, PennDOT recognizes there are circumstances when a report of medical incompetency is received that requires greater scrutiny. A report received from a family member is “carefully scrutinized ... for validity.” 67 Pa.Code § 82.8(b) (1) PennDOT understands in this instance that different motivations may have led to the report. Similarly, here a report made after a lengthy delay following the medical examination begs the question why now. What prompted Ms. Canfield four hundred forty-nine days following the medical examination to submit the Initial Reporting Form? PennDOT has discretion when reviewing an Initial Reporting Form to evaluate whether incompetency has been properly established and when it fails to do so, abdicates its discretionary role to the medical personnel who submit the Initial Reporting Forms.

Judicial review would be nothing more than a sham if the court was precluded from considering the content of the Initial Reporting Form to determine whether PennDOT had acted on a timely report of medical incompetency. The court can determine from the face of the Initial Reporting Form whether a report has been timely submitted. Because PennDOT has failed to sustain its burden of proof to establish Ms. Wildauer’s medical incompetency as of the date of recall, Ms. Wildauer’s appeal is sustained.

For the reasons stated, we enter this

ORDER

AND NOW, this 7th day of February, 2022, the appeal of Carol A. Wildauer is sustained and the Notice of Recall is rescinded.

BY THE COURT:

/s/ Emanuel A. Bertin, Sr. Judge

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CLERK OF THE ORPHANS' COURT
DIVISION OF THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA
AUDIT LIST
ACCOUNTS LISTED FOR AUDIT ON
WEDNESDAY, APRIL 6, 2022
Courtroom 18 at 9:00 A.M. PREVAILING TIME

THE HONORABLE KATHERINE B. L. PLATT

Notice is hereby given to all parties interested, that accounts in the following matters have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas of Chester County, Pennsylvania for AUDIT, CONFIRMATION AND DISTRIBUTION at the above date, time and place. At that time and place interested parties, claimants and objectors to the same will be heard.

ESTATE OF JEAN E. MILLER, DECEASED	1516-0755
FIRST AND FINAL ACCOUNT	
OF: DARLENE OLEAR, EXECUTOR	
HARRY MILLER, EXECUTOR	
ATTORNEY(S):	
SEAMUS M. LAVIN, ESQUIRE	
IN RE: LEE JARVIS DAVENPORT, TRUST	1522-0561
FIRST AND FINAL ACCOUNT	
OF: VANGUARD NATIONAL TRUST COMPANY, TRUSTEE	
ATTORNEY(S):	
LUKE EDMONDSON, ESQUIRE	
KAREN M. STOCKMAL, ESQUIRE	
ESTATE OF STEPHEN R. CONWAY, DECEASED	1520-0440
FIRST AND FINAL ACCOUNT	
OF: JENNIFER CONWAY, EXECUTOR	
ATTORNEY(S):	
KARYN L. SEACE, ESQUIRE	

NOTICES

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA**

CIVIL ACTION**LAW NO. 2021-10137-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Jessica Susan Johanson Hutton was filed in the above-named court and will be heard on Monday, March 28, 2022 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Tuesday, December 28, 2021

Name to be changed from: Jessica Susan Johanson Hutton to: Jessica Susan Johanson
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA**

CIVIL ACTION**LAW NO. 2021-10106-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Xiaokun Cai on behalf of minor child Shengyi Cai was filed in the above-named court and will be heard on Monday, April 11, 2022 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Monday, December 27, 2021
Name to be changed from: Shengyi Cai to: Gladys

Shengyi Cai

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation were filed with and approved by the Department of State of the Commonwealth of Pennsylvania on the Monday, January 3, 2022 for COMPOSITE ENCLOSURES, INC. in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988. The purpose or purposes for which it was organized are: Fabrication/Manufacture of equipment enclosures
Frank W. Daly, Esquire
DALY LAW FIRM
100 West Sixth Street
Suite 204
Media, PA 19063-0199

CORPORATION NOTICE**Baby's Nice Ice, Inc.**

Has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.
Lamb McErlane PC
24 E. Market St.
P.O. Box 565
West Chester, PA 19382

CORPORATION NOTICE**WC Santino Inc.**

Has been Incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.
McCreesh, McCreesh, McCreesh & Cannon
7053 Terminal Square
Upper Darby, PA 19082

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN to all interested persons or to any party who may be affected by Waterbrands, LLC, a Pennsylvania limited liability company, hereby provides notice of its dissolution and requests that persons having claims against the company present them in accordance with this Notice.

All claims must be in writing and must contain the name and address of the claimant, the amount of the claim, a description of the basis of the claim, and any documentation supporting the claim, including any prior notices sent to the company.

All claims should be sent to:

Waterbrands, LLC
831 Lincoln Ave., Unit 11
West Chester, PA 19380
Attn: Patricia Carney

Any claim against the company will be barred unless an action to enforce the claim is commenced within two years after publication of this Notice.

Lamb McErlane, PC
24 East Market Street, P.O. 565
West Chester, PA 19381
Attn: Roger N. Huggins, Esquire

ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

BARAKAT, Fred Paul Joseph, a/k/a Fareed Barakat, F. Paul Barakat, late of Pennsbury Township. David Joseph Barakat, care of KATHLEEN A. FARRELL, Esquire, 116 W. Baltimore Avenue, Media, PA 19063, Administrator. KATHLEEN A. FARRELL, Esquire, 116 W. Baltimore Avenue, Media, PA 19063, atty.

BARRINGER, Dorothy B., late of Willistown Township. Lester A. Waxler, care of STEPHEN I. BAER, Esquire, 1288 Valley Forge Rd., Ste 63, Phoenixville, PA 19460, Executor. STEPHEN I. BAER, Esquire, 1288 Valley Forge Rd., Ste 63, Phoenixville, PA 19460, atty.

BAUGHMAN, Marvin C., late of West Goshen Township. Lura Rae Baughman, care of JOHN A. GAGLIARDI, Esquire, 122 S. Church St., West Chester, PA 19380, Executrix. JOHN A. GAGLIARDI, Esquire, Wetzel Gagliardi Fetter & Lavin LLC, 122 S. Church St., West Chester, PA 19380, atty.

BEARD, Emma, late of Valley Township. Bryon Beard, care of CAROL R. LIVINGOOD, Esquire, 130 W. Lancaster Ave., P.O. Box 191, Wayne, PA 19087-0191, Executor. CAROL R. LIVINGOOD, Esquire, Davis Bennett Spiess & Livingood LLC, 130 W. Lancaster Ave., P.O. Box 191, Wayne, PA 19087-0191, atty.

BRADY, Gloria D., late of East Pikeland Town-

ship. Colleen DeBerardinis and Christopher Brady, care of MICHAEL F. ROGERS, Esquire, 510 Township Line Rd., #150, Blue Bell, PA 19422, Executors. MICHAEL F. ROGERS, Esquire, Salvo Rogers Elinski & Scullin, 510 Township Line Rd., #150, Blue Bell, PA 19422, atty.

BRAMBLE, Laura M., a/k/a Laura May Bramble, late of New London Township. Larry B. Bramble and Robert W. Bramble, care of WILLIAM J. GALLAGHER, Esquire, 17 W. Miner St., West Chester, PA 19382, Executors. WILLIAM J. GALLAGHER, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

CARR, John B., late of Highland Township. Timothy J. Carr & Lorene A. Kuresko, care of LINDA KLING, Esquire, 131 W. Main Street, New Holland, PA 17557, Executors. LINDA KLING, Esquire, Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

CONSTABLE, Ruth Romig, late of East Caln Township. Craig P. Constable and Judith A. Constable, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executors. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

DAVIS, Joan A., late of Penn Township. Thomas R. Davis, 501 W. Cypress St., Apt. 2A, Kennett Square, PA 19348, Administrator. ANITA M. D'AMICO, Esquire, D'Amico Law, P.C., 65 S. Third St., Oxford, PA 19363, atty.

EACHUS, Grace L., late of West Caln Township. Jeffrey A. Eachus, 189 Kaolin Rd., Coatesville, PA 19320, Executor. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

FRENCH-MILLER, Christina Alice, a/k/a Christina French Miller, late of East Pikeland Township. George Benson Miller, 479 Main Street, Hingham, MA 02043, Executor.

GALLAGHER, Lori Ann, a/k/a Lori A. Gallagher, late of London Britain Township. Victoria L. Sianni, care of DAVID J. FERRY, JR., Esquire, 1521 Concord Pike, Suite 202, Wilmington, DE 19803, Administratrix. DAVID J. FERRY, JR., Esquire, Ferry Joseph, P.A., 1521 Concord Pike, Suite 202, Wilmington, DE 19803, atty.

HARRISON, II, James P., a/k/a James P. Harrison, Jr., late of Coatesville City. James P. Harrison, III and Jeffrey C. Harrison, care of DENIOSE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Co-Executors.

DENIOSE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

HARTZELL, Pam L., late of Oxford Borough. Aaron R. Hartzell, 3 Waverly Lane, Carlisle, PA 17015, Administrator. MURREL R. WALTERS, III, Esquire, Walters & Galloway, PLLC, 54 East Main Street, Mechanicsburg, PA 17055, atty.

HUGHES, Robert, late of Phoenixville. Amy Curran, 522 West Pothouse Road, Phoenixville, 19460, Executor. MARTIN S. KARDON, Esquire, Kanter, Bernstein & Kardon, P.C., 1617 John F. Kennedy Blvd., Suite 1080, Philadelphia, PA 19103, atty.

KERN, Albert Joseph, a/k/a Al Kern, Albert J. Kern, Jr., late of East Goshen. Cynthia G. Kern, 428 Austin Avenue South, Litchfield, MN 55355, Executor.

KRETSCHMAR, Gail C., late of Westtown Township. Donna Trandahl, 202 S. Deerwood Drive, West Chester, PA 19382, Executrix. WILLIAM ADAIR BONNER, Esquire, Law Office of William Adair Bonner, 40 Blossom Hill Road, Glen Mills, PA 19342, atty.

LARSEN, Nancy Ann, late of East Nottingham Township. Tracey Sloan, 1002 Clemens Court, Bensalem, PA 19020, Administratrix.

MADISON, Belinda Joyce, a/k/a Belinda J. Madison, late of West Goshen Township. Ryan Eric Gibbs, care of APRIL L. CHARLESTON, Esquire, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, Executor. APRIL L. CHARLESTON, Esquire, The Charleston Firm, 60 W. Boot Rd., Ste. 201, West Chester, PA 19380, atty.

MASSO, Margaret, a/k/a Margaret A. Masso, late of New London Township. Dean Anton Masso, 201 Owenwood Dr., Lincoln University, PA 19352, Executor. ANITA M. D'AMICO, Esquire, D'Amico Law, P.C., 65 S. Third St., Oxford, PA 19363, atty.

MECKSAY, Chanh, late of Caln Township. Melissa Renner, 102 Lehigh Dr., Coatesville, PA 19320, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

MYLONAS, George P., late of Birmingham Township. Peter George Mylonas, 560 Winturford Drive, West Chester, PA 19382, Executor. PETER GEORGE MYLONAS, Esquire, Law Offices of Peter George Mylonas, PC, 2725 West Chester Pike, Broomall, PA 19008, atty.

OBRIEN, Timothy Dennis, late of Kennet Square. Terrence M OBrien, 66 Hillview Ave, Ventura, CA

93003, Administrator.

OLEARSEK, Marie, a/k/a Marie Devlin, late of East Pikeland Township. Monica Watson, 57 Lily Pond Ln., Chester Springs, PA 19425, Executrix. JAMES C. KOVALESKI, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

POWELL, Christopher W., a/k/a Christopher Powell, late of North Coventry Township. Anita M. Powell, 2 Keppel Ave., West Lawn, PA 19609, Administratrix. DAVID S. KAPLAN, Esquire, OWM Law, 41 E. High St., Pottstown, PA 19464, atty.

SHAPIRO, Donna Faye, late of East Goshen Township. Robert O. Shapiro, 1510 Von Steuben Drive, West Chester, PA 19380, Administrator. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

STEVENS, E. Joan, a/k/a Elanor Joan Stevens, late of Malvern. James Williams Stevens, 25 Oak Knoll Drive, Berwyn, PA 19312, Executor.

SZEGEDY, Edward Robert, late of Phoenixville. Mary Jean Szegedy & Robert Szegedy, 422 Buttonwood St, Phoenixville, PA 19460, Executors.

WHITELOCK, Elizabeth M., late of Caln Township. Deborah Brussolo, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, atty.

2nd Publication

BARR, SR., Paul V., late of West Bradford Township. Paul V. Barr, Jr., care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

BECK, Herbert P., late of Honey Brook Township. Jeffrey L. Beck, 3470 Horseshoe Pike, Honey Brook, PA 19344, Executor. R. DOUGLAS GOOD, Esquire, Good & Harris, LLP, 132 W. Main St., New Holland, PA 17557, atty.

CLEAVER, Linda Jean, late of Londonderry Township. Kenneth Cleaver, care of ALEXANDER J. GINSBURG, Esquire, 441 N 5th Street- Suite 100, Philadelphia, PA 19123, Executor. ALEXANDER J. GINSBURG, Esquire, Peter Bowers PC, 441 N 5th Street- Suite 100, Philadelphia, PA 19123, atty.

DALLER, Eleanor Y., late of Atglen Borough. Edward H. Myers, care of DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkesburg, PA 19365, Administrator C.T.A. DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkesburg, PA 19365, atty.

ESODA, Bernard Joseph, late of East Marlborough Township. William Vincent Esoda, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

FISKE, Roberta B., a/k/a Roberta C. Fiske, Roberta Claire Fiske, late of Tredyffrin Township. Desiree D. Horgan & Robyn B. Hornaday, care of THOMAS W. FLYNN III, Esquire, 19 Waterloo Ave., Berwyn, PA 19312, Executrices. THOMAS W. FLYNN III, Esquire, Crawford Diamond Flynn LLC, 19 Waterloo Ave., Berwyn, PA 19312, atty.

FRANK, Linda Cecile, late of West Brandywine Township. Grace Anna Farrow, 1200 North Street, NW, Washington, DC 20005, Rachel Agnes Cuyjet Robbins, 168 Highwood Ave., Apt. 2, Weehawken, NJ 07086 and Leon Wallace Robbins, III, 1004 Yarmouth Ln., Mt. Laurel, NJ 08054, Executors. CHARL M. ALSON, Esquire, Anderson Elder Law, 206 State Rd., Media, PA 19063, atty.

FRENCH-MILLER, Christina Alice, a/k/a Christina French Miller, late of East Pikeland. George Benson Miller, 479 Main Street, Hingham, MA 02043, Executor.

GONCE, William Carl, late of Lower Oxford Township. Deborah M Gonce, 325 Lancaster Pike, Oxford, PA 19363, Administrator.

GRIEST, Florine A., a/k/a Anna Florine Griest, late of Highland Township. Kenneth W. Griest, Jr., 163 Old Race Track Rd., Coatesville, PA 19320 & Kimberly A. Davis, 118 Boulder Hill Rd., Mohnton, PA 19540, Executors. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

HEGEDUS, Donald T., late of North Coventry Township. Ronald T. Hegedus, care of JESSICA R. GRATER, Esquire, 400 Creekside Drive, Suite 409, Pottstown, PA 19464, Administrator. JESSICA R. GRATER, Esquire, Monastra & Grater, LLC, 400 Creekside Drive, Suite 409, Pottstown, PA 19464, atty.

HUMPHREYS, Charles E., late of West Pikeland Township. Jean D. Humphreys, 1520 Yellow Springs Rd., Chester Springs, PA 19425, Administratrix. KENNETH E. MARTIN, Esquire, Gadsden Schnei-

der & Woodward LLP, 1275 Drummers Ln., Ste. 210, Wayne, PA 19087, atty.

LORT, III, Charles G., late of W. Brandywine Twp. Lori McCormick, care of HUDSON L. VOLTZ, Esquire, 110 Hopewell Rd., Downingtown, PA 19335, Administrator. HUDSON L. VOLTZ, Esquire, Hudson L. Voltz, P.C., 110 Hopewell Rd., Downingtown, PA 19335, atty.

McCORMICK, JR., Henry Clement, a/k/a Hank McCormick, late of West Chester. Jennifer McCormick, 125 Freedom Valley Circle, Coatesville, PA 19320, Administratrix. JAYNE A. GARVER, Esquire, J. Garver Law PLLC, 6723 Allentown Blvd., Harrisburg, PA 17112, atty.

McNEIL, Thomas O., late of West Goshen Township. Lisabeth McGinnis and Catherine Bauer, care of MICHAEL C. McBRATNIE, Esquire, P.O. Box 673, Exton, PA 19341, Executrices. MICHAEL C. McBRATNIE, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

McSHEA, Elizabeth A., late of Lower Oxford. George P. McShea, 125 Lincoln Rd, Collegeville, PA 19426, Administrator. JAYNE A. GARVER, Esquire, J Garver Law PLLC, 6723 Allentown Blvd., Harrisburg, PA 17112, atty.

MISCOVICH, Robert Raymond, a/k/a Robert Miscovich, late of Lower Oxford Township. Lisa Colangelo, care of KRISTEN R. MATTHEWS, Esquire, 403 W. Lincoln Highway, Ste. 110, Exton, PA 19341, Executrix. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 403 W. Lincoln Highway, Ste. 110, Exton, PA 19341, atty.

MULVANEY, Vera E., late of City of Coatesville. Lorie S. Weiss, 1015 Stirling St., Coatesville, PA 19320, Administrator. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

PERNISI, Angelina Margret, a/k/a Angie, Angeline, late of Exton. John J Pernisi Jr, 213 Biddle Dr., Exton, PA 19341, Executor.

RIGBY JR, Howard N., late of Willistown Twp. Bryn Mawr Trust Co., 1436 Lancaster Avenue, Berwyn, PA 19312, Executor. G. ELIAS GANIM, Esquire, McLaughlin Ganim, Ltd., P.O. Box 494, Paoli, PA 19301-0494, atty.

RYBINSKI, JR., Frank A., a/k/a Francis A. Rybinski, Jr., late of Elk Township. Craig D. Rybinski, care of JOSEPH A. BELLINGHIEREI, Esquire, 17 W. Miner St., West Chester, PA 19382, Executor. JOSEPH A. BELLINGHIEREI, Esquire, MacElree Harvey, LTD, 17 W. Miner St., West Chester, PA

19382, atty.

TAYLOR, Charlotte P., late of Kennett Square Borough. Julian Onderdonk, care of SEAMUS M. LAVIN, Esquire, 122 S. Church St., West Chester, PA 19380, Executor. SEAMUS M. LAVIN, Esquire, Wetzel Gagliardi Fetter & Lavin, LLC, 122 S. Church St., West Chester, PA 19380, atty.

WAITNEIGHT, Peter F., late of East Goshen Township. Elizabeth Waitneight, care of NATHAN EGNER, Esquire, Radnor Station Two, 290 King of Prussia Rd., Ste. 110, Radnor, PA 19087, Executrix. NATHAN EGNER, Esquire, Law Offices Of Davidson & Egner, Radnor Station Two, 290 King of Prussia Rd., Ste. 110, Radnor, PA 19087, atty.

WOYNER, Eugenia B., late of New London Township. Joan Mashura, 257 Tudor Circle, Lincoln University, PA 19352, Executrix.

3rd Publication

ABE, Adele, late of West Vincent Township. Brenda L. McCann, care of ELIZABETH R. HOWARD, Esquire, 301 Gay Street, P.O. Box 507, Phoenixville, PA 19460, Executrix. ELIZABETH R. HOWARD, Esquire, 301 Gay Street, P.O. Box 507, Phoenixville, PA 19460, atty.

BAHEL, Eleanor H., late of Oxford Borough. Thomas G. Bahel, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

BANNAN, Pauline Muzio, late of West Chester Borough. Patricia A. Graf, care of STANLEY E. LUONGO, JR., Esquire, 126 West Miner Street, West Chester, PA 19382, Executor. STANLEY E. LUONGO, JR., Esquire, Luongo Bellwoar LLP, 126 West Miner Street, West Chester, PA 19382, atty.

BORYS, Irma, late of Penn Township. Walter Borys Jr., 236 Castlereia Rd, Avondale, PA 19311, Executor.

BOULWARE, Daisy Mae, late of Valley Township. Joseph H. Boulware, Jr., 120 Strode Avenue, Coatesville, PA 19320, Administrator. KATHLEEN K. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

BRADFORD, Maryann, late of Warwick Township. Lori Barnett, 2473 Harmonyville Road, Elverston, PA 19520, Executrix. JAMES D SCHEFFEY, Esquire, Yergey Daylor Allebach Scheffey Picardi, 1129 E. High Street, PO Box 776, Pottstown, PA

19464-0776, atty.

BUONO, Peter Justin, a/k/a Peter J. Buono, late of West Whiteland Township. Carl Buono, 6222 Big-horn Court, Waldorf, MD 20603 & Robin Buono, 1055 Oakwood Drive, Glenolden, PA 19036, Executors.

CHRISTIE, Nancy L., late of Kennett Square Borough. Frederick N. Christie, care of EMILY TEMPLE ABELS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Administrator. EMILY TEMPLE ABELS, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

COLES, James William, late of West Chester. Sherman C. Toppin, Esq., 1800 John F. Kennedy Blvd., Suite 300, Philadelphia, PA 19103, Administrator. SHERMAN C. TOPPIN, Esquire, Toppin Law, P.C., 1800 John F. Kennedy Blvd., Suite 300, Philadelphia, PA 19103, atty.

D'AMATO, Robert J., late of East Caln Township. Daniel J. D'Amato, 8220 Rosiere Dr., Cary, NC, 27518-6406, Administrator. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

DARESTA, Frank G., a/k/a Frank George Daresta, late of Kennett Township. Annette M. Guagenti, 1928 Nectarine St., Philadelphia, PA 19130, Executrix. ANTHONY J. ROCCA, Esquire, Law Offices of Anthony J. Rocca, P.C., 1528 Walnut St., Ste. 1507, Philadelphia, PA 19102, atty.

FALES, Carol McCown, a/k/a Jean Carol McCown, late of Malvern. Karen Sauter, 1465 Eaves Spring Drive, Malvern, PA 19355, Executrix.

FOULKE, JR., Philip R., a/k/a Philip Ronald Foulke, Jr., late of West Cain Township. Scott A. Foulke, care of REBECCA M. YOUNG, Esquire, & LIA K. SNYDER, Esquire, 119 East Main Street, Macungie, PA 18062, Administrator. REBECCA M. YOUNG, Esquire, & LIA K. SNYDER, Esquire, 119 East Main Street, Macungie, PA 18062, atty.

GFELL, David A., late of West Caln Township. Miriam E. D'Addezio, care of JENNIFER BRETON, Esquire, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, Administrator. JENNIFER BRETON, Esquire, Buckley Brion McGuire & Morris LLP, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, atty.

GOUGE, Dorothy M., late of Londonderry Township. David Ryan, 2145-1 Gap Newport Pike, Cochranville, PA 19330, Executor. TIMOTHY H. KNAUER, Esquire, 218 West Miner Street, West Chester, PA 19382, atty.

GRECO, Joseph A., late of Malvern. Joseph J. Greco, 1056 Mt. Pleasant Rd., Bryn Mawr, PA 19428 & Timothy M. Greco, 304 Overlook Lane, Gulph Mills, PA 19428, Executors. **JEFFREY W. SODERBERG**, Esquire, Mandracchia Law, LLC, 2024 Crossman Rd., PO Box 1229, Skippack, PA 19474, atty.

HERKINS, Amy Bernadette, a/k/a Amy B. Herkins, late of Uwchlan. Susan M. Herkins, 105 Fairfax Ct., Phoenixville, PA 19460 & Tracy A. DiGinto, 4 Amy Ln., Malvern, PA 19335, Executrices.

HODGES, Deborah Elaine, a/k/a Deborah E. Hodges, late of West Vincent Township. Richard Woodfield, 1732 Springhouse Road, Chester Springs, PA 19425, Administrator. **SUZANNE BENDER**, Esquire, 216 Bridge Street, Phoenixville, PA 19460, atty.

HOLCOMBE, Helen C., late of Penn Township. Guy T. Holcombe, III, 54 Plum Shore Road, North East, MD 21901, Executor. **MICHAEL J SANGEMINO**, Esquire, 933 S High St, West Chester, PA 19382, atty.

JENNINGS, George Brooks, late of East Goshen Township. Jill Jennings, 314 Box Elder Dr., West Chester, PA 19380, Executrix. **CHARLES P. MALONEY**, IV, Esquire, Goldberg, Goldberg & Maloney, 213-215 W. Miner St., West Chester, PA 19382, atty.

KAUTSKY, Helga Marie, late of Uwchlan Township. Bruce M. Kautsky, care of **KELLY C. HAYES**, Esquire, 30 Cassatt Ave., Berwyn, PA 19312, Executor. **KELLY C. HAYES**, Esquire, McAndrews, Mechalik, Connolly, Hulse & Ryan P.C., 30 Cassatt Ave., Berwyn, PA 19312, atty.

KELLY, Kathleen S., late of East Goshen Township. Kathleen L Kelly, 447 Eaton Way, West Chester, PA 19380 & Brian K Kelly, 101 Halle Drive, Kennett Square, PA 19348, Executors.

KOENIG, Joann, late of Tredyffrin Township. Mark B. Smith, care of **ANDREW H. DOHAN**, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. **ANDREW H. DOHAN**, Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Road, Malvern, PA 19355-3049, atty.

LEE, Ann P., late of New London Township. Jonathan L. Lee, III, care of **L. PETER TEMPLE**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. **L. PETER TEMPLE**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

LESTER, Elainen A., a/k/a Elaine Ann Lester, late of Kennett Square. Lisa Lester & Greg Lester,

care of **JEFF P. BRYMAN**, Esquire, 225 Wilmington West Chester Pike, Suite 200, Chadds Ford, PA 19317, **JEFF P. BRYMAN**, Esquire, Law Offices of Kenneth R Pyle, 225 Wilmington West Chester Pike, Suite 200, Chadds Ford, PA 19317, atty.

LINTON, Walter Getz, late of West Caln Township. Gwynne L. Hagee, care of **DANIELLA A. HORN**, Esquire, 2202 Delancey Place, Philadelphia, PA 19103, Executrix. **DANIELLA A. HORN**, Esquire, Klenk Law, LLC, 2202 Delancey Place, Philadelphia, PA 19103, atty.

LORAH, M. Virginia, late of Oxford Borough. Carol Lorah Bland, care of **EMILY TEMPLE ABELS**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. **EMILY TEMPLE ABELS**, Esquire, Larmore Scarlett, LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

LYNCH, Pauline M., late of West Bradford Township. Penny Wells, 1101 New Jersey Ave, Cape May Court House, NJ 08210, Executrix.

LYONS, Michael J., late of West Goshen Township. Kelly Anne Lyons, 741 Shropshire Dr., West Chester, PA 19382, Executrix. **MICHAEL V. NASEEF**, Esquire, Lyons Dougherty LLC, 6 Ponds Edge Dr., Ste. 1, Chadds Ford, PA 19317, atty.

MADRON, Isabel E., late of East Marlborough Township. Carol M. Madron, care of **NEIL E. LAND**, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executrix. **NEIL E. LAND**, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

MARTIN, Fred H., late of London Grove Township. Fred H. Martin, Jr., care of **L. PETER TEMPLE**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. **L. PETER TEMPLE**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

MORRISON, Mary E., late of North Coventry Township. Matthew R. Morrison, 1145 Grandview Circle, Pottstown, PA 19465, Executor. **REBECCA A. HOBBS**, Esquire, O'Donnell Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

OLSON, Andrea J., late of Tredyffrin Township. Kristen L. Robie, care of **CATHERINE SUE CLARK**, 11319 Shannondell, Dr., Norristown, PA 19403, Executrix. **CATHERINE SUE CLARK**, 11319 Shannondell, Dr., Norristown, PA 19403, atty.

OLSON, Paul W., a/k/a Paul Wendell Olson, late of Tredyffrin Township. Kristen Lee Olson Robie, care of **CATHERINE SUE CLARK**, 11319 Shannondell, Dr., Norristown, PA 19403, Executrix. **CATH-**

ERINE SUE CLARK, 11319 Shannondell, Dr., Norristown, PA 19403, atty.

PEPPLER, Mariane S., late of Glen Mills. John P. Whoriskey, 1117 Butternut Road, Glen Mills, PA 19342, Executor. **MICHAEL P. ROWAN**, Esquire, Micahel P. Rowan Attorney at Law, 101 East Gay Street Unit 3073, West Chester, PA 19380, atty.

STEVENSON, Alan L., a/k/a Alan Lee Stevenson, late of East Goshen Township. Dana Nicole Mimm, care of **WILLIAM B. COOPER**, III, Esquire, P.O. Box 673, Exton, PA 19341, Executrix. **WILLIAM B. COOPER**, III, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

3rd Publication of 3

**IN THE COURT OF COMMON PLEAS OF
CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION
NO. 2021-06031-RC
ACTION TO QUIET TITLE**

CHESTER COUNTY TAX CLAIM BUREAU,
Plaintiff,
Vs.

WILLIAM REITER, and **TROY M. STONE**, and their heirs, personal representatives, executors, administrators, successors and assigns, and all persons having or claiming to have any right, lien, title, interest in, or claim against those lots and/or pieces of ground herein named,
Defendants,

TAKE NOTICE that on July 29, 2021, Plaintiff filed its Complaint in Action to Quiet Title averring, inter alia, that it is the owner of the tract of land located at 40 Newlinville Road, Coatesville, PA in East Fallowfield Township, Chester County, Pennsylvania, being Tax Parcel Identification No. 47-5A-34 and more particularly described as follows:

ALL THE CERTAIN lot or tract of land situated in the Township of East Fallowfield, County of Chester and State of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at an iron pin set in the north street line of a proposed street called Wood Street, at a corner of land now or late of Sara Mincosky and Ida Skaroff, formerly Ida Margoles, and also a corner of land recently conveyed by Charles Dunleavy to the Chester Valley Electric Company and a corner of land now or late of the Chester Valley Electric

Company; thence by land now or late of the said Sara Mincosky and Ida Skaroff, North 6 degrees 25 minutes East, 65 feet more or less to a corner of land now or late of Sara Mincosky and Ida Skaroff thence by the same South 85 degrees 39 minutes East, 52 feet to a point near the middle of the new public road leading from Ercildoun Road to Modena; thence along the same, South 56 degrees 32 minutes East, 100.2 feet to a point in the north street line of said proposed street called Wood Street; and a line of land of the said Chester Valley Electric Company; thence by the same South 86 degrees 37 minutes West 143.2 feet to the place of beginning.

CONTAINING 6,065 square feet of land, be the same more or less.

WHEREUPON, ON MOTION OF **LOUIS B. KUPPERMAN**, ESQUIRE, ATTORNEY FOR PLAINTIFF, SAID COURT ORDERED THAT THE SAID COMPLAINT BE SERVED BY THE PLAINTIFF ON DEFENDANT **TROY M. STONE** AND ALL PERSONS HAVING OR CLAIMING TO HAVE ANY RIGHT, LIEN, TITLE, INTEREST IN, OR CLAIM AGAINST THOSE LOTS, PIECES OF GROUND NAMED HEREIN BY NOTICE REQUIRING THEM TO ANSWER SAID COMPLAINT WITHIN TWENTY (20) DAYS FROM THE LAST DATE OF PUBLICATION HEREOF.

IF YOU WISH TO DEFEND THIS CASE, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY AN 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 PAPER 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 MAYBE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Lawyer Referral & Information Services
Chester County Bar Association
15 West Gay Street

West Chester, PA 19380
(610) 429-1500

1st Publication of 3

TRUST NOTICE

HELEN B. HILLER LIVING TRUST DTD.
MARCH 24, 2004, FIRST AMENDMENT DTD.
AUGUST 27, 2018
HELEN B. HILLER, Deceased
Late of Phoenixville Borough, Chester County, PA
This Trust is in existence and all persons having
claims or demands against said Trust or decedent are
requested to make known the same and all persons
indebted to the decedent to make payment without
delay to CHARLES W. HILLER, TRUSTEE, 118
Leshia Dr., Morrisville, PA 19067,
Or to his Attorney:
YVETTE E. TAYLOR
LAW OFFICES OF TAYLOR-HACHOOSE
301 Oxford Valley, Ste. 102A
Yardley, PA 19067

Public Notice
Appointment of New Magistrate Judge in the
United States District Court for the Eastern
District of Pennsylvania

The Judicial Conference of the United States has authorized the appointment of a full-time United States magistrate judge for the Eastern District of Pennsylvania at Reading or Philadelphia. The appointee may be required to preside at court sessions to be held at Reading, Philadelphia, Allentown, and Easton. The essential function of courts is to dispense justice. An important component of this function is the creation and maintenance of diversity in the court system. A community's belief that a court dispenses justice is heightened when the court reflects the community's diversity.

The duties of the position are demanding and wide-ranging, and will include, among others: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants. The basic authority of a United States magistrate judge is specified in 28 U.S.C. § 636.

To be qualified for appointment an applicant must:

1. Be, and have been for at least five years, a member in good standing of the bar of the highest court of a state, the District of Columbia, the Commonwealth of Puerto Rico, the Territory of Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States, and have been engaged in the active practice of law for a period of at least five years;
2. Be competent to perform all the duties of the office; be of good moral character; be emotionally stable and mature; be committed to equal justice under the law; be in good health; be patient and courteous; and be capable of deliberation and decisiveness;
3. Be less than seventy years old; and
4. Not be related to a judge of the district court.

A merit selection panel composed of attorneys and other members of the community will review all applicants and recommend to the district judges in confidence the five persons it

considers best qualified. The court will make the appointment following an FBI full-field investigation and an IRS tax check of the applicant selected by the court for appointment. The individual selected must comply with the financial disclosure requirements pursuant to the Ethics in Government Act of 1978, Pub. L. No. 95-521, 90 Stat. 1824 (1978) (codified at 5 U.S.C. app. 4 §§ 101-111) as implemented by the Judicial Conference of the United States. An affirmative effort will be made to give due consideration to all qualified applicants without regard to race, color, age (40 and over), gender, religion, national origin, or disability. The current annual salary of the position is \$205,528.00. The term of office is eight (8) years.

The application is available on the court's web site at <https://www.paed.uscourts.gov/> Only applicants may submit applications and applications **must be received by Thursday, March 31, 2022.**

All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the merit selection panel and the judges of the district court. The panel's deliberations will remain confidential.

Applications must be submitted by email to **paedhumanresources@paed.uscourts.gov** with the subject line **"Magistrate Judge Application."** An /s/ or e-signature on the application will be accepted.

Applications will only be accepted by email. Applications sent by mail will not be considered. Due to the overwhelming number of applications expected, applicants should not contact the court regarding the status of their application.

**APPLICATION FOR
UNITED STATES MAGISTRATE JUDGE**

Please answer all questions. If a question is not applicable, indicate this by marking “N/A” in the relevant space. Submit the completed form via email to paedhumanresources@paed.uscourts.gov with the subject line “Magistrate Judge Application.” Applications submitted by mail will not be considered. Please do not call the court regarding the status of your application. If you are unable to sign and scan your application, an /s/ or e-signature will be accepted.

General

- 1. Full name: _____

- 2. All other names by which you have been known: _____

- 3. Office address: _____

City: _____ State: _____

Zip: _____ Telephone: _____

- 4. Residential address: _____

City: _____ State: _____ Zip: _____

- 5. Place of Birth: _____ Date of Birth: _____

- 6. Length of residence in state: _____

- 7. If you are a naturalized citizen, state the date and place of naturalization:

- 8. Military Service:

Branch: _____ Dates: _____

Rank or Rate at Discharge: _____ Type of Discharge: _____

If still a Reserve or National Guard Member, give service, branch, unit, and

present rank: _____

9. Are you related by blood or marriage to any judges of this court?
Yes _____ No _____ If yes, give name(s) and relationship: _____

Health

10. What is the present state of your health?

11. Do you have any mental or physical impairment that would affect your ability to perform the duties of a magistrate judge with or without reasonable accommodation?

Education

12. Colleges and universities attended, dates, and degree: _____

13. Continuing legal education courses completed within the last 10 years:

Honors

14. Were you a member of law review? Yes _____. No _____. If yes, describe
role: _____

15. If you have published any legal books or articles, list them, giving citations and
dates: _____

16. List any honors, prizes, or awards you have received. _____

Professional Admissions

17. List all courts (including state bar admissions) and administrative bodies having
special admission requirements in which you are presently admitted to practice,
giving the dates of admission in each case:

<u>Court or Administrative Body</u>	<u>Date of Admission</u>
_____	_____
_____	_____
_____	_____
_____	_____

Law Practice

18. State the names, addresses, and dates of employment for all law firms with which you have been associated in practice, all government agencies, and all private business organizations in which you have been employed. Also, provide all dates during which you have practiced as a sole practitioner.

Organization	Address	Position	Dates
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

19. Describe the general nature of your current practice including any legal specialties and character of your typical clients; also, if your practice is substantially different now than previously, give details of prior practice. _____

20. Do you regularly appear in court? Yes_____ No _____

What percentage of your appearances in the last five years was in the following forums?

1.

Federal courts?

_____%
2.

State or local courts of record?

_____%
3.

Administrative bodies?

_____%
4.

Other?

_____%
-

_____%
-

_____%

21. During the past five years, what percentage of your practice has been trial practice? %
22. How frequently have you appeared in court? times/mo.
23. How frequently have you appeared at administrative hearings?
..... times/mo.
24. What percentage of your practice involving litigation has been:
- Civil %
- Criminal %
- Other %
- %
- %
25. State the number of cases you have tried to conclusion in courts of record during the past five years, indicating whether you were sole, associate, or chief counsel. Give citations of any reported cases. _____

26. Summarize your courtroom experience for the past five years. _____

27. State the names and addresses of adversary counsel against whom you have litigated your primary cases over the past five years. _____

Public Office

28. Have you ever run for, or held, public office? Yes _____ No _____ If yes, give details. _____

Prior Judicial Experience

29. a) Have you ever held judicial office or been a candidate for judicial office? If so, state the courts involved and the dates of service, or dates of candidacy.

b) If you have held judicial office, state the names and addresses of counsel who have appeared before you who would be knowledgeable of your work, temperament, and abilities. _____

c) Prior quasi-judicial service:
Names of agency: _____
Position held: _____
Hearings on what type of issues: _____

Number of cases adjudicated: _____
Dates of service: _____

Business Involvement

30. a) If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position

immediately upon your appointment to judicial office.

b) Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law? Yes _____ No _____
If yes, give the details, including dates.

c) During the past five years have you received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind? Yes _____ No _____
If yes, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved, and the dates such compensation was paid.

31. a) Have you ever been arrested, charged, or convicted for violation of any federal law, state law, county or municipal law, regulation, or ordinance? Yes ___ No ___
If yes, give details. (Do not include traffic violations for which a fine of \$200 or less was imposed unless it also included a jail sentence.)

b) Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? Yes _____ No _____
If yes, give particulars. _____

32. a) Have you ever been sued by a client? Yes _____ No _____
If yes, give particulars. _____

b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? Yes _____ No _____
If yes, give particulars, including the amounts involved. _____

33. Have you ever been charged in any civil or criminal proceedings with conduct alleged to involve moral turpitude, dishonesty, or unethical conduct? Yes _____ No _____ If yes, give particulars. _____

34. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group? Yes _____ No _____ If yes, give particulars.

35. Have you filed appropriate tax returns as required by federal, state, local, and other government authorities? Yes _____ No _____ If no, explain. _____

36. Have any liens or claims ever been instituted against you by the federal, state, or local authorities? Yes _____ No _____ If yes, explain. _____

Professional and Other Activities

37. a) List all bar associations and legal professional societies of which you are a member and give the titles and dates of any office you have held in such groups, and committees to which you belonged. _____

- b) List all organizations and clubs, other than bar associations and professional societies identified in response to Question No. 37 a), of which you have been a member during the past ten years, including the titles and dates of any offices you have held in each such organization. _____

- c) Have you ever served on a merit selection panel to consider the appointment or reappointment of a United States magistrate judge in this district? If yes, please provide date(s) or appointment(s). _____

Supplemental Information

38. State any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law. _____

39. State any additional education or other experiences you believe would assist you in holding judicial office. _____

40. State any other pertinent information reflecting positively or adversely on you, which you believe should be disclosed to the district court and the merit selection panel in connection with your possible selection as United States magistrate judge.

41. a) List three individuals as references who are familiar with your abilities.

Name _____
Address _____
Telephone _____
Email _____

Name _____
Address _____
Telephone _____
Email _____

Name _____
Address _____
Telephone _____
Email _____

b) List three individuals as references who are familiar with your personal character.

Name _____
Address _____
Telephone _____
Email _____

Name _____
Address _____
Telephone _____
Email _____

Name _____
Address _____
Telephone _____
Email _____

Confidentiality Statement

This form will be kept confidential and will be examined only by members of the merit selection panel and the judges of the district court. The individuals whom you have listed as references above may be contacted by the panel, but no other employers, colleagues, or other individuals will be contacted without your prior approval.

I declare under penalty of perjury that the foregoing is true and correct.

Signature of Applicant: _____ Date: _____

*If you are unable to sign and scan your application, an /s/ or e-signature will be accepted.

MEETING SPACE?

Looking for just the right meeting space? The Chester County Bar Association facilities are utilized on a regular basis for depositions, client meetings and seminars. We have rooms available for rental by the half-day or full day – a conference room, a board room and seminar rooms. We are located just one block from the Courthouse and convenient parking is available. For more information, visit us at www.chescobar.org. To reserve your room, please call 610-692-1889.

SAMPLE AD

Classified Ads for the Chester County Law Reporter ONLY \$.20 per space/character

ESTATES/TRUSTS ATTORNEY

Estates/Trusts Attorney sought for growing, collegial Main Line firm. Send resume with cover letter and salary requirements, in confidence to responses10@gmail.com

ASSOCIATE ATTORNEY

LaMonaca Law is seeking associate attorneys to join our expanding main line law firm. Required: minimum of 2 years family law experience, transportation, career oriented, ability to multi-task in a fast paced environment. Send resume and salary requirements to Kristy@LaMonacaLaw.com.