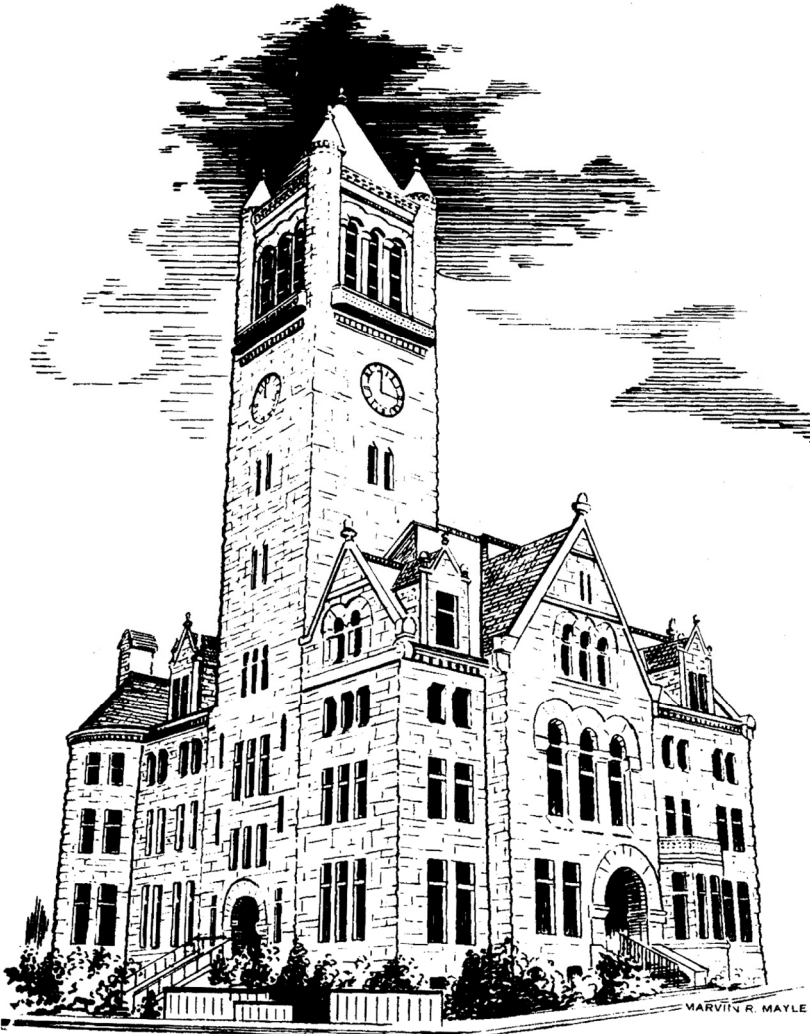


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FAYETTE LEGAL JOURNAL

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ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

Third Publication

JOHN F. CATLETT, a/k/a JOHN FARRELL CATLETT, late of Smithfield, Fayette County, PA ⁽³⁾

Personal Representative: Allen Catlett
c/o P.O. Box 622
Smithfield, PA 15478
Attorney: Charity Grimm Krupa

LUANA M. CATLETT, a/k/a LUANA GAY CATLETT, late of Smithfield, Fayette County, PA ⁽³⁾

Personal Representative: Allen Catlett
c/o P.O. Box 622
Smithfield, PA 15478
Attorney: Charity Grimm Krupa

LORETTA M. COLACONE, a/k/a LORETTA MAE COLACONE, late of Uniontown, Fayette County, PA ⁽³⁾

Executor: George Muzika
c/o Goodwin Como, P.C.
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401
Attorney: Benjamin Goodwin

CATHERINE R. IMHOFF, a/k/a CATHERINE ROSE IMHOFF, late of Redstone Township, Fayette County, PA ⁽³⁾

Personal Representative: Robert Duke
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

JOYCE KATHRYN MILLER, a/k/a JOYCE K. MILLER, late of Springfield Township, Fayette County, PA ⁽³⁾

Co-Administratrix C.T.A.: Susan G. Stoner
1455 West Pittsburgh Street
Scottdale, PA 15683
Co-Administrator C.T.A.: John L. Miller
710 Mill Run Road
Mill Run, PA 15464
c/o 201 North Chestnut Street
P.O. Box 342
Scottdale, PA 15683
Attorney: James S. Lederach

HUBERT L. REED, a/k/a HUBERT L. REED, JR., late of Upper Tyrone Township, Fayette County, PA ⁽³⁾

Personal Representative: Wayne Peffer
c/o 208 South Arch Street, Suite 2
Connellsville, PA 15425
Attorney: Richard A. Husband

Second Publication

DEBRA BRATTON, a/k/a DEBRA L. SAVAGE BRATTON, late of Wharton Township, Fayette County, PA ⁽²⁾

Executor: Thomas A. Bratton
c/o Kopas Law Offices
556 Morgantown Road
Uniontown, PA 15401
Attorney: John Kopas

NINA CULVER, late of Dunbar Township, Fayette County, PA 15401 ⁽²⁾

Co-Executrix: Connie L. Sewchek and Perry Culver, Jr.
c/o Rowan Law Office
890 Vanderbilt Road
Connellsville, PA 15425
Attorney: Mark Rowan

EUGENE A. SPOTTO, late of Connellsville Township, Fayette County, PA ⁽²⁾

Personal Representative: Ignatius Spotto
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

EDWARD T. STEVENSON, late of Newell,
Fayette County, PA (2)

Personal Representative:

Herbert G. Mitchell, Jr.
c/o Mitchell Law Office
902 First Street
P.O. Box 310
Hiller, PA 15444

Attorney: Herbert G. Mitchell, Jr.

**MICHAEL J. DAVIDSON, a/k/a MICHAEL
JOE DAVIDSON**, late of Uniontown, Fayette
County, PA (1)

Executrix: Josephine M. Davidson
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

First Publication

RUTH L. BARNEY, late of North Union
Township, Fayette County, PA (1)

Executrix: Wendy Schiffbauer
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

**CLARENCE BROWN, a/k/a CLARENCE L.
BROWN, JR.**, late of Connellsville, Fayette
County, PA (1)

Administrator: Gregory A. Brown
208 Elm Drive
Mt. Pleasant, PA 15666
c/o 749 North Church Street
Mt. Pleasant, PA 15666
Attorney: Paul Toohey

ARTHUR SAMUEL CERULLO, SR., late of
Masontown, Fayette County, PA (1)

Administrator: Arthur Samuel Cerullo, Jr.
91 Devan Avenue
Uniontown, PA 15401
Co-Administrator: Faith Sandra Riggin
c/o Pollock Morris Belletti & Simms, LLC
54 South Washington Street
Waynesburg, PA 15370
Attorney: Amber N. Shipley

**FREDERICK DEVOND DANTZLER, a/k/a
FREDERICK D. DANTZLER**, late of German
Township, Fayette County, PA (1)

Executrix: Marilyn L. Calloway
315 Footedale Road
Uniontown, PA 15401
c/o Newcomer Law Offices
4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Ewing D. Newcomer

**THERESA A. DORSEY, a/k/a THERESA
ANN DORSEY**, late of Redstone Township,
Fayette County, PA (1)

Administrator: John P. Dorsey
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

DORIS M. ERNEST, late of Point Marion,
Fayette County, PA (1)

Executor: Douglas Ernest
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

MARILYN E. KIRKPATRICK, late of
Jefferson Township, Fayette County, PA (1)

Personal Representatives: Sherry R. Askey
and Teri L. Kirkpatrick
c/o Dellarose Law Office, PLLC
99 East Main Street, Suite 101
Uniontown, PA 15401
Attorney: Melinda Deal Dellarose

FRANCES KLINK, late of Uniontown, Fayette
County, PA (1)

Co-Executors: Jerry Robert Klink and
Janis L. McGee
c/o 6000 Brooktree Road, Suite 301
Wexford, PA 15090
Attorney: Bradley Dornish

BEATRICE J. MARUCCI, late of South
Union Township, Fayette County, PA (1)

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

LOIS OLEXA, a/k/a LOIS A. OLEXA, late of Jefferson Township, Fayette County, PA ⁽¹⁾
Personal Representative: Joseph P. Olexa
 c/o Higinbotham Law Offices
 68 South Beeson Boulevard
 Uniontown, PA 15401
Attorney: James Higinbotham

HERBERT WAYNE REESE, a/k/a H. WAYNE REESE, late of Georges Township, Fayette County, PA ⁽¹⁾

Executrix: Linda Lu Reese Kosal
 321 Rubles Mill Road
 Smithfield, PA 15478
 c/o Jackson Kelly, PLLC
 P.O. Box 619
 Morgantown, WV 26507-0619
Attorney: Martha M. Hall

WILMA G. REESE, late of Georges Township, Fayette County, PA ⁽¹⁾
WILMA G. REESE TRUST, an existing revocable trust that became irrevocable upon the death of its settlor

Personal Representative:
 United Bank, Inc., Successor Trustee
 P.O. Box 393
 Charleston, WV 25322
 c/o Jackson Kelly, PLLC
 P.O. Box 619
 Morgantown, WV 26507-0619
Attorney: Martha M. Hall

JANET L. SNOWDON, a/k/a JANET LEE SNOWDON, late of Uniontown, Fayette County, PA ⁽¹⁾

Co-Administrators: Jamie Lee Snowdon-Hibbs and Jacqueline Kay Miller
 c/o 39 Francis Street
 Uniontown, PA 15401
Attorney: Jack R. Heneks, Jr.

C. MERWIN SUMEY, a/k/a CYLDE MERWIN SUMEY, a/k/a CYLDE M. SUMEY, a/k/a CLYDE SUMEY, a/k/a MERWIN SUMEY, late of North Union Township, Fayette County, PA ⁽¹⁾

Executors: Jeffrey Scott SumeY and Lisa Jo Sproul
 c/o John & John
 96 East Main Street
 Uniontown, PA 15401
Attorney: Simon B. John

MARTHA E. WOODS, late of Redstone Township, Fayette County, PA ⁽¹⁾
Administrator: Michael Moody
 c/o 39 Francis Street
 Uniontown, PA 15401
Attorney: Jack R. Heneks, Jr.

LEGAL NOTICES

Fictitious Name Registration

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on October 19, 2022 for Hi-Tech Ally at 865 N Gallatin Ave. Ext., Uniontown, PA 15401. The name and address of each individual interested in the business is Anthony J. Lowery II at 865 N Gallatin Ave. Ext., Uniontown, PA 15401. This was filed in accordance with 54 Pa.C.S. 311.417

IN THE COURT OF COMMON PLEAS
 OF FAYETTE COUNTY, PENNSYLVANIA
 CIVIL DIVISION
 No.: 655 OF 2022-GD

FREEDOM MORTGAGE CORPORATION
Plaintiff
 v.
LAUREN E PETTEY; ROBERT B RITENOUR
Defendant(s)

NOTICE

NOTICE TO:

Lauren E Pettey
Robert B Ritenour

You are hereby notified on that on April 14, 2022, Plaintiff, FREEDOM MORTGAGE CORPORATION filed a Complaint against you in the Court of Common Pleas of FAYETTE County, Pennsylvania, Docket No. 655 OF 2022 -GD, wherein Plaintiff seeks to enforce its rights under its loan documents.

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.

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Harrisburg, PA 17108
Telephone: 7249635252

BROCK & SCOTT, PLLC
Attorney for Plaintiff
(844) 856-6646

SHERIFF'S SALE

Date of Sale: March 16, 2023

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday March 16, 2023, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

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

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

(2 of 3)

James Custer
Sheriff of Fayette County

No. 1842 of 2022 GD
 No. 257 of 2022 ED

No. 1053 of 2022 GD
 No. 258 of 2022 ED

**KeyBank, NA, s/b/m First Niagara Bank, NA
 Plaintiff,
 vs.
 Daniel S. Baran, as Executor of the Estate of
 Joseph E. Baran, AKA Joseph Edward Baran
 Defendant**

**LAKEVIEW LOAN SERVICING, LLC
 Plaintiff
 v.
 RITA A. BRITT A/K/A RITA BRITT
 Defendant(s)**

ALL that certain parcel of land lying and being situate in the Township of Dunbar, County of Fayette, and Commonwealth of Pennsylvania, known as 235 Little Summit Road, Dunbar, PA 15431 having erected thereon a dwelling house.

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN THE SOUTH UNION TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA:

BEING KNOWN AS: 128 HUTCHINSON STREET UNIONTOWN (SOUTH UNION), PA 15401

Being known and designated as Tax ID No.: 09-20-0057

BEING PARCEL NUMBER: 34-34-0028

BEING the same premises which Edwina Joy Baran, no marital status shown, by Deed dated July 7, 1995 and recorded in and for Fayette County, Pennsylvania in Deed Book 1563, Page 0264, granted and conveyed unto Joseph E. Baran.

SHNAYDER LAW FIRM, LLC
 By: Jennie Shnyder, Esquire
 ID. No. 315213
 148 East Street Road, Suite 352
 Feasterville, PA 19053
 Phone: 215-834-3103
 Fax: 215-565-2679
 jennie@shnyderlawfirm.com

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

No. 2002 of 2022 GD
 No. 284 of 2022 ED

No. 126 of 2022 GD
 No. 256 of 2022 ED

**EDWARD BROWN
 vs.
 HOLLY BRINKER, ADMINSTRATOR OF
 THE ESTATE OF SHARON L. DANIELS,
 DECEASED**

**Pennsylvania Housing Finance Agency,
 Plaintiff,
 vs.
 Gerald J. Henchell and Selena Shockley,
 Defendants.**

Luzerne Twp, Cty of Fayette, Cmwlth of PA, HET a dwg k/a 657 Main Street, Merrittstown, PA 15463. Parcel No. 19-29-0093

ALL THAT CERTAIN parcel of land in Dunbar Township, Fayette County, Commonwealth of Pennsylvania.

TAX PARCEL # 09-20-0058
 PROPERTY ADDRESS: 233 Little Summit Road, Dunbar, PA 15431

Brock & Scott, PLLC

No. 1932 of 2022 GD
 No. 251 of 2022 ED

**FREEDOM MORTGAGE CORPORATION
 v.
 STEPHEN B HIGBY**

By virtue of a Writ of Execution No. 2022-01932

FREEDOM MORTGAGE CORPORATION
 v.
 STEPHEN B HIGBY

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
 A Florida Limited Liability Company
 133 Gaither Drive, Suite F
 Mt. Laurel, NJ 08054
 Phone: (855) 225-69006
 Fax: (866) 381-9549

owner(s) of property situate in the GEORGES

TOWNSHIP, FAYETTE County, Pennsylvania,
being 74 Sheldon Avenue, Fairchance, PA
15436

Tax ID No. 14-31-0103

Improvements thereon: RESIDENTIAL
DWELLING

Judgment Amount: \$176,140.05

Richard M. Squire & Associates, LLC

By: M. Troy Freedman, Esquire

ID. Nos. 85165

One Jenkintown Station, Suite 104

115 West Avenue

Jenkintown, PA 19046

Telephone: 215-886-8790

Fax: 215-886-8791

No. 1229 of 2022 GD

No. 288 of 2022 ED

**U.S. Bank National Association, not in its
individual capacity but solely as trustee for
the RMTP Trust, Series 2019-C**

PLAINTIFF

v.

Gail Dickison Jacobs

DEFENDANT.

TAX PARCEL NO.: 38-13-0013

PROPERTY ADDRESS: 13 Edgemont
Drive, Uniontown, PA 15401

IMPROVEMENTS: Single Family
Dwelling

SEIZED AND TAKEN in execution as the
property of Gail Dickison Jacobs

BEING Parcel ID 38-13-0013

Being the same premises that Dewayne
Jacobs Sr. by deed dated 8/22/2007 and recorded
9/4/2007 in the office of the Recorder of Deeds
in the County of Fayette, Commonwealth of
Pennsylvania in Book 3038, Page 225 and as
Instrument No. 200700012756

Dewayne Jacobs Sr. departed this life on
5/6/2011 thereby vesting title to Gail Dickison
Jacobs

Vitti Law Group, Inc.
BY: Lois M. Vitti, Esquire

PA ID #209865

663 Fifth Street

Oakmont PA 15139

(412) 281-1725

No. 648 of 2022 GD

No. 255 of 2022 ED

**Pennsylvania Housing Finance Agency,
Plaintiff,**

vs.

**Justin D. Knopsnider and Jessica
Knopsnider,**

Defendants.

Twp of Bullskin, Cty of Fayette, Cmwltth
of PA, HET a dwg k/a 718 Breakneck Road,
Connellsville, PA 15425. Parcel No. 04-36-0147

No. 1694 of 2022 GD

No. 248 of 2022 ED

**PNC Bank, National Association
Plaintiff,**

vs.

**Patricia L. Mitchell; John Mitchell
Defendants.**

ALL that certain parcel of land lying and
being situate in the City of Uniontown, County
of Fayette, and Commonwealth of Pennsylvania,
known as 1 Veech Street, Uniontown, PA 15401
having erected thereon a dwelling house.

Being known and designated as Tax ID
No.: 38-10-0130

BEING the same premises which E. Louise
Bartruff, an unremarried widow, by Deed dated
August 17, 2018 and recorded in and for Fayette
County, Pennsylvania in Deed Book 3381, Page
686, granted and conveyed unto Patricia L.
Mitchell and John Mitchell, her husband.

KML LAW GROUP, P.C.

Suite 5000

701 Market Street

Philadelphia, PA 19106-1532

(215) 627-1322

No. 317 of 2018 GD

No. 262 of 2022 ED

M&T BANK

**1 Fountain Plaza
Buffalo, NY 14203**

Plaintiff

vs.

**HAROLD N. PENNINGTON III
JULIE A PENNINGTON A/K/A JULIA A.
PENNINGTON**

Mortgagor(s) and Record Owner(s)

132 North 6th Street

Connellsville, PA 15425

Defendant(s)

ALL THAT CERTAIN LOT OF LAND

SITUATE IN CITY OF CONNELLSVILLE,
 COUNTY OF FAYETTE AND
 COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 132 NORTH 6TH
 STREET, CONNELLSVILLE, PA 15425 132
 NORTH SIXTH STREET, CONNELLSVILLE,
 PA 15425 132N 6TH STREET,
 CONNELLSVILLE, PA 15425 132N 6TH
 STREET, CONNELLSVILLE, PA 15425 132N
 6TH STREET, CONNELLSVILLE, PA 15425
 132 NORTH 6TH STREET,
 CONNELLSVILLE, PA 15425 132N 6TH
 STREET, CONNELLSVILLE, PA 15425

TAX PARCEL #05-06-0562 & 05-06-0563
 IMPROVEMENTS: A RESIDENTIAL
 DWELLING

SOLD AS THE PROPERTY OF:
 HAROLD N. PENNINGTON III AND JULIE A
 PENNINGTON A/K/A JULIA A.
 PENNINGTON

ATTORNEY: KML LAW GROUP, P.C.

Robertson, Anschutz, Schneid, Crane &
 Partners, PLLC
 A Florida Limited Liability Company
 133 Gaither Drive, Suite F
 Mt. Laurel, NJ 08054
 Phone: (855) 225-69006
 Fax: (866) 381-9549

No. 847 of 2022 GD
 No. 269 of 2022 ED

LAKEVIEW LOAN SERVICING, LLC,
Plaintiff

v.

**JACQUELINE PERRYMAN, IN HER
 CAPACITY AS ADMINISTRATRIX AND
 HEIR OF THE ESTATE OF TRAVIS R.
 PERRYMAN A/K/A TRAVIS RAY
 PERRYMAN; HARRY R. PERRYMAN, IN
 HIS CAPACITY HEIR OF TRAVIS R.
 PERRYMAN A/K/A TRAVIS RAY
 PERRYMAN; UNKNOWN HEIRS,
 SUCCESSORS, ASSIGNS, AND ALL
 PERSONS, FIRMS, OR ASSOCIATIONS
 CLAIMING RIGHT, TITLE OR INTEREST
 FROM OR UNDER TRAVIS R.
 PERRYMAN A/K/A TRAVIS RAY
 PERRYMAN**

Defendant(s)

ALL THOSE CERTAIN LOTS OR
 PIECES OF GROUND SITUATE IN THE
 TOWNSHIP OF DUNBAR, FAYETTE
 COUNTY, PENNSYLVANIA:

BEING KNOWN AS: 815 HIGH RD
 DUNBAR, PA 15431

BEING PARCEL NUMBER: 09310299

Jill M. Fein, Esquire
 Hill Wallack LLP
 777 Township Line Road, Suite 250
 Yardley, PA 19067
 (215) 579-7700

No. 618 of 2019 GD
 No. 271 of 2022 ED

**Wilmington Trust, National Association, not
 in its individual capacity, but solely as trustee
 for MFRA Trust 2014-1**

Plaintiff

v.

**Charles Samuel Smith and Valerie Suzanne
 Smith**

Defendant

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

Plaintiff: Wilmington Trust, National
 Association, not in its individual capacity, but
 solely as trustee for MFRA Trust 2014-1

v.

Defendant: Charles Samuel Smith and Valerie
 Suzanne Smith

owners of property situate in the Springhill
 Township, Fayette County, Pennsylvania, being
 pin number 36-05-0029

Property being known as: 126 a/k/a 127
 Georges Creek Road, Smithfield, PA 15478

Improvements thereon: Residential
 Property

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

No. 130 of 2022 GD
 No. 252 of 2022 ED

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

Plaintiff

vs.

SAMUEL D. SNYDER
Mortgagor(s) and Record Owner(s)
102 South Liberty Street
Masontown, PA 15461
Defendant(s)

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

BEING KNOWN AS: 102 SOUTH LIBERTY STREET, MASONTOWN, PA 15461

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

SOLD AS THE PROPERTY OF: SAMUEL D. SNYDER

ATTORNEY: KML LAW GROUP, P.C.

No. 233 of 2018 GD
No. 254 of 2022 ED

STONE & COMPANY,

Plaintiff

vs

DONALD M. VERNEY and JOANN F. VERNEY,

Defendants

ALL that certain piece, parcel or tract of land situate in Menallen Township, Fayette County, Pennsylvania, known as Lot No. 7 in the Yoder Plan of Lots #4 which plan is recorded in the Recorder of Deeds Office of Fayette County, Pennsylvania, in Plan Book Volume 49, Page 24, said Lot No. 7 being more particularly bounded and described as follows:

BEGINNING at a 5/8 inch rebar located on the southerly sideline of a certain public highway known locally as Township Road 509, being corner common to the lot herein described and land now or formerly owned by Robert Provance; thence by a line dividing the lot herein described and lands now or formerly owned by Robert Provance and Frank A. Yoder South 68 degrees 46 minutes 45 seconds West a distance of 300.70 feet to a 5/8 inch rebar; thence by a line dividing the land herein described and land now or formerly owned by Frank A. Yoder North 17 degrees 19 minutes 15 seconds West a distance of 170.45 feet to a 5/8 inch rebar; thence by a line dividing the land herein described and Lot No. 6 in said plan North 72 degrees 40 minutes 45 seconds East a distance of 300.00 feet to a 5/8 inch rebar located on the aforesaid southerly sideline of Township Road 509; thence by a line running along the southerly sideline of said Township Road 509 South 17 degrees 19 minutes 15 seconds East a distance of 150.00 feet to a 5/8 inch rebar, the place of beginning.

CONTAINING an area of 1.103 acres.

THE See Deed Book Volume 3255 page 16
PROPERTY TAX MAP NO.: 22-21-0173

No. 1138 of 2022 GD
No. 264 of 2022 ED

Longbridge Financial, LLC
PLAINTIFF

vs.

Paul Zitney, known Heir of Paul Zitney, deceased and Michele Kenney, known Heir of Paul Zitney, deceased and Barbara Zitney, known Heir of Paul Zitney, deceased and Steve Zitney, known Heir of Paul Zitney, deceased and Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under Paul Zitney, deceased

DEFENDANTS

COMMONLY KNOWN AS: 117 Zitney Road, Vanderbilt, PA 15486
TAX PARCEL NO. 13140028

*** END SHERIFF SALES ***



DiBella Weinheimer

Geer McAllister Best Coco Lloyd Whalen



Holly Whalen ◊ Amy Coco ◊ Bethann Lloyd

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Registers' Notice

Notice by JEFFREY L. REDMAN, Register of Wills and
Ex-Officio Clerk of the Orphans' Court Division of the Court of Common Pleas

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Monday, February 6, 2023, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2621-0785	KATHLEEN J. ZAPOTOSKY a/k/a KATHLEEN J. ZAPOTOSKY	Lois R. Frazee, Executrix

Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Tuesday, February 21, 2023, at 9:30 A.M.

in Courtroom No. 5 of the **Honorable Joseph M. George, Jr.** or his chambers, Third Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JEFFREY L. REDMAN
Register of Wills and Ex-Officio Clerk of the Orphans' Court Division (1 of 2)

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

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JUDICIAL OPINION

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

COMMONWEALTH OF PENNSYLVANIA, :
 :
 :
 vs. :
 :
 CHRISTOPHER STEVEN GAYDOS, JR., : No. 2518 of 2021
 Defendant. : Honorable Steve P. Leskinen

OPINION & ORDER

LESKINEN, J. November 21, 2022

Before the Court is Defendant's Motion to Transfer Case from Criminal Court to Juvenile Court.

BACKGROUND

Defendant was charged with criminal homicide. The crime was allegedly committed by Defendant on July 19, 2021.

Defendant is currently 16 years old, and his date of birth is April 29, 2006; thus the alleged crime with which Defendant is charged took place while he was a minor, aged 15 years, three months.

Defendant filed his Petition to Transfer Proceedings to Juvenile Court on September 6, 2021, and the hearing was held on October 26, 2022.

DISCUSSION

"When a juvenile seeks to have his case transferred from the criminal division to the juvenile division, he must show that he is in need of and amenable to treatment, supervision or rehabilitation in the juvenile system." *Commonwealth v. Johnson*, 669 A.2d 315, at 321 (Pa. 1995).

The defense presented evidence consisting of the stipulated to evaluation by Dr. Bruce Wright. While the Commonwealth focused on the limitations of the report in objecting to the transfer, it presented no contradictory testimony, and there was, of course, no cross-examination of the written report.

The standard the Court must consider in this case is the statutory standard set forth at 42 Pa.C.S. § 6355. Following the factors set forth in that statute, the Court hereby finds as facts:

1. Gaydos was more than fourteen years of age at the time of the alleged conduct.
2. A hearing was held in conformity with the statute.
3. Notice was given to his parents.
4. The impact on the victim was death, with the consequent severe emotional shock to the victim's family and friends.
5. The impact of the alleged offense on the community is severe, in that it involved the death of another young person, aged 18.
6. There is limited information about the circumstances of the offense. The defendant and the victim had spent most of the evening socially together with a female who was the girlfriend of the defendant. There was some type of disagreement. The victim left the home on foot. The defendant is said to have been "agitated" and he was given a quad ride to the location where the victim had walked, thus arguably continuing the quarrel. There was some animated discussion, at which time the victim punched the defendant, and thus was the first aggressor. The punch knocked the defendant to the ground. The fight continued with more blows landed by both. However, the defendant is the person who used a knife in what otherwise would have been just a fistfight. There was no other evidence presented to suggest that the defendant would be a threat to the safety of the community or any other identified individual.
7. The degree of the child's culpability is disputed, with a substantial likelihood of a conviction of voluntary manslaughter based on a theory of imperfect self-defense, a lesser likelihood of a conviction of third-degree murder, and a possible acquittal on the basis of self-defense. First degree murder and involuntary manslaughter are unlikely based on the evidence presented to the Court. There was a single stab wound to the upper-left chest that ultimately caused the victim's death. The victim was older and taller (6'1") than the defendant. The prior history of the relationship between the defendant and the victim, the exact amount of force with which the defendant was presented, and the defendant's prior experience with the use of a knife are all factors that are not well-developed at this point, despite the sole eyewitness other than the defendant having been thoroughly interrogated at the Preliminary Hearing.
8. If the defendant is convicted as an adult, standard guidelines for third-degree murder would suggest a sentence of from six to twelve years up to twenty to forty years. The circumstances known at this point suggest the sentence would likely be at the lower end of that range. Standard guidelines for voluntary manslaughter would suggest a minimum of three to four and one-half years. Mitigated range sentences based on the defendant's youth could reduce the minimum sentences cited by twelve months. Defendant was in secure detention from the date of the offense until his bond was reduced on March 21, 2022, so he has about eight months of time credit. Since that time, he has been restricted to home detention. If treated as a juvenile, it would appear that the defendant could be held in secure detention as a juvenile until his twenty-first birthday, when he would be released without any restrictions. The restrictions on his free movement in the juvenile system for five years and nine months would be comparable to the minimum length of incarceration he would likely receive if convicted of third-degree murder as an adult, and comparable to the maximum sentence he would likely receive if convicted of voluntary manslaughter.
9. The possibility of parole supervision beyond the defendant's 21st birthday is the principal potential positive to retaining the defendant in the adult system. While he would be supervised for a longer period, there is little reason to believe the defendant would survive a substantial term of incarceration with a positive personal outcome, and it is entirely likely that he would be a greater danger to the community at that time.

10. The defendant was expelled from school in the seventh grade because he pulled the hair of a female, allegedly after she did the same to him. He was cited as having an emotional disturbance; including anger management issues, attention deficit disorder and depression; but he had no record of juvenile offenses before the instant arrest. He did abuse marijuana but stopped nine months prior to this incident. He did consume alcohol, primarily beer. He was briefly committed to a mental hospital after threatening suicide. He has fathered a child. His parents are divorced, his father lives in Missouri, and his mother recently divorced his stepfather, so he had no male role model, positive or negative, in his home at the time of this incident. He was scheduled to return to regular classes in the fall of 2021. While held without bond, the defendant was detained at the Aspire juvenile detention center, where he reportedly did very well. He has had no behavior problems since returning to his mother's home in March. Gaydos' age and mental capacity suggest that he should be amenable to juvenile treatment.

Pursuant to 42 Pa.C.S. § 6355, the burden of proof is on the defense since Gaydos used a deadly weapon and was over the age of fourteen, and because he is charged with criminal homicide. Therefore, the defense must establish, by a preponderance of the evidence, that transferring this case to the juvenile court: "serves the public interest and that the child is amenable to treatment, supervision or rehabilitation as a juvenile."

Dr. Bruce Wright's report indicated the following additional information:

1. The defendant can effectively participate in treatment and rehabilitation if he chooses to do so.
2. Defendant is still immature.
3. This was not a criminally sophisticated offense.
4. Defendant has no prior record.
5. No previous attempts have been made to rehabilitate the defendant.
6. Defendant will not turn 21 years of age until April 29, 2027.
7. No prior criminal/legal history.
8. Defendant's behavior has been controlled in the sixteen months since the incident.
9. Defendant's psychiatric diagnosis has been responsive to treatment, but defendant has been noncompliant with treatment and is not interested in returning to therapy.
10. Defendant has abstained from alcohol since this incident and from marijuana for more than two years, but recurrence of abuse would adversely affect his prognosis.

Dr. Wright concludes that the positive factors outweigh the negative factors, and that defendant can be effectively treated in the juvenile justice system "as long as he complies with treatment recommendations..." The available evidence thus shows that Defendant is a youth who is likely to benefit from the special features and programs of the juvenile system.

Of equal importance under the statute, however, is the public interest. The Commonwealth is on record as opposing the requested transfer. That said, the Commonwealth presented no independent evidence to counter the opinion of Dr. Bruce Wright, who was the psychiatrist both sides agreed to use. The Court notes that the defendant's conduct in using a knife on his friend was excessively aggressive and irrational, but that a jury could conclude that it was justifiable self-defense. Even if the defendant is guilty of homicide, however, persons convicted of homicide are the least likely to recidivate.

Considering all of the facts and circumstances, the Court concludes that it would be in the public interest to see this young man rehabilitated and set on course for a conventionally successful life, and it is reasonable to hope for such an outcome based on the evidence actually presented.

For all of these reasons, the Court hereby enters the following:

ORDER

AND NOW, this 21st day of November, 2022, upon consideration of Defendant's Petition to Transfer to Juvenile Court; the Court hereby finds that the defense has carried its burden of proof. The Court therefore holds that defendant's case should be TRANSFERRED to the jurisdiction of the Juvenile Court. The defendant's Motion to Transfer Case from Criminal Court to Juvenile Court is therefore GRANTED.

It is further ORDERED that the defendant's current bond remain in effect, together with all terms and conditions thereof pending an adjudication and dispositional hearing before the Juvenile Court.

BY THE COURT:
STEVE P. LESKINEN, 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, January 25th from 12:00 p.m. to 1:30 p.m.**
- Location: **Courtroom No. 2 of the Fayette County Courthouse**
- Discussion topics: **Fraud - A Banking Perspective & Security Measures for IOLTA**
- Presenter: **United Bank and Ernie DeHaas, Esquire**

CLE Credit

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

Members of the FCBA

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

Attorneys admitted to practice in Pennsylvania after January 1, 2017

- \$5 fee for attendance with CLE Credit

Non-members of the FCBA

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

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

RSVP

If interested in attending, please call Cindy at the Bar office at 724-437-7994 or email to cindy@fcbar.org on or before Monday, January 23rd.

COURT APPOINTMENTS

Fayette County Judges need to know which attorneys are willing to be appointed by the Court in various types of matters.

Remember that Court appointments are considered Pro Bono Publico (public service) as required by the Rules of Professional Conduct (Rule 6.1 and 6.2). Some matters will be paid by the County, others will be paid by the parties. Some matters are routine, while others require significant experience. We will appreciate any constructive input you may offer, including evaluations of other attorneys who have been appointed in the past. Comments may be on a separate sheet of paper and need not be signed. The comments will be held in strict confidence.

Please be sure to return the form even if you are currently being appointed regularly. Several of the lists have not been updated since 2017!

Please reply on or before Tuesday, January 31, 2023, indicating your willingness to serve on any of the following lists (next page) and include the following information:

Attorney Name:	PA ID Number:
Telephone:	Email:

Return to: President Judge Steve Leskinen
c/o Richard Lee, Tipstaff/Office Administrator

Email rlee@fayettepa.org, mail to Courtroom One Chambers, 61 E. Main St. Uniontown, PA 15401, or deliver to the President Judge’s mail slot in the Court Administrator’s Office

-
1. Criminal Defense
 - _____ Willing to accept any appointment
 - _____ Willing to accept occasional appointment in serious or complex cases
 - _____ Death Penalty Certified

 2. Children and Youth Dependency
 - _____ Parent Representation
 - _____ Guardian Ad Litem
 - _____ Attorney for child
 - _____ (where “legal interests” and “best interests” are inconsistent).

 3. Private Termination of Parental Rights
 - _____ Parent Representation
 - _____ Guardian Ad Litem
 - _____ Attorney for child
 - _____ (where “legal interests” and “best interests” are inconsistent).

 4. Child Custody
 - _____ Guardian Ad Litem
 - _____ Attorney for child
 - _____ (where “legal interests” and “best interests” are inconsistent).

 5. _____ Divorce Hearing Officer (previously known as Divorce Master)

 6. Guardianships
 - _____ Adults over age sixty
 - _____ Adults under age sixty
 - _____ Children

 7. _____ Civil Mediator (per FCR 212.5)

 8. _____ Board of View (Condemnation)

 9. _____ Partition Hearing Officer

 10. _____ Trustee

 11. _____ Estate Administrator

 12. _____ Receiver

 13. _____ Conservator

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