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IN THIS ISSUE

NEW OXFORD SOCIAL & ATHLETIC CLUB
V. PENNSYLVANIA STATE POLICE BUREAU OF
LIQUOR CONTROL ENFORCEMENT



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FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name, pursuant to the Fictitious Name Act approved May 24, 1945, was filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on October 30, 2015 setting forth that Radio Hanover, Inc., 275 Radio Road, P.O. Box 234, Hanover, PA 17331 is the only entity owning or interested in a business, the character of which is a business for festivals that are dedicated to women's interests and the promotion of women's interests and that the name, style, and designation under which said business is and will be conducted is THE WOMEN'S SHOW and the primary location where said business is and will be conducted is 275 Radio Road, P.O. Box 234, Hanover, Pennsylvania, 17331.

SHULTIS LAW, LLC
1147 Eichelberger Street, Suite F
Hanover, PA 17331
Solicitor

11/20

NOTICE BY THE ADAMS COUNTY CLERK OF COURTS

NOTICE IS HEREBY GIVEN to all heirs, legatees and other persons concerned that the following accounts with statements of proposed distribution filed therewith have been filed in the Office of the Adams County Clerk of Courts and will be presented to the Court of Common Pleas of Adams County - Orphans' Court, Gettysburg, Pennsylvania, for confirmation of accounts entering decrees of distribution on Friday, December 4, 2015 8:30 am.

PIATAK—Orphans' Court Action Number - OC-108-2015. The First and Final Account of Ann T Piatak, Administrator of the Estate of Michael Piatak Jr, late of Hamiltonban Township, Adams County, Pennsylvania

BRUNSON—Orphans' Court Action Number - OC-122-2015. The First and Final Account of Wayne R Broccolina, Executor of the Estate of Ruth E Brunson, Deceased, late of Hamilton Township Adams County, Pennsylvania

MCCLEAF—Orphans' Court Action Number - OC-125-2015. The First and Final Account of Debra T. Little, Vice

President and Trust Officer of ACNB Bank, Accountant in the Estate of Jacob D. McCleaf, Deceased, late of Franklin Township, Adams County, Pennsylvania

GINGROW—Orphans' Court Action Number - OC-126-2015. The First and Final Account of Alfred S Gingrow, Accountant in the Estate of Rhea H Gingrow, Deceased, late of the Borough of Littlestown, Adams County, Pennsylvania

MCMASTER—Orphans' Court Action Number - OC-131-2015. The First and Final Account of Anne C Emlet and Joyce E McMaster, Executrices of the Estate of Albert J McMaster, Deceased, late of Mt. Pleasant Township, Adams County, Pennsylvania.

Kelly A. Lawver

11/20 & 11/25

NOTICE BY THE ADAMS COUNTY CLERK OF COURTS

NOTICE IS HEREBY GIVEN to all heirs, legatees and other persons concerned that the following accounts with statements of proposed distribution filed therewith have been filed in the Office of the Adams County Clerk of Courts and will be presented to the Court of Common Pleas of Adams County - Orphans' Court, Gettysburg, Pennsylvania, for confirmation of accounts entering decrees of distribution on Friday, November 13, 2015 8:30 am.

MILLER—Orphans' Court Action Number - OC-116-2015. The First and Final Account of Audrey A. Sadler and Thresa M. Miller, Co-Executrices of the Estate of Agnes E Miller, a/k/a, Deceased, late of Butler Township, Adams County, Pennsylvania

Kelly A. Lawver

11/20 & 11/25

NEW OXFORD SOCIAL & ATHLETIC CLUB V.
PENNSYLVANIA STATE POLICE BUREAU OF
LIQUOR CONTROL ENFORCEMENT

1. Any party aggrieved by the decision of the LCB may file an appeal to the court of common pleas.
2. In my opinion, the NOS&AC is statutorily limited to appealing the decision of the LCB and, because that body only addressed Counts 5 and 6, the NOS&AC is limited in its appeal to this Court to addressing either or both of those counts.
3. The court of common pleas is required to conduct a de novo review and, in the exercise of its statutory discretion, to make its own findings and conclusions. Based upon its de novo review, it may sustain, alter, change, modify or amend the board's action whether or not it makes findings which are materially different from those found by the board ...
4. §4-471 clearly states that the appeal is from the "decision" of the LCB and §4-464 clearly reinforces that the trial court can only sustain, alter, modify or amend the LCB's action. If the LCB did not take action on an issue, it follows that the trial court cannot speak to that issue.
5. A Motion in limine is a procedure for obtaining a ruling on the admissibility of evidence prior to or during trial, before the evidence has been offered.
6. Because the LCB did not affirm a penalty, it made no "decision" as to the penalty and, therefore, that issue could not have been appealed by the NOS&AC.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, CIVIL 2014-S-1396, NEW OXFORD SOCIAL
& ATHLETIC CLUB V. PENNSYLVANIA STATE POLICE
BUREAU OF LIQUOR CONTROL ENFORCEMENT

William Kollas, Esq., Attorney for Plaintiff
John Pietrzak, Esq., Attorney for Defendant

Kuhn, J., October 6, 2015

MEMORANDUM OPINION

Before this Court for disposition is the Pennsylvania State Police Bureau of Liquor Control Enforcement's Motion in Limine. For reasons set forth herein, said Motion is granted in part and denied in part.

BACKGROUND

By way of background, on August 23, 2013, the Pennsylvania State Police Bureau of Liquor Control Enforcement (hereinafter "PSP") issued Citation No. 13-1786 to the New Oxford Social & Athletic Club (hereinafter "NOS&AC")¹ alleging the following counts:

Count 1 – Violation of §328.302(b) of the Local Option Small Games of Chance Act (LOSGCA), 10 P. S. §328.302(b), for awarding prizes of greater value than permitted during nine separate weeks from August 19, 2012 – April 16, 2013.

Count 2 – Violation of Pennsylvania Department of Revenue Regulations, 61 Pa. Code §901.731, during the period January 4 – April 17, 2013 for failing to operate Small Games of Chance in conformity with the LOSGCA.

Count 3 – Violation of §328.502(a) of the LOSGCA, 10 P. S. §328.502(a), and Pennsylvania Department of Revenue Regulations, 61 Pa. Code §901, during the period January 8 – May 7, 2013 by using funds derived from the operation of small games of chance for purposes other than authorized by law.

Count 4 – Violation of §328.503 of the LOSGCA, 10 P. S. §328.503, and Pennsylvania Department of Revenue Regulations, 61 Pa. Code §901, by failing to maintain records covering the operation of the licensed business for a period of two years immediately preceding May 13, 2013.

Count 5 – Violation of §471 of the Liquor Code, 47 P. S. §4-471, §328.502(a) of the LOSGCA, 10 P. S. §328.502(a), and Pennsylvania Department of Revenue Regulations, 61 Pa. Code §901, during the period January 8 – May 7, 2013 by using funds derived from the operation of games of chance for purposes other than authorized by law.

Count 6 – Violation of §471 and 493(12) of the Liquor Code, 47 P. S. §4-471 and §4-493, §328.503 of the LOSGCA, 10 P. S. §328.503, and Pennsylvania Department of Revenue Regulations, 61 Pa. Code §901, during the two years immediately preceding May 13, 2013 by failing to maintain records concerning small games of chance.

On May 20, 2014, a hearing on the Citation was scheduled before Administrative Law Judge (ALJ) Felix Thau. At that time, John H. Pietrizak, Esq. appeared on behalf of the PSP, and Jeffrey Topper appeared for the NOS&AC. Mr. Topper was President of

¹ NOS&AC is a non-profit organization located in New Oxford, Adams County and is licensed by the Pennsylvania Liquor Control Board.

NOS&AC at that time but had been on “the Board” for two years prior thereto.² Mr. Topper executed a document waiving a hearing³ and agreed to the alleged violations as presented by the PSP. The first four counts alleged violations of the LOSGCA whereas the last two counts alleged violations of the Liquor Code. Count 1 involved small games of chance with weekly payouts ranging from \$38,027 to \$66,893.⁴ Count 2 involved a pull tab game known as Jackpot Bingo (aka bar bingo) that was not an approved small game of chance.⁵ Count 3 involved a game known as “cash guzzler” for which there were no records and the proceeds of which were used to pay part-time employees.⁶ Count 4 involved the lack of records for the cash guzzler game including the lack of serial numbers, the dates the game was put into and taken out of play, the total number of plays and the identity of winners of over \$100.00.⁷ Count 5 involved the same facts as Count 3 whereas Count 6 involved the same facts as Count 4.⁸

On July 8, 2014, ALJ Thau issued his Adjudication. Therein, he sustained Counts 1, 3 and 4 but dismissed Counts 2, 5 and 6.⁹ On August 7, 2014, the PSP filed an appeal to the Pennsylvania Liquor Control Board (LCB). Therein the PSP averred that the ALJ committed errors of law when he dismissed Counts 5 and 6. By Opinion dated October 30, 2014, the LCB affirmed the ALJ’s dismissal of Count 5 but reversed his dismissal of Count 6.¹⁰

On November 24, 2014, the NOS&AC¹¹ filed a Petition For Review of the Opinion of the LCB with this Court. Therein, the NOS&AC argued that to the extent the ALJ’s Adjudication and the LCB’s Opinion sustained Counts 1, 3, 4 and 6, those decisions were improper. The NOS&AC requested that this Court conduct a hearing de novo and reverse those decisions.

² Hearing May 20, 2014 at p. 7.

³ As will be discussed in footnote 12, the ALJ did not accept the waiver.

⁴ Hearing May 20, 2014 at p. 48-50

⁵ Hearing May 20, 2014 at p. 51, 56.

⁶ Hearing May 20, 2014 at p. 55-6, 69.

⁷ Hearing May 20, 2014 at p. 69-72.

⁸ Hearing May 20, 2014 at p. 72.

⁹ The ALJ imposed the following penalties: Count 1 – fine of \$800 and a 15 day suspension of NOS&AC’s Small Game of Chance license; Count 3 – fine of \$800; and Count 4 – a fine of \$800.

¹⁰ The LCB remanded the case to the ALJ to impose an appropriate penalty on Count 6.

¹¹ Represented for the first time by counsel.

On January 9, 2015, this Court held a pre-hearing conference at which time the Court instructed the NOS&AC to advise the parties within 30 days of the filing of the transcript of the hearing before the ALJ whether it wished to proceed on the record below or to a de novo hearing. The NOS&AC opted for a de novo review and by Order dated February 26, 2015, a hearing was scheduled for March 26, 2015. Thereafter, the NOS&AC filed its pre-trial memorandum which, inter alia, listed three witnesses to be called at the hearing. After further discussion between the parties the NOS&AC's counsel informed the PSP's counsel that the NOS&AC would not be contesting the violation as to Count 1 but intended to present evidence through the three witnesses to contest the violations listed in Counts 3, 4 and 6.

On March 13, 2015, the PSP filed a Motion In Limine. Therein, the PSP averred that the facts underlying the ALJ's adjudication had been stipulated and, therefore, the testimony the NOS&AC proposed to present at the de novo hearing would be in direct contradiction of the stipulations and therefore inadmissible. By Order dated March 20, 2015, the Court issued a rule upon the NOS&AC to show cause why the PSP's Motion should not be granted. In response, the NOS&AC averred that at the hearing on May 20, 2014, Mr. Topper was not under oath, was not advised that he was entering into stipulations and no document entitled "Stipulations" was agreed to, executed by or submitted by Mr. Topper.¹² Accordingly, the NOS&AC argued that it had the right to offer testimony and exhibits at a de novo hearing before this Court through the other witnesses even though they may contradict Mr. Topper's concessions before the ALJ.¹³

COURT'S JURISDICTION

Before proceeding on the merits of the Motion In Limine, the scope of this Court's jurisdiction in the instant matter must be

¹² The ALJ's Adjudication reported that "This matter was initially submitted by way of Licensee's completing an Admission, Waiver, and Authorization. After reviewing the record and the law, I concluded that rendering an Adjudication without a hearing was a mistake, particularly because the significant changes to the Small Games of Chance Act ... presented significant question of first impression." (page 5). The LCB's Opinion also noted (page 5) that the ALJ refused to accept Mr. Topper's waiver and held a hearing based upon stipulated facts.

¹³ Subsequently the parties submitted briefs on the Motion.

addressed.¹⁴ The Liquor Code provides that any party aggrieved by the adjudication of an administrative law judge has a right to appeal to the LCB. That appeal is to be based solely on the record before the administrative law judge. The LCB may only reverse the administrative law judge's decision if the administrative law judge committed an error of law, abused its discretion or if the decision was not based upon substantial evidence. 47 P. S. §4-471(b). Thus, the LCB is serving in the role of an appellate body and not as one with original jurisdiction. Accordingly, it is limited to deciding the issues raised by the appellant.¹⁵ Of important note, the NOS&AC did not appeal any of the ALJ's decisions to the LCB. Therefore, the only issues addressed by the LCB were those raised by the PSP.

The PSP raised only two issues when it appealed the ALJ's Adjudication to the LCB. First, it argued that the ALJ erred in concluding that the PSP failed to comply with the notice provisions of 47 P. S. §4-471. Second, it argued that the ALJ erred in dismissing Counts 5 and 6 based upon his conclusion that the PSP lacked authority to cite the NOS&AC twice for the same conduct under both the Liquor Code and the LOSGCA. The NOS&AC made no argument before the LCB.

As to the first issue raised by the PSP, the LCB agreed with the PSP that the ALJ erred in determining that the PSP violated the notice provisions of §4-471. The second issue raised by the PSP concerns §328.702(b) of the LOSGCA which provides that if a licensee has committed three or more LOSGCA violations the PSP may enforce the third and subsequent violations as violations under the Liquor Code. The number of LOSGCA violations is important because if there are less than three violations the PSP may only enforce the violations under the LOSGCA where the penalties include interruption of the licensee's small game of

¹⁴ Upon review of the parties' briefs on the Motion In Limine the Court realized that an unaddressed jurisdictional issue could impact the outcome of this Motion and the case in general. The parties were notified of this concern on June 16, 2015 and given the opportunity to file supplemental arguments.

¹⁵ See by analogy *Orange Stones Co. v. Borough of Hamburg Zoning Hearing Board*, 991 A.2d 996, 998-9 (Pa. Comwlth Ct. 2010) where the court discussed the scope of authority of a zoning hearing board depending upon whether it was faced with an application for a variance or special exception (original jurisdiction) or an appeal from denial of a permit by a zoning officer (appellate jurisdiction).

chance license. However, if three or more LOSGCA violations are present the PSP may enforce LOSGCA violations under the Liquor Code where the penalties include interruption of the licensee's liquor license.

Instantly, the LCB ruled that the background supporting Count 1, and sustained by the ALJ, would constitute the first LOSGCA violation. Count 2 was dismissed so the allegations supporting Count 3, and sustained by the ALJ, would constitute the second LOSGCA violation. Count 5 alleged the same conduct as Count 3 and, because there were not three LOSGCA violations at that point, the threshold needed to seek enforcement under the Liquor Code was lacking. Therefore, Count 5 had to be dismissed by the LCB. The background supporting Count 4, and sustained by the ALJ, became the third LOSGCA violation. Count 6 alleged a violation of the Liquor Code based upon the same conduct alleged in Count 4. Therefore, the LCB found that the threshold was satisfied and the ALJ erred in dismissing Count 6. Thereafter, the NOS&AC filed its appeal to this Court.

The Liquor Code provides that any entity aggrieved by the decision of the LCB has a right to appeal to the court of common pleas "in the same manner as herein provided for appeals from refusals to grant licenses." §4-471(b). The statutory authority for appeals from license application decisions is set forth in §4-464. In that regard, §4-464 provides that when the LCB refuses to issue or renew an application for a liquor license the applicant may request a hearing before a hearing examiner who makes a "recommendation" to the LCB which then either grants or denies the license. Thereafter,

Any applicant ... who is aggrieved by the refusal of the board to issue any such license ... may appeal ... to the court of common pleas of the county in which the premises or permit applied for is located ... whereupon a hearing shall be held upon the petition by the court ... The court shall hear the application de novo on questions of fact, administrative discretion and such other matters as are involved ... The court shall either sustain or over-rule the action of the board.

Id.

As can be seen, any party aggrieved by the decision of the LCB may file an appeal to the court of common pleas. The only decisions made by the LCB in this matter were to dismiss Count 5 and to sustain Count 6. The NOS&AC is not appealing the LCB's

dismissal of Count 5, but insists that it appealed the decisions made on Counts 1, 3, 4 and 6.¹⁶ The NOS&AC takes the position that because a §4-471 enforcement appeal from an LCB decision is to be treated the same as an appeal regarding licensure decisions under §4-464 and those appeals are presented to the court of common pleas for de novo hearing it follows that all issues presented to the administrative law judge are subject to review. This Court has found no case exactly on point; however, I conclude that the licensee is reading too much into the statute. In my opinion, the NOS&AC is statutorily limited to appealing the decision of the LCB and, because that body only addressed Counts 5 and 6, the NOS&AC is limited in its appeal to this Court to addressing either or both of those counts.

Our Supreme Court had its first occasion to address the intent of the current version of §4-471 in *Pennsylvania State Police, Bureau of Liquor Control Enforcement v. Cantina Gloria's Lounge, Inc.*, 639 A.2d 14 (Pa. 1994). This case held that §4-471 prescribes that the manner in which an enforcement decision of the LCB is to be reviewed is by appeal to the court of common pleas. In turn, §4-464 prescribes the trial court's scope of review. In that regard,

The court of common pleas is required to conduct a de novo review and, in the exercise of its statutory discretion, to make its own findings and conclusions. Based upon its de novo review it may sustain, alter, change, modify or amend the board's action whether or not it makes findings which are materially different from those found by the board ...

Id. at 19-20.

Although *Cantina Gloria's Lounge* describes the trial court's scope of review on enforcement issues properly appealed pursuant to §4-471, it did not hold that every enforcement issue presented to the administrative law judge, regardless whether also presented to the LCB, are subject to review by the court of common pleas. Furthermore, our attention has not been directed to any case even suggesting that enforcement issues not presented to the LCB can be appealed to the court of common pleas. However, as discussed above, §4-471 clearly states that the appeal is from the "decision" of the LCB and §4-464 clearly reinforces that the trial court can only sustain, alter, modify or amend the LCB's

¹⁶ Although is subsequently withdrew its intent to contest Count 1.

action. If the LCB did not take action on an issue it follows that the trial court cannot speak to that issue. Accordingly, I conclude that this Court may only exercise a de novo review of Count 6.¹⁷

MOTION IN LIMINE

A motion in limine is a procedure for obtaining a ruling on the admissibility of evidence prior to or during trial, before the evidence has been offered. *Rochlin v. Edmison*, 813 A.2d 862, 869 (Pa. Super. 2002). In its Motion In Limine, the PSP aver that Mr. Topper “stipulated to the facts” of the violations during the hearing before the ALJ. Therefore, the PSP contends that the NOS&AC is bound by those factual stipulations and may not offer contradictory evidence through the testimony of others. The NOS&AC wants to present the testimony of Donna Nace who would purportedly offer evidence that employees were not paid from funds derived from small games of chance (Count 3) and that documents show there were no record keeping violations (Counts 4 and 6). The licensee also wants to present testimony from Mr. Topper and the club’s current manager, Kevin Livelsberger, as to the organization’s present management and operations as well as its charitable good works.

The parties submitted their briefs in response to the Motion before the undersigned raised the jurisdictional issue, discussed above. Those briefs approached the issue as if Counts 3, 4 and 6 were before the Court for de novo review. However, in light of our ruling on that issue, any testimony as to Counts 3 and 4 is not admissible at hearing before this Court (because the ALJ’s Adjudication on those counts was not appealed to the LCB and, as a result, is final). Therefore, whether facts were stipulated to by Mr. Topper before the ALJ, or whether the ALJ made findings of fact

¹⁷ When one thinks about the legislative scheme developed for liquor enforcement cases our conclusion makes logical sense. When a citation is filed an administrative law judge conducts a hearing and renders a decision. To the extent that parties are dissatisfied with that adjudication they may appeal to the LCB. Then, to the extent any party is dissatisfied by the board’s decision a further appeal is permitted. Each step in the process holds the possibility of judiciously narrowing the issues. If, as suggested by the NOS&AC, an appeal to the court of common pleas opens the door to all issues originally presented, and which the party wants to litigate at the court level, the role of the administrative law judge and the board could be bypassed by a licensee and, essentially, become a nullity. The result would be that appeals to the court become the equivalent of a full original hearing on all issues. Such an interpretation is at odds with the statutory language, and likely was not the intent of the Legislature when enacting §4-471.

based on the record, is of no consequence. Neither presentation of the record below nor offering of testimony and other evidence as to the basis for Counts 3 and 4 will be received by this Court.

That leaves Count 6. Interestingly, Count 6 is based upon the same facts as set forth in Count 4. However, that background was litigated by the same parties and not appealed to the LCB and is therefore not before this Court. The adjudication on those facts being final the doctrine of res judicata requires that they cannot be again addressed by this Court. Thus, the factual background for Count 6 is not at issue before this Court.

Consequently, it appears there are only two issues left as to Count 6 for this Court to resolve. The first is whether the LCB correctly concluded that the adjudication on Counts 1, 3 and 4 constituted a legal basis to cite the NOS&AC for violation of the Liquor Code. That question is purely legal and requires the presentation of no evidence.

The second issue relates to the penalty to be imposed for violation of Count 6. I assume that the club wants to present testimony in mitigation of any penalty that could be imposed. However, the issue of penalty is not before the Court until or unless the right to cite the club under Count 6 is resolved legally. If that question is resolved in favor of the club, the penalty discussion is rendered moot. If the legal right to pursue Count 6 is resolved against the club, it is still unclear whether that issue is before this Court. Specifically, the ALJ never imposed a penalty for Count 6. The LCB remanded Count 6 to the ALJ for imposition of penalty but that never occurred because the instant appeal acted as a superse-deas. Because the LCB did not affirm a penalty, it made no “decision” as to the penalty and, therefore, that issue could not have been appealed by the NOS&AC. Therefore, even though this Court would be required to address the penalty de novo, any decision the trial court renders would not be sustaining, modifying, amending or altering the decision of the LCB.

Accordingly, the attached Order is entered.

ORDER OF COURT

AND NOW, this 6 day of October, 2015, in consideration of the Motion In Limine filed by the Pennsylvania State Police, Bureau of

Liquor Control Enforcement and for the reasons set forth in the attached Memorandum Opinion the Court concludes that:

1. Counts 1, 3, 4 and 5 are not before this Court for review.
2. The proffered testimony of Donna Nace by the New Oxford Social & Athletic Club is inadmissible.
3. Count 6 is before this Court for review on the legal question whether the violations cited in Counts 1, 3 and 4 serve as a legal basis to cite the New Oxford Social & Athletic Club for a violation of the Liquor Code.
4. If the New Oxford Social & Athletic Club is found to have violated Count 6, the question remains unresolved whether the penalty for that count is properly before this Court for determination.
5. The testimony of Jeffrey Topper and Kevin Livelsberger will be admissible on the issue of the penalty on Count 6 if the matter proceeds to that stage.

NOTICE

NOTICE IS HEREBY GIVEN to all interested persons that the following matters shall be terminated after 30 days of this publication date unless a party to the proceeding requests a hearing from the appropriate Magisterial District Court, pursuant to the Adams County Rules of Judicial Administration 160.

Office of the Court Administrator
Adams County Courthouse
117 Baltimore Street
Gettysburg, PA 17325
717-337-9846

District Court 51-3-01

Affiant	Defendant	Docket #	Charge	Title, Section
1. R & S Service Center	Juliana Rodgers	NT-55-12	Bad Check	18, 4105 A1
2. James Powers	Jonathan Archuleta	NT-64-12	Public Drunk	18, 5505
3. Clem Malot	Henry Evesett	NT-73-12	Sewage	103, 25AB
4. Thomas Knaper	Billy Carbaugh	NT-197-12	Dis. Conduct	18, 5503 A1
5. Thomas Knaper	Gary Zuelch Jr.	NT-202-12	Theft of Services	18 3926
6. Katherine Sangster	Yarnell Lemon	NT-236-12	Dis. Conduct	18, 5503 A2
7. Brian Weikert	Devontae Carter	NT-350-12	Harassment	18, 2709 A1
8. William Laughman	Devontae Carter	NT-415-12	Harassment	18, 2709 A1
9. Thomas Knaper	Neal Lewis	NT-402-12	Crim. Trespass	18 3503 B1ii
10. Thomas Knaper	K. J. (Juvenile)	NT-443-12	Underage Drink	18 6308 A
11. Christopher Folster	Domingo Aguilar	NT-448-12	Harassment	18, 2709 A1
12. Dale Gettel	Five Star Station LLC	NT-467-12	Grass & Weeds	Chpt 5 302.4
13. Abigail Avery	Melissa Cozier	NT-478-12	Abandon Dog	18 5511 C1
14. Gary Long	Thomas Taormina	NT-489-12	Cr Mischief	18 3304 5
15. Gary Long	Doquan Gaskins	NT-523-12	Public Drunk	18, 5505
16. Tpr. Moyer	Robert Morales	NT-573-12	Harassment	18, 2709 A1
17. Katherine Sangster	Sonja Bangura	NT-575-12	Retail Theft	18, 3929 A1
18. Brian Weikert	Yarnelle Clayton	NT-600-12	Harassment	18, 2709 A1
19. Brian Weikert	Seth Turner	NT-601-12	Harassment	18, 2709 A1
20. Dale Gettel	Travis Braha	NT-604-12	Paint Surface	Chpt 5 304.2
21. Dale Gettel	Travis Braha	NT-607-12	Address #	Chpt 5 304.3

District Court 51-3-02

Affiant	Defendant	Docket #	Charge	Title, Section
1. Gearhart	Terrell Morton	NT-91-12	Harassment	18, 2709
2. Moyer	Brandon McGlynn	NT-148-12	Dis. Conduct	18, 5503
3. Union Twp .	Yvonne Eisenberger	NT-327-12	Grass/Weeds	LO, 2011-A
4. S. Cook	Sergio Carannante	NT-364-12	Unlawful Junk	LO, 178
5. Runkles	Wendel Oliveras	NT-365-12	Bad Checks	18, 4105
6. Gearhart	Shane Wolfe	NT-424-12	Dis. Conduct	18, 5503
7. Moyer	Bryan Howard	NT-475-12	Harassment	18, 2709
8. Westfall	Donald Travers	NT-514-12	Garbage	LO, 29
9. Funt	Rocky Ibex	NT-536-12	Dis. Conduct	18, 5503
10. Westfall	Donald Travers	NT-538-12	Garbage	LO, 29
11. Baumgardner	Helen Mattingly	NT-706-12	Def Tres Post.	18, 3503
12. Kennie's	Nicole Danoa	NT-95-13	Bad Checks	18, 4105
13. Littlestown School	Roberto Santiago	NT-102-13	Bad Checks	18, 4105
14. Sprankle	Joanna Murphy	NT-215-13	Harassment	18, 2709
15. S. Cook	Lyle Voorhees	NT-253-13	Nuisance	LO, 135
16. Henry	Barry Craig	NT-410-13	Criminal Tres.	18, 3503
17. Henry	Barry Craig	NT-411-13	Harassment	18, 2709
18. Gilberto	Kylan Johnson	NT-433-13	Curfew	LO, 16

District Court 51-3-03

Affiant	Defendant	Docket #	Charge	Title, Section
1. Bermudian Springs	Brian Moore	NT-86-12	Truancy	24 13-1333A1
2. New Oxford High	Debbie Hinkle	NT-133-12	Truancy	24 13-1333A1
3. Dale Gettel	John W. Packer	NT-652-12	Grass & Weeds	LO 302

District Court 51-3-04

	<u>Affiant</u>	<u>Defendant</u>	<u>Docket #</u>	<u>Charge</u>	<u>Title, Section</u>
1.	Craig Hartley	Abigail P Verdier	NT-24-12	Tobacco is Sch.	18, 6306.1 A
2.	Noah Bungard	John Wade Stuart Jr.	NT-119-12	Harassment	18, 2709 A1
3.	Eric W. Stuby	Tyler Joseph Youngs	NT-339-12	Underage Drink	18, 6308 A
4.	Abigail Avery	Dyani M. Falcone	NT-363-12	Animal Cruelty	18, 5511 C1
5.	Abigail Avery	Melissa Mohle	NT-364-12	Animal Cruelty	18, 5511 C1

ESTATE NOTICES

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

FIRST PUBLICATION**ESTATE OF GEORGE E. GORMAN, DEC'D**

Late of the Borough of Biglerville, Adams County, Pennsylvania

Executor: Steven J. Gorman, 282 Longstreet Drive, Gettysburg, PA 17325

Attorney: John J. Murphy III, Esq., Patrono & Murphy, LLC, 28 West Middle Street, Gettysburg, PA 17325

ESTATE OF JOHN A. HALL

Late of Franklin Township, Adams County, Pennsylvania

Executors: Robert A. Hall, 3725 Concord Road, Doylestown, PA 18902; James E. Hall, 595 Old School House Road, Landenberg, PA 19250; Joseph P. Hall, 403 Fairfield Lane, Louisville, CO 80027

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

ESTATE OF BARBARA T. MCDANNELL, DEC'D

Late of Highland Township, Adams County, Pennsylvania

Executors: A. Eva Luckenbaugh, Calvin R. McDannell, Adam T. McDannell, Mark K. McDannell, 1920 East Berlin Road, New Oxford, PA 17350

Attorney: Teeter, Teeter & Teeter, 108 West Middle Street, Gettysburg, PA 17325

ESTATE OF WALTER M. TROSTLE, DEC'D

Late of Mt. Joy Township, Adams County, Pennsylvania

Personal Representative: Philip Trostle, 139 Baltimore Street, Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF GILBERT L. ARVIN, DEC'D**

Late of Hamilton Township, Adams County, Pennsylvania

Administrator-Executor: Ricky L. Henry, c/o Donald B. Swope, Esq., 50 East Market Street, Hellam, PA 17406

Attorney: Donald B. Swope, Esq., 50 East Market Street, Hellam, PA 17406

ESTATE OF HARRY W. FLETCHER, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Executrix: Sandra L. Fletcher, 2280 Germany Road, East Berlin, PA 17316

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF RONALD L. HARBAUGH, DEC'D

Late of Hamiltonban Township, Adams County, Pennsylvania

Co-Administrators: Ronald L. Harbaugh, 24 Main Street, Fairfield, PA 17320; Lisa M. Cathell, 1571 Deer Creek Road, New Freedom, PA 17349

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

ESTATE OF EDWARD J. HETRICK, JR., DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Executrices: Dianne L. Croft, 2880 Black Rock Road, Hanover, Pennsylvania 17331; Helen L. Ports, 2870 Black Rock Road, Hanover, Pennsylvania 17331

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle Street, Hanover, Pennsylvania 17331

ESTATE OF ROBERT H. KELLEY, SR., DEC'D

Late of Germany Township, Adams County, Pennsylvania

Attorney: Thomas E. Miller, Esq., Law Office of Thomas E. Miller, ESQUIRE LLC, 249 York Street, Hanover, PA 17331

ESTATE OF DOROTHY E. KIESSLING, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executrix: Joanne L. Schmick, 406 Mt. Allen Drive, Mechanicsburg, Pa. 17055

ESTATE OF MAE E. LEGORE, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executors: Michael F. Robinson, 210 700 Road, New Oxford, Pennsylvania 17350; Carolyn R. Geiger, 1800 Heritage Avenue, Lancaster, Pennsylvania 17603

Attorney: Elinor Albright Rebert, Esq., 515 Carlisle Street, Hanover, Pennsylvania 17331

ESTATE OF HERBERT CHARLES MCINTOSH, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Personal Representative: Cornelia R. McIntosh, 1525 Naudain Street, Harrisburg, PA 17104

Attorney: Brian F. Levine, Esq., 22 E. Grant Street, New Castle, PA 16101

ESTATE OF ROBERT L. PAINTER, DEC'D

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Co-Executors: Paul R. Painter, 3000 Spout Run Parkway, Apt. A609, Arlington, VA 22201; Penny P. Hudson, 84 Jessica Drive, Gettysburg, PA 17325

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

ESTATE OF JAY L. SIXEAS, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: James W. Sixeas, c/o R. Thomas Murphy & Associates, P.C., 237 East Queen Street, Chambersburg, PA 17201

Attorney: R. Thomas Murphy, Esq., R. Thomas Murphy & Associates, P.C., 237 East Queen Street, Chambersburg, PA 17201

ESTATE OF LORRAINE MAE ZINN, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Colleen Faye Zinn, 2400 Tweed Trail, Hillsborough, NC 27278

THIRD PUBLICATION**ESTATE OF DONALD J. FRYE a/k/a DONALD JOHN FRYE, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Personal Representative: Donna Marie McGough, 225 Springs Avenue, Gettysburg, PA 17325

Attorney: Robert L. McQuaide, Esq., Suite 204, 18 Carlisle Street, Gettysburg, PA 17325

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THIRD PUBLICATION CONTINUED

ESTATE OF STEPHEN R. NELSON A/K/A
STEPHEN RAYMOND NELSON, DEC'D

Late of New Oxford, Adams County,
Pennsylvania

Executrix: Wendy L. Waltermeyer, 69
Galaxy Drive, Hanover, PA 17331

Attorney: Clayton A. Lingg, Esq.,
Mooney and Associates, 34 West
King Street, Shippensburg, PA 17257

ESTATE OF MARY BETTY SEIPLE, DEC'D

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

Executor: Diane Dupert, c/o Sharon E.
Myers, Esq., CGA Law Firm, PO
Box 606, East Berlin, PA 17316

Attorney: Sharon E. Myers, Esq., CGA
Law Firm, PO Box 606, East Berlin,
PA 17316

ESTATE OF RUTH A. WOLF, DEC'D

Late of Menallen Township, Adams
County, Pennsylvania

Executors: Randall C. Wolf, 463 Upper
Temple Road, Biglerville, PA 17307;
Kenneth C. Wolf, 550 Upper Temple
Road, Biglerville, PA 17307

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