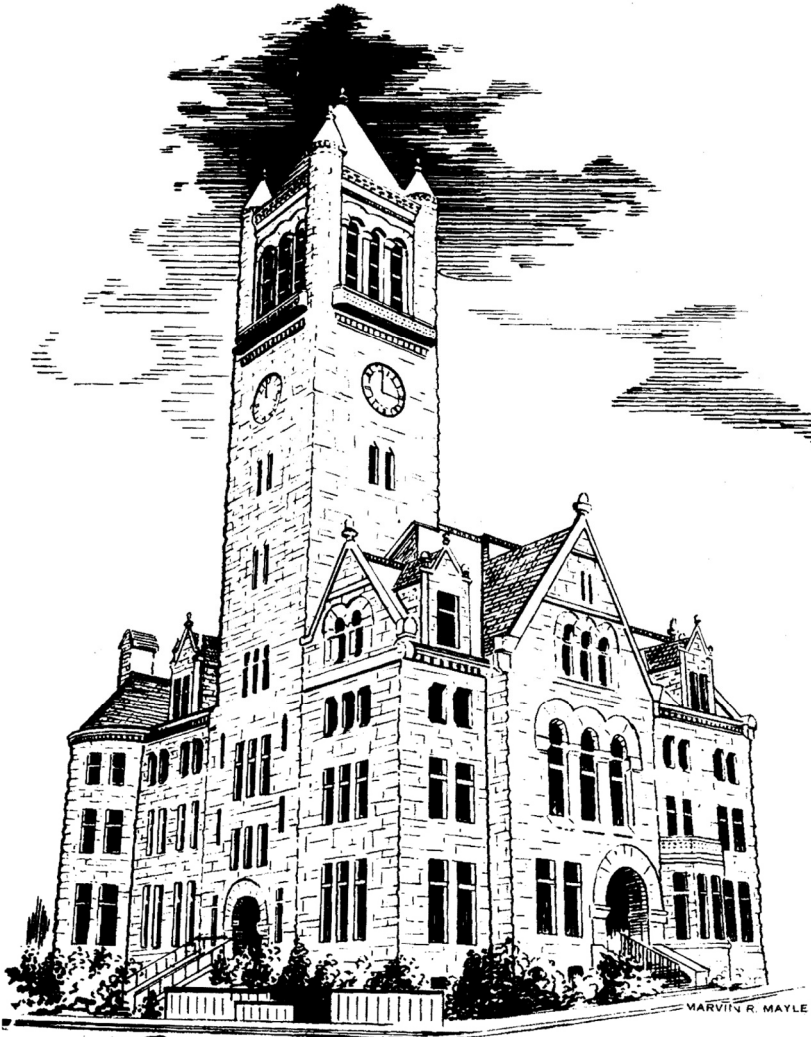


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ESTATE NOTICES

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

ADAM S. DERR, late of Dawson, Fayette County, PA ⁽³⁾

Executor: Adam S. Derr, Jr.
609 Dawson Scottsdale Road
Dawson, PA 15428
c/o Brenlove & Fuller, LLC
401 Washington Avenue
Bridgeville, PA 15017
Attorney: Todd A. Fuller

JAMES E. DILLON, late of Wharton Township, Fayette County, PA ⁽³⁾

Executrix: Michelle M. Dillon
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

FRANCES A. DUPONT, late of Redstone Township, Fayette County, PA ⁽³⁾

Personal Representative:
Charles E. Dupont, III
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15041
Attorney: Jeremy J. Davis

LAWRENCE E. FILIAGGI, late of Menallen Township, Fayette County, PA ⁽³⁾

Executor: Richard P. Filiaggi
c/o Radcliffe Law, LLC
648 Morgantown Road, Suite B
Uniontown, PA 15401
Attorney: William M. Radcliffe

JOSEPH F. MARUSZEWSKI, late of Menallen Township, Fayette County, PA ⁽³⁾
Executrix: Bonnie J. Maruszewski
c/o Radcliffe Law, LLC
648 Morgantown Road, Suite B
Uniontown, PA 15401
Attorney: Robert R. Harper, Jr.

MARGARET RUTH MCCANN, late of Redstone Township, Fayette County, PA ⁽³⁾
Personal Representative: Paul McCann
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

JOHN C. MCGILL, a/k/a JOHN MCGILL, a/k/a JOHN CHARLES MCGILL, late of Connellsville, Fayette County, PA ⁽³⁾
Administratrix: Bobbie Lynn Siranni
c/o 9 Court Street
Uniontown, PA 15401
Attorney: Vincent J. Roskovensky, II

JERRY TYRONE MCKINNEY, late of German Township, Fayette County, PA ⁽³⁾
Administrator: Benjamin F. Goodwin
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401

Second Publication

ISABELLE A. BATEMAN, late of Jefferson Township, Fayette County, PA ⁽²⁾

Personal Representative:
Lynnanne Bateman
165 Hetherington Road
Grindstone, PA 15442
c/o P.O. Box 488
California, PA 15419
Attorney: Lisa J. Buday

MADELYN L. CINDRIC, late of South Union Township, Fayette County, PA ⁽²⁾

Executor: John E. Cindric
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

ADAM S. DERR, a/k/a ADAM S. DERR, SR.,
late of Dawson, Fayette County, PA (2)

Executor: Adam S. Derr, Jr.
609 Dawson Scottdale Road
Dawson, PA 15428
c/o Brenlove & Fuller, LLC
401 Washington Avenue
Bridgeville, PA 15017
Attorney: Todd A. Fuller

PAUL J. GRATA, late of Washington
Township, Fayette County, PA (2)

Executrix: Anne Sweany
237 Marine Avenue
Belle Vernon, PA 15012
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

THELMA CHARLOTTE HENSON, late of
Georges Township, Fayette County, PA (2)

Personal Representative:
Barry Reed Henson
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Robert A. Gordon

VELMA PAULL, a/k/a VELMA J. PAULL,
late of Menallen Township, Fayette County, PA

Personal Representative: (2)
Kathleen M. Serra
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

PATRICIA A. TRAMBKO, late of North
Union Township, Fayette County, PA (2)

Personal Representative: Christina Smiell
c/o George & George
92 East Main Street
Uniontown, PA 15401
Attorney: Joseph M. George

**MARY ELIZABETH ZUZAK, a/k/a MARY
E. ZUZAK,** late of Menallen Township, Fayette
County, PA (2)

Executrix: Mary Ann Hovanic
c/o Adams Law Offices, PC
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason Adams

First Publication

MARY ELIZABETH AINSLEY, a/k/a

MARY E. AINSLEY, late of Dunbar
Township, Fayette County, PA (1)

Personal Representative: Janet Ainsley
Jenkins, a/k/a Dr. Janet Jenkins
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

**VICTORIA A. CLEGG, a/k/a VICTORIA
ANN CLEGG,** late of South Union Township,
Fayette County, PA (1)

Executrix: Gail Ashby
c/o DeHaas Law, LLC
51 East South Street
Uniontown, PA 15401
Attorney: Ernest P. DeHaas, III

HAZEL R. GOODWIN, late of Georges
Township, Fayette County, PA (1)

Executor: Benjamin Franklin Goodwin
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401

SHIRLEY A. KIMMEL, late of West
Leisenring, Fayette County, PA (1)

Personal Representative: Joseph H. Settle
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

SANDRA L. PORTERFIELD, late of Bullskin
Township, Fayette County, PA (1)

Administrator: James Porterfield
c/o 815 A Memorial Boulevard
Connellsville, PA 15425
Attorney: Margaret Z. House

**DOLORES E. SOFRANKO, a/k/a
KOLORES SOFRANKO,** late of German
Township, Fayette County, PA (1)

Executrix: Katherine A. Lacek
c/o Zebley Mehalov & White, P.C.
18 Mill Street Square
P.O. Box 2123
Uniontown, PA 15401
Attorney: Mark M. Mehalov

JOSEPH TRENKER, late of Dunbar Borough,
Fayette County, PA (1)

Executrix: Cheryl Clements
c/o 815 A Memorial Boulevard
Connellsville, PA 15425
Attorney: Margaret Z. House

**JAMES C. VANCE, a/k/a JAMES
CRAWFORD VANCE**, late of Luzerne
Township, Fayette County, PA (1)

Executrix: Darcy L. Vance
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

KENNETH YOKOBOSKY, late of German
Township, Fayette County, PA (1)

Administrator: John Yokobosky
c/o 9 Court Street
Uniontown, PA 15401
Attorney: Vincent J. Roskovensky, II

LEGAL NOTICES

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Fayette County, Pennsylvania, seeking to change the name of Aria Ann Kelley to Aria Ann Kelley-Chester. A hearing on the Petition will be held on September 28, 2022 at 1 :30 o'clock p.m. in Courtroom No.5 at the Fayette County Courthouse, Uniontown, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

Erica Jo Chester for Aria Ann Kelley
% Dellarose Law Office, PLLC
Melinda Deal Dellarose
99 East Main Street
Suite 101
Uniontown, PA 15401
(724)437-3200

NOTICE

Notice is hereby given that the Certificate of Organization has been approved and filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on September 13, 2022, for a limited liability company known as RKZE LLC.

Said limited liability company has been organized under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The purpose or purposes of the limited liability company is/are: real estate and any other lawful purpose related thereto for which the corporation may be organized under the Business Corporation Law.

DAVIS & DAVIS
BY: Gary J. Frankhouser, Esquire
107 East Main Street
Uniontown, PA 15401

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JUDICIAL OPINION

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

COMMONWEALTH OF :
PENNSYLVANIA, :
 :
VS. :
 :
DAYOGE BUSH, : No. 1831 of 2021
Defendant. : Honorable Judge Nancy D. Vernon

OPINION AND ORDER

VERNON, J.

August 1, 2022

Before the Court is a Motion for Bond filed by Defendant Dayoge Bush, who has been charged with criminal homicide and is facing a maximum sentence of life imprisonment. Under Article I, § 14 of the Pennsylvania Constitution and 42 Pa.C.S. §5701, a defendant is ineligible for bail if the Commonwealth presents evidence establishing a prima facie case of murder in the first degree. Article 1, Section 14 of the Pennsylvania Constitution provides for bail as follows:

All prisoners shall be bailable by sufficient sureties, unless for capital offenses or for offenses for which the maximum sentence is life imprisonment or unless no condition or combination of conditions other than imprisonment will reasonably assure the safety of any person and the community when the proof is evident or presumption great; and the privilege of the writ of habeas corpus shall not be suspended, unless when in case of rebellion or invasion the public safety may require it.

Pa. Const. Art. I, § 14

On October 10, 2020, an eyewitness drove William Brown to Evans Street in Uniontown, Pennsylvania to purchase marijuana. Preliminary Hearing N.T., 8/24/2021 at 4-6. Defendant Bush approached the passenger side of the car to sell marijuana to Brown when the two men “exchanged words about a rumor” of Brown wanting to rob Bush. Id. at 6-7. The witness saw Bush draw a gun into the passenger’s side of his vehicle, a couple inches away from Brown, and fired more than five shots at or into Brown. Id. at 8, 23. There were no weapons in the witness’s vehicle and no weapons on Brown’s person. Id. at 8-9. Brown was shot in the legs and stomach area, and was driven to the hospital, bleeding and in pain, where he later died from the gunshot wounds. Id. at 8-10. Bush had the gun concealed in his waistband. Id. at 10.

A prima facie case consists of evidence which, when read in the light most favorable to the Commonwealth, sufficiently establishes both the commission of a crime and that the accused is probably the perpetrator of that crime. Commonwealth v. Black, 108 A.3d 70, 77 (Pa. Super. 2015). The prima facie standard does not require the Commonwealth to prove the elements of the crime beyond a reasonable doubt. Commonwealth v. Lees, 1135 A.3d 185, 190 (Pa.Super. 2016). Rather, a prima facie case in support of an accused’s guilt consists of evidence that, if accepted as true, would justify submission of the case to a jury. Commonwealth v. Huggins, 836 A.2d 862, 866 (Pa. 2003). In determining the presence or absence of a prima facie case, the prosecution must be afforded the benefit of all inferences reasonably drawn from the evidence which would support a guilty verdict. Commonwealth v. Landis, 48 A.3d 432, 444 (Pa.Super. 2012).

The elements of first-degree murder are that: (1) a human being was unlawfully killed; (2) the defendant was responsible for the killing; and (3) the defendant acted with malice and a specific intent to kill. *Commonwealth v. Woodard*, 129 A.3d 480, 490 (Pa. 2015). Section 2502 of the Crimes Code identifies murder of the first degree as an “intentional killing,” which, in turn, is defined as a “willful, deliberate and premeditated killing.” 18 Pa. C.S. § 2502(a), (d). “Premeditation and deliberation exist whenever the assailant possesses the conscious purpose to bring about death and can be formulated in a fraction of a second.” *Commonwealth v. Cash*, 137 A.3d 1262 (Pa. 2016).

The specific intent to kill does not require “previous thought or any particular length of time” and “can occur quickly.” *Commonwealth v. Eichinger*, 108 A.3d 821, 844 (Pa.2014). “The Commonwealth may prove specific intent through purely circumstantial evidence.” *Commonwealth v. Haney*, 131 A.3d 24, 36 (Pa. 2015). “It is well-settled that specific intent to kill can be established through circumstantial evidence such as the use of a deadly weapon on a vital part of the victim’s body.” *Commonwealth v. Johnson*, 107 A.3d 52, 66 (Pa. 2014).

Malice exists if “the defendant consciously disregarded an unjustified and extremely high risk that his actions might cause death or serious bodily injury.” *Commonwealth v. Packer*, 146 A.3d 1281 (Pa.Super. 2016). “Malice may be inferred by considering the totality of the circumstances.” *Commonwealth v. Thompson*, 106 A.3d 742, 757 (Pa.Super. 2014). Like the specific intent to kill, “[m]alice may be inferred from the use of a deadly weapon on a vital part of the victim’s body.” *Commonwealth v. Garland*, 63 A.3d 339, 345 (Pa.Super. 2013).

Based upon the Commonwealth’s evidence submitted at the preliminary hearing, Defendant’s use of a deadly weapon on a vital part of the decedent’s body provides circumstantial proof under Pennsylvania law that he acted with malice and a specific intent to kill when he shot the decedent. The Commonwealth has demonstrated a prima facie case of first degree murder against him, thereby rendering Defendant constitutionally and statutorily ineligible for bail. Therefore, Defendant’s Motion for Bond must be DENIED

ORDER

AND NOW, this 1st day of August, 2022, upon consideration of the Motion for Bond filed by Defendant Dayoge Bush and the record, it is hereby ORDERED and DECREED that the Motion is DENIED.

BY THE COURT,
NANCY D. VERNON, JUDGE

ATTEST:
Clerk of Courts

BENCH BAR CONFERENCE

Fayette County Bar Association Bench Bar Conference
Wednesday, October 12, 2022
The Historic Summit Inn

AGENDA

- 8:30 **Meet the Sponsors & Breakfast Buffet**
- 9:00 **Getting Paid – Financial Management & Marketing Tips**
Ellen Freedman, CLM - Law Practice Management Coordinator
1.5 Ethics and 0.5 Substantive CLE Credits
- 11:00 **Break**
- 11:15 **Practice and Procedure Panel Discussion with the Judges of the Fayette County Court of Common Pleas**
President Judge John F. Wagner, Jr., Judge Steve P. Leskinen, Judge Nancy D. Vernon, Judge Linda R. Cordaro, and Judge Joseph M. George, Jr.
1.0 Substantive CLE Credit
- 12:15 **Remarks by Special Guests**
Justice Debra Todd, Pennsylvania Supreme Court
Pennsylvania Bar Association President Jay N. Silberblatt
- 12:30 **Lunch Buffet**

BENCH BAR CONFERENCE

Fayette County Bar Association Bench Bar Conference
Wednesday, October 12, 2022
The Historic Summit Inn

Panel Discussion/Questions & Answers

The Judges of the Fayette Court of Common Pleas are accepting questions for the panel Q&A discussion. Questions may cover trial tactics, local practice and procedure, or general legal questions, but should not inquire about cases pending or adjudicated before the Court. Questions are due by Wednesday, October 5th. To submit a question for consideration, please follow the link in your email invitation or email to cindy@fcbbar.org.

Fees to Attend

FCBA members - \$75
Non-members of the FCBA - \$125
Attorneys admitted to practice in Pennsylvania
after January 1, 2017 - \$50
All fees to be paid at the door.

RSVP due Wednesday, October 5th to
Cindy 724-437-7994 or cindy@fcbbar.org

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