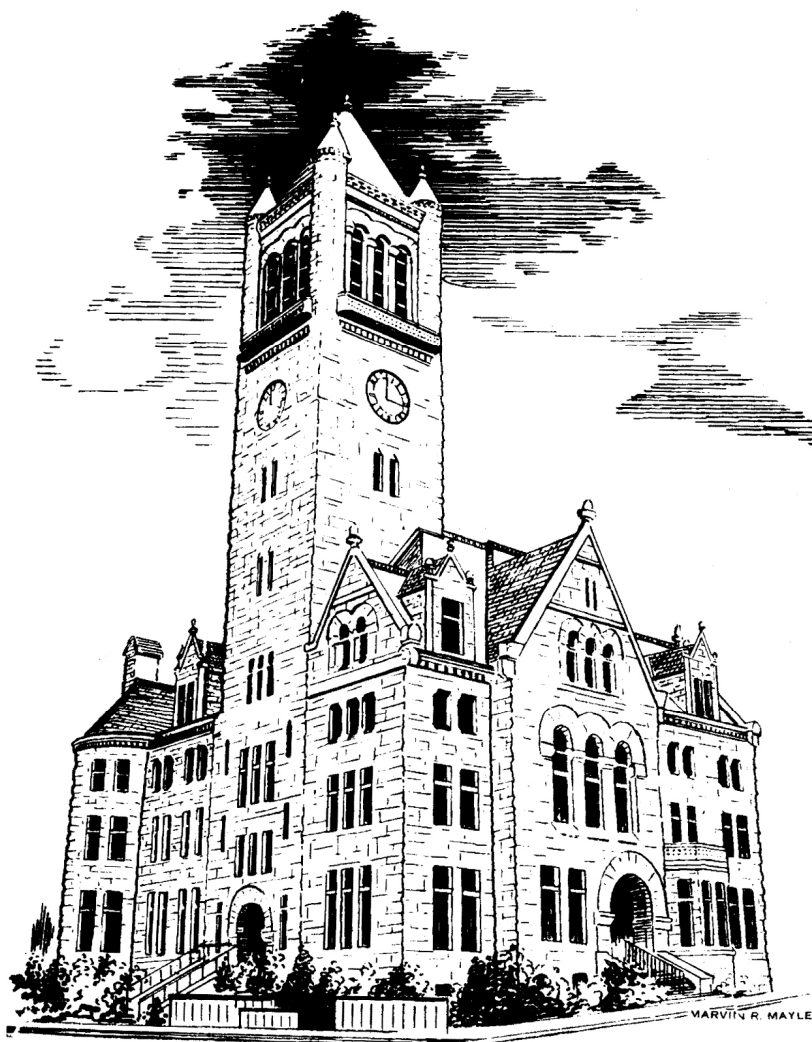


FAYETTE LEGAL JOURNAL

VOL. 89

FEBRUARY 7, 2026

NO. 6



FAYETTE LEGAL JOURNAL

The FAYETTE LEGAL JOURNAL is published weekly by the Fayette County Bar Association, 45 East Main Street, Suite 100, Uniontown, Pennsylvania 15401, 724-437-7994. Legal advertisements should be submitted online at www.fcbar.org no later than 12:00 noon on Friday for publication the following Saturday. No date of publication is promised, however. Legal notices are published exactly as submitted by the advertiser. Copyright 2001 Fayette County Bar Association. All rights reserved.

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

Cover Design by Marvin R. Mayle, 207 Lick Hollow Road, Hopwood, PA

FAYETTE COUNTY BAR ASSOCIATION Board of Directors

President: Michelle L. Kelley
President Elect: Jeffrey S. Proden
Vice-President: Melinda D. Dellarose
Secretary: Anne N. John
Treasurer: Rachel A. Clark
Past President: Sheryl R. Heid
Executive Director: Garnet L. Gordon

Directors
Michael A. Aubele
Jennifer M. Casini
Sarah E. Connelly
James E. Higinbotham, Jr.
Sean M. Lementowski
Daniel D. Taylor

ETHICS HOTLINE

The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

Call (800) 932-0311, ext. 2214.

LAWYERS CONCERNED FOR LAWYERS

Our assistance is confidential,
non-judgmental, safe, and effective

To talk to a lawyer today, call:
1-888-999-1941
717-541-4360

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

KIMBERLY ANN HILEMAN, a/k/a KIMBERLY A. HILEMAN, late of Washington Township, Fayette County, PA (3)
Executrix: Heather A. Hileman
 c/o Higinbotham Law Offices
 68 South Beeson Boulevard
 Uniontown, PA 15401
Attorney: Christian E. Seseck

ANNA MARIE HORVATH, a/k/a ANNIE HORVATH, late of Dunbar Township, Fayette County, PA (3)
Executrix: Lee Ann Park
 135 Knox Avenue
 Brownsville, PA 15417

WILLIAM T. RYAN, late of Brownsville Borough, Fayette County, PA (3)
Executor: Keith F. Ryan
 c/o Webster & Webster
 51 East South Street
 Uniontown, PA 15401
Attorney: Robert L. Webster, Jr.

ROBERT STERBUTZEL, a/k/a ROBERT LEO STERBUTZEL, JR., late of McClellandtown, Fayette County, PA (3)
Administratrix: Patricia Sterbutzel
 c/o Conti Law
 7880 Steubenville Pike
 Oakdale, PA 15071
Attorney: Blake Birchmeier

WILLIAM WADDELL, late of Uniontown City, Fayette County, PA (3)
Executrix: Barbara Keefer
 c/o Rowan Law Office
 890 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Mark Rowan

Second Publication

SHARON KLAY, a/k/a SHARON M. KLAY, late of Wharton Township, Fayette County, PA
Personal Representative: Christian W. Klay
 c/o Mitchell Law Office
 P.O. Box 122
 Hiller, PA 15444
Attorney: Herbert G. Mitchell, III (2)

ELLA REESE, late of Saltlick Township, Fayette County, PA (2)
Administrators: James L. Reese and Richard Reese
 c/o Law Office of Margaret Zylka House
 815A Memorial Boulevard
 Connellsville, PA 15425
Attorney: Margaret Zylka House

First Publication

JACK B. ARMSTRONG, late of Upper Tyrone Township, Fayette County, PA (1)
Administratrix: Connie J. Armstrong
 1140 Valley View Drive
 Scottdale, PA 15683
Attorney: Marilyn M. Gaut

VERONICA DANCHO a/k/a VERONICA E. DANCHO, late of Smock, Fayette County, PA
Executrix: JoAnn Dancho Rouse
 138 E Hillis Street
 Youngwood, PA 15697
Attorney: Nicholas Scholle (1)

DORIS FRIEND a/k/a DORIS J. FRIEND, late of Henry Clay Township, Fayette County, PA (1)
Executrix: Carolyn Thomas
 c/o Adams Law Offices, PC
 55 E Church Street, Ste 101
 Uniontown, PA 15401
Attorney: Jason Adams

LEAH MILLER, late of Fayette County, PA

Administratrix: Linda R. Brown
273 Airport Road
Mount Pleasant, PA 15666
c/o Willman & Silvaggio LLP
5500 Corporate Drive, Suite 150
Pittsburgh, PA 15237
Attorney: Joseph Silvaggio

EUGENE E. RUGG, late of Henry Clay

Township, Fayette County, PA (1)

Executor: Donald E. Rugg
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401
Attorney: Robert L. Webster, Jr.

NANCY LEA TRAVIS, late of Point Marion

Borough, Fayette County, PA (1)

Administratrix: Susan E. Arnold
c/o Sheryl R. Heid, Esquire
4 N. Beeson Blvd.
Uniontown Pennsylvania 15401
Attorney: Sheryl R. Heid

LEGAL NOTICES

Notice is hereby given of the existence of the Joseph P. & Eleanor A. Semans Revocable Trust dated August 28, 1991, and that this notice is being published as the result of the death of the surviving Grantor of that Trust, Joseph P. Semans, on behalf of the Trustee, Joseph A. Semans. Notice is hereby given to all persons indebted to the Trust to make immediate payment, and to those having claims against the same, to present them to the undersigned, duly authenticated for settlement.

Joseph A. Semans, Trustee
c/o Ernest P. DeHaas, III, Esquire
DEHAAS LAW, LLC
51 East South Street
Uniontown, PA 15401
(724) 438-3510

(2 of 3)

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE

E&O INSURED

WILL TRAVEL

ACCEPTING NEW CLIENTS


DiBella Weinheimer
Geer McAllister Best Coco Lloyd Whalen



Holly Whalen ♦ Amy Coco ♦ Bethann Lloyd

INSIST UPON OUR EXPERIENCED TEAM

LAWYERS DEFENDING LAWYERS

- Disciplinary Board
- Legal Malpractice
- Security Fund / IOLTA
- Ethics & Conflict Analysis
- Subpoena Assistance
- Licensure
- Conflict Resolution

WWW.DIBELLA-WEINHEIMER.COM 412 261-2900

JUDICIAL OPINION

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

COMMONWEALTH OF PENNSYLVANIA :
vs. :
MASON TIMOTHY FRONIUS, : No. 1711 of 2025
Defendant. : Honorable Mark M. Mehalov
MEHALOV, J. January 21, 2026

OPINION

After hearing on the defendant's request for nominal bond because of an alleged violation of Pa.R.Crim.P. 600 (B)(1) and a review of the record along with the testimony, evidence, arguments and statements of counsel for both parties, the Court makes the following findings of fact:

- 1) On June 25, 2025, the Commonwealth charged the defendant with various charges of a sexual nature involving minors.
- 2) On the same date, Magisterial District Judge Ronald J. Haggerty, Jr. preliminarily arraigned the defendant, set bond at \$100,000.00 Cash and scheduled a preliminary hearing for July 9, 2025, which is in the middle of this County's criminal court week.
- 3) The defendant could not post bond and was committed to the Fayette County Prison.
- 4) The docket indicates that the Magisterial District Judge (hereinafter "MDJ") continued the July 9, 2025, preliminary hearing and the reason listed was "other" (most likely because there were not Assistant District Attorneys and/or Public Defenders available due to criminal court week, but the MDJ continued the hearing and not the defense as evidenced by the docket).
- 5) The MDJ rescheduled the defendant's preliminary hearing for September 29, 2025.
- 6) On said date, MDJ Richard Kasunic II held the defendant's preliminary hearing, bound over all charges for the Court of Common Pleas and modified the defendant's bond to \$50,000.00 Cash.
- 7) The defendant was unable to post the modified bond and remained in pre-trial incarceration at the Fayette County Prison.
- 8) Formal court arraignment was scheduled for November 20, 2025.
- 9) The defendant waived formal court arraignment on October 6, 2025.
- 10) The defendant also filed a Request for Discovery and Bill of Particulars on October 6, 2025.
- 11) On November 18, 2025, the defendant filed a Motion for Discovery and Enlargement of Time to File Omnibus Pre-Trial Motion.

12) On the same date, Judge Joseph M. George, Jr. issued an order providing the Commonwealth supply all discovery materials by December 18, 2025, and allowing the defendant until January 2, 2026, to file any Omnibus Pre-Trial Motion.

13) On December 26, 2025, the defendant received discovery materials from the Commonwealth.

14) On December 29, 2025, the defendant filed the instant Motion for Nominal Bond alleging that he is eligible for nominal bond as the Commonwealth violated Pa.R.Crim.P. 600(B)(1).

15) This Court scheduled a hearing for January 9, 2026.

16) The Commonwealth indicated at this hearing that they were prepared to call the defendant's case for trial for the January term of criminal court.

17) However, the case did not go to trial nor was a continuance sought by the defendant to cause a delay attributable to him.

18) On January 8, 2026, the defendant filed an Omnibus Pre-Trial Motion.

19) This Court scheduled a hearing on said motion for February 24, 2026.

20) On January 13, 2026, the Commonwealth provided supplemental discovery materials to the defendant.

Discussion

"... [N]o defendant shall be held in pretrial incarceration in excess of 180 days from the date on which the complaint is filed." Pa.R.Crim.P. 600(B)(1). "For purposes of paragraph (B), only periods of delay caused by the defendant shall be excluded from the computation of the length of time of any pretrial incarceration." Pa.R.Crim.P. 600(C)(2). "Any other periods of delay shall be included in the computation." *Id.* "... [W]hen a defendant is held in pretrial incarceration beyond the time set forth in paragraph (B), at any time prior to trial, the defendant's attorney [] may file a written motion requesting that the defendant be released immediately on nominal bail subject to any nonmonetary conditions of bail imposed by the court as permitted by law." Pa.R.Crim.P. 600(0)(2).

Based upon the above findings of fact, time began to run against the Commonwealth for 180-day purposes under Pa.R.Crim.P. 600 on June 25, 2025. On the face of the record, it appears that no delays were attributable to the defendant since June 25, 2025. Therefore, the 180-day run date would be December 22, 2025. Any delays after this date caused by the defendant such as the filing of the Omnibus Pre-Trial Motion would be irrelevant as the defendant has been incarcerated greater than 180 days before the filing of the motion causing delay. These delays would affect the 365-day run date under Pa.R.Crim.P. 600(A).

The Commonwealth argues that delay should be attributable to the defendant because of the filing of his Motion for Discovery and Enlargement of Time to File Omnibus Pre-Trial Motion and the time from November 18, 2025 at least until January 2, 2026 (the extended filing date for filing an Omnibus Pre-Trial Motion), a period of 45 days, should be excluded from Pa.R.Crim.P. 600 time computation. If this time is excluded, the 180-day run date would be February 5, 2026.

To support this contention, the Commonwealth relies on *Commonwealth v. Yancy*, No. 34 MDM 2024, Superior Court of Pennsylvania (Non-Precedential Memorandum).

dum Decision). See Pa.R.A.P. 126(b)(1)-(2) (providing that a non-precedential memorandum decision of the Superior Court, filed after May 1, 2019, may be cited for its persuasive value). In Yancey, the defendant requested continuances due to delayed responses by the Commonwealth to an initial and supplemental request for discovery. Yancey argued that this delay should be attributed to the Commonwealth and not to Yancey and resulted in a violation of Pa.R.Crim.P. 600(B). The trial court declined to attribute the delays in responding to the discovery requests to the Commonwealth and applied the period of delay to Yancey. The trial court reasoned that Yancey did not argue that the Commonwealth delayed production of exculpatory evidence or the lack of discovery impeded his ability to file an Omnibus Pre-Trial Motion. Although the Superior Court did not directly address the trial court's reasoning, it did affirm the order denying Yancey's motion for nominal bail.

This Court does find Yancey persuasive in this matter. The filing of the defendant's Motion for Discovery and Enlargement of Time to File Omnibus Pre-Trial Motion and its averments indicate to this Court that the defendant wanted discovery provided by the Commonwealth before trial, time to review it before trial and additional time from receipt and review of discovery to file and litigate an Omnibus Pre-Trial Motion before trial. Based upon the request, Judge George specifically ordered the Commonwealth to "provide any and all Discovery materials by [] December 18, 2025." Further, he ordered that "Defense Counsel shall have until January 2, 2026, to file a Motion for Omnibus Pre-Trial Relief." The nature of the request and the language of the Order dated November 18, 2025, demonstrates that the defendant was not prepared to go to trial without first receiving discovery, reviewing it and filing an Omnibus Pre-Trial Motion. The case would not be ready for trial at least until after January 2, 2026, because of the defendant's request to a specific date for the Commonwealth to provide discovery and to file an Omnibus Pre-Trial Motion. The delay between November 18, 2025, and January 2, 2026, a period of 45 days, is attributable to the defendant and the time is excluded from Pa.R.Crim.P. 600 time computation. Therefore, the 180-day run date under Pa.R.Crim.P. 600(8) would have been February 5, 2026, and there is no violation of said Rule that would entitle the defendant to nominal bond. Moreover, time is currently running against the defendant under Pa.R.Crim.P. 600(A) and (B) due to his filing of an Omnibus Pre-Trial Motion on January 8, 2026.

Based upon the foregoing, this Court enters the following Order:

ORDER

AND NOW, January 21, 2026, upon consideration the defendant's Motion to Set Nominal Bond and after hearing, it is hereby ORDERED, ADJUDGED and DECREED that said Motion is DENIED.

The District Attorney is directed to list this matter for Pre-Trial Conference.

BY THE COURT:
MEHALOV, J.

ATTEST:
Clerk of Courts