

York Legal Record

A Record of Cases Argued and Determined in the Various Courts of York County

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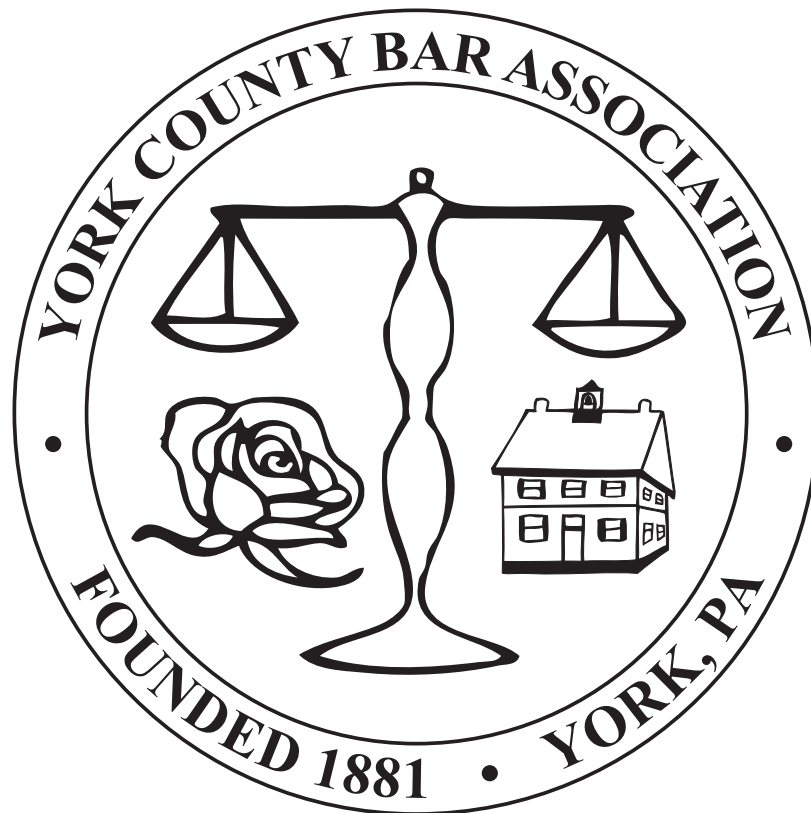
CASES REPORTED

MARGY OLMEDA, Plaintiff v. YORK COUNTY PRISON BOARD, Defendant

No. 2018-SU-001944

Preliminary Objections - Governmental Immunity

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**MARGY OLMEDA, Plaintiff v.
YORK COUNTY PRISON BOARD, Defendant
No. 2018-SU-001944
Preliminary Objections - Governmental Immunity**

1. The Court held that the alleged liability falls within the real property exception to governmental immunity under the *Grieff* method.
2. Defendant's Preliminary Objection of Sovereign Immunity is **OVERRULED**

**IN THE COURT OF COMMON PLEAS
OF YORK COUNTY, PENNSYLVANIA
CIVIL DIVISION**

MARGY OLMEDA, : **No. 2018-SU-001944**
Plaintiff :
 :
v. :
 :
YORK COUNTY PRISON BOARD, :
Defendant :

APPEARANCES:

For Plaintiff: Gerald J. Williams, Esq.
Beth G. Cole, Esq.
Kevin Haverty, Esq.
For Defendant: Donald L. Reihart, Esq.

OPINION

This case is before the Court on Defendant's Preliminary Objections to Plaintiff's Complaint. For the reasons set forth herein, Defendant's Preliminary Objection of Sovereign Immunity is **OVERRULED**. Plaintiff has conceded Defendant's second Preliminary Objection against the York County Board of Commissioners.

FACTS AND PROCEDURAL HISTORY

Plaintiff was an inmate at the Prison and housed in the work release dorm area on December 17, 2016. Plaintiff alleges that while she lay sleeping in the work release dorm, prison workers "performed maintenance of the property and applied insect control treatments to the floors, walls, and windows of the areas surrounding Plaintiff's sleeping quarters." The actions of the maintenance workers resulted in the release of a swarm of venomous spiders that attacked Plaintiff, biting her and causing bilateral narrow angle glaucoma, diplopia, facial lacerations, abrasions, scarring, and severe shock to the nervous system. Plaintiff alleges that Defendant was negligent in the care, custody, and control of real property at the York County Prison.

On July 20, 2018, Plaintiff filed their Complaint against Defendant. On September 18, 2018, Defendant filed Preliminary Objections and a Brief in Support. On October 12, 2018, Plaintiff filed a Brief in Opposition. This case was listed for One Judge Disposition on March 28, 2019, and assigned to this Court on April 3, 2019.

DISCUSSION

Preliminary Objections may be filed by any party to any pleading on the grounds of legal insufficiency. Pa.R.Civ.P. 1028(2)(4). Preliminary objections in the form of a demurrer tests the legal sufficiency of a pleading. *Ins. Adjustment Bureau, Inc. v. Allstate Ins. Co.*, 860 A.2d 1038, 1041 (Pa. Super. 2004). Preliminary objections, which if sustained, would result in the dismissal of a cause of action should only be sustained where it is "clear and free from doubt." *Bower v. Bower*, 611 A.2d 181, 182 (Pa. 1992). Furthermore, preliminary objections should be granted "only where it appears with certainty that, upon the facts averred, the law will not allow the plaintiff to recover." *Snare v. Ebensburg Power Co.*, 637 A.2d 296 (Pa. Super 1993).

In ruling on preliminary objections, all material facts in the complaint and all references that could be reasonably deduced from, must be accepted as true. *Bilt-Rite Contractors, Inc. v. The Architectural Studio*,

866 A.2d 270, 272 (Pa. 2005). A trial court may sustain a demurrer, and thereby dismiss a claim, only when the law is clear that a plaintiff is not entitled to recovery. *HCB Contractors v. Liberty Place Hotel Associates*, 652 A.2d 1278, 1279 (Pa. 1995). If there is any doubt as to whether the demurrer should be sustained, then it should be overruled. *Bruno v. Erie Ins. Co.*, 106 A.3d 48, 56 (Pa. 2014).

The defense of governmental immunity may be raised by Preliminary Objections. *Gallagher v. City of Philadelphia*, 597 A.2d 747 (Pa. Cmwlth. 1991)

Under the Political Subdivision Tort Claims Act, local government agencies are immune from liability for their negligence unless their actions fall within an exception enumerated by statute and would otherwise subject them to liability. *Grieff v. Reisinger*, 693 A.2d 195, 197 (Pa. 1997) (citing 42 Pa.C.S.A. §§ 8541-42). Section 8542(b)(3) of the Tort Immunity Act waives immunity where the local agency was negligent in the "care, custody or control of real property" in its possession. *Snyder v. N. Allegheny Sch. Dist.*, 722 A.2d 239, 245 (Pa. Cmwlth. 1998) (citing 42 Pa.C.S.A. § 8542(b)(3)). To maintain a negligence claim under the real property exception the injured party must prove that the injury resulted from a dangerous condition arising from the care, custody, and control of the real property by a local government agency. *Mellon v. City of Philadelphia Zoo*, 760 A.2d 921, 924 (Pa. Cmwlth. 2000).

The Pennsylvania Supreme Court has provided two models for determining when the real property exception to governmental immunity applies. *Repko v. Chichester Sch. Dist.*, 904 A.2d 1036, 1040 (Pa. Cmwlth. 2006). At the outset, we note that our appellate courts have recognized that determining which approach to use can be challenging. *Id.*

The Blocker v. City of Philadelphia Approach

Under the *Blocker* approach, if the injury is caused by the real property, including a fixture, the real property exception applies; if the injury is caused by personalty, which is not attached to the real estate, the real property exception does not apply. *Blocker v. City of Philadelphia*, 763 A.2d 373, 375 (Pa. 2000). In *Blocker*, the plaintiff was injured when the bleachers on which she was sitting collapsed. She fell backwards to the ground and sustained injuries to her body. Because the bleachers were not affixed to the real estate, the Court held that the cause of the plaintiff's injury was from the personalty, which was not part of the real estate and the negligent maintenance of it, did not fall within the real property exception to immunity.

The Grieff v. Reisinger Approach

Under the *Grieff* approach, it is whether the injury is caused by the negligent care, custody, or control of the real property itself that determines if the exception applies. *Grieff* at 197. A claim under the real property exception to governmental immunity must arise from the property itself, or the care, custody, or control of it. *Wilson v. Norristown Area Sch. Dist.*, 783 A.2d 871, 877 (Pa. Cmwlth. 2001). The real property exception to governmental immunity is unavailable when the claim arises from the negligent maintenance of personalty. *Mandakis v. Borough of Matamoras*, 74 A.3d 301, 305 (Pa. Cmwlth. 2013). Cases that follow the *Grieff* model, are clearly related to the maintenance of real property. *Gillingham v. Cnty. Of Delaware*, 154 A.3d 875, 879 (Pa. Cmwlth. 2017).

Defendant argues that the *Blocker* approach should be used and that because the spiders are not fixtures, the real property exception to governmental immunity does not apply. Defendant also argues that it was not the negligent care, custody, or control of real property, but the negligent care of the spiders that caused the injury. Defendant is correct that spiders are not fixtures, but they are obviously not personalty either. The *Blocker* approach has no applicability here.

Spiders and the care and maintenance of the real property are more analogous to the facts set forth in *Grieff*. In *Grieff* the fire chief poured paint thinner onto the floor in an attempt to clean up paint. The paint thinner caught fire and caused damage to the Plaintiff. The fire was not a fixture or the real property. The fire chief was not negligent in his care of the fire. He was negligent in his care, custody, or control of the real property that led to the fire that damaged the plaintiff.

Here, the maintenance workers were not there to care for spiders as Defendant argues. They were there for the care and maintenance of the real property. No matter how tenuous Plaintiff's Claim may be, it was Defendant's alleged negligent maintenance of the real property that led to Plaintiff's injuries. This falls within the real property exception to governmental immunity under the *Grieff* method. Plaintiff's Preliminary Objections is **OVERRULED**.

CONCLUSION

Plaintiff's Claim falls within the real property exception to governmental immunity under 42 Pa.C.S.A. § 8542(b)(3). Therefore, Defendant's Preliminary Objection is **OVERRULED**.

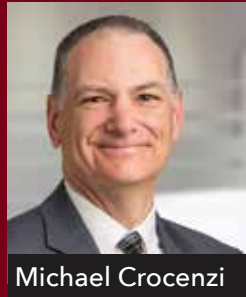
BY THE COURT:

JOSEPH C. ADAMS, PRESIDENT JUDGE

Dated: May 31, 2019

06.13-1t

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Law Firm, PC 135 North George Street,
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THIRD PUBLICATION

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Attorney: Blakinger Thomas, PC, 28 Penn
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Attorney: Gregory E. Gettle, Esquire, Gettle
& Veltri, 13 East Market Street, York, PA
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Late of Newberry Twp., York County, PA.
Administrator-Executor: Debora Lee
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Snoke Dubbs, 294 Dew Drop Road, York,
PA 17402
Attorney: Amanda Snoke Dubbs, Esquire,
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Attorney: Amy S. Loper, Esquire, The
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Attorney: Andrea S. Anderson, Esquire, 901
Delta Road, Red Lion, PA 17356 05.30-3t

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Administrator-Executor: Linda L. McClune,
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Attorney: John W. Stitt, Esquire, 1434 W.
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Attorney: Douglas P. France, Esquire, 2675
Eastern Blvd., York, PA 17402 05.30-3t

ESTATE OF RICHARD DEVERE POWERS, SR., DECEASED

Late of Hellam Twp., York County, PA.
 Administrator: Richard D. Powers, Jr., c/o
 2675 Eastern Blvd., York, PA 17402
 Attorney: Edward A. Paskey, Esquire, 2675
 Eastern Blvd., York, PA 17402 05.30-3t

ESTATE OF BETTY J. REYNOLDS, DECEASED

Late of Penn Twp., York County, PA.
 Personal Representative: Scott A. Reynolds,
 834 W. Middle Street, Hanover, PA 17331
 Attorney: G. Steven McKonly, Esquire, 119
 Baltimore Street, Hanover, PA 17331
 05.30-3t

ESTATE OF CARL S. SACKS, DECEASED

Late of Codorus Twp., York County, PA.
 Executor: Cheri M. Sacks, c/o P.O. BOX 606,
 East Berlin, PA 17316
 Attorney: Sharon E. Myers, Esquire, CGA
 Law Firm, PC, P.O. BOX 606, East Berlin,
 PA 17316 05.30-3t

ESTATE OF MICHAEL L. SCHUMAN, DECEASED

Late of Penn Twp., York County, PA.
 Executor: Tony L. Schuman, 75 Hazel Lane,
 New Oxford, PA 17350
 Attorney: Crabbs & Crabbs, Attorneys for the
 Estate, 202 Broadway, Hanover, PA 17331
 05.30-3t

ESTATE OF JOAN M. SMITH, DECEASED

Late of Penn Twp., York County, PA.
 Personal Representative: Stephen C. Smith,
 3121 Grandview Rd., Hanover, PA 17331
 Attorney: G. Steven McKonly, Esquire, 119
 Baltimore Street, Hanover, PA 17331
 05.30-3t

ESTATE OF MARGHERITA L. SPENCER
a/k/a MARGHERITA LOUISE SPENCER,
DECEASED

Late of Penn Twp., York County, PA.
 Executor: Martin Gregory Spencer, 5 Gladys
 Court, Hanover, PA 17331
 Attorney: Arthur J. Becker, Jr., Esquire,
 Becker Law Group, P.C., 529 Carlisle
 Street, Hanover, PA 17331 05.30-3t

ESTATE OF C. GERRY STINSON, A/K/A
CARROLL GERRY STINSON, DECEASED

Late of Stewartstown Borough, York County, PA.
 Co-Executors: Andrew W. Stinson and Scott
 L. Stinson, c/o Stock and Leader, 221
 West Philadelphia Street, Suite 600, York,
 PA 17401-2994
 Attorney: D. Reed Anderson, Esquire,
 STOCK AND LEADER, Susquehanna
 Commerce Center East, 221 West
 Philadelphia Street, Suite 600, York, PA
 17401-2994 05.30-3t

ESTATE OF TIMOTHY W. STITELY,
DECEASED

Late of North Codorus Twp., York County, PA.
 Executors: D. Dodd Edwards and Beth
 A. Edwards, c/o Keith R. Nonemaker,
 Esquire, 40 York Street, Hanover, PA
 17331
 Attorney: Keith R. Nonemaker, Esquire, 40
 York Street, Hanover, PA 17331 05.30-3t

ESTATE OF LEON E. WINTERMYER,
DECEASED

Late of York County, PA.
 Executor: Jarod L. Wintermyer, 185
 Yocumtown Road, Etters, PA 17319
 Attorney: Elyse E. Rogers, Esquire, Sullivan
 Rogers & Feichtel, 100 Sterling Parkway,
 Suite 100, Mechanicsburg, PA 17050
 05.30-3t

CIVIL NOTICES**ACTION IN MORTGAGE
FORECLOSURE**NOTICE OF ACTION IN MORTGAGE
FORECLOSURE

IN THE COURT OF COMMON PLEAS OF
 YORK COUNTY, PENNSYLVANIA
 CIVIL ACTION – LAW
 NO.: 2019-SU-000941

DEUTSCHE BANK NATIONAL TRUST
 COMPANY, AS TRUSTEE FOR FREMONT
 HOME LOAN TRUST 2006-3, ASSET-
 BACKED CERTIFICATES, SERIES 2006-3,
 Plaintiff,

vs.

Ronald C. Palmer, AKA Ronald Charles
 Palmer; Lisa A. Robinson, AKA Lisa A.
 Palmer, AKA Lisa Anne Palmer, Defendants

TO: Ronald C. Palmer, AKA Ronald Charles
 Palmer

You are hereby notified that Plaintiff, Deutsche
 Bank National Trust Company, as Trustee for
 Fremont Home Loan Trust 2006-3, Asset-
 Backed Certificates, Series 2006-3, filed an
 Action in Mortgage Foreclosure endorsed with
 a Notice to Defend, in the Court of Common
 Pleas of York County, Pennsylvania, docketed
 to No. 2019-SU-000941, seeking to foreclose
 the mortgage secured by the real estate located
 at 81 Lion Drive, Hanover, PA 17331.

A copy of the Action in Mortgage Foreclosure
 will be sent to you upon request to the
 Attorney for the Plaintiff, Manley Deas
 Kochalski LLC, P. O. Box 165028, Columbus,
 OH 43216-5028. Phone 614-220-5611.

You have been sued in court. If you wish to
 defend against the claims in this notice, you
 must take action within twenty (20) days
 after this publication, by entering a written
 appearance personally or by attorney and filing
 in writing with the court your defenses or
 objections to the claims set forth against you.
 You are warned that if you fail to do so the
 case may proceed without you and a judgment
 may be entered against you by the court
 without further notice for any money claimed
 in the complaint or for any other claim or 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 LAWYER OR CANNOT
 AFFORD ONE, GO TO OR TELEPHONE
 THE OFFICE SET FORTH BELOW TO
 FIND OUT WHERE YOU CAN GET LEGAL
 HELP.**

LAWYER REFERRAL SERVICE
 York County Bar Association
 137 East Market Street
 York, PA 17401
 (717) 854-8755

Lawyer Referral Service
137 East Market Street
York, PA 17401
(717) 854-8755

06.13-1t

Solicitor

CIVIL ACTION
COURT OF COMMON PLEAS
YORK COUNTY, PA
CIVIL ACTION-LAW
NO. 2019-SU-000023
NOTICE OF ACTION IN
MORTGAGE FORECLOSURE

NATIONSTAR MORTGAGE LLC D/B/A
CHAMPION MORTGAGE COMPANY,
Plaintiff

v.

RITA A. SHOCK IN HER CAPACITY AS
HEIR OF JAMES D. SHOCK AKA JAMES
D. SHOCK, III. ; JAMES R. SHOCK IN HIS
CAPACITY AS HEIR OF JAMES D. SHOCK
AKA JAMES D. SHOCK, III.; UNKNOWN
HEIRS, SUCCESSORS, ASSIGNS AND ALL
PERSONS, FIRMS OR ASSOCIATIONS
CLAIMING RIGHT, TITLE OR INTEREST
FROM OR UNDER JAMES SHOCK A/K/A
JAMES D. SHOCK, III, DECEASED,
Defendants

To: RITA A. SHOCK IN HER CAPACITY
AS HEIR OF JAMES D. SHOCK AKA
JAMES D. SHOCK III Defendant(s), 1497
FIRE HALL ROAD, SPRING GROVE, PA
17362

COMPLAINT IN MORTGAGE
FORECLOSURE

You are hereby notified that Plaintiff,
NATIONSTAR MORTGAGE LLC D/B/A
CHAMPION MORTGAGE COMPANY,
has filed a Mortgage Foreclosure Complaint
endorsed with a Notice to Defend, against
you in the Court of Common Pleas of YORK
County, PA docketed to No. 2019-SU-000023,
seeking to foreclose the mortgage secured
on your property located, 1497 FIRE HALL
ROAD SPRING GROVE, PA 17362.

NOTICE

YOU HAVE BEEN SUED IN COURT. If you
wish to defend against the claims set forth in
this notice you must take action within twenty
(20) days after the Complaint and Notice
are served, by entering a written appearance
personally or by attorney and filing in writing
with the Court your defenses or objections
to the claims set forth against you. You are
warned that if you fail to do so, the case may
proceed without you, and a judgment may
be entered against you by the Court without
further notice for any money claimed in the
Complaint or for any other claim or relief
requested by the plaintiff. You may lose money
or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER
TO YOUR LAWYER AT ONCE. IF YOU
DO NOT HAVE A LAWYER, GO TO OR
TELEPHONE THE OFFICE SET FORTH
BELOW. THIS OFFICE CAN PROVIDE
YOU WITH INFORMATION ABOUT
HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A
LAWYER, THIS OFFICE MAY BE ABLE TO
PROVIDE YOU WITH THE INFORMATION

ABOUT AGENCIES THAT MAY OFFER
LEGAL SERVICES TO ELIGIBLE
PERSONS AT A REDUCED FEE OR NO
FEE.

LAWYERS REFERRAL SERVICE

Lawyer Referral Service of The York County
Bar Association
(Attorney Connections)
York County Bar Center
137 East Market Street
York, PA 17401
717-854-8755
RAS CITRON, LLC
ATTORNEYS FOR PLAINTIFF
Jenine Davey, Esq. ID No. 87077
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
855-225-6906

06.13-1t

Solicitor

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
IN THE COURT OF COMMON PLEAS
OF YORK COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW**

COURT OF COMMON PLEAS

CIVIL DIVISION

YORK COUNTY

No. 2019-SU-001342

PNC BANK, NATIONAL ASSOCIATION
Plaintiff

vs.

MARCIA A. CAPUTO, in her capacity as
Administratrix of the Estate of JAMES
CAPUTO A/K/A JAMES DANIEL CAPUTO
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING RIGHT, TITLE
OR INTEREST FROM OR UNDER JAMES
CAPUTO, DECEASED
Defendants

NOTICE

To UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS, OR
ASSOCIATIONS CLAIMING RIGHT, TITLE
OR INTEREST FROM OR UNDER JAMES
CAPUTO, DECEASED

You are hereby notified that on May 1,
2019, Plaintiff, PNC BANK, NATIONAL
ASSOCIATION, filed a Mortgage Foreclosure
Complaint endorsed with a Notice to Defend,
against you in the Court of Common Pleas of
YORK County Pennsylvania, docketed to No.
2019-SU-001342. Wherein Plaintiff seeks to
foreclose on the mortgage secured on your
property located at 199 SOUTH FRONT
STREET, NEW FREEDOM, PA 17349-9726
whereupon your property would be sold by the
Sheriff of YORK County.

You are hereby notified to plead to the above
referenced Complaint on or before 20 days
from the date of this publication or a Judgment

will be entered against you.

NOTICE

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.

Notice to Defend:
Lawyer Referral Service
York Legal Referral
137 East Market Street
York, PA 17401

Telephone (717) 854-8755 x201

06.13-1t

Solicitor

**ARTICLES OF INCORPORATION
NON-PROFIT CORPORATION**

NOTICE is hereby given that Articles of
Incorporation-Nonprofit were filed with
the Department of State, Commonwealth of
Pennsylvania on or about April 25, 2019 for
the purpose of forming a nonprofit corporation
under The Pennsylvania Nonprofit Corporation
Law of 1988, as amended. The name of the
corporation is HEALTHY EASTERN ADAMS
RAILS & TRAILS, INCORPORATED. The
purpose of the corporation is to promote health
and public recreational opportunities including,
but not limited to, acquiring, developing
and maintaining trails and routes, as well as
promoting health and wellness through safe
bicycling and pedestrian activities.

Thomas E. Miller, Esquire
LAW OFFICES OF
THOMAS E. MILLER, ESQUIRE LLC

06.13-1t

Solicitor

FICTITIOUS NAME

An application for registration of the fictitious
name 10KDGroup, 1735 Rosebrook Dr., York,

PA 17402 has been filed in the Department of State at Harrisburg, PA, File Date 04/05/2019 pursuant to the Fictitious Names Act, Act 1982-295. The names and addresses of the people who are a party to the registration are Antonio N. Apetrior and Beth K. Apetrior, 1735 Rosebrook Dr., York, PA 17402.

06.13-1t Solicitor

Notice is hereby given pursuant to 54 Pa. C. S. 311 of the Fictitious Names Act as follows:

1. The fictitious name is Anderson Car Wash.
2. The principal place of business to be carried on under the fictitious name is 2056 South Queen Street, York, PA 17403.
3. The name and address of the persons who are parties to the registration: JJT Group, LLC, at 2056 South Queen Street, York, PA 17403
4. An application for registration of the above fictitious name was filed in the Pennsylvania Department of State on May 25, 2019.

James A. Miller, Esquire
Miller Lipsitt, LLC
3028 Market Street
Camp Hill, PA 17011
May 28, 2019

06.13-1t Solicitor

Notice is hereby given pursuant to 54 Pa. C. S. 311 of the Fictitious Names Act as follows:

1. The fictitious name is Kwik N Shine Car Wash.
2. The principal place of business to be carried on under the fictitious name is 2056 South Queen Street, York, PA 17403.
3. The name and address of the persons who are parties to the registration: Waterworks Partners, LLC, at 2056 South Queen Street, York, PA 17403
4. An application for registration of the above fictitious name was filed in the Pennsylvania Department of State on April 30, 2019.

James A. Miller, Esquire
Miller Lipsitt, LLC
3028 Market Street
Camp Hill, PA 17011
May 28, 2019

06.13-1t Solicitor

NOTICE

**PUBLIC NOTICE TO
STACI RENEE TREADWAY AND
SHAWN MICHAEL TREADWAY, SR.**

In Re: Adoption of Trinita Nikkol Treadway and Aurora Lynn Treadway, Minors

A petition has been filed asking the Court to put an end to all rights you have as a parent

to your children, Trinita Nikkol Treadway and Aurora Lynn Treadway. A Termination of Parental Rights Hearing has been scheduled for August 6, 2019, at 10:00 a.m., in Court Room No. 6006, of the York County Judicial Center, 45 North George Street, York, Pennsylvania, to terminate your parental rights to Trinita Nikkol Treadway (DOB: January 25, 2014) and Aurora Lynn Treadway (DOB: December 26, 2014), whose Father is Shawn Michael Treadway, Sr. and whose Mother is Staci Renee Treadway. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. You should take this paper to your lawyer at once. If you do not have a lawyer or cannot afford one, go to or telephone the office set forth below to find out where you can get legal help.

**ATTORNEY CONNECTION/
YCBA MODEST MEANS
137 East Market Street
York, Pennsylvania 17401
717-854-8755
<http://www.yorkbar.com/?page=YCBAFindEsq>**

If you cannot afford an attorney, an attorney may be appointed by the court at no cost to you if you qualify. Contact the following office for instructions and forms to complete and file.

**Clerk of the Orphans' Court
York County Judicial Center
45 North George Street
York, Pennsylvania 17401
717-771-9288**

<http://yorkcountypa.gov/component/jdownloads/send/100-adopt-forms/824-packet-for-court-appted-counsel-and-financial-affidavit.html>

Martin Miller, Esquire
Solicitor for York County Offices of
Children, Youth & Families

A prospective adoptive parent of a child may enter into an agreement with a birth relative of the child to permit continuing contact or communication between the child and the birth relative or between the adoptive parent and the birth relative. An agency or anyone representing the parties in an adoption shall provide notification to a prospective adoptive parent, a birth parent and a child who can be reasonably expected to understand that a prospective adoptive parent and a birth relative of a child have the option to enter into a voluntary agreement for the continuing contact or communication. See 23 Pa.C.S.A Section 2731, et seq.

05.30-3t Solicitor

SHERIFF'S SALE

IN THE COURT OF COMMON PLEAS
YORK COUNTY, PENNSYLVANIA

U.S. Bank National Association

Plaintiff,

vs.

Joann Myers; Jeremiah Property Holdings,
LLC

Defendants.

CIVIL DIVISION

Docket No.: 2017-SU-000392

NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY PURSUANT TO
PENNSYLVANIA RULE OF CIVIL PROCEDURE 3129

TO: Joann Myers
106 North Gotwalt Street
York, PA 17404

TAKE NOTICE:

That the Sheriff's Sale of Real Property (Real Estate) will be held at the York County Sheriff's Office, at the York County Courthouse, 45 North George Street, York, PA 17401 on October 7, 2019 at 2:00PM prevailing local time.

THE PROPERTY TO BE SOLD is delineated in detail in a legal description consisting of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land.

The LOCATION of your property to be sold is:

106 North Gotwalt Street, York, PA 17404

The JUDGMENT under or pursuant to which your property is being sold is docketed to:

No. 2017-SU-000392

THE NAME(S) OF THE OWNER(S) OR REPUTED OWNER(S) OF THIS PROPERTY ARE:

Joann Myers

A SCHEDULE OF DISTRIBUTION, being a list of the persons and/or governmental or corporate entities or agencies being entitled to receive part of the proceeds of the sale received and to be disbursed by the Sheriff (for example to banks that hold mortgages and municipalities that are owed taxes), will be filed by the Sheriff thirty (30) days after the sale, and distribution of the proceeds of sale in accor-

dance with this schedule will, in fact, be made unless someone objects by filing exceptions to it, within ten (10) days of the date it is filed. Information about the Schedule of Distribution may be obtained from the Sheriff of the Court of Common Pleas of York County, at the York County Courthouse, 45 North George Street, York, PA 17401.

Manley Deas Kochalski LLC
P. O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-222-4921
Fax: 614-220-5613
Email: jfkobeski@manleydeas.com
Attorney for Plaintiff

THIS PAPER IS A NOTICE OF THE TIME AND PLACE OF THE SALE OF YOUR PROPERTY.

06.13-1t

Solicitor

It has been issued because there is a Judgment against you. It may cause your property to be held, to be sold or taken to pay the Judgment. You may have legal rights to prevent your property from being taken. A lawyer can advise you more specifically of these rights. If you wish to exercise your rights, you must act promptly.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET FREE LEGAL ADVICE.

York County Bar Association
137 East Market Street
York, PA 17401
(717) 854-8755

THE LEGAL RIGHTS YOU MAY HAVE ARE:

1. You may file a petition with the Court of Common Pleas of York County to open the Judgment if you have a meritorious defense against the person or company that has entered judgment against you. You may also file a petition with the same Court if you are aware of a legal defect in the obligation or the procedure used against you.
2. After the Sheriff's Sale, you may file a petition with the Court of Common Pleas of York County to set aside the sale for a grossly inadequate price or for other proper cause. This petition must be filed before the Sheriff's Deed is delivered.
3. A petition or petitions raising the legal issues or rights mentioned in the preceding paragraphs must be presented to the Court of Common Pleas of York County. The petition must be served on the attorney for the creditor or on the creditor before presentation to the Court and a proposed order or rule must be attached to the petition. If a specific return date is desired, such date must be obtained from the Court Administrator's Office, York County Courthouse, 45 North George Street, York, PA 17401, before presentation of the petition to the Court.

Dated: 5/2/2019

Justin F. Kobeski, Esquire (200392)
Scott A. Dietterick, Esquire (55650)
Kimberly J. Hong, Esquire (74950)
Michael E. Carleton, Esquire (203009)
Meredith H. Wooters, Esquire (307207)
Matthew P. Curry, Esquire (322229)
Cristina L. Connor, Esquire (318389)
Holly N. Wolf, Esquire (322153)
Karina Velter, Esquire (94781)

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IN A PA LEGAL JOURNAL?

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This FREE site allows you to
search statewide to determine
whether a specific legal notice
has been published.

