

# Adams County Legal Journal

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COMMONWEALTH VS. STRICKLAND

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## ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

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## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-429 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-429

PNC BANK NATIONAL ASSOCIATION  
vs.

ERIC W. WALLEN &  
DEBORAH M. WALLEN

24 and 26 ANTILER LANE  
EAST BERLIN, PA 17316  
READING TOWNSHIP

Parcel No.: 36-002-0077-000 and  
36-002-77-000

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$75,840.76

Attorneys for Plaintiff  
WELTMAN, WEINBERG & REIS CO.,  
LPA

SEIZED and taken into execution as the property of **Eric W. Wallen & Deborah M. Wallen** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1107 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-1107

PNC MORTGAGE

vs.

DUSTIN DREW HARTLAUB &  
HEATHER MARIE HARTLAUB

97 S. GALA  
LITTLESTOWN, PA 17340  
BOROUGH OF LITTLESTOWN

Parcel No.: (27) 004-0096

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$99,418.68

Attorneys for Plaintiff  
VITTI AND VITTI AND ASSOCIATES,  
PC.

SEIZED and taken into execution as the property of **Dustin Drew Hartlaub & Heather Marie Hartlaub** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-0979 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-0979

JPMC SPECIALTY MORTGAGE LLC  
vs.

JOHN P. DOUBLE &  
CATHERINE A. DOUBLE

913 JOHNSON DRIVE  
GETTYSBURG, PA 17325-8903  
MOUNT JOY TOWNSHIP

Parcel No.: 31-009-0085-000

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$196,427.38

Attorneys for Plaintiff  
PHELAN HALLINAN & SCHMIEG LLP

SEIZED and taken into execution as the property of **John P. Double & Catherine A. Double** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

## COMMONWEALTH VS. STRICKLAND

1. Stopping vehicles at a roadblock constitutes a seizure under the Fourth Amendment to the United States Constitution and Article 1, Section 8 of the Pennsylvania Constitution.

2. The reasonableness of a roadblock would be assessed by using a balancing test which weighs the level of intrusion upon the individual against the government's promotion of its legitimate interests. Therefore, guidelines have been established by case law to help balance these interests and to avoid arbitrary, unreasonable and unnecessarily surprising stops [*Com. v. Rastogi*, 816 A.2d 1191, 1193 (Pa. Super. 2003)].

3. To avoid unnecessary surprise to motorists, the existence of a roadblock can be so conducted as to be ascertainable from a reasonable distance or otherwise made knowable in advance. However, there is no requirement that advance notice be placed in any local or regional publication. Rather, police must take steps to give approaching motorists notice.

4. Defendant has not provided and the Court has not located, any statutory or judicial authority indicating that the person who authorizes the checkpoint may not then participate in the actual event.

5. Probable cause must be viewed from the vantage point of a prudent and reasonable police officer guided by his experience and training.

In the Court of Common Pleas of Adams County, Pennsylvania, Criminal, No. CR-974-2009, COMMONWEALTH OF PENNSYLVANIA VS. BRANDEN ALLEN STRICKLAND.

Andrew E. Stage, Esq., for Commonwealth

Tim M. Barrouk, Esq., for Defendant

Kuhn, P.J., June 15, 2010

### OPINION ON DEFENDANT'S OMNIBUS PRE-TRIAL MOTION

Presently before the Court is Defendant's Omnibus Pre-Trial Motion filed December 9, 2009. A hearing was held on December 21, 2009, a conference on March 10, 2010, and a second hearing on May 20, 2010. For the reasons set forth herein, said Motion is denied.

### FINDINGS OF FACT

1. David A. Bittinger is a 17-year veteran of the Pennsylvania State Police and stationed at the Gettysburg Barracks.
2. Trooper Bittinger is currently a Corporal and Shift Supervisor who reports directly to Sergeant Robert Gano, the station commander.
3. Cpl. Bittinger was directed by Sgt. Gano to prepare plans for a DUI checkpoint.

4. Cpl. Bittinger consulted with the Prophecy computer system<sup>1</sup> and the AIMS system<sup>2</sup> in an effort to identify a cluster of DUI-related events in Adams County over an 8-week period.
5. As a result of his research, Cpl. Bittinger developed a DUI Checkpoint Operation Plan (**Com. Ex. 2**) to be conducted for the period beginning at 11:00 p.m. on June 20th to 1:30 a.m. on June 21, 2009, at a location on S.R. 234 east of S.R. 34 in the Borough of Biglerville.
6. Cpl. Bittinger was assigned to supervise the DUI checkpoint.
7. Cpl. Bittinger ultimately approved the Operation Plan because Sgt. Gano was on approved leave and Cpl. Bittinger was assigned as acting station commander.
8. During the end of May, 2009, Cpl. Bittinger prepared and released a Public Information Release Report announcing that the State Police would be conducting a DUI checkpoint in Adams County during the month of June. (**Com. Ex. 4**).
9. Prior to June 20, 2009, Cpl. Bittinger went to the location of the proposed checkpoint and painted markers on the roadway at distances 200 feet and 400 feet both east and west of the location. At these points, warning signs would be placed while the checkpoint was operational.
10. Cpl. Bittinger also prepared a Pre-Deployment Briefing Package (**Com. Ex. 3**) which was provided to and reviewed with each trooper involved in the checkpoint.
11. The checkpoint did not begin operations until 12:10 a.m. on June 21, 2009, due to logistical problems.
12. In addition to the warning signs referred to above, Cpl. Bittinger instructed the placement of marked police vehicles with activated lights, flares, and signs indicating where vehicles were to stop.
13. The plan directed that all vehicles entering the checkpoint from either direction were to be stopped.

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<sup>1</sup> Prophecy is a computer program that can identify the location of DUI violations and accidents in the county.

<sup>2</sup> AIMS is a compilation of calls, complaints, and incidents which are serious enough to be reduced to a written memorandum.

14. Trooper Sean Hoffman<sup>3</sup> of the Pennsylvania State Police was participating in the DUI checkpoint.
15. At approximately 12:45 a.m. a vehicle operated by Defendant entered the checkpoint and came to an abrupt stop approximately 15 feet in front of Trooper Hoffman. Trooper Hoffman motioned for Defendant to come forward.
16. Trooper Hoffman approached the driver's side of the vehicle and Defendant opened the window. Trooper Hoffman noticed an odor of alcoholic beverages and observed that Defendant's eyes were bloodshot and glassy. He requested Defendant to provide his license and proof of insurance. Defendant's girlfriend, a passenger in the vehicle, retrieved the documents from the glove compartment and handed them to Defendant. Defendant allegedly fumbled with the cards.
17. Trooper Hoffman asked Defendant two to three times to place his vehicle into "Park."
18. Trooper Hoffman asked Defendant if he had been drinking alcohol. Defendant responded that he had 3 "XXX" beers<sup>4</sup> just before entering the checkpoint.
19. Defendant's girlfriend had not been drinking.
20. Trooper Hoffman asked Defendant to enter a nearby paved parking lot and exit the vehicle. Upon exiting the vehicle, Trooper Hoffman noticed that Defendant was a little unsteady and leaned on the vehicle. Defendant was not swaying when he moved to the front of the vehicle.
21. Trooper Hoffman determined that the area was not safe for field sobriety tests due to the lack of space and, therefore, none were conducted.
22. Defendant submitted to a preliminary breath test (PBT), which allegedly revealed the presence of alcohol in his system.<sup>5</sup>

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<sup>3</sup> Trooper Hoffman received his Act 120 training for the Pennsylvania State Police and has 40 hours of training in identifying the signs of alcohol intoxication and administering field sobriety tests. He is certified to administer field sobriety tests. He has been involved in approximately 1500 traffic stops and made approximately 25 arrests. He has been involved in approximately 75-100 non-DUI incidents where the subject is intoxicated.

<sup>4</sup> Trooper Hoffman testified that an "XXX" beer has an alcohol content of 7.5%.

<sup>5</sup> The PBT was taken with the Alco-Sensor IV. This is an approved device pursuant to 39 Pa. Bull. 54. The device was calibrated on January 24, 2008, and in October, 2009, at an approved testing facility. (**Com. Ex. 1**).

23. Based on the totality of the circumstances, and believing Defendant was under the influence of alcohol and incapable of safe driving, Trooper Hoffman placed him under arrest for Driving Under the Influence.<sup>6</sup>
24. The checkpoint closed at 12:50 a.m. because the number of DUI arrests resulted in a lack of trooper availability to continue operations.

### ISSUES

1. Whether the Officer had legal justification to stop Defendant's vehicle.
2. Whether the Officer had probable cause to place Defendant under arrest.

### CONCLUSIONS OF LAW

1. The Officer had legal justification to stop Defendant's vehicle.
2. The Officer had probable cause to arrest Defendant.

### DISCUSSION

In a suppression proceeding, the burden is on the Commonwealth to establish by a preponderance of the evidence the admissibility of those items the accused seeks to preclude. *Com. v. Ruey*, 892 A.2d 802, 807 (Pa. 2006). Section 6308 of the Pennsylvania Vehicle Code constitutionally permits an officer to stop a vehicle if the officer has reasonable suspicion that the driver is operating under the influence of alcohol or that a provision of the Vehicle Code has been violated. *Com. v. Sands*, 887 A.2d 261 (Pa. Super. 2005); **75 Pa.C.S.A. § 6308(b)**. Reasonable suspicion exists when the officer is able to articulate specific observations which lead him to reasonably conclude, in light of his experience, that criminal activity was afoot and that the person he stopped was involved in that activity. *Com. v. Johnson*, 833 A.2d 755, 763 (Pa. Super. 2003). “[R]easonable suspicion does not require that the activity in question is unquestionably criminal before an officer may investigate further... Courts are to give due weight to the specific reasonable inferences the police officer is entitled to draw from the facts in light of his or her experience.”

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<sup>6</sup> Trooper Hoffman based his opinion on Defendant's abrupt stop, difficulty placing the vehicle into "park," his speech and eyes, his alleged fumbling with his identification cards, his leaning on the vehicle, the presence of alcohol, and his admission to drinking.

*Com. v. Ulman*, 902 A.2d 514, 518 (Pa. Super. 2006). To determine if an officer had reasonable suspicion, the totality of the circumstances must be considered. *Com. v. Hughes*, 908 A.2d 924, 927 (Pa. Super. 2006).

DUI checkpoints are permitted by the Vehicle Code.

**(b) Authority of police officer.**--Whenever a police officer is engaged in a systematic program of checking vehicles or drivers or has reasonable suspicion that a violation of this title is occurring or has occurred, he may stop a vehicle, upon request or signal, for the purpose of checking the vehicle's registration, proof of financial responsibility, vehicle identification number or engine number or the driver's license, or to secure such other information as the officer may reasonably believe to be necessary to enforce the provisions of this title.

#### **75 Pa.C.S. § 6308(b).**

Stopping vehicles at a roadblock constitutes a seizure under the Fourth Amendment to the United States Constitution and Article 1, Section 8 of the Pennsylvania Constitution. *Com. v. Blouse*, 611 A.2d 1177, 1178 (Pa. 1992). *Blouse* determined that the reasonableness of a roadblock would be assessed by using a balancing test which weighs the level of intrusion upon the individual against the government's promotion of its legitimate interests. Therefore, guidelines have been established by case law to help balance these interests and to avoid arbitrary, unreasonable and unnecessarily surprising stops. In *Com. v. Rastogi*, 816 A.2d 1191, 1193 (Pa. Super. 2003), Superior Court reported that roadblocks must be established in compliance with the following guidelines:

First, the very decision to hold a drunk-driver roadblock, as well as the decision as to its time and place, should be matters reserved for prior administrative approval, thus removing the determination of those matters from the discretion of police officers in the field. In this connection it is essential that the route selected for the roadblock be one which, based on local experience, is likely to be traveled by intoxicated drivers. The time of the roadblock should be governed by the same consideration. Additionally, the question of which vehicles to stop at the

roadblock should not be left to the unfettered discretion of police officers at the scene, but instead should be in accordance with objective standards prefixed by administrative decision.

*Id.* (citations omitted). So long as authorities substantially comply with the guidelines, the Court will find no Constitutional violation. *Id.* at 1194. Furthermore, “to avoid unnecessary surprise to motorists, the existence of a roadblock can be so conducted as to be ascertainable from a reasonable distance or otherwise made knowable in advance.” *Id.* at 1195. However, there is no requirement that advance notice be placed in any local or regional publication. *Id.* Rather, police must take steps to give approaching motorists notice. *Id.*

The facts of this case indicate that Cpl. Bittinger was directed by his superior officer to set up a DUI checkpoint. Cpl Bittinger conducted research and determined that the location where the roadblock was eventually set up had a cluster of DUI-related incidents over a prior 8-week period. A specific plan was prepared by Cpl. Bittinger and a specific time frame was selected. A briefing packet was prepared shortly before the date of the checkpoint, distributed to the participating troopers, and reviewed. Warning signs were placed in advance of the checkpoint entry zone and emergency lights were activated on participating police cruisers. Cpl. Bittinger also prepared and released a news release. The decision on which vehicles to stop was made prior to the commencement of the checkpoint. Thus, all requirements of a Constitutionally valid DUI checkpoint have been met.

Defendant raises an issue with Cpl. Bittinger’s participation in the checkpoint. Defendant argues that because Cpl. Bittinger prepared the plan, approved it, and then participated in the checkpoint, there was a lack of prior administrative approval. Defendant basis this claim on Superior Court’s decision in *Com. v. Paes*, 862 A.2d 625 (Pa. Super. 2004). In that case, the roadblock was organized and conducted by a Corporal who was supervisor of patrol troopers. *Id.* at 629. The Court found that because he participated in the roadblock, the Corporal was a field trooper. *Id.* Furthermore, it found that state police field regulations require that the “selection of the location, date and hours for the roadblock shall be selected by the Patrol Section/Station Commander.” *Id.* The Corporal testified he



was neither of these and the record was void of any evidence demonstrating under whose authority he was acting. *Id.* In that situation, the Court found that the requirement of prior administrative approval was not met because the record was devoid of any evidence to demonstrate under what circumstances the Corporal was acting and that the site selected was based upon administrative decision.

The situation is much different in the matter sub judice. Cpl. Bittinger was the acting station commander at the time the checkpoint was approved. The only reason he approved it was because the actual station commander was on leave. In any event, Cpl. Bittinger organized the checkpoint at the request of his station commander. Defendant has not provided, and the Court has not located, any statutory or judicial authority indicating that the person who authorizes the checkpoint may not then participate in the actual event. All prior administrative requirements were met in this case. The only deviation from the plan was the start and end time, and the reasons for these alterations was not in any way related to an attempt by police to circumvent the constitutional rights of motorists. The record clearly established that the checkpoint site selection and the manner in which the checkpoint was to be conducted was based upon prior administrative decision. Therefore, the checkpoint was conducted in accordance with constitutional guidelines.

Accordingly, Defendant's Motion to Suppress on grounds that there was no legal justification to stop his vehicle is denied.

Defendant next argues that Tpr. Hoffman did not have probable cause to arrest him. Generally, law enforcement officials must have a warrant to arrest an individual in a public place unless they have probable cause to believe that a felony has been committed and the person to be arrested is the felon. *Com. v. Clark*, 735 A.2d 1248, 1251 (Pa. 1999). Probable cause exists when:

the facts and circumstances within the police officer's knowledge and of which the officer has reasonably trustworthy information are sufficient in themselves to warrant a person of reasonable caution in the belief that an offense has been committed by the person to be arrested. Probable cause justifying a warrantless arrest is determined by the totality of the circumstances. Probable cause does not involve certainties, but rather the factual

and practical considerations of everyday life on which reasonable and prudent men act. It is only the probability and not a *prima facie* showing of criminal activity that is a standard of probable cause.

*Com v. Peters*, 915 A.2d 1213, 1220 (Pa. Super. 2007). Probable cause must be viewed from the vantage point of a prudent and reasonable police officer guided by his experience and training. *Clark*, 735 A.2d at 1252.

One argument advanced by Defendant is that the results of the PBT are not admissible to prove probable cause. The use of electronic devices to measure alcohol content by breath is authorized by 75 Pa.C.S.A. § 1547. *Com. v. Brigidi*, 977 A.2d 1177, 1179 (Pa. Super. 2009). To be admissible, however, the tests shall be conducted on devices approved by the Department of Health, calibrated, and tested for accuracy. § 1547(c)(1). To provide admissible evidence, these breath test devices must be calibrated and tested for accuracy. *Brigidi*, 977 A.2d at 1182. Evidence at the hearing showed that the device used in this case was calibrated in January, 2008, more than one year before it was used in this case, and not calibrated again until October, 2009. The Court acknowledged that this raises serious questions about the accuracy of the PBT test.

However, I still conclude that Trooper Hoffman had probable cause to place Defendant under arrest. Although his experience is more limited than some other police officers, Trooper Hoffman is not a rookie. He has 40 hours of training in identifying the signs of alcohol intoxication and administering field sobriety tests. He has been involved in approximately 1500 traffic stops and has made approximately 25 arrests. He has been involved in approximately 75-100 non-DUI incidents where the subject is intoxicated. I conclude he is well trained in identifying the signs of intoxication.

Defendant exhibited some of the classic signs of intoxication, including bloodshot and glassy eyes, an odor of alcohol, and fumbled while providing documentation. Furthermore, Defendant admitted to consuming 3 beers<sup>7</sup> prior to driving the vehicle and was a little unsteady while exiting the vehicle. Although field sobriety tests were not administered because it was not safe to do so, the lack

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<sup>7</sup> Containing a higher level of alcohol content than most beers.

thereof is not critical to a finding of probable cause. Reviewing all of the evidence, based on the totality of the circumstances, I conclude that Trooper Hoffman had probable cause to arrest Defendant.

Accordingly, Defendant's motion to suppress on probable cause grounds is denied.

Defendant's Omnibus Pre-Trial Motion is denied and the attached Order is entered.

### ORDER

AND NOW, this 15th day of June, 2010, for the reasons set forth in the attached Opinion, Defendant's Omnibus Pre-Trial Motion filed December 21, 2009, is denied. Defendant is directed to appear for Plea Day on June 28, 2010, at 8:30 AM in a Courtroom to be determined on that date.

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1827 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 09-S-1827

AMTRUST BANK

vs.

IAN PATRICK BREWER &  
JENNIFER M. MCKEE

ALL THAT tract of land, situate, lying and being in the Cumberland Township, Adams County, Pennsylvania, more fully described in deed dated August 9, 1978, and revised October 17, 1978, recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 25 page 15.

Being known as  
220 CAREY LANE  
GETTYSBURG, PA 17325  
CUMBERLAND TOWNSHIP

Parcel No.: (9) E17-66E

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$259,167.31

Attorneys for Plaintiff  
MCCABE, WEISBERG AND CONWAY,  
P.C.

SEIZED and taken into execution as the property of **Ian Patrick Brewer & Jennifer M. McKee** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-655 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-655

BANK OF NEW YORK

vs.

LESLIE A. BARTLEBAUGH &  
MARK D. BARTLEBAUGH

All that certain tract of land situated, lying and being in the Borough of Carroll Valley, Adams County, Pennsylvania, being known as Lot No. 316 in Section "K," more fully described in deed dated May 26, 1999 and recorded June 8, 1999 in Deed Book 1847, Page 0221.

Being known as  
27 SUNFISH TRAIL  
FAIRFIELD, PA 17320-8515  
CARROLL VALLEY BOROUGH

Parcel No.: 43-003-065

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$211,681.68

Attorneys for Plaintiff  
MCCABE, WEISBERG AND CONWAY,  
P.C.

SEIZED and taken into execution as the property of **Leslie A. Bartlebaugh & Mark D. Bartlebaugh** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1052 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 09-S-1052

ONE WEST BANK FSB

vs.

NORMA A. BAKER

All that certain lot of improved real estate situate in the Borough of Gettysburg, Adams County, Pennsylvania, more fully described in deed dated October 17, 2005 and recorded October 20, 2005 in Deed Book 4172, Page 166.

Being know as  
32 SOUTH WASHINGTON STREET  
GETTYSBURG, PA 17325  
GETTYSBURG BOROUGH

Parcel No.: 16-010-0023

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$50,245.77

Attorneys for Plaintiff  
MCCABE, WEISBERG AND CONWAY,  
P.C.

SEIZED and taken into execution as the property of **Norma A. Baker** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1074 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-1074

BANK OF NEW YORK MELLON  
vs.

ANDREW W. BURKE &  
TANISHA N. BURKE

All that certain tract of land, situate, lying and being in Hamilton Township, Adams County, Pennsylvania, more fully described in deed dated February 14, 2007 and recorded February 22, 2007 in Deed Book 4747, Page 214 Instrument # 200700003408.

Being known as

71 SPRINGFIELD DRIVE  
NEW OXFORD, PA 17350  
HAMILTON TOWNSHIP

Parcel No.: 17-K09-0123-000

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$322,570.07

Attorneys for Plaintiff  
MCCABE, WEISBERG & CONWAY,  
P.C.

SEIZED and taken into execution as the property of **Andrew W. Burke & Tanisha N. Burke** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

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12/10, 17 & 23

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-0670 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-0670

BAC HOME LOANS SERVICING LP  
vs.

CRYSTAL M. CARBAUGH

ALL THAT CERTAIN described lot of ground, with improvements there on erected, SITUATE in Mt. Pleasant Township, Adams County, Pennsylvania, more fully described in deed dated March 26, 2007 and recorded April 3, 2007 in Deed Book 4790, Page 337.

Being known as

573 HOOKER DRIVE  
GETTYSBURG, PA 17325  
MT. PLEASANT TOWNSHIP

Parcel No.: (32) 105-0066

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$209,935.56

Attorneys for Plaintiff  
MCCABE, WEISBERG & CONWAY,  
P.C.

SEIZED and taken into execution as the property of **Crystal M. Carbaugh** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-785 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-785

WELLS FARGO BANK NA  
vs.

CLINT F. HEINTZELMAN

116 STANLEY DRIVE  
NEW OXFORD, PA 17350-9457  
BERWICK TOWNSHIP

Parcel No.: 04 K11-0048E--000

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$171,137.11

Attorneys for Plaintiff

PHELAN HALLINAN & SCHMIEG LLP

SEIZED and taken into execution as the property of **Clint F. Heintzelman** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1174 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-1174

FULTON BANK N.A.  
vs.

GARY L. MUMMERT &  
DIXIE L. MUMMERT

1945 HANOVER PIKE  
LITTLESTOWN, PA 17340  
UNION TOWNSHIP

Parcel No.: 41-K16-0024

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$169,301.53

Attorneys for Plaintiff  
REAM, CARR, MARKEY & WOLOSHIN  
LLP

SEIZED and taken into execution as  
the property of **Gary L. Mummert &  
Dixie L. Mummert** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND  
CLAIMANTS: You are notified that a  
schedule of distribution will be filed by the  
Sheriff in his office on February 4, 2011,  
and distribution will be made in accordance  
with said schedule, unless exceptions  
are filed thereto within 20 days after  
the filing thereof. Purchaser must settle  
for property on or before filing date.

ALL claims to property must be filed  
with Sheriff before sale date.

As soon as the property is declared  
sold to the highest bidder, 20% of the  
purchase price or all of the cost, whichever  
may be the higher, shall be paid  
forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1005 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-1005

WELLS FARGO BANK NA  
vs.

RONALD E. MCCLAIN &  
SANDRA L. MCCLAIN

23 SUNFISH TRAIL  
FAIRFIELD, PA 17320-8515  
BOROUGH OF CARROLL VALLEY

Parcel No.: 004-0024

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$169,699.94

Attorneys for Plaintiff  
PHELAN HALLINAN & SCHMIEG LLP

SEIZED and taken into execution as  
the property of **Ronald E. & Sandra L.  
McClain** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND  
CLAIMANTS: You are notified that a  
schedule of distribution will be filed by the  
Sheriff in his office on February 4, 2011,  
and distribution will be made in accordance  
with said schedule, unless exceptions  
are filed thereto within 20 days after  
the filing thereof. Purchaser must settle  
for property on or before filing date.

ALL claims to property must be filed  
with Sheriff before sale date.

As soon as the property is declared  
sold to the highest bidder, 20% of the  
purchase price or all of the cost, whichever  
may be the higher, shall be paid  
forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-SU-1388 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 09-SU-1388

CHASE HOME FINANCE LLC  
vs.

JEREMY J. MCKNIGHT &  
SARAH C. MCKNIGHT

11 BLUE GILL TRAIL  
FAIRFIELD, PA 17320  
CARROLL VALLEY BOROUGH

Parcel No.: 43-003-0020---000

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$179,611.69

Attorneys for Plaintiff  
GRENEN & BIRSIC, P.C.

SEIZED and taken into execution as  
the property of **Jeremy J. McKnight &  
Sarah McKnight** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND  
CLAIMANTS: You are notified that a  
schedule of distribution will be filed by the  
Sheriff in his office on February 4, 2011,  
and distribution will be made in accordance  
with said schedule, unless exceptions  
are filed thereto within 20 days after  
the filing thereof. Purchaser must settle  
for property on or before filing date.

ALL claims to property must be filed  
with Sheriff before sale date.

As soon as the property is declared  
sold to the highest bidder, 20% of the  
purchase price or all of the cost, whichever  
may be the higher, shall be paid  
forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-664 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-664

CHASE HOME FINANCE LLC  
vs.  
BRANDON RIPPEON, PERSONAL  
REPRESENTATIVE OF  
ROBERT F. RIPPEON JR.  
83 MUMMERT DRIVE  
LITTLSTOWN, PA 17340  
UNION TOWNSHIP

Parcel No.: (41) J17-0090-000  
IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING  
PRINCIPAL BALANCE: \$218,765.22  
Attorneys for Plaintiff  
GRENNEN & BIRSIC, P.C.

SEIZED and taken into execution as the property of **Brandon Rippeon, Personal Representative of Robert Rippeon, Jr.** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 04-S-1094 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 04-S-1094  
COUNTRYWIDE HOME LOANS  
SERVICING LP  
vs.  
MICHAEL J. SHUMBERGER  
20 SHERMAN DRIVE  
EAST BERLIN, PA 17316  
READING TOWNSHIP

Parcel No.: (36) 002-0038A---000  
IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING  
JUDGEMENT AMOUNT: \$131,397.46  
Attorneys for Plaintiff  
GOLDBECK MCCAFFERTY &  
MCKEEVER

SEIZED and taken into execution as the property of **Michael J. Shumberger** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-NO-203 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 08-NO-0203  
CARROLL VALLEY SEWER AND  
WATER AUTHORITY  
vs.  
JOSEPH M. SEVENTKO  
50 CROSS LAND TRAIL  
CARROLL VALLEY, PA 17320  
BOROUGH OF CARROLL VALLEY

Parcel No.: 43-002-0071004-0024  
IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING  
JUDGEMENT AMOUNT: \$24,144.57  
Attorneys for Plaintiff  
SALZMANN HUGHES, P.C.

SEIZED and taken into execution as the property of **Joseph Seventko** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

## SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-1054 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 14th day of January, 2011, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution  
No. 10-S-1054

HOUSEHOLD FINANCE CONSUMER  
DISCOUNT COMPANY

vs.

TRACY LYNN SNADER &  
TRACY BOLLMAN &  
JACK L. INNERST, JR.

294 LABOR CAMP ROAD  
GARDNERS, PA 17324  
HUNTINGTON TOWNSHIP

Parcel No.: 22-G03-0116---000

IMPROVEMENTS THEREON:  
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$101,986.49

Attorneys for Plaintiff

STERN AND EISENBERG LLC

SEIZED and taken into execution as the property of **Tracy Lynn Snader & Tracy Bollman & Jack L. Innerst Jr.** and to be sold by me.

James W. Muller-Sheriff  
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on February 4, 2011, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale date.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

12/10, 17 & 23

## LEGAL NOTICE--ANNUAL MEETING

The annual meeting of the policyholders of the Protection Mutual Insurance Company of Littlestown will be held at the office located at 101 South Queen Street in Littlestown, PA, between the hours of 1:00 and 2:00 p.m., on January 15th, 2011 to elect directors and to transact any other business properly presented.

Attest: Marilyn Q. Butt  
President/Treasurer

12/10, 17, 23 & 31

## DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN that GETTYSBURG INSURANCE SERVICES, INC., a Pennsylvania business corporation with its principal place of business at 53 Hunters Trail, Gettysburg, PA 17325 has elected to dissolve voluntarily and has commenced winding up proceedings under the Pennsylvania Business Corporation Law of 1988.

Robert G. Teeter, Esq.  
Teeter, Teeter & Teeter

12/17 & 23

## NOTICE

NOTICE IS HEREBY GIVEN that AMBER LANE, ESQUIRE, intends to apply in open court for admission to the Bar of the Court of Common Pleas of Adams County, Pennsylvania, on the 4th day of February, 2011, and that she intends to practice law as the Assistant District Attorney in the Office of the District Attorney, County of Adams, Adams County Courthouse, 111 Baltimore Street, Room #6, Gettysburg, Pennsylvania.

12/17, 23 & 31

## NOTICE

NOTICE IS HEREBY GIVEN that FAWN E. SMITH, ESQUIRE, intends to apply in open court for admission to the Bar of the Court of Common Pleas of Adams County, Pennsylvania, on the 4th day of February, 2011, and that she intends to practice law as the Assistant District Attorney in the Office of the District Attorney, County of Adams, Adams County Courthouse, 111 Baltimore Street, Room #6, Gettysburg, Pennsylvania.

12/17, 23 & 31

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—Orphan's Court, Gettysburg, Pennsylvania, for confirmation of accounts entering decrees of distribution on Friday, January 7, 2011 at 8:30 a.m.

**MOORE**—Orphan's Court Action Number – OC-136-2009. The First and Final Account of Eustace Hagley, Jr., Administrator for the Estate of Terri Lynn Moore, late of Gettysburg Borough, Adams County, Pennsylvania, deceased.

Kelly A. Lawver  
Clerk of Courts

12/17 & 23



**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 JOHN P. BURICH, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Susan B. Redding, 167 Gordon Avenue, Gettysburg, PA 17325

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

**ESTATE OF SUAN G. DITZLER, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Executor: William E. Ditzler, 50 Longview Drive, Gettysburg, PA 17325

**ESTATE OF LAWRENCE HENRY ECKERT, III, DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executrix: Kimberly Eckert, 73 W. Canal St., Dover, PA 17315

**ESTATE OF ROBERT W. EDLING, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Executor: Mark D. Webb, P.O. Box 1741, Marble Falls, TX 78654

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

**ESTATE OF GEORGE L. MARTIN, SR., DEC'D**

Late of the Borough of Carroll Valley, Adams County, Pennsylvania

Executor: G. Leamon Martin, Jr., 3608 Nicholson Road, Westminster, MD 21157

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

**ESTATE OF M. JOYCE NOEL a/k/a MARY JOYCE NOEL, DEC'D**

Late of Conewago Township, Adams County, Pennsylvania

Executors: Leo R. Noel, 2705 Centennial Road, Hanover, PA 17331; Kathryn A. Lemmon, 2050 Centennial Road, Hanover, PA 17331; Steven E. Noel, 1059 Swift Run Road, New Oxford, PA 17350

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

**ESTATE OF WARREN L. SPENCER, SR., DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executors: Ronnie R. Spencer, 145 Liberty Street, Westminster, MD 21157; Judy L. Spencer, 145 Liberty Street, Westminster, MD 21157

Attorney: Larry W. Wolf, P.C., 215 Broadway, Hanover, PA 17331

**ESTATE OF MARY L. TERRY, DEC'D**

Late of Conewago Township, Adams County, Pennsylvania

Executrix: Gloria N. Bailey, 128 W. Ring Factory Road, Apt. 1331, Bel Air, MD 21014

Attorney: Alex E. Snyder, Esq., Barley Snyder LLC, 14 Center Square, Hanover, PA 17331

**ESTATE OF CHARLES W. WEIKERT, DEC'D**

Late of Mt. Joy Township, Adams County, Pennsylvania

Administratrix: Marietta W. Witt, 1080 Hoffman Home Road, Littlestown, PA 17340

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

**SECOND PUBLICATION****ESTATE OF ARTHUR E. MENTZER, DEC'D**

Late of Franklin Township, Adams County, Pennsylvania

Executrices: Rosalie Mentzer Kerr and Betty Mentzer Weirich, c/o Jared S. Childers, Esq., R. Thomas Murphy & Associates, P.C., 2005 East Main Street, Waynesboro, PA 17268

Attorney: Jared S. Childers, Esq., R. Thomas Murphy & Associates, P.C., 2005 East Main Street, Waynesboro, PA 17268

**ESTATE OF LORRAINE M. RILEY, DEC'D**

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: Amy C. Gilbert, 785 Taneytown Road, Gettysburg, PA 17325

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

**ESTATE OF THELMA M. RUPPERT, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Executor: ACNB Bank, formerly known as Adams County National Bank, P.O. Box 4566, Gettysburg, PA 17325

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

**THIRD PUBLICATION****ESTATE OF TROCELIA W. COULTER, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Executors: Burt J. Coulter, 116 Rodes Avenue, Gettysburg, PA 17325; David C. Coulter, 7229 Apple Street, Bath, NY 14810

Attorney: Teeter, Teeter & Teeter, 108 W. Middle St., Gettysburg, PA 17325

**ESTATE OF OLIVE D. NEIDERER a/k/a OLIVE D. HANSFORD, DEC'D**

Late of Oxford Township, Adams County, Pennsylvania

Beverly Ann Kebil, 92 Patrick Avenue, Littlestown, PA 17340

Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

**ESTATE OF LONNIE C. ROSE, DEC'D**

Late of Germany Township, Adams County, Pennsylvania

Randall Lou Rose, 970 Gettysburg Road, Littlestown, PA 17340

Attorney: David K. James, III, Esq., 234 Baltimore Street, Gettysburg, PA 17325

NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE  
IN THE COURT OF COMMON PLEAS  
OF ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW  
COURT OF COMMON PLEAS  
CIVIL DIVISION  
ADAMS COUNTY  
NO. 10-S-1476

THE BANK OF NEW YORK MELLON  
TRUST COMPANY, NATIONAL  
ASSOCIATION F/K/A THE BANK OF  
NEW YORK TRUST COMPANY, N.A. AS  
SUCCESSOR TO JPMORGAN CHASE  
BANK N.A. AS TRUSTEE FOR RAMP  
2003RS3

vs.

ROBERT SIMON a/k/a ROBERT T.  
SIMON, JR. and SUSANN SIMON a/k/a  
SUSANN M. SIMON

NOTICE

TO ROBERT SIMON a/k/a ROBERT T.  
SIMON, JR and SUSANN SIMON a/k/a  
SUSANN M. SIMON:

You are hereby notified that on  
SEPTEMBER 1, 2010, Plaintiff, THE  
BANK OF NEW YORK MELLON TRUST  
COMPANY, NATIONAL ASSOCIATION  
F/K/A THE BANK OF NEW YORK  
TRUST COMPANY, N.A. AS  
SUCCESSOR TO JPMORGAN CHASE  
BANK N.A. AS TRUSTEE FOR RAMP  
2003RS3, filed a Mortgage Foreclosure  
Complaint endorsed with a Notice to  
Defend, against you in the Court of  
Common Pleas of ADAMS County  
Pennsylvania, docketed to No. 10-S-  
1476. Wherein Plaintiff seeks to fore-  
close on the mortgage secured on your  
property located at 105 CIDER DRIVE,  
YORK SPRINGS, PA 17372-9400  
whereupon your property would be sold  
by the Sheriff of ADAMS 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 objec-  
tions in writing with the court. You are  
warned that if you fail to do so the case  
may proceed without you and a judg-  
ment may be entered against you with-  
out 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.

ADAMS COUNTY  
COURT ADMINISTRATOR  
ADAMS COUNTY COURTHOUSE  
GETTYSBURG, PA 17325  
(717) 334-6781, EXT. 213

12/23