



# Chester County Law Reporter

(USPS 102-900)

*The Official Legal Publication for Chester County*

Vol. 72

WEST CHESTER, PENNSYLVANIA, JANUARY 04, 2024

No. 01

## TABLE OF CONTENTS 72 CHESTER COUNTY REPORTS

### Commonwealth v. Pulliam

*Motion for Suppression – Investigatory detention – Search of vehicle –  
Pretextual stop - Consent search – Exclusionary rule . . . . . 1 (2024)*

**Classified Ads. . . . . 17**

Meeting Space - *West Chester*  
Venzie Construction Law, LLC

**Legal Notices**

**See Table of Contents. . . . .1**

# Chester County Law Reporter

(USPS 102-900)

*Reporting the Decisions of the Divisions of the Court of the Fifteenth Judicial District of Pennsylvania, Composed of Chester County, Officially Designated by the Rule Thereof as the Legal Periodical for the Publication of Legal Notices*

Owned and Published by  
**CHESTER COUNTY BAR ASSOCIATION**  
15 West Gay Street, 2nd Floor, West Chester, Pennsylvania 19380

[www.chescobar.org](http://www.chescobar.org)  
[lawreporter@chescobar.org](mailto:lawreporter@chescobar.org)

Telephone: 610/692-1889 Fax: 610/692-9546

**Richard Meanix, Editor**

*Assistant Editor*

Patrick M. McKenna, Esquire  
Richard Meanix, Chairperson-Publications Committee

Subscription Rate \$50.00 for CCBA Members; \$70.00 for Nonmembers CCBA

Periodicals Postage Paid at West Chester, Pennsylvania

POSTMASTER: Send address changes to

Chester County Law Reporter, 15 West Gay Street, 2nd Floor, West Chester, PA 19380

The **CHESTER COUNTY LAW REPORTER** is published every Thursday. **The Deadline for submission of all notices is 12:00 noon on Tuesday, 10 days prior to the following Thursday publication.** Notices must be submitted in typewritten form OR form provided by the Office of the **Law Reporter** and are published exactly as submitted by the advertiser. Neither the Law Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content.

Copyright ©2024 CCBA — All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted in any form by electronic, mechanical, photocopy, or any other means without the prior written permission of the copyright holder.

---

---

## 2024 CCBA Officers

Donald Lynn, *President*  
James Doyle, *Vice President*  
Curt Norcini, *Treasurer*  
Bob Burke, *Secretary*  
Brian L. Nagle,  
*Immediate Past President*

## Executive Director

Gregory Nardi

## 2024 CCBA Directors

Jennifer Fink (2024)  
Kelly Jurs (2024)  
Hon. Analisa Sondergaard (2024)  
Patrick Gallo (2025)  
Max O'Keefe (2025)  
Andrea Cardamone (2026)  
Rosanna Chiple (2026)  
Wesley Legg (2026)

## 2024 YLD Division

Ryan Jennings, *Chair*  
Lauren Nehra, *Chair-Elect*  
Amanda M. V. Grant, *Immediate Past Chair*

**Commonwealth v. Pulliam**

Motion for Suppression – Investigatory detention – Search of vehicle – Pretextual stop  
- Consent search – Exclusionary rule

1. Once a motion to suppress evidence has been filed, it is the Commonwealth's burden to prove, by a preponderance of the evidence, that the challenged evidence was not obtained in violation of the defendant's rights.
2. Generally, to have standing to pursue a suppression motion under Pa.R.Crim.P. 581, a defendant's constitutional rights must have been infringed.
3. A defendant charged with a possessory offense in this Commonwealth has automatic standing because the charge itself alleges an interest sufficient to support a claim. This rule entitles a defendant to a review of the merits of a suppression motion without a preliminary showing of ownership or possession in the premises or items seized.
4. Additionally, in order to prevail on a suppression motion, a defendant must show that they had a privacy interest in the place invaded or thing seized that society is prepared to recognize as reasonable.
5. A defendant bears the burden of persuasion with respect to a privacy interest. Whether the defendant has a legitimate expectation of privacy is a component of the merits analysis of the suppression motion. The determination whether the defendant has met this burden is made upon evaluation of the evidence presented by the Commonwealth and the defendant.
6. Where the purpose of an initial, valid traffic stop has ended and a reasonable person would have believed that she was free to leave, the law characterizes a subsequent round of questioning by the officer as a mere encounter. When the citizen is free to leave, she is not detained, and the police are free to ask questions appropriate to a mere encounter, including a request for permission to search the vehicle.
7. Where the purpose of an initial traffic stop has ended and a reasonable person would not have believed that he was free to leave, the law characterizes a subsequent round of questioning by the police as an investigatory detention or arrest.
8. In the absence of either reasonable suspicion to support the investigatory detention or probable cause to support the arrest, the citizen is considered unlawfully detained.
9. Where a consensual search has been preceded by an unlawful detention, the exclusionary rule requires suppression of the evidence.
10. In order for a court to determine whether a police officer had reasonable suspicion, the totality of the circumstances must be considered.
11. In making this determination, a court must give due weight to the specific reasonable inferences the police officer is entitled to draw from the facts in light of his experience.

12. The totality of the circumstances test does not limit our inquiry to an examination of only those facts that clearly indicate criminal conduct. Rather, even a combination of innocent facts, when taken together, may warrant further investigation by the police officer.
13. The Fourth Amendment to the United States Constitution protects citizens from unreasonable searches and seizures.
14. A state trooper must have a reasonable suspicion to search an individual's person or property.
15. Reasonable suspicion requires a particularized and objective basis for suspecting that a particular person who has been stopped has committed, is committing or is about to commit a crime.
16. Pennsylvania courts have held that the Pennsylvania Constitution affords even greater protection to the Commonwealth's citizens than the 4th Amendment.
17. The Pennsylvania Constitution requires both a showing of probable cause and exigent circumstances to justify a warrantless search of an automobile.
18. Once a vehicle is detained, a trooper may look inside the car for drugs or other contraband that may be in plain view.
19. If no drugs or contraband appear in plain view, however, a trooper cannot search that vehicle without reasonable suspicion to believe that a crime has been, is being, or is about to be committed.
20. As of June, 2023, twenty-three states and the District of Columbia have legalized recreational marijuana. Included among those 23 states are all of the neighboring states to Pennsylvania.
21. It appears to this Court that the Pennsylvania State Police have worked to develop a system that exploits fundamental precepts of our judicial system when coupled with the ignorance and timidity of the motoring public.
22. It is not surprising to this Court that the Troopers pulled over an out-of-state vehicle at, or near, the Commonwealth's borders. This strategy of pretextual policing is legal.
23. The U.S. Supreme Court has held that when officers witness traffic violations, they are authorized to make stops, even if the stops are pretextual. The legal problem is that The U.S. Supreme Court's holding allows a traffic violation to justify stopping a vehicle for any or no reason results in all citizens becoming fair game for a stop - anytime, anywhere and simply at the whim of the police with no detail of driving being too small, and no item of automobile regulation being too arcane to initiate a traffic stop.
24. Presently, the law has two primary checks on pretextual policing. First, the law limits the tolerable duration of a traffic stop. Second, if troopers do not have reasonable suspicion for extending the stop, a driver's consent to extend the stop is needed.
25. The U.S. Supreme Court made clear that a traffic stop may last no longer than necessary to effectuate its purpose.
26. Beyond that time necessary to effectuate the purpose of the stop, a trooper lacking reasonable suspicion may extend the stop to ask questions unrelated to the stop or

- to wait for other officers to arrive, but only with the driver's consent.
27. An encounter is not consensual unless a reasonable person would feel free to disregard the police and go about their business.
  28. If a driver merely submits to the trooper's show of authority, a driver has not given willing and voluntary consent.
  29. Typically, at the beginning of an initial traffic stop, a trooper does not have reasonable suspicion to search a vehicle. Therefore, he or she needs to develop that reasonable suspicion. At that point, a trooper has two options after the traffic stop is concluded, that is, to keep the driver talking until he or she says something which a trooper considers suspicious or elicit the driver's consent to search.
  30. Given the number of states in which recreational marijuana may be legally purchased and the fact that in Pennsylvania medical marijuana may be legally purchased, the mere fact that an officer may smell marijuana is not a sufficient basis to conduct a search of a vehicle.
  31. Pennsylvania courts have held that the mere smell of marijuana does not amount to reasonable suspicion to support an unlawful detention.
  32. Similarly, the mere possession of registered firearms is insufficient to establish a reasonable suspicion of criminal activity.
  33. To determine whether or not one's consent was valid, a court must determine if it was voluntarily given. The test for voluntariness is whether or not, under the totality of the circumstances, the consent is the product of essentially free and unconstrained choice, not the result of duress or coercion. Factors to be considered may include: (a) the presence or absence of police excesses; (b) whether there was physical contact; (c) whether police directed the citizen's movements; (d) police demeanor and manner of expression; (e) the location of the interdiction; (f) the content of the questions and statements; (g) the existence and character of the initial investigative detention, including its degree of coerciveness; (h) whether the person has been told that she is free to leave; and (i) whether the citizen has been informed that she is not required to consent to the search.
  34. The Defendant was charged with Possession with Intent to Deliver; Possession of Drug Paraphernalia; Driving on Right Side of Roadway; Maximum Speed Limits; and Restrictions on Use of Limited Access Highways. In her Motion to Suppress, she contended her arrest followed an unlawful investigatory detention and illegal search of her vehicle. Knowing only that this was a rental vehicle that was being driven 8 miles per hour over the speed limit on a divided limited access highway, the Troopers initiated a traffic stop. One Trooper alerted the other to the presence of a firearm in the vehicle. Upon further inquiry, the Defendant confirmed that there were two other weapons on the front driver's side floorboard. Upon inquiry, she advised the Trooper she had a license from Virginia for the weapons and permission to carry them. While one Trooper obtained the Defendant's driver's license and identification and returned to his patrol car, the other Trooper remained with the Defendant and her passenger on the side of the road and continued to question her about her destination and the reason for her travel. Upon further inquiry as to whether there was "anything illegal in the car?",

the Defendant replied “no.” When asked if there were any drugs in the car, she responded “no.” When asked if there was any marijuana in the car; she responded “probably”. It was during this exchange that the Trooper stated for the first time that he could “smell it a little bit.” The Defendant stated that she had not been smoking marijuana. No field sobriety tests were conducted. The Trooper asked for consent to search the vehicle; the Defendant said “no.” The Trooper told the Defendant there were two avenues he could take, a consent search on the side of the road or if she would not give consent, he would seize the vehicle, apply for a search warrant and wait for the search warrant to get approved by the judge in the morning. At that point, the Defendant said “go ahead.” The Commonwealth argued at the suppression hearing that the Defendant did not demonstrate that she had a privacy interest in the vehicle searched because it was a rental car. The Court concluded that the facts presented at the hearing demonstrated that the Defendant had a privacy interest in the searched vehicle. The Defendant argued once the Troopers confirmed that there were no weapons on her, the traffic stop was prolonged beyond the time reasonably required to complete the mission of issuing a ticket for the traffic offenses and became an unlawful investigative detention without reasonable and articulable suspicion that she was engaged in criminal activity. It was clear to this Court the Troopers did not view this matter to be a simple traffic stop, but rather as some larger investigation or drug interdiction. The Commonwealth contends the Trooper had reasonable suspicion that criminal activity was afoot, noting the smell of marijuana, the presence of registered firearms in the vehicle and the statement of the Defendant that she was driving to a food truck in Philadelphia during the early morning hours. The Court concluded those facts, alone or taken as a whole, are not suggestive of criminal activity and the traffic stop exceeded the duration necessary to serve the purpose thereof. The Defendant argued any consent given by her to search the vehicle was invalid because of the unlawful detention. This Court agreed. Any consent to search given by her following her unlawful detention is invalid and the exclusionary rule requires suppression of the evidence. The Defendant’s consent to search, which she gave after an initial refusal, was invalid. Based upon the totality of these circumstances, the Defendant’s consent to search the vehicle was not demonstrated to be of her own free will and thus was invalid. Accordingly, the Court granted the Defendant’s Motion to Suppress.

R.E.M.

C.C.P., Chester County, Pennsylvania Criminal Action No. 359-2023; Commonwealth of Pennsylvania vs. N’Dea Lache Pulliam

William F. Buckman for the Commonwealth  
Caroline G. Donato for the Defendant  
Sommer, J., August 3, 2023:-

[72 Ches. Co. Rep. Commonwealth v. Pulliam

COMMONWEALTH OF PENNSYLVANIA	:	IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
VS.	:	NO. 359-2023
N’DEA LACHE PULLIAM	:	CRIMINAL ACTION

William F. Buckman, Esquire, on behalf of the Commonwealth  
Caroline G. Donato, Esquire, on behalf of the Defendant

**ORDER**

AND NOW, this 3rd day of August, 2023, upon consideration and review of Defendant N’Dea Lache Pulliam’s Omnibus Pre-Trial Motion: Application for Suppression, and following a hearing held July 13, 2023, it is hereby ORDERED that the Motion is GRANTED.<sup>1</sup>

BY THE COURT:

/s/Jeffrey R. Sommer, J.

---

<sup>1</sup> Defendant N’Dea Lache Pulliam (hereinafter “Pulliam”) has been charged with one count of Possession with Intent to Manufacture or Deliver (35 P.S. §780-113(a)(30)), one count of Possession of Drug Paraphernalia (35 P.S. §780-113(a)(32)), one count of Driving on Right Side of Roadway (75 Pa.C.S.A §3301(a)), one count of Maximum Speed Limits (75 Pa.C.S.A §3362(a)(2)), and one count Restrictions on Use of Limited Access Highways (75 Pa.C.S.A. §3313(d)), all of which stem from a traffic stop in Penn Township, Chester County on January 8, 2023. Pulliam contends that her arrest followed an unlawful investigatory detention and search of her vehicle. She requests in her Omnibus Pre-Trial Motion that the court enter an order suppressing all of the evidence derived from the unlawful detention, including her statements to law enforcement during the detention, and illegal vehicle search.

On July 13, 2023, the court held a hearing on the motion. At the suppression hearing, the Commonwealth called the affiant, Trooper Anthony Stoltzfus of the Pennsylvania State Police – Avondale Barracks, as a witness. Trooper Stoltzfus testified that he has been a trooper since 2019. According to Trooper Stoltzfus, on January 18, 2023, at approximately midnight, he was in uniform and traveling in a marked patrol vehicle with another state trooper, Trooper Davis (collectively “the Troopers”), along Route 1, north of Route 796 in Chester County. He testified that he noticed a Dodge Charger with a Virginia license plate driving north on Route 1 in the left lane. He immediately “ran the license plate” which revealed the vehicle was a rental car. Trooper Stoltzfus offered no explanation or reasoning for “running the plate” of the car, other than the Virginia tags. He testified that Route 1 is a “limited access highway” and as such drivers may travel in the left lane only for the purpose of passing another vehicle. He testified that other than his vehicle, there were no other vehicles in the vicinity at the time of the stop. According to Trooper Stoltzfus, after he pulled behind the vehicle, he clocked the vehicle’s speed as traveling 63 miles per hour in a 55 mile-per-hour zone. Trooper Stoltzfus’ patrol car was equipped with an MVR. The MVR recording was introduced into evidence at the hearing as C-1 and D-1 and published.

Knowing only that this was a rental vehicle that was being driven 8 miles per hour over the speed limit on a divided limited access highway, the Troopers initiated a traffic stop.

At the time of the stop, the vehicle was being driven by Pulliam. There was an additional occupant in the front seat. Trooper Stoltzfus approached the passenger side of the vehicle to speak with the occupants. Trooper Davis approached the rear driver's side of the vehicle. He alerted Trooper Stoltzfus to the presence of a firearm in the rear of the vehicle. Trooper Stoltzfus asked the occupants to exit the vehicle, which they did without incident. Pulliam and the passenger were patted down to confirm there were no weapons on their persons. None were found. Pulliam was asked whether there were additional weapons in the car. Pulliam confirmed that there were two weapons on the front driver's side floorboard. The Troopers then began questioning Pulliam further.

Trooper Stoltzfus advised Pulliam that she was stopped for traveling in the left lane on a limited access highway. He asked Pulliam where she was coming from and where she was headed. She told Trooper Stoltzfus that it was her birthday and she had traveled from Virginia to Pennsylvania to visit her favorite food truck in Philadelphia. He then asked Pulliam whether she was authorized to carry the weapons located in the vehicle. She advised Trooper Stoltzfus that she had a license from Virginia for the weapons and permission to carry the same. Trooper Stoltzfus obtained Pulliam's driver's license and identification and returned to his patrol car. Trooper Davis remained with Pulliam and her passenger on the side of the road and continued to question her about her destination and the reason for her travel.

Approximately ten minutes into the traffic stop, Trooper Stoltzfus returned from his patrol car to Pulliam. He reiterated that he knew that she legally had weapons. He asked her if there was "anything illegal in the car?" She replied "no." He asked if there were any drugs in the car. Pulliam responded "no." Trooper Stoltzfus then asked if there was any marijuana in the car. Pulliam responded that there was probably marijuana in the car. It was during this exchange that Trooper Stoltzfus stated for the first time that he could "smell it a little bit." Pulliam stated that she had not been smoking marijuana.

Trooper Stoltzfus did not conduct any field sobriety tests.

Trooper Stoltzfus told Pulliam that he did not know how it is in Virginia, but in Pennsylvania, marijuana is still a misdemeanor charge. He stated that he was not worried about the "little stuff." He then asked for consent to search the vehicle. Pulliam said "no." Trooper Stoltzfus nevertheless pressed Pulliam and continued. He told Pulliam that there were two avenues he could take: (1) either a consent search on the side of the road, or (2) if she would not give consent, he would seize the vehicle, apply for a search warrant and wait for the search warrant to get approved by the judge in the morning. At that point, Pulliam said "go ahead."

#### *Motion to Suppress: General Standards*

As the Pennsylvania Supreme Court explained in *Commonwealth v. Wallace*, "[o]nce a motion to suppress evidence has been filed, it is the Commonwealth's burden to prove, by a preponderance of the evidence, that the challenged evidence was not obtained in violation of the defendant's rights." 615 Pa. 395, 407, 42 A.3d 1040, 1047-1048 (2012)(citing Pa.R.Crim.P. 581(H)); *Commonwealth v. Hamilton*, 543 Pa. 612, 614, 673 A.2d 915, 916 (1996). Generally, to have standing to pursue a suppression motion under Pa.R.Crim.P. 581, a defendant's constitutional rights must have been infringed. However, a defendant charged with a possessory offense in this Commonwealth has "automatic standing" because the charge itself alleges an interest sufficient to support a claim. *Commonwealth v. Sell*, 504 Pa. 46, 470 A.2d 457, 468 (1983). This rule entitles a defendant to a review of the merits of a suppression motion without a preliminary showing of ownership or possession in the premises or items seized. *Commonwealth v. Peterson*, 535 Pa. 492, 636 A.2d 615 (1993). The Commonwealth has not challenged Defendant's standing in this case.

Additionally, in order to prevail on a suppression motion, a defendant must show that they had a privacy interest in the place invaded or thing seized that society is prepared to recognize as reasonable. *Commonwealth v. Hawkins*, 553 Pa. 76, 82, 718 A.2d 265, 267 (1998)(citation omitted). Under Pennsylvania jurisprudence, a defendant bears the burden of persuasion with respect to a privacy interest. See *Commonwealth v. Gordon*, 546 Pa. 65, 683 A.2d 253, 256 (1996) (citation omitted). "Whether [the] defendant has a legitimate expectation of privacy is a component of the merits analysis of the suppression motion. The determination whether [the] defendant has met this burden is made upon evaluation of the evidence presented by the Commonwealth and the defendant." *Commonwealth v. Burton*, 973 A.2d 428, 435

(Pa. Super. 2009) (emphasis added).

The Commonwealth argued at the suppression hearing that Pulliam did not demonstrate that she had a privacy interest in the vehicle searched because it was a rental car. According to the Commonwealth, the only evidence presented on this issue was Pulliam's statements recorded by the MVR on the side of the road that she had rented the vehicle that Trooper Stoltzfus had stopped.

The Superior Court addressed the privacy interest of rental car drivers in *Commonwealth v. Jones*, 874 A.2d 108, 117-118 (Pa. Super. 2005). In *Jones*, the appellant's vehicle was stopped by an officer; the traffic stop was not challenged. Following the stop, the officer requested the appellant's driver's license, registration, and insurance, but the appellant was unable to provide the information. The appellant did provide a non-driver identification card from New York and a rental agreement. A computer check could not verify the information on the appellant's identification card. The Superior Court noted that the appellant driver and his passengers did not attempt to explain their connection to the authorized lessee of the automobile and the passengers made inconsistent statements about various details concerning their out-of-state trip. The *Jones* court concluded that on those facts, appellant could not claim a reasonable expectation of privacy in the automobile. Furthermore, the Superior Court found that the appellant could not have had a subjective expectation of privacy that was reasonable where the rental agreement had expired, the named lessee was not the driver, the named lessee was not present in the vehicle, and the rental agreement did not have the appellant as an authorized driver.

This case, however, is distinguishable from the factual scenario presented in *Jones*. The uncontradicted evidence at the hearing offered through the testimony of Trooper Stoltzfus was that Pulliam was operating a rental car with Virginia license plates. Pulliam advised Trooper Stoltzfus that she had rented the car and provided Trooper Stoltzfus with all of her required driver documentation. Trooper Stoltzfus testified that he ran the license plate prior to stopping the vehicle. He did not testify that he received any notification that the automobile had been stolen. He did not testify that he received any notification that the rental was in any way improper. Trooper Stoltzfus did not testify that he contacted the registered business owner of the vehicle to otherwise determine the status of the agreement or for permission to search the vehicle. Rather, he asked Pulliam for consent to search the vehicle. The court concludes that the facts presented at the hearing demonstrated that Pulliam had a privacy interest in the searched vehicle. See *Byrd v. U.S.*, 138 S.Ct. 1518, 1531 (2018)(holding mere fact that driver in lawful possession or control of rental car is not listed on rental agreement will not defeat his or her otherwise reasonable expectation of privacy).

#### *Legality of the traffic stop*

Pulliam concedes that Trooper Stoltzfus had probable cause to justify the initial traffic stop for violations of the Motor Vehicle Code. She also acknowledges that once a firearm was viewed in the rear passenger seat it was appropriate for Trooper Stoltzfus to request that she and her passenger exit the vehicle and for the Troopers to pat her down initially to ensure the officers' safety. However, once the Troopers confirmed that there were no weapons on her, Pulliam argues that the traffic stop "was prolonged beyond the time reasonably required to complete the mission of issuing a ticket for the traffic offenses and attending to related safety concerns." (Mot., at ¶38(a)).

#### *The Prolonged Traffic Stop and Investigatory Detention*

Pulliam argues that the traffic stop "for driving in the left lane and speeding developed into a totally unrelated and unlawful investigative detention without reasonable and articulable suspicion that she was engaged in criminal activity." (*Id.* at 46). The Commonwealth argues that Pulliam's traffic stop, and the events thereafter, were lawful and the stop lasted only as long as was reasonably necessary. Additionally, argues the Commonwealth, considering the totality of the circumstances, which includes Trooper Stoltzfus' observation of the smell of marijuana, Trooper Stoltzfus had reasonable suspicion to continue his investigation and demonstrate that his actions were lawful.

The Superior Court in *Commonwealth v. Mattis* outlined the law governing traffic stops as follows:

Where the purpose of an initial, valid traffic stop has ended and a reasonable person would have believed that he was free to leave, the law characterizes a subsequent

round of questioning by the officer as a mere encounter.” *Commonwealth v. By*, 812 A.2d 1250, 1255 (Pa. Super. 2002), *appeal denied*, 576 Pa. 710, 839 A.2d 350 (2003). Since the citizen is free to leave, he is not detained, and the police are free to ask questions appropriate to a mere encounter, including a request for permission to search the vehicle. *See Commonwealth v. Freeman*, 563 Pa. 82, 89, 757 A.2d 903, 907 (2000). Nevertheless, where the purpose of an initial traffic stop has ended and a reasonable person would not have believed that he was free to leave, the law characterizes a subsequent round of questioning by the police as an investigative detention or arrest. *Id.* at 90, 757 A.2d at 907. In the absence of either reasonable suspicion to support the investigative detention or probable cause to support the arrest, the citizen is considered unlawfully detained. *See Strickler*, *supra* at 58, 757 A.2d at 889. Where a consensual search has been preceded by an unlawful detention, the exclusionary rule requires suppression of the evidence. *Id.*

252 A.3d 650, 654-655 (Pa. Super. 2021).

Thus, in order for a court to determine whether a police officer had reasonable suspicion, the totality of the circumstances must be considered. *In re D.M.*, 566 Pa. 445, 781 A.2d 1161, 1163 (2001).

In making this determination, a court must give “due weight ... to the specific reasonable inferences [the police officer] is entitled to draw from the facts in light of his experience.” *Cook*, 735 A.2d at 676 (quoting *Terry v. Ohio*, 392 U.S. 1, 27, 88 S.Ct. 1868, 20 L.Ed.2d 889 (1968)). Also, the totality of the circumstances test does not limit our inquiry to an examination of only those facts that clearly indicate criminal conduct. Rather, “[e]ven a combination of innocent facts, when taken together, may warrant further investigation by the police officer.” *Cook*, 735 A.2d at 676.

*Commonwealth v. Rogers*, 578 Pa. 127, 849 A.2d 1185, 1189 (2004).

The Fourth Amendment to the United States Constitution protects citizens from “unreasonable searches and seizure”. This is why a Pennsylvania state trooper must have a “reasonable suspicion” to search an individual’s person or property. Reasonable suspicion requires a “particularized and objective basis” for suspecting that a particular person who has been stopped has committed, is committing or is about to commit a crime. *Navarette v. California*, 572 U.S. 393 (2014). Further, Pennsylvania courts have held that the Pennsylvania Constitution, at Article One, Section 8, affords even greater protection to the Commonwealth’s citizens than the 4th Amendment. Under Pennsylvania law, the Pennsylvania Constitution requires both a showing of probable cause and exigent circumstances to justify a warrantless search of an automobile. *Commonwealth v. Alexander*, 243 A.3d 177 (Pa. 2020). Once a vehicle is detained, a trooper may look inside the car for drugs or other contraband that may be in “plain view.” If no drugs or contraband appear in plain view, however, a trooper cannot search that vehicle without reasonable suspicion to believe that a crime has been, is being, or is about to be committed.

The Commonwealth of Pennsylvania has hundreds of traffic laws on the books. These traffic laws offer troopers innumerable opportunities to stop motorists for violations which are alleged to involve public safety, but in actuality are used to investigate drug crimes for which they have little or no evidence. In examining the totality of the circumstances here, the court must note that as of June, 2023, twenty-three (23) states and the District of Columbia have legalized recreational marijuana. Included among those 23 states are all of the neighboring states to this Commonwealth - Delaware, Maryland, New Jersey, New York and Virginia. Interestingly, Trooper Stoltzfus used the word “interdiction” throughout his testimony. It was made clear to the court during the hearing that the Troopers did not view this matter to be a simple traffic stop, but rather as some larger investigation or “drug interdiction”.

It thus appears to the court that the Pennsylvania State Police have worked to develop a system that exploits fundamental precepts of our judicial system when coupled with the ignorance and timidity of the motoring public. The testimony at the hearing made it apparent that the Troopers considered that a motorist with Virginia license plates may have been traveling from a state which allows drugs or to a drug sale because Pennsylvania has not yet legalized recreational marijuana although the surrounding states have done so. It is not surprising to the court that the Troopers would have pulled over an out-of-state vehicle at, or

---

**[72 Ches. Co. Rep. Commonwealth v. Pulliam**

---

near, the Commonwealth's borders. This strategy of pretextual policing is legal.

In *Whren v. United States*, 517 U.S. 806 (1996), the Supreme Court held that when officers witness traffic violations, they are authorized to make stops, even if the stops are pretextual. In other words, the motivation for the stop is not to enforce the traffic law, but to investigate other possible crimes. Thus, state traffic codes have become an extremely powerful tool for state troopers. The legal problem is that when read fairly, *Whren's* allowance of a traffic violation to justify stopping a vehicle for any or no reason results in all citizens becoming fair game for a stop - anytime, anywhere and simply at the whim of the police. With the advent of license plate readers that enable troopers to "run" a plate by simply following a car, no detail of driving becomes too small, and no item of automobile regulation becomes too arcane to initiate a traffic stop.

At the present, the law has two primary checks on pretextual policing. First, the law limits the tolerable duration of a traffic stop. Second, if troopers do not have reasonable suspicion for extending the stop, a driver's consent to extend the stop is needed. In *Rodriguez v. United States*, 575 U.S. 348, 354 (2015), the Supreme Court made clear that a traffic stop may last no longer than necessary to effectuate its purpose: "the tolerable duration of police inquiries in the traffic-stop context is determined by the seizure's mission - to address the traffic violation that warranted the stop, and to attend to related safety concerns .... Because addressing the infraction is the purpose of the stop, it may 'last no longer than is necessary to effectuate this purpose'." (citations omitted).

Beyond that time necessary to effectuate the purpose of the stop, a trooper lacking reasonable suspicion may extend the stop to ask questions unrelated to the stop or to wait for other officers to arrive, but only with the driver's consent. See *id.* at 354-357. An encounter is not consensual unless a reasonable person would feel free to disregard the police and go about their business. See *Florida v. Bostick*, 501 U.S. 429 (1991). If a driver merely submits to the trooper's show of authority, a driver has not given willing and voluntary consent. See *Schneekloth v. Bustamante*, 412 U.S. 218 (1973) (holding consent is exception to rule that officer must have warrant or reasonable suspicion to conduct search but consent must be voluntarily given). The trooper has committed a seizure for which he or she must have reasonable suspicion.

Typically, at the beginning of an initial traffic stop, a trooper does not have reasonable suspicion to search a vehicle. Therefore, he or she needs to develop that reasonable suspicion. At this point, a trooper has two options after the traffic stop is concluded: (1) keep the driver talking until he or she says something which a trooper considers suspicious; or (2) elicit the driver's consent to search.

Such was the case here. To search this vehicle without reasonable suspicion would simply be a fishing expedition for evidence of drug crimes. The Commonwealth therefore had the burden of demonstrating that under the totality of the circumstances, reasonable suspicion justified the search and seizure and Defendant's consent was freely and voluntarily given.

The Commonwealth contends that Trooper Stoltzfus had reasonable suspicion that criminal activity was afoot which justified any investigatory detention when one considers the totality of the circumstances. Those circumstances, as offered by the Commonwealth, were Trooper Stoltzfus' testimony that he smelled marijuana upon approaching the vehicle, the presence of registered firearms in the vehicle and Pulliam's statement that she was traveling to a food truck in Philadelphia during the early morning hours. Upon consideration of the testimony and evidence presented at the preliminary hearing, the court concludes that the above facts, alone or taken as a whole, are not suggestive of criminal activity and the traffic stop exceeded the duration necessary to serve the purpose thereof. The investigatory detention that followed was not supported by a reasonable suspicion of criminal activity requiring further investigation.

In *Commonwealth v. Lopez*, 415 Pa. Super. 252, 609 A.2d 177 (1992), *appeal denied*, 533 Pa. 598, 617 A.2d 1273 (1992), the Superior Court addressed a similar police-initiated traffic stop. In *Lopez*, after stopping Lopez for a traffic violation, the officer requested Lopez's registration, rental car agreement and license. Before returning the documents, the officer continued to question Lopez regarding his origin, destination, purpose and duration of his trip. Eventually, Lopez was asked for consent to search the vehicle. The Superior Court held that the officer's "continued detention and investigation" constituted an unreasonable Fourth Amendment seizure. *Id.* Specifically, the Superior Court concluded that the illegality resulted from the officer's retention of Lopez's license and other papers because while police held those documents, Lopez was not free to leave and the consent to search was not lawful. *Id.*

In this case, like in *Lopez*, after obtaining Pulliam's driver's information and documentation, Troopers Stoltzfus and Davis repeatedly questioned Pulliam about where she had come from, where she was headed, and why she had weapons in the car long into the traffic stop. Over ten minutes of such questioning was recorded on the MVR. At the hearing, Trooper Stoltzfus suggested that the length of the stop was extended as a result of processing Pulliam's driver information and for no other purpose. However, Trooper Stoltzfus previously testified that he had already run the vehicle's plates while he followed the vehicle prior to pulling it over. Thus, a significant part of the investigation related to the traffic stop had occurred prior to Trooper Stoltzfus even stopping the vehicle.

The MVR showed that the vehicle was operated by Pulliam in a safe manner. Trooper Stoltzfus did not issue a citation to Pulliam when he emerged from his vehicle, even though the purpose for the initial traffic stop – to investigate the Motor Vehicle Code violations of speeding and driving in the left lane – clearly had ended. He did not advise Pulliam that she was free to leave.

Trooper Stoltzfus instead emerged from his vehicle and began asking a series of new questions. He asked about whether there were illegal items in the car. Notably, he did not ask that question upon first locating weapons in the car within the initial minutes of the stop. He then continued with questions about whether there were drugs in the car and then whether there was marijuana in the car. All of this was a subsequent round of questioning and part of a second investigative detention. Trooper Stoltzfus' initiation of this second investigative detention required the Commonwealth to demonstrate articulable and specific facts supporting a reasonable suspicion of criminal activity to justify the same. See *Commonwealth v. Donaldson*, 786 A.2d 279 (Pa. Super. 2001).

It is important to note that within the totality of circumstances is the fact that Pulliam was not accused of or charged with any firearm violations nor was she accused of or charged driving under the influence of marijuana or any other drug. Thus, all of the other potential investigative items were immaterial and of no consequence in any determination to further detain Defendant. Rather, some ten minutes after the stop commenced, Trooper Stoltzfus noticed the "smell of marijuana."

Despite claims at the hearing that Trooper Stoltzfus smelled marijuana immediately upon approaching the car, this statement was called into doubt by the other record evidence. Given the number of states in which recreational marijuana may be legally purchased and the fact that in Pennsylvania medical marijuana may be legally purchased, the mere fact that someone may "smell" marijuana is not a sufficient basis to conduct a search of a vehicle. Trooper Stoltzfus admitted that he made no mention of the smell of marijuana, as confirmed on the MVR, until over ten minutes into the traffic stop. Despite this alleged observation, he did not conduct any roadside sobriety tests or ask the occupants about the odor when he was at the side of the car, when he asked them to exit the vehicle, when he patted each of them down and later questioned them about weapons in the car. He testified that when he did finally mention marijuana that night, he lied to Pulliam and told her that he had smelled "a little bit." Importantly, Pennsylvania courts have held that the mere smell of marijuana does not amount to reasonable suspicion to support an unlawful detention. See *Commonwealth v. Barr II*, 266 A.3d 25 (Pa. 2021)(holding one's liberty may not be abridged on sole basis that law enforcement officer detected smell of marijuana). This would be particularly true where, as in this case, the alleged smell of marijuana is coupled with a failure to perform field sobriety tests on the driver.

Similarly, the mere possession of registered firearms is insufficient to establish a reasonable suspicion of criminal activity. See *Commonwealth v. Hicks*, 652 Pa. 353, 208 A.3d 916 (2019)(carrying concealed weapon by licensed individual cannot alone be basis for probable cause to search vehicle without warrant). Despite the existence of the firearms, the testimony, as supported by the MVR recording, was that Pulliam was cooperative with Trooper Stoltzfus and answered all of the questions asked of her. There was no testimony she was evasive or nervous during questioning. She did not try to hide the weapons. Pulliam complied with the request to exit the vehicle and consented to a pat down. Pulliam, without difficulty, provided Trooper Stoltzfus with her driver's documentation and advised where other firearms were located in the vehicle. She then provided information as to her license to carry the firearms found in the vehicle, a right which Trooper Stoltzfus stated on the MVR was one that he believed all persons possessed and one which Trooper Stoltzfus fully supported. He stated to Pulliam that he had no problem with her owning the registered firearms.

---

**[72 Ches. Co. Rep. Commonwealth v. Pulliam**

---

Finally, where Pulliam may have been traveling to that night is of no consequence to the court. Trooper Stoltzfus did not identify Route 1 in southern Chester County as a high crime area or known drug location. Furthermore, citizens of this country are permitted to engage in interstate travel at whatever time of the day or night one chooses to do so.

*The Consent to Search*

Pulliam next argues that any consent given by her to search the vehicle was invalid because of the unlawful detention. The court agrees. Any consent to search given by Pulliam following her unlawful detention is invalid and the “exclusionary rule requires suppression of the evidence. *See Commonwealth v. Mattis*, 252 A.3d 650, 655 (Pa. Super. 2021)(citing *Commonwealth v. Strickler*, 563 Pa. 47, 757 A.2d 884, 889 (2000)).

Even if the court were to conclude that the traffic stop was properly limited in time and purpose and did not constitute an unlawful detention, Pulliam’s “consent” to search, which she gave after an initial refusal, was invalid. To determine whether or not one’s consent was valid, a court must determine if it was voluntarily given. The test for voluntariness is whether or not, under the totality of the circumstances, the consent is the product of essentially free and unconstrained choice, not the result of duress or coercion. Factors to be considered may include:

- 1) the presence or absence of police excesses; 2) whether there was physical contact;
- 3) whether police directed the citizen's movements; 4) police demeanor and manner of expression; 5) the location of the interdiction; 6) the content of the questions and statements; 7) the existence and character of the initial investigative detention, including its degree of coerciveness; 8) whether the person has been told that he is free to leave; and
- 9) whether the citizen has been informed that he is not required to consent to the search.

*Commonwealth v. Strickler*, 757 A.2d 884 (Pa. 2000)).

Applying the facts in this case to the factors above, the court concludes that Pulliam's consent to search the vehicle was not the product of a free and unconstrained choice. The testimony and evidence presented at the hearing demonstrated that Pulliam had been placed on the side of the road at midnight in January for approximately fourteen minutes by the time her consent was requested. She answered the same questions from Trooper Stoltzfus multiple times and provided him with all of the requested documents. She was never advised that she was free to leave. Before she was asked to consent to a search, she was asked about illegal items in the vehicle. She responded there were none. Trooper Stoltzfus then asked if there were drugs in the car and Pulliam replied “no.” Trooper Stoltzfus continued. He next asked about marijuana. Notably, Trooper Stoltzfus testified that before he asked for consent to search “he lied” to Pulliam and told her he only smelled “a little bit” of marijuana, even though it was his testimony now that there was a strong odor. At no time did Trooper Stoltzfus advise Pulliam of her *Miranda* rights. When finally she was asked for consent to search the car, Pulliam declined. She was not advised that she was not required to give consent. Rather, Trooper Stoltzfus followed her refusal with laying out two “options” for Pulliam: consent or Trooper Stoltzfus would seize the car on the side of the road, have it towed and wait for a search warrant the next day. Based upon the totality of these circumstances, Pulliam’s consent to search the vehicle was not demonstrated to be of her own free will and thus was invalid. *See Commonwealth v. Acosta*, 815 A.2d 1078 (Pa. Super. 2003)(totality of circumstances supported finding that defendant's consent to search vehicle was not voluntary); *compare Commonwealth v. Mack*, 568 Pa. 329, 796 A.2d 967 (2002)(under totality of circumstances, consent to search voluntary where defendant signed consent form after ten minutes and being advised of *Miranda* rights prior to request).

**TABLE OF CONTENTS**  
**LEGAL NOTICES**

Corporation Notice . . . . . 2  
Estate Notice **1st Publication**. . . . . 2  
Estate Notice **2nd Publication** . . . . . 3  
Estate Notice **3rd Publication**. . . . . 4  
Fictitious Name . . . . . 6  
Foreign Registration Statement. . . . . 6  
Nonprofit Corporation Notice . . . . . 6  
Trust Notice **(1st Publication of 3)** . . . . . 7  
Trust Notice **(2nd Publication of 3)**. . . . . 7  
Trust Notice **(2nd Publication of 3)**. . . . . 7  
Sheriff Sale of Real Estate **(2nd Publication of 3)** . . . . . 8

**NOTICES**

*Please note: All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser unless otherwise specified. Neither the **Law Reporter** nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content. The use of the word "solicitor" in the advertisements is taken verbatim from the advertiser's copy and the **Law Reporter** makes no representation or warranty as to whether the individual or organization listed as solicitor is an attorney or otherwise licensed to practice law. The **Law Reporter** makes no endorsement of any advertiser in this publication nor is any guarantee given to quality of services offered.*

**CORPORATION NOTICE**

Agnew Veterinary Reproductive Services P.C. has been incorporated under the provisions of Chapter 29 of the Pennsylvania Business Corporation law of 1988 as a Professional Corporation, as amended.

Lundy Beldecos & Milby, PC  
450 N. Narberth Ave.  
Suite 200  
Narberth, PA 19072

**CORPORATION NOTICE**

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation were filed with and approved by the Department of State of the Commonwealth of Pennsylvania on the Thursday, September 21, 2023, effective Thursday, September 21, 2023 for KO Hair Studio, Inc. in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988. The purpose or purposes for which it was organized are: Hair salon.  
JOHN BENSON, Esquire  
Penglase & Benson  
18 North Main Street  
Doylestown, PA 18901

**ESTATE NOTICES**

*Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.*

**1st Publication**

**BONDS**, Diana Lynn, late of East Pikeland. Linzie Lewis, care of JENNIFER H. WALKER, Esquire, 31 S. High Street, West Chester, PA 19382, Administratrix. JENNIFER H. WALKER, Esquire, Peak Legal Group, Ltd., 31 S. High Street, West Chester, PA 19382, atty.

**BREEN, SR.**, Richard H., late of West Goshen Township. Kimberly A. Breen, care of WILLIAM P. CULP, JR., Esquire, 614 Darby Rd., Havertown, PA 19083, Executrix. WILLIAM P. CULP, JR., Esquire, 614 Darby Rd., Havertown, PA 19083, atty.

**FITZPATRICK**, Lorraine A., late of Tredyfrin Township. Richard Fehring, care of LINCOLN MEYERS, Esquire, One Liberty Place, 52nd Fl., 1650 Market St., Philadelphia, PA 19103-7236, Executor. LINCOLN MEYERS, Esquire, Lincoln Meyers & Associates, P.C., One Liberty Place, 52nd Fl., 1650 Market St., Philadelphia, PA 19103-7236, atty.

**HETHERSTON**, Gordon, late of New Garden Township. Caryn Hetherston, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**HIMES**, James D., late of Pottstown. Meredith Bennett, 1172 Marcus Dr., Pottstown, PA 19465, Executrix.

**MASSEY**, Virginia Lee, late of West Chester. Marilyn Lee Miller, 922 Harmony Hill Road, West Chester, PA 19380, Executor.

**McLAUGHLIN**, Rosemary, late of Exton. Shawn McLaughlin, 1168 Limekiln Pike, Ambler, PA 19002, Executrix.

**MERCER**, Anna Jane, late of West Grove Borough. Janice Lynn Dealy, 15659 Carriedale Ln., Ft. Myers, FL 33912, care of JOSEPH A. BELLINGHIERI, Esquire, 17 W. Miner St., West Chester, PA 19382, Executrix. JOSEPH A. BELLINGHIERI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**POWELL**, Robert V., late of West Brandywine Township. Chantel Medina, 366 Bristol Circle, Exton, PA 19341, care of GARTH G. HOYT, Esquire, 426 W. Lancaster Ave., Ste. 110, Devon, PA 19333, Executrix. GARTH G. HOYT, Esquire, McNeese Wallace & Nurick, LLC, 426 W. Lancaster Ave., Ste. 110, Devon, PA 19333, atty.

**RAGONESE**, Antoinette E., late of Uwchlan Township. Marie A. Collinson, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square,

PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**ROOSEVELT**, Jane G., late of Borough of Kennett Square. Thomas D. Roosevelt, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**SHUPARD**, Howard Robert, late of West Goshen Township. Daniel S. Shupard, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Executor. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

**SIMMS**, Thomas Harding, a/k/a Thomas H. Simms Sr., late of North Coventry. Robert O. Simms, care of JENNIFER H. WALKER, Esquire, 31 S. High Street, West Chester, PA 19382, Executor. JENNIFER H. WALKER, Esquire, Peak Legal Group, Ltd., 31 S. High Street, West Chester, PA 19382, atty.

**STATLER**, Daniel Charles, late of West Caln Township. Marc Thomas Statler, care of MARILYN S. MITCHELL, Esquire, Strafford Office Bldg., #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, Executor. MARILYN S. MITCHELL, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg., #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, atty.

**TORO**, Patricia Ann, late of Tredyffrin Township. Judith Parke, 2175 Swedesford Rd., Malvern, PA 19355, and Louis E. Toro, III, 27 W. Shore Rd., Grand Isle, VT 05458-2001, care of GREGORY A. BARONI, Esquire, 13 E. Central Ave., 1st Fl., Paoli, PA 19301, Executors. GREGORY A. BARONI, Esquire, 13 E. Central Ave., 1st Fl., Paoli, PA 19301, atty.

**VALENTE, JR.**, Philip, late of East Goshen Township. Timothy H. Valente, care of KRISTEN R. MATTHEWS, Esquire, 257 W. Uwchlan Ave., Ste. 1, Downingtown, PA 19335, Executor. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 257 W. Uwchlan Ave., Ste. 1, Downingtown, PA 19335, atty.

## 2nd Publication

**BAKER**, Geraldine Florence, a/k/a Geraldine B. Baker and Geraldine Baker, late of City of Coatesville. James H. Baker, 898 Old Wilmington Road, Coatesville, PA 19320, care of KATHLEEN K. GOOD, Esquire, 3460 Lincoln Highway, Thorndale,

PA 19372, Executor. KATHLEEN K. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**CACALLORI**, Samuel, a/k/a Samuel J. Cacallori and Samuel John Cacallori, late of East Pikeland Township. Wendy D. Somers, care of MATTHEW L. ROSIN, Esquire, 101 W. Elm St., Ste. 400, Conshohocken, PA 19428, Administratrix. MATTHEW L. ROSIN, Esquire, Royer Cooper Cohen Braunfeld LLC, 101 W. Elm St., Ste. 400, Conshohocken, PA 19428, atty.

**CARLSEN**, Richard A., late of Coatesville. Scott A. Carlsen, 744 McCardle Drive, West Chester, PA 19380, care of JESSICA L. FISHER, Esquire, 601 Hawthorne Drive, Suite 2A, Hollidaysburg, PA 16648, Executor. JESSICA L. FISHER, Esquire, McQuaide Blasko, 601 Hawthorne Drive, Suite 2A, Hollidaysburg, PA 16648, atty.

**CREPEAU**, Charles E., late of Uwchlan Township. Deborah L. Campbell, care of GILBERT P. HIGH, JR., Esquire, 40 E. Airy St., P.O. Box 671, Norristown, PA 19401-0671, Executrix. GILBERT P. HIGH, JR., Esquire, High Swartz LLP, 40 E. Airy St., P.O. Box 671, Norristown, PA 19401-0671, atty.

**DiMARZIO, JR.**, Frank J., late of Elverson. Jessica K. Weyer, 1 Weyer Lane, Hamburg, PA 19526, care of RUSSELL E. FARBIARZ, Esquire, 64 N. 4th Street, Hamburg, PA 19526, Executrix. RUSSELL E. FARBIARZ, Esquire, Antanavage Farbiarz, PLLC, 64 N. 4th Street, Hamburg, PA 19526, atty.

**DUNCAN**, Norman Clifford, late of Tredyffrin Township. Nathaniel James Duncan, care of THOMAS E. WYLER, Esquire, 22 East Third Street, Media, PA 19063, Administrator. THOMAS E. WYLER, Esquire, Falzone & Wyler LLC, 22 East Third Street, Media, PA 19063, atty.

**FIORE**, Theresa, late of Malvern. Patricia DiMino and Linda M. Norris, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Co-Executors. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

**HEINE**, Helen Claire, a/k/a Helen C. Heine, late of East Goshen Township. M. Susan Palmer, care of MICHAEL C. McBRATNIE, Esquire, P.O. Box 673, Exton, PA 19341-0673, Executrix. MICHAEL C. McBRATNIE, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341-0673, atty.

**HENRY**, Mary T., late of East Coventry Township. Susan M. Saylor, care of DAVID G. GARNER,

Esquire, 2129 East High Street, Pottstown, PA 19464, Executrix. DAVID G. GARNER, Esquire, 2129 East High Street, Pottstown, PA 19464, atty.

**HIDDLESON, JR.**, Thomas V., late of City of Coatesville. Linda A. Cheesman, 221 Westbury Court, Downingtown, PA 19335, care of KATHLEEN K. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. KATHLEEN K. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**HINEMAN**, Martin Litz, late of West Chester. Deborah L. Hineman, Executor.

**HUNTOON**, Irene F., late of East Goshen Township. Kenneth H. Huntoon, care of KARYN L. SEACE, CELA, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executor. KARYN L. SEACE, CELA, Esquire, Seace Elder Law, PLLC, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

**JOHNSON**, Dorothy K., late of Downingtown Borough. Claude Johnson, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

**PANOS**, Thalia Kouvatias, a/k/a Thalia Tsantes and Thalia Kouvatias, late of Devon, Tredyffrin Township. Stephanie Tsantes, 1 Drake Knoll, Lewes, DE 19958, Executrix.

**PARKHURST**, Maureen Lynch, late of West Chester. Kevin Lynch, care of H. MICHAEL COHEN, Esquire, 144 West Market Street, West Chester, PA 19382, Administratrix. H. MICHAEL COHEN, Esquire, Lachall, Cohen & Sagnor, 144 West Market Street, West Chester, PA 19382, atty.

**PETERSON**, Emma, a/k/a Emma G. Peterson, late of Tredyffrin Township. John Peterson, care of MARK D. RASSMAN, Esquire, PO Box 342, Kennett Square, PA, 19348, Executor. MARK D. RASSMAN, Esquire, PO Box 342, Kennett Square, PA, 19348, atty.

**PICKEL**, Calvin Conner, a/k/a Calvin C. Pickel, late of Pennsbury Township. Arthur B. Neeham, care of ALBERT R. RIVIEZZO, Esquire, P.O. Box 673, Exton, PA 19341-0673, Executor. ALBERT R. RIVIEZZO, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341-0673, atty.

**REISINGER**, Jannette E., a/k/a Jannette B. Reisinger, late of West Whiteland Township. Patricia N. Reisinger, care of JANET M. COLLITON, Esquire, 790 E. Market St., Ste. 250, West Chester,

PA 19382-4806, Executrix. JANET M. COLLITON, Esquire, Colliton Elder Law Associates, 790 E. Market St., Ste. 250, West Chester, PA 19382-4806, atty.

**SAALMANN**, Knute Dieter, late of East Goshen Township. Leah DiStefano, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton PA 19341-2450, Administrator. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton PA 19341-2450, atty.

**SCHEMPP**, Alfred Carl, a/k/a Alfred Carl Schempp Sr. and Fred C. Schempp, late of Exton. Alfred Carl Schempp Jr., 753 Jackson Rd., Stewartsville, NJ 08886, care of STEPHANIE A. HENRICK, Esquire, 1001 Conshohocken State Road, Suite 1-210, West Conshohocken, PA 19428, Executor. STEPHANIE A. HENRICK, Esquire, Obermayer Rebmann Maxwell & Hoppel, LLP, 1001 Conshohocken State Road, Suite 1-210, West Conshohocken, PA 19428, atty.

**VANDEBILT**, Christa E., a/k/a Christa Vanderbilt, late of Kennett Township. Tanya V. Cramer, care of NIKOLAOS I. TSOUROS, Esquire, Valley Forge Square II, 661 Moore Rd., Ste. 105, King of Prussia, PA 19406, Executrix. NIKOLAOS I. TSOUROS, Esquire, Law Offices of Wendy F. Bleczynski, Valley Forge Square II, 661 Moore Rd., Ste. 105, King of Prussia, PA 19406, atty.

**YOUNG**, Helen M., a/k/a Helen May Young, late of Downingtown Borough. Martha Jane Kline, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executor. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

### **CO-EXECUTOR'S NOTICE**

#### **ESTATE OF EDITH H. ROWLAND**

#### **LATE OF PAOLI, PA**

Letters Testamentary have been granted in the estate set forth below. All persons having claims against the estate of the decedent named below are requested to present the same and all persons indebted to the decedent are requested to make payment, without delay, to the co-executors or their attorney indicated:

Co-Executors

David R. Rowland and Hobart Rowland

c/o Waldman Law Group, P.C.

Wyomissing, PA 19610

#### **3rd Publication**

**ANDES**, James Graham, a/k/a J. Graham Andes, late of East Bradford. Matthew Sloyer, care of JEN-

NIFER H. WALKER, Esquire, 31 S. High Street, West Chester, PA 19382, Administrator. JENNIFER H. WALKER, Esquire, Peak Legal Group, Ltd., 31 S. High Street, West Chester, PA 19382, atty.

**BARAN**, Janusz, late of Paoli. Julia Baran, 4 Rochsolach Rd, Paoli, PA 19301, Administratrix.

**FINCH**, Diane H., late of Upper Uwchlan Township. Clarke W. Finch, care of ANTHONY MORRIS, Esquire, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, Executor. ANTHONY MORRIS, Esquire, Buckley Brion McGuire & Morris LLP, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, atty.

**HARTSHORNE**, Richard Lyndel, late of Willistown Township. Steven R. Hartshorne, 71 Trappers Run, Morgantown, PA 19543, Executor.

**HARVEY**, William E., late of Easttown Township. Christopher M. Harvey, care of RYAN M. BORNSTEIN, Esquire, 800 Lancaster Ave., Ste. T-2, Berwyn, PA 19312, Executor. RYAN M. BORNSTEIN, Esquire, Harvey Ballard & Bornstein, LLC, 800 Lancaster Ave., Ste. T-2, Berwyn, PA 19312, atty.

**HECKMAN**, John Bruce, a/k/a J. Bruce Heckman, late of Uwchlan Township. Peter Heller Heckman, care of KRISTEN R. MATTHEWS, Esquire, 257 W. Uwchlan Ave., Ste. 1, Downingtown, PA 19335, Executor. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 257 W. Uwchlan Ave., Ste. 1, Downingtown, PA 19335, atty.

**HERR**, Ronald Eugene, late of West Sadsbury Township. Ronald Herr, Jr., John Herr, Robin Kurman and James Herr, care of JOHN S. CARNES, JR., Esquire, 101 W. Main Street, Parkesburg, PA 19365, Executors. JOHN S. CARNES, JR., Esquire, 101 W. Main Street, Parkesburg, PA 19365, atty. Phone #610-857-5500.

**HIESTAND**, Miriam McAvoy, late of Phoenixville. Christine M. Hyson, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

**HOULAHAN**, Thomas K., late of East Goshen Township. Kathleen M. Houlahan, care of CATHERINE T. DUFFY, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executrix. CATHERINE T. DUFFY, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, Media, PA 19063, atty.

**JOHNSON, JR.**, Edgar L., late of West Goshen

Township. Lindsay Skinner, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Administrator. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

**KING**, Patricia L., a/k/a Patricia Lee King, late of Uwchlan Township. Catherine A. King and Thomas Alan King, care of CHRISTOPHER M. BROWN, Esquire, 1240 West Chester Pike, Ste. 210, West Chester, PA 19382, Executors. CHRISTOPHER M. BROWN, Esquire, Law Offices of Christopher M. Brown, PLLC, 1240 West Chester Pike, Ste. 210, West Chester, PA 19382, atty.

**LUBIC**, Nicholas W., late of North Coventry Township. Shawn P. Lubic, 3 Morgan Lane, Media, PA 19063 and Bethany A. Badzik, 512 Union Street, Birdsboro, PA 19508, care of DAVID G. GARNER, Esquire, 2129 East High Street, Pottstown, PA 19464, Executors. DAVID G. GARNER, Esquire, 2129 East High Street, Pottstown, PA 19464, atty.

**MAGYARIK**, James Edward, a/k/a James Magyarik, late of Uwchlan Township. Jacqueline A. McWilliams, 1710 Painters Crossing, Chadds Ford, PA 19317, care of ANDREW V. GUILFOIL, Esquire, 41 E. Front St., Media, PA 19063, Executrix. ANDREW V. GUILFOIL, Esquire, Holber & Guilfoil, 41 E. Front St., Media, PA 19063, atty.

**McVAUGH**, Nicole Christine, late of West Chester Borough. Christine DiPretore, care of KELLY C. HAYES, Esquire, 30 Cassatt Ave., Berwyn, PA 19312, Administratrix. KELLY C. HAYES, Esquire, McAndrews, Mehalick, Connolly, Hulse & Ryan, P.C., 30 Cassatt Ave., Berwyn, PA 19312, atty.

**MURRAY**, Joseph William, late of Exton. David Murray and Michael Murray, Executors.

**ODORISIO**, Christine Simpson, a/k/a Christine S. Odorisio, late of East Bradford Township. Mark D. Odorisio, care of JANET M. COLLITON, Esquire, 790 E. Market St., Ste. 250, West Chester, PA 19382-4806, Executor. JANET M. COLLITON, Esquire, Colliton Elder Law Associates, 790 E. Market St., Ste. 250, West Chester, PA 19382-4806, atty.

**ODORISIO**, Nicholas R., a/k/a Nicholas Rocco Odorisio, late of Kennett Square Borough. Mark D. Odorisio, care of JANET M. COLLITON, Esquire, 790 E. Market St., Ste. 250, West Chester, PA 19382-4806, Executor. JANET M. COLLITON, Esquire, Colliton Elder Law Associates, 790 E. Market St., Ste. 250, West Chester, PA 19382-4806, atty.

**QUARTO**, Kathryn Patricia, late of Phoenixville. Francis G. Quarto, 159 Westridge Place South, Phoenixville, PA 19460 and Lisa A. Walton, 8603 N.

Ironwood Reserve Way, Tucson, AZ 85743, care of KATHLEEN M. LOCKWOOD, Esquire, 39 Narbrook Park, Narberth, PA 19072, Executor. KATHLEEN M. LOCKWOOD, Esquire, 39 Narbrook Park, Narberth, PA 19072, atty.

**RAVIELLI**, Catherine T., late of East Goshen Township. Joseph A. Bellinghieri, care of JOSEPH A. BELLINGHIERI, Esquire, 17 W. Miner St., West Chester, PA 19382, Executor. JOSEPH A. BELLINGHIERI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

**RICH**, Constance, a/k/a Connie, late of Phoenixville. Tina Slater, 416 11th Ave N, Lake Worth Beach, FL 33460, Executrix.

**ROMANO**, Linda, a/k/a Linda Marie Romano, late of Westtown Township. Joseph C. Romano, 3406 Embarcadero Court, Springfield, PA 19064, care of MICHAEL K. MOLINARO, Esquire, 2327 West Chester Pike, Ste. 200, Broomall, PA 19008, Executor. MICHAEL K. MOLINARO, Esquire, 2327 West Chester Pike, Ste. 200, Broomall, PA 19008, atty.

**RIGGINS**, Shirley Anne, a/k/a Shirley B. Riggins and Shirley A. Riggins, late of West Caln Township. Deborah R. Messner, care of JANIS M. SMITH, Esquire, 4203 West Lincoln Highway, Parkesburg, PA 19365, Executor. JANIS M. SMITH, Esquire, 4203 West Lincoln Highway, Parkesburg, PA 19365, atty.

**SMITH**, Patricia M., late of East Fallowfield Township. Jeanette M. Lewis, care of WALTER J. TIMBY, III, Esquire, 100 W. 6th St., Ste. 204, Media, PA 19063, Executrix. WALTER J. TIMBY, III, Esquire, Gibson & Perkins, PC, 100 W. 6th St., Ste. 204, Media, PA 19063, atty.

**WISNIEWSKI**, Michelle Bernadette, late of New Garden Township. Edward Wisniewski, care of EMILY T. ABELS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Administrator. EMILY T. ABELS, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

---

### FICTITIOUS NAME

*NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in*

*Chester County, Pennsylvania under the assumed or fictitious name, style or designation of*

**PM Design Group**, with its principal place of business at 6930 Destiny Dr., Suite 100, Rocklin, CA 95677. The application has been (or will be) filed on: Wednesday, December 20, 2023. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: Roy W. Pedro, Pedro McCracken Design Group, Inc., 6930 Destiny Dr., Suite 100, Rocklin, CA 95677 and Kenneth McCracken, Pedro McCracken Design Group, Inc., 19120 SE 34th Street, Suite 115, Vancouver, WA 98683.

---

### FOREIGN REGISTRATION STATEMENT

Notice is hereby given that Morningside House of Exton, LLC, a foreign corporation formed under the laws of the State of New York, where its principal office is located at 128 Old Town Rd, Suite C, Setauket, NY 11733, has or will register to do business in Pennsylvania with the Department of State of the Commonwealth of PA, at Harrisburg, PA, on Monday, December 18, 2023, under the provisions of the Pennsylvania Business Corporation Law of 1988. The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at 200 Sunrise Blvd, Exton, PA 19341. DONALD P. ZEITHAML, JR., Solicitor Gallagher Evelius & Jones 218 N Charles Street, Suite 400 Baltimore, MD 21201

---

### NONPROFIT CORPORATION NOTICE

*NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a charter of a Nonprofit Corporation which was organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.*

The name of the corporation is FUN WITH ENGLISH.

Articles of Incorporation were filed on Monday, November 27, 2023

The purpose or purposes for which it was organized are: The purpose for which it was organized is to bridge language barriers, foster cross-cultural understanding, and empower individuals to realize their full potential through accessible and innovative English language education. SHILPA KHARVA, Solicitor

Kharva Law Office, LLC  
175 Strafford Avenue Suite 1, #202  
Wayne, PA 19087

---

**1st Publication of 3**

**TRUST NOTICE**

Property located at 942 North Hill Drive, West Chester, Pennsylvania 19380 (Parcel No. 52-03N-0080) is now under the Kimberly Byrd Trust as of October 26, 2023; Land Patent Doc #11999009 (10/31/2023) effective immediately.

---

**2nd Publication of 3**

**TRUST NOTICE**

Notice is hereby given of the death of Dorothy T. Arnold late of West Whiteland Twp., Chester County, PA. The settlor of the revocable trust set forth below has died, and no personal representative has been appointed for said decedent's estate. All persons having claims or demands against said decedent or trust are requested to make known the same and all persons indebted to said decedent or trust are requested to make payment without delay to the trustee or the trust's attorney named below:  
Trust: Dorothy T. Arnold Revocable Trust  
Trustee: Terrance Arnold, 6 Whipoorwill Drive, Petersburg, NJ 08270.  
Attorney: David Thierman, Esquire, 551 New Road, Suite D, Somers Point, NJ 08244.

---

**2nd Publication of 3**

**TRUST NOTICE**

Declaration of Trust of Richard Benson dtd. 04/19/2001. Richard Benson, Deceased. Late of Penn Twp., Chester County, PA. This Trust is in existence and all persons having claims or demands against said Trust or decedent are requested to make known the same and all persons indebted to the decedent to make payment without delay to Deanna D. Benson, Trustee c/o Charles J. Durante, Esq., 1201 N. Market St., 20th Fl., Wilmington, DE 19801. Or to her Atty.: Charles J. Durante, Connolly Gallagher LLP, 1201 N. Market St., 20th Fl., Wilmington, DE 19801

---

**Sheriff Sale of Real Estate**

By virtue of the within mentioned writs directed to Sheriff Fredda L. Maddox, the herein-described real estate will be sold at public on-line auction via Bid4Assets, by accessing URL [www.bid4assets.com/chestercopasherriffsales](http://www.bid4assets.com/chestercopasherriffsales), on **Thursday, January 18th, 2024 at 11AM.**

Notice is given to all parties in interest and claimants that the Sheriff will file with the Prothonotary and in the Sheriff’s Office, both located in the Chester County Justice Center, 201 W Market Street, West Chester, Pennsylvania, Schedules of Distribution on **Tuesday, February 20th, 2024.** Distribution will be made in accordance with the Schedules unless exceptions are filed in the Sheriff’s Office within ten (10) days thereafter.

N.B. Ten percent (10%) of the purchase money must be paid at the time of the on-line sale. Payment must be made via Bid4Assets. The balance must be paid within twenty-one (21) days from the date of sale via Bid4Assets.

**FREDDA L. MADDOX, SHERIFF**

**2nd Publication of 3**

**SALE NO. 24-1-2**  
**Writ of Execution No. 2003-04081**  
**DEBT \$267,586.06**

PROPERTY SIUTATE IN TOWNSHIP OF WILLISTOWN

TAX PARCEL #54-IP-299

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: U.S. BANK NA. AS TRUSTEE, SUCCESSOR IN INTEREST TO BANK OF AMERICA, NA, AS TRUSTEE, AS SUCCESSOR BY MERGER TO LASALLE BANK NA AS TRUSTEE FOR BEARN STEARNS AS-

SET BACKED SECURITIES TRUST, 2001-3, ASSET BACKED CERTIFICATES SERIES 2001-3

VS

DEFENDANT : **PATRICIA M. HALSEY**  
SALE ADDRESS: 3 Bryan Avenue, Malvern, PA 19355

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C 215-627-1322**

**SALE NO. 24-1-3**  
**Writ of Execution No. 2019-01785**  
**DEBT \$72,925.41**

PROPERTY SITUATE IN TOWNSHIP OF VALLEY

TAX ID/UPI PARCEL NO. 38-05C-0086.070/ 38-5C-86.7

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: PENNSYLVANIA HOUSING FINANCE AGENCY

VS

DEFENDANT : **SUSAN F. BOYD-NOEL A/K/A SUSAN BRADLEY**

SALE ADDRESS: 915 Charles Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 24-1-4**  
**Writ of Execution No. 2015-01455**  
**DEBT \$149,507.56**

PROPERTY SITUATE IN KENNETT TOWNSHIP

TAX PARCEL #62-02J-0003

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: M&T BANK

VS

DEFENDANT : **DOROTHY N. CONNOLLY & FREDERICK P. MRAZ**

SALE ADDRESS: 9 Woodchuck Way, Lot 9, Kennett Square, PA 19348

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 24-1-5**

**Writ of Execution No. 2015-06920**

**DEBT \$135,576.05**

PROPERTY SITUATE IN KENNETT TOWNSHIP

TAX PARCEL # 62-02J-0003 / 62-21-3

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: M&T BANK

VS

DEFENDANT: **DOROTHY N. MRAZ A/K/A DOROTHY C. MRAZ A/K/A DOROTHY N. CONNOLLY & FREDERICK P. MRAZ**

SALE ADDRESS: 9 Woodchuck Way, Kennett Square, PA 19348

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 24-1-6**

**Writ of Execution No. 2022-03227**

**DEBT \$345,411.64**

PROPERTY SITUATE IN TOWNSHIP OF EAST PIKELAND

TAX PARCEL #2603E00400000

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: FREEDOM MORTGAGE CORPORATION

VS

DEFENDANT: **CLINT R. GALLAGH-**

ER

SALE ADDRESS: 36 Refi Circle, Phoenixville, PA 19460

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 24-1-7**

**Writ of Execution No. 2012-09196**

**DEBT \$638,783.91**

PROPERTY SITUATE IN EAST NOTTINGHAM TOWNSHIP

TAX PARCEL #69-3-161

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: BANK OF AMERICA, N.A. SUCCESSOR BY MERGER TO BAC HOME LOANS SERVICING, L.P. F/K/A COUNTRYWIDE HOME LOANS SERVICING L.P.

VS

DEFENDANT: **MATTHEW J. GIBSON**

SALE ADDRESS: 329 Heron Drive, Lincoln University, PA 19352

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C.215-627-1322**

**SALE NO. 24-1-10**

**Writ of Execution No. 2017-06901**

**DEBT \$235,463.87**

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE TOWNSHIP OF PENN, COUNTY OF CHESTER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS FOLLOWS, TO WIT:

All that certain lot or piece of ground Situate in the Township of Penn, in the County of Chester and Commonwealth of Pennsylvania, bounded and described in accordance with a Final Plan prepared for Emiline B. Gray by N.M. Lake, Inc., En-

gineers and Surveyors (Oxford, PA) dated September 17, 1985 and revised January 6, 1986 and recorded as Chester County Plan No. 617 as follows, to wit:

Beginning at a point on the Southeasterly side of a certain 50 feet wide right of way which extends Southwestwardly from Ewing Road, at the Southwest corner of Lot #1, which point is measured the 3 following courses and distances along said right of way from its intersection with the Southwesterly side of Ewing Road; (1) South 37 degrees 00' 12" West 100.00 feet to a point of curve; (2) along the arc of a circle curving to the left having a radius of 125.00 feet the arc distance of 47.65 feet to a point of tangent; (3) South 15 degrees 09' 46" West 191.70 feet to the beginning point; thence along Lot #1 South 74 degrees 50' 14" East 310.51 feet to a point in line of land of Earl M. Cole; thence along said Cole's land South 17 degrees 32' 42" West 286.42 feet to a point a corner of Lot #3; thence along Lot #3 North 74 degrees 50' 14" West 298.61 feet to an iron pin set on the Southeasterly side of the aforementioned 50 feet wide right of way; thence along the same North 15 degrees 09' 46" East 286.17 feet to the point and place of beginning.

Containing 2.001 acres of land be the same more or less. Being a Lot #2 as shown on above mentioned Plan.

Together with the free and common use, right, liberty and privilege in and of the said 50 feet wide right of way as a passageway, watercourse and means of ingress and regress to and from Ewing Road in common with the other owners, tenants and occupiers of the other lots of ground abutting and bounding upon the same an entitled to the use and enjoyment thereof, at all times hereafter forever. Subject however to a proportionate part of the expense of maintaining and keeping the said right of way in good order and repair at all times hereafter forever.

BEING THE SAME PROPERTY CONVEYED TO CLARENCE W. GRAY III WHO ACQUIRED TITLE BY VIRTUE OF A DEED FROM CLARENCE W. GRAY III AND KATHLEEN H. GRAY, DATED FEBRUARY 4, 2003, RECORDED FEBRUARY 25, 2003, AT DOCUMENT ID 10193852, AND RECORDED IN BOOK 5583, PAGE 768, OFFICE OF THE RECORDER OF DEEDS, CHESTER COUNTY, PENNSYLVANIA.

BEING UPI NUMBER 58-01-0012.020  
PARCEL NO.: 58-01-0012.020

PLAINTIFF: U.S. Bank Trust National Association, not in its individual capacity, but solely as Trustee of LSF11 Master Participation Trust

VS

DEFENDANT : **Clarence W. Gray, III**

SALE ADDRESS: 727 Ewing Road, Cochranville, PA 19330

PLAINTIFF ATTORNEY: **MANLEY DEAS KOCHALSKILLC 614-220-5611**

**SALE NO. 24-1-11**

**Writ of Execution No. 2023-03615**

**DEBT \$81,541.82**

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE TOWNSHIP OF TREDYFFRIN, COUNTY OF CHESTER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS FOLLOWS, TO WIT:

All that certain message or dwelling and lot or piece of ground, situate in the Township of Tredyffrin, aforesaid, bounded and described as follows: Beginning in the middle of Summit Avenue opposite the middle of the division wall dividing the message erected on the hereon described premises from that adjoining on the North; thence by land of McClelland and passing through the middle of said division wall, North 62 degrees 20 minutes East, 89.5

feet; thence by the same land North 65 degrees 16 minutes East, 70.7 feet to a line of land belonging to Sarah and Horace Witworth; thence by the same South 27 degrees 51 minutes East, 30.2 feet to an iron pin, a comer of land belonging to now or formerly of Mary E. Kincade; thence by the Kincade land, South 62 degrees 09 minutes West, 160.1 feet to an iron pin in the middle of Summit Avenue; thence along the middle of the same, North 27 degrees 51 minutes West, 34.35 feet to the first mentioned point and place of beginning.

BEING THE SAME PROPERTY CONVEYED TO PERRY T. CLARKE AND KIMBERLY CLARKE WHO ACQUIRED TITLE, AS TENANTS BY THE ENTIRETY, BY VIRTUE OF A DEED FROM THOMAS VALENTINE AND JOAN VALENTINE, HUSBAND AND WIFE, DATED MARCH 17, 1992, RECORDED MARCH 27, 1992, AT INSTRUMENT NUMBER 089382, AND RECORDED IN BOOK 2870, PAGE 448, OFFICE OF THE RECORDER OF DEEDS, CHESTER COUNTY, PENNSYLVANIA.

INFORMATIONAL NOTE: PERRY T. CLARKE DIED JANUARY 14, 2014, AND THROUGH TENANCY BY THE ENTIRETY IN THE ABOVE DEED ALL OF HIS INTEREST PASSED TO KIMBERLY CLARKE.

BEING UPI NUMBER 4309L00220000 PARCEL NO.: 4309L00220000

PLAINTIFF: WELLS FARGO BANK, N.A.

VS

DEFENDANT : **Kimberly Clarke**

SALE ADDRESS: 21 Summit Avenue, Paoli, AKA Tredyffrin, PA 19301

PLAINTIFF ATTORNEY: **MANLEY DEAS KOCHALSKILLC 614-220-5611**

**SALE NO. 24-1-12**  
**Writ of Execution No. 2013-12186**  
**DEBT \$148,949.28**

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE BOROUGH OF MODENA, COUNTY OF CHESTER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS FOLLOWS, TO WIT:

All that certain message or tract of land situate in the Borough of Modena, County of Chester and State of PA, bounded and described in accordance with a recent survey made by J.W. Harry, C.E., February 8, 1941 as follows:

Beginning at a point in the center of Brandywine Avenue in line with the East side of Baker Street; thence continuing along the center of said Brandywine Avenue South 44 degrees 01 minutes East 90 feet to a comer of land of William J. Elliott; thence by the same South 45 degrees 59 minutes West, 166.5 feet to the North side of Fulton Street; thence along said Fulton Street North 44 degrees 01 minutes West 90 feet to a point on the East side of Baker Street; thence by the same North 45 degrees 59 minutes East 166.5 feet to the point and place of beginning.

BEING THE SAME PROPERTY CONVEYED TO WAYNE GUYER SR. AND TAMARA L. GUYER, HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY WHO ACQUIRED TITLE BY VIRTUE OF A DEED FROM RICHARD A. DUSEWICZ, DATED AUGUST I, 2005, RECORDED AUGUST 12, 2005, AT INSTRUMENT NUMBER 10562995, AND RECORDED IN BOOK 6582, PAGE 2138, CHESTER COUNTY, PENNSYLVANIA RECORDS.

BEING UPI NUMBER 10-001-0004.0000 PARCEL NO.: 10-001-0004.0000

PLAINTIFF: U.S. Bank National Association, as Trustee for Credit Suisse First

Boston Mortgage Securities Corp., Home Equity Asset Trust 2005-8, Home Pass-Through Certificates, Series 2005-8

VS

DEFENDANT : **Wayne Guyer, Sr.; Tamara L. Guyer**

SALE ADDRESS: 141 North Brandywine Avenue, Modena, PA 19358

PLAINTIFF ATTORNEY: **MANLEY DEAS KOCHALSKILLC 614-220-5611**

**SALE NO. 24-1-13**

**Writ of Execution No. 2021-09643**

**DEBT \$798,918.19**

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, Hereditaments and Appurtenances, situate in the Township of Tredyffrin, County of Chester and State of Pennsylvania, bounded and described according to a Plan of Subdivision for Pohlig Builders, Inc., made by Chester Valley Engineers, Inc., Paoli, Penna., dated 8/19/1993 and being last revised 12/17/1993, recorded 4/19/1994 in Plan #12454, more fully described as follows, to wit:

BEGINNING at a point on the Northeastly side of an unnamed road, said point being a corner of Open Space as shown on said Plan; thence extending from said beginning point along the unnamed road the (2) following courses and distances: (1) on the arc of a circle curving to the right, having a radius of 625 feet, the arc distance of 215.57 feet to a point of compound curve and (2) on the arc of a circle curving to the right, having a radius of 228.95 feet, the arc distance of 123.34 feet to a point, a corner of Lot #8; thence extending along the same South 63 degrees 26 minutes 53 seconds East, 228.95 feet to a point in line of land now or late of Great Valley Presbyterian Church; thence extending along

the same South 7 degrees 35 minutes 22 seconds East, 200 feet to a point a corner or Open Space; thence extending along the same South 82 degrees 24 minutes 38 seconds West, 203.90 feet to the first mentioned point and place of beginning.

BEING Lot #9 as shown on said Plan.

BEING THE SAME PREMISES which Foresite Land Corporation by Deed dated February 19, 1998 and recorded March 3, 1998 in Book 4309, page 1596 Instrument #13824 in the Office of the Recorder of Deeds in and for the County of Chester, granted and conveyed unto Richard Bohner and Patricia Bohner, husband and wife, in fee.

Parcel #43-4-257

PLAINTIFF: New Residential Mortgage Loan Trust 2014-3

VS

DEFENDANT : **Richard Bohner and Patricia Bohner**

SALE ADDRESS: 1201 Brentford Lane, Malvern, PA 19355

PLAINTIFF ATTORNEY: **LOGS LEGAL GROUP LLP 610-278-6800**

**SALE NO. 24-1-14**

**Writ of Execution No. 2022-08685**

**DEBT \$119,749.27**

ALL THAT CERTAIN message or tract of land with the West house of a block of 2 dwelling houses erected thereon situated in the Borough of Modena, County of Chester and State of Pennsylvania, bounded and described according to a recent survey made by J.W., Harry, as follows:

BEGINNING at a point in the middle of a public road leading from Mortonville to Coatesville, known as North Brandywine Avenue; thence by and along the middle line of said road North 44 degrees 01 minute West 22.75 feet to the East side of a

15 feet wide private alley; thence by the same North 45 degrees 59 minutes East 190 feet to a stake in the line of land of the Bethlehem Steel Company; thence by the same South 44 degrees 01 minute East 22.25 feet to a corner of land about being conveyed to Levis P. McNelly; thence by the same South 45 degrees 59 minutes West 190 feet and passing thru the center of the middle partition wall dividing the premises herein being conveyed from the premises adjoining on the East, about being conveyed to the said Levis P. McNelly, to the place of beginning.

Being the same premises which Darla Ames, Executrix of the Estate of Elizabeth Branson, deceased and Darla Ames, specific devisee under the Will of Elizabeth Branson, deceased by Deed dated 12/29/2008 and recorded 12/31/2008 in Chester County in Record Book 7565 Page 1798 conveyed unto Jessica M. Beach, in fee.

Parcel ID: 1001 00110000

UPI: 10-1-11

PLAINTIFF: Nationastar Mortgage LLC

VS

DEFENDANT : **Jessica M. Beach**

SALE ADDRESS: 126 North Brandywine Avenue, Coatesville PA 19320

PLAINTIFF ATTORNEY: **LOGS LEGAL GROUP LLP 610-278-6800**

**SALE NO. 24-1-15**  
**Writ of Execution No. 2023-01590**  
**DEBT \$110,461.73**

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN THE BOROUGH OF SOUTH COATESVILLE, COUNTY OF CHESTER, STATE OF PENNSYLVANIA:

Parcel Number: 0903 00200300

PLAINTIFF: ALLY BANK

VS

DEFENDANT : **ANASTASIA KEAN**

SALE ADDRESS: 44 Overhill Road, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **ROBERTSON, ANSCHULTZ, SCHNEID, CRANE & PARTNERS, PLLC 855-225-6906**

**SALE NO. 24-1-17**  
**Writ of Execution No. 2022-04735**  
**DEBT \$25,814.36**

ALL THAT CERTAIN Unit, SITUATE in West Whiteland Township, Chester County, Commonwealth of Pennsylvania, being within Building Group #8 and being designated as CONDOMINIUM UNIT #7, in Exhibit B of the Declaration of Condominium of Railway Square dated 11/23/1987 and recorded in the Office for the Recording of Deeds in and for the County of Chester at West Chester, Pa. on 12/2/1987 in Deed Book 986 page 81, and Plats and Plans for Railway Square Condominium, dated 11/9/1987 and recorded in Condominium Plan Book 1 1st Amendment in Record Book 1014 page 20, Second Amendment in Record Book 1063 page 353 and recorded as part of the Declaration, 3rd Amendment in Record Book 1107 page 598, 4th Amendment in Record Book 1155 page 354, 5th Amendment in Record Book 1202 page 16, 6th Amendment in Record Book 1298 page 359, 7th Amendment in Record Book 1298 page 365, 8th Amendment in Record Book 1461 page 582, 9th Amendment in Record Book 1461 page 592, 10th Amendment in Record Book 1497 page 191, 11th Amendment in Record Book 1651 page 522, 11th Amendment in Record Book 1886 page 8, 13th Amendment in Record Book 1886 page 18, 13th Amendment in Record Book 1886 page 29, 14th Amendment in Record Book 1886 page 40, 15th Amendment in

Record Book 2098 page 524, 16th Amendment in Record Book 2288 page 10, 17th Amendment in Record Book 2433 page 280, 18th Amendment in Record Book 2528 page 435, 19th Amendment in Record Book 2659 page 224, 20th Amendment in Record Book 3888 page 893, 21st Amendment in Record Book 3183 page 178, 22nd Amendment in Record Book 3183 page 188, 23rd Amendment in Record Book 3577 page 2299, 24th Amendment in Record Book 3632 page 2270, 25th Amendment in Record Book 3648 page 690, 26th Amendment in Record Book 3888 page 903, 27th Amendment in Record Book 3888 page 914, 28th Amendment in Record Book 3904 page 999, 29th Amendment in Record Book 4076 page 374 and 30th Amendment in Record Book 7507 page 1093.

TOGETHER with all right, title and interest being initially and ultimately undivided interest of, in and to the Common Elements as set forth in the aforesaid Declaration of Condominium.

TOGETHER with all right, title and interest of, in and to the Limited Common Elements designated for this Unit in the Declaration of Condominium and/or Plats and Plans.

BEING the same premises which Linda Ann Antonini by Deed dated September 29, 2009 and recorded in the Office for the Recording of Deeds in and for Chester County in Deed Book 7786, at Page 2140 et seq., granted and conveyed unto Maureen Lavin, in fee.

BEING Chester County Tax Parcel No. 41-5-662.

PLAINTIFF: Railway Square Condominium Association

VS

DEFENDANT : **Maureen Lavin**

SALE ADDRESS: 946 Railway Square, West Chester, PA 19380

PLAINTIFF ATTORNEY: **CLEMONS RICHTER & REISS, P.C. 215-348-1776**

**SALE NO. 24-1-19**

**Writ of Execution No. 2022-02407**

**DEBT \$18,313.89**

Township of West Brandywine, County of Chester, State of Pennsylvania

Tax Parcel UPI #: 29-71-33

PLAINTIFF: Woodbrooke Homeowners Association

VS

DEFENDANT : **Jason K. Vaughan**

SALE ADDRESS: 28 Woodbrooke Drive, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **BRADY & CISSNE LAW 267-415-6625**

**SALE NO. 24-1-20**

**Writ of Execution No. 2022-02945**

**DEBT \$18,313.89**

EXHIBIT "A"

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF EAST FALLOWFIELD, COUNTY OF CHESTER AND STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED ACCORDING TO A SUBDIVISION OF FOX KNOLL MADE BY BERGER AND HAYES, INC., CONSULTING ENGINEERS THORNDALE, PA DATED 9/011987, LAST REVISED 3/31/1988 AND RECORDED IN CHESTER COUNTY AS PLAN NO. 8989-9002 AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF TROTTERS WAY (FORMERLY HUNTERS CIRCLE) (50 FEET WIDE), SAID POINT BEING A MUTUAL CORNER OF LOTS NO. 3 AND 2, THE HEREIN DESCRIBED LOT L THENCE LEAVING

TROTTERS WAY AND ALONG LOT NO, 3, SOUTH 46 DEGREES 07 MINUTES 25 SECONDS WEST, 210 FEET TO A POINT IN LINE OF LANDS NOW OR LATE OF H. MARTIN; THENCE ALONG LANDS OF MARTIN NORTH 43 DEGREES 52 MINUTES 35 SECONDS WEST, 169.55 FEET TO A POINT A CORNER OF LOT NO. 1; THENCE ALONG LOT NO. 1, NORTH 49 DEGREES 15 MINUTES 30 SECONDS WAY, THENCE ALONG SAID RIGHT-OF-WAY THE TWO (2) FOLLOWING COURSES AND DISTANCES: (1) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF 275 FEET, THE ARC DISTANCE OF 15.04 FEET; AND (2) SOUTH 43 DEGREES 52 MINUTES 35 SECONDS EAST, 143 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING. BE THE CONTENTS THEREOF WHAT THEY MAY.

BEING the same premises which William E. Supplee, Jr. and Michelle L. Fennimore n/k/a Michelle Supplee by Deed dated October 7, 2003 and recorded in the Office of Recorder of Deeds of Chester County on November 10, 2003 at Book 5971, Page 1711 granted and conveyed unto William E. Supplee, Jr.

PARCEL NO.: 47-6-39.2

PLAINTIFF: PHH Mortgage Corporation  
VS

DEFENDANT : **William E. Supplee, Jr.**

SALE ADDRESS: 310 Trotters Way,  
Coatesville, PA 19320-4620

PLAINTIFF ATTORNEY: **STERN & EISENBERG, PC 215-572-8111**

**SALE NO. 24-1-21**

**Writ of Execution No. 2023-03415**

**DEBT \$685,468.68**

ALL THAT CERTAIN tract of land, with the message and improvements hereon erected, SITUATE on the Township of East Bradford, County of Chester and Commonwealth of Pennsylvania, bounded and described according to a Survey made by N.M. Lake, Inc., Civil Engineers and Land Surveyors, Oxford, Pennsylvania, being No. 84109 and dated December 1984 as follows:

BEGINNING at a point set in the title line near the intersection of Birmingham Road (LR 15087) and Pennsylvania Route 52 and 100, and said point marking a corner of lands of this about to be described tract and a corner of Weavers' Lebanon Bologna Company; thence leaving said point of beginning and by said title line of aforementioned LR 15087 the following 3 courses and distances: (1) North 59 degrees 40 minutes 45 seconds West 74.01 feet to a point; thence (2) North 68 degrees 06 minutes 36 seconds West 77.67 feet to a point; thence (3) North 72 degrees 50 minutes 54 seconds West 300.35 feet to a point marking a corner of this and a corner of remaining lands of William A. Limberger, Et. UX; thence by remaining lands of Limberger following 3 courses and distances; (4) North 14 degrees 30 minutes 47 seconds East 200.65 feet to an iron pin set; thence (5) North 80 degrees 04 minutes 46 seconds East 379.86 feet to an iron pin set; thence (6) crossing over a right of way of Route 53 and 100, South 30 degrees 42 minutes 25 seconds East 304.95 feet to a point, marking a corner of this and a set in line of lands of Weaver's Lebanon Bologna Company; thence (7) by lands of Weaver's Lebanon Bologna Company South 45 degrees 53 minutes 43 seconds West 218.96 feet to the point and place of beginning.

BEING the same premises which Robert

F. Morris and Glenn Kickner, by Indenture dated 11/14/05 and recorded 11/22/05 in the Office of the Recorder of Deeds in and for the County of Chester in Record Book 6690 page 707, granted and conveyed unto Robert A. Powers and Anne K. Powers, in fee.

AND BEING the same premises which the Sheriff of Chester County, by Deed Poll dated 8/16/18 and recorded 10/19/18 in the Office of the Recorder of Deeds in and for the County of Chester in Record Book 9831 page 868, granted and conveyed unto CJD Group, LLC in fee.

AND BEING the same premises which CJD Group, LLC, by Indenture dated 3/29/19 and recorded 4/1/19 in the Office of the Recorder of Deeds in and for the County of Chester in Record Book 9902 page 366, granted and conveyed unto 595 Birmingham Road, LLC in fee.

AND BEING the same premises which 595 Birmingham Road, LLC, by Indenture dated 8/1/2020 and recorded 10/20/2020 in Office of the Recorder of Deeds in and for the County of Chester in Record Book 10314 page 2041, granted and conveyed unto Strodes Mill Partners, LLC and Robert A. Powers in fee.

Tax Parcel # 51-7-113

PLAINTIFF: Joseph D. Bound

VS

DEFENDANT : **Strodes Mill Partners, LLC and Robert A. Powers**

SALE ADDRESS: 595 Birmingham Road, West Chester, PA 19382

PLAINTIFF ATTORNEY: **TERKANIAN LAW, LLC 267-281-8200**

**SALE NO. 24-1-22**  
**Writ of Execution No. 2022-08309**  
**DEBT \$179,751.73**

PROPERTY SITUATE IN BOROUGH

OF HONEY BROOK

SOLD AS THE PROPERTY OF: SYLVIA E. VERNON and DAVID LEE VERNON SR.

TAX PARCEL#12-02-0160

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: U.S. Bank Trust National Association, not in its individual capacity, but solely as owner trustee for RCF 2 Acquisition Trust c/o U.S. Bank Trust National Association

VS

DEFENDANT : **SYLVIA E. VERNON & DAVID LEE VERNON SR.**

SALE ADDRESS: 4460 Horseshoe Pike a/k/a 8 East Main Street, Honey Brook, PA 19344

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

**SALE NO. 24-1-23**  
**Writ of Execution No. 2022-09920**  
**DEBT \$190,806.45**

Property to be sold is situated in the borough/township of Coatesville, County of Chester and State of Pennsylvania.

Parcel Number : 28-6-1

PLAINTIFF: U.S. Bank Trust National Association as Trustee of the Bungalow Series IV Trust

VS

DEFENDANT : **Cheryl L. Fryberger**

SALE ADDRESS: 368 Martins Corner Road, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **DANA MARKS, ESQ. 212-471-5100**