

# FAYETTE LEGAL JOURNAL

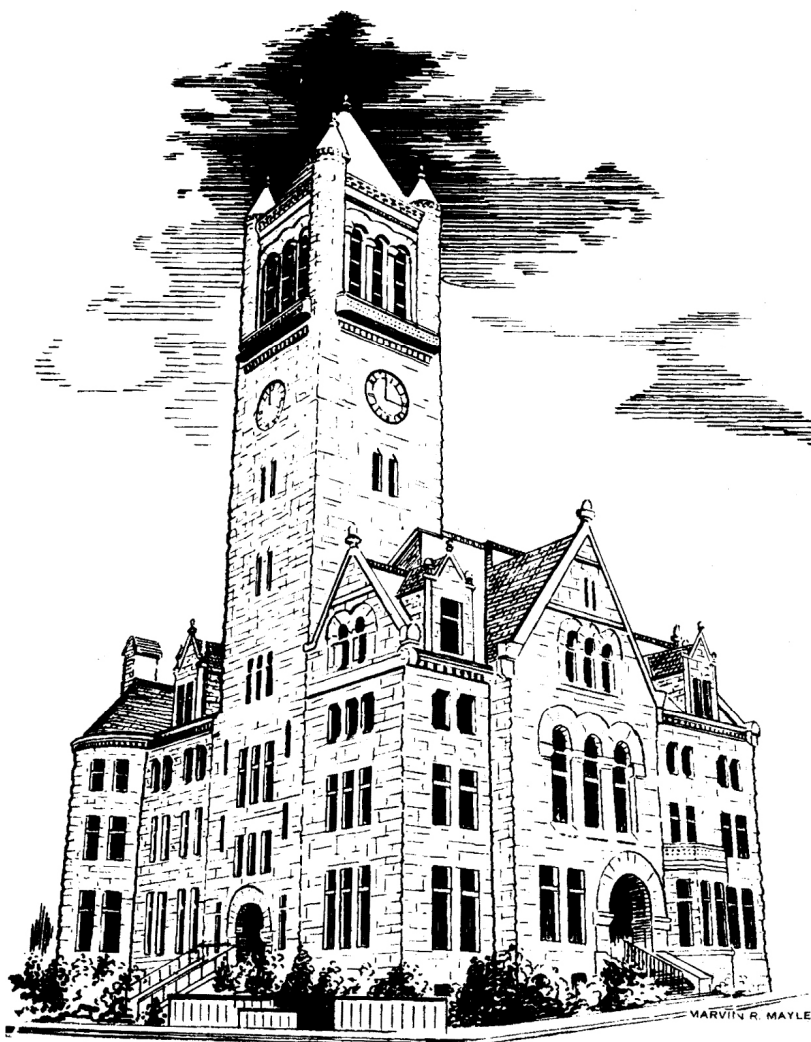
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## FAYETTE LEGAL JOURNAL

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Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

### Third Publication

**DONALD BREWER, a/k/a DONALD RICHARD BREWER, JR.,** late of Wharton Township, Fayette County, PA (3)  
 Administratrix: Mary Caroline Savage  
 c/o Pavina Law, LLC  
 4 North Beeson Boulevard  
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 Attorney: Bryan Pavina, Jr.

**NANCY D. TERRAVECCHIA,** late of South Union Township, Fayette County, PA (3)  
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 c/o Webster & Webster  
 51 East South Street  
 Uniontown, PA 15401  
 Attorney: Robert L. Webster, Jr.

**GAIL THOMAS,** late of Dunbar Township, Fayette County, PA (3)  
 Executrix: Beverly Guynn  
 c/o Rowan Law Office  
 890 Vanderbilt Road  
 Connellsville, PA 15425  
 Attorney: Mark Rowan

**WARNER J. WISYANSKI,** late of Washington Township, Fayette County, PA (3)  
 Executrix: Patricia A. Wisyanski  
 c/o 823 Broad Avenue  
 Belle Vernon, PA 15012  
 Attorney: Mark E. Ramsier

## Second Publication

**FRANK ANGELILLI, a/k/a FRANK ANGELILLI, JR.,** late of Fayette County, PA  
*Personal Representative:*  
 Michele R. Vasiloff  
 c/o 902 First Street  
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 Hiller, PA 15444  
*Attorney:* Herbert G. Mitchell, Jr. (2)

**SHIRLEY A. CHAMBERS,** late of Dunbar Township, Fayette County, PA (2)  
*Personal Representative:* Amy R. Johnson  
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 720 Vanderbilt Road  
 Connellsville, PA 15425  
*Attorney:* Timothy J. Witt

**AUDREY BENNETT MARKER, a/k/a AUDREY M. MARKER, a/k/a AUDREY MARKER,** late of Luzerne Township, Fayette County, PA (2)  
*Executrix:* LuAnn Marker Delverme  
 c/o Davis & Davis Attorneys At Law  
 107 East Main Street  
 Uniontown, PA 15401  
*Attorney:* James T. Davis

**JUDITH M. MOODY,** late of Fairchance Borough, Fayette County, PA (2)  
*Executor:* Daniel J. Rittacco  
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**CHARLES PLUTO, a/k/a CHARLES EDWARD PLUTO,** late of Uniontown, Fayette County, PA (2)  
*Executor:* United Bank  
 514 Market Street  
 Parkersburg, WV 26101

**JUNE B. SACRA,** late of South Uniontown Township, Fayette County, PA (2)  
*Executor:* Kevin G. Martin  
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 Uniontown, PA 15401  
*Attorney:* Robert L. Webster, Jr.

LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF  
FAYETTE COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW  
No. 2685 of 2025, G.D.  
The Honorable Judge Linda R. Cordaro

IN RE: CHANGE OF NAME OF  
ASIA RASINE REVAK

NOTICE

Notice is hereby given that on November 12, 2025 the petition of Asia Rasine Revak was filed in the above-named Court, requesting an Order to change the name of Asia Rasine Revak to Asia Rasine Liston.

The Court has fixed February 19, 2026 at 11:30 A.M. in Courtroom Number 2, of the Fayette County Courthouse, 61 East Main Street, Uniontown, Pennsylvania as the time and place for a hearing on the merits of said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

Sheryl R. Heid, Esquire  
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Uniontown, PA 15401  
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**DORIS LOUISE SMITH, a/k/a DORIS L. SMITH**, late of Upper Tyrone Township, Fayette County, PA (2)

*Personal Representatives:*  
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Anita Jean Smith  
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*Attorney:* Gary J. Frankhouser

**BARBARA ELEANOR STEWART, a/k/a ELEANOR STEWART**, late of Menallen Township, Fayette County, PA (2)

*Executor:* Robert Benton Stewart  
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55 East Church Street, Suite 102  
Uniontown, PA 15401  
*Attorney:* James N Fitzsimmons, Jr.

First Publication

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*Executrix:* Catherine M. Holderbaum  
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100 State Street, Suite 700  
Erie, PA 16507-1459  
*Attorney:* S. Craig Shamburg

**DORIS LOUISE SMITH, a/k/a DORIS L. SMITH**, late of Upper Tyrone Township, Fayette County, PA (1)

*Personal Representatives:* Karen Louise Christner and Anita Jean Smith  
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*Attorney:* Gary J. Frankhouser

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JUDICIAL OPINION

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

COMMONWEALTH OF PENNSYLVANIA :  
v. :  
AARON LOUISE COLLINS : NO. 1088 OF 2023  
Appellant : No. 1126 WDA 2025

OPINION

LESKINEN, P.J. December 16, 2025

Before the Court is the Concise Statement of Issues on Appeal filed by the Appellant, Aaron Louis Collins; On May 4, 2025, the Appellant proceeded pro se and James Natale, Esquire, was appointed as Standby Counsel. The Appellant was charged with Involuntary Deviate Sexual Intercourse by forcible compulsion; Corruption of Minors--defendant age 18 years or above; and Indecent Assault Without Consent. The Appellant was convicted on all charges. On May 16, 2025, after the verdict but prior to his sentencing, the Appellant filed a pro se Notice of Appeal to the Superior Court. However, as this appeal, 587 WDA 2025, was filed prior to his sentencing, the appeal was subsequently quashed. At a hearing held on September 4, 2025, the Appellant was determined to be a Sexually Violent Offender. Due to a prior sex assault conviction, on September 4, 2025, the Appellant was sentenced under the mandatory sentencing provisions, 42 Pa. C.S. § 9718.2, to twenty-five (25) to fifty (50) years of incarceration. This Opinion is in support of the jury verdict and sentence imposed.

In his Concise Statement of Issues on Appeal, the Appellant raises the following issues for consideration:

ISSUES RAISED ON APPEAL

1. Whether during a disputed period 10/31/2022 till 10/31/2023, that the Commonwealth was not ready for trial?
2. Whether adopting the Commonwealth position that the prosecution had leeway to proceed, without any diligence, to cause up to 365 days of delays was contrary to the letter and spirit of Rule 600.
3. Whether the Court can use pro-se motions that as placed into Appellant's record in 2022 but never filed as due diligence to violate Appellant's Sixth Amendment Rights. (Rule 600(A)(2))
4. Whether the Court can use pro se motions at the time where the Appellant had counsel.
5. Whether the Commonwealth demonstrated that it complied with the due diligence requirement of Rule 600 at all relevant periods throughout the life of the case.
6. Whether the Court violated Appellant's Due Process Rights when Appellant was forced to be pro-se at the time of Appellant's Mothers passing and the day of her viewing after telling said Court that he was not in the right state of mind to deal with what was going on.

7. Whether said Court violated Appellant constitutional rights, when Appellant was told in open court that said court "will find a way" to deny Appellant Motion to dismiss violation of Rule 600(A)(2)(a).
8. Whether the Courts violated the right to effective assistance when it interferes in certain ways and ability of appointed counsel to make independent decision about how to conduct adequate legal assistance.
9. Whether appointed counsel deprived Appellant of his rights to effective assistance simply by failing to render adequate legal assistance before Appellant became pro-se.
10. Whether the Courts violated the right to effective assistance when it interferes in certain ways and ability of appointed counsel to make independent decision about how to conduct adequate legal assistance.
11. Whether Appellant's due process rights to a fair trial were violated when Officer Mickens was allowed to take the stand after sitting through the Commonwealth's testimony.
12. Whether Appellant's due process rights to a fair trial were violated when Officer Mickens stated on the stand that the Appellant was on the Megan's Law Registry.

### FACTUAL BACKGROUND

On October 28, 2022, the Appellant gave the mother of the victim, (hereinafter "R.R."), a ride to pick up her sixteen (16) year old son, (hereinafter "D.S."). R.R. invited the Appellant to stay for dinner and D.S. went up to his room on the third floor of their house to play Pokemon.

D.S. testified that in October of 2022, he was about five (5) foot (4) inches tall and weighed about one hundred and ten (110) pounds. (N.T. at pg. 42) D.S testified that his birthday was September 30, 2006. Id. The Appellant joined D.S. in his bedroom, where they talked about the Pokemon Unite game. The Appellant told D.S. that he had a tin of Pokemon cards and he'd get them and like to show the boy the cards. (N.T. at pg. 47). R.R. testified that her son and the Appellant came downstairs and told her that the Appellant was going to give her son some Pokemon cards. (N.T. at pg. 70). When the Appellant returned he showed the mother the Pokemon cards and returned upstairs with her son. Id. The Appellant provided marijuana to D.S. and they both smoked some. (N.T. at pg. 48).

R.R. yelled up the stairs that she needed to make a quick run to the store to get something for dinner. (N.T. at pg. 53). D.S. testified that the Appellant shut the door and began placing his hand on D.S.'s thigh. (N.T. at pg. 49). The

Appellant moved his hand under the boy's basketball shorts and then removed his shorts. (N.T. at pg.51). The Appellant then placed his arm over the boy's chest so he couldn't get up. The boy told the Appellant that he didn't want him to do this and told him no. (N.T. at pg. 52). The Appellant then took the boy's penis in his mouth and performed oral sex on him. (N.T. at pg. 54).

The mother testified that when she returned to the home it was quiet upstairs and when she called them for dinner, there was no answer so she went upstairs to tell them dinner was ready.

She testified that it was quiet when she went up to tell them that dinner was ready and the door was shut. (N.T. at pg. 71) When she pushed the door open, she sees the Appellant with one hand on his chest and the other on his legs and her son's penis in the Appellant's

mouth. (N.T. at pg. 72). The Mother saw the Appellant performing oral sex on her son. The Appellant jumped off her son and pushed her out of the way and ran down the stairs. The Appellant elbowed her in the groin area as she chased him down the stairs and then ran outside. (N.T. at pg. 72-73). The Appellant fled in his car. (N.T. at pg. 73).

R.R. testified that she called the Appellant's cousin who is her landlord and then called the police. (N.T. at pg. 73). She stated that she then took him to Uniontown hospital where they performed a DNA test for saliva. (N.T. at pg. 74).

Officer Tai Mickens was called to the stand and testified that he took the initial report for this incident. During the Appellant's questioning, he asked him how he located him as there are four individuals with the same name as his in the Brownsville area. Officer Mickens stated that "there was only one that lived on Water Street with your name at this time." Appellant responded that this didn't answer the question. Officer Mickens responded "You're on the registry for Water Street." (N.T. at pg. 84). The prosecutor asked about the lineup question asked by the Appellant. Officer Mickens responded that R.R. knew the Appellant, could identify him and also knew he lived nearby. (N.T. at pf. 85).

Megan Marshall, a forensic D.N.A. scientist, testified that she received a buccal swab from D.S. and K.2 and a buccal swab from the Appellant. There were four external genitalia swabs and two neck swabs from D.S. (N.T. at pg. 89). Ms. Marshall's conclusion was that the DNA profile located on the genitalia of D.S. was from the Appellant and her conclusion was that he was the contributor to a reasonable degree of scientific certainty. (N.T. at pg. 91)

## DISCUSSION

1. Whether during a disputed period 10/31/2022 till 10/31/2023, that the Commonwealth was not ready for trial?

The Appellant questions whether the Commonwealth was ready for trial during the period between 10/31/22 until 10/31/2023. The criminal charges were filed on October 31, 2022. A warrant was issued for the Appellant's arrest and he was arrested on November 9, 2022 which resulted in nine (9) days of excludable time attributable to the Appellant. On December 12, 2022, the Appellant's bail was posted. The preliminary hearing was held on Jun 12, 2023, after being continued four (4) times by the Commonwealth. This time period would be includable time as it was the result of continuances requested by the Commonwealth, and no evidence was presented to demonstrate due diligence for this period.

As the continuances were granted by the Magisterial District Judge and did not violate Rule 600, the Commonwealth requested a continuance and it was granted, there is no information in the record as to the exact reason for the continuances requested. As the continuance time was calculated against the Commonwealth and did not result in a violation of Rule 600, the continuances were done within the requirements of the statute. This issue is without merit.

2. Whether adopting the Commonwealth position that the prosecution had leeway to proceed, without any diligence, to cause up to 365 days of delays was contrary to the letter and spirit of Rule 600.

The continuances granted were not contrary to the letter and spirit of Rule 600. Rule 600 was adopted to fix the maximum time limit within which to try individuals accused of a crime. The rule is intended to protect the right of criminal defendants to a speedy trial, protect society's right to effective prosecution of criminal cases and to help eliminate the backlog of criminal cases in the Pennsylvania courts. See Comment to Rule 600. Commonwealth



v. Dixon, 907 A.2d 468 (2006) and Commonwealth v. Genovese, 425 A.2d 367 (1987). The continuances were granted by the court so that there could be an effective prosecution of this case. On the record before the Court, the continuances were not contrary to the letter and spirit of Rule 600.

3. Whether the Court can use pro-se motions that as placed into Appellants record in 2022 but never filed as due diligence to violate Appellant's Sixth Amendment Rights. (Rule 600 (A)(2).

On November 18, 2022, Mark Mehalov, Esquire, was appointed to represent the Appellant by President Judge Steve Leskinen. On November 21, 2022, the Appellant filed a pro se Motion for Modification of Bail which was forwarded to his attorney. On November 28, 2022, the Appellant filed a pro se Motion for Modification/Reduction of Bail which was forwarded to his counsel. On December 1, 2022, the Appellant filed a pro se Motion to Dismiss and a pro se Motion to Stop Violation of Defendant's Fourth Amendment Rights which were both forwarded to his counsel. The Appellant posted bail on December 12, 2022.

The Courts do not permit hybrid representation when an accused is represented by counsel. This prevents a defendant from simultaneously acting pro se while being represented by counsel. Commonwealth v. Moore, 307 A.3d 95 (2023). Once a pro se filing is received, it is filed of record and is forwarded to attorney of record without further consideration by the Court. Pa. R.Crim. P. 576(A)(4). The filings would not have impacted any due diligence argument under these circumstances.

4. Whether the Court can use pro se motions at the time where the Appellant had counsel.

The court cannot proceed on a pro se filing by a defendant who is represented by counsel. This principle is rooted in the prohibition against hybrid representation, which prevents a defendant from simultaneously acting pro se while being represented by an attorney. Commonwealth v. Moore, 307 A.3d 95 (2023) and Pa. R. Crim. P. 576(A)(4).

5. Whether the Commonwealth demonstrated that it complied with the due diligence requirement of Rule 600 at all relevant periods throughout the life of the case.

Pennsylvania Rule 600 was designed to implement the speedy trial right provided by the Sixth Amendment to the United States Constitution and by Article 1, Section 9 of the Pennsylvania Constitution. Commonwealth v. Murray, 879 A.2d 209 (Pa. Super. 2005). The constitutional provisions continue to provide a separate basis for asserting a claim of undue delay. Excludable time which results in an adjusted mechanical run date includes any delay requested or caused by the Defendant. Commonwealth v. Barbour, 189 A.3d 394 (Pa. 2018). Excusable delay also extends the time under Rule 600 when, due to circumstances beyond the control of the Commonwealth, despite its due diligence, a delay occurs that is not attributable to the defendant. Excusable delay also extends the run date for purposes of the 365 run date under Rule 600 but excusable delay does not extend the run date for the purposes of the 180 day portion of the rule. Commonwealth v. Moore, 879 A.2d 309 (Pa. Super. 2008).

The criminal charges were filed on October 31, 2022. A warrant was issued for the Appellant's arrest, and he was arrested on November 9, 2022, which resulted in nine (9) days of excludable time attributable to the Appellant. On December 12, 2022, the Appellant's bail was posted. The preliminary hearing was held on Jun 12, 2023, after being continued four (4) times by the Commonwealth. This time period would be includable time as it was the result of continuances requested by the Commonwealth, and no evidence was presented to demonstrate due diligence for this period.

The following continuances resulted in excludable time for Rule 600 purposes. On October 4, 2023, the Court issued an order scheduling the Omnibus Pretrial Motion for December 14, 2023. On December 13, 2023, a continuance was granted at the request of the Appellant with the new hearing date scheduled for February 14, 2024. On February 9, 2024, the hearing was continued at the request of the defense until March 13, 2024. Then on March 12, 2024, the Omnibus Pretrial hearing was again continued by the defense and rescheduled for July 30, 2024. These continuances resulted in three hundred and two (302) days of excludable time.

On July 20, 2024, the Appellant requested a continuance of the trial due to the death of his mother. The case was continued until the September term of criminal court which ended on September 13, 2024 for an additional fifty-five (55) excludable days.

On August 12, 2024, the Appellant filed a Rule 600 Motion. On September 6, 2024, the Court held a hearing on the Appellant's Rule 600 Motion on this case and a second case that the Appellant had pending. The Appellant asserted that he had case law which would result in the Court ruling in his favor. The Court agreed to delay ruling in the case to give the Appellant the opportunity to present his documentation to the Court. However, no additional case law or other authority has ever been provided to the Court by the Appellant.

6. Whether the Court violated Appellant's Due Process Rights when Appellant was forced to be pro-se at the time of Appellant's Mother's passing and the day of her viewing after telling said Court that he was not in the right state of mind to deal with what was going on.

On July 30, 2024, the Court did a lengthy and extensive hearing on whether the Appellant could proceed pro se to trial on cases 1489 of 2018 and 1088 of 2023. At that time, the Appellant wanted to proceed without counsel on his own behalf and the Court was unable to persuade him to do otherwise.

At trial, before the Honorable Linda R. Cordaro, the Appellant complained that he was never given the opportunity to change his mind after that hearing. However, the Appellant failed to file a motion requesting counsel be appointed. It is not for the Court to repeatedly enquire as to whether an Appellant wants to proceed to trial pro se or by appointed counsel. The Appellant made no effort to inform the Court that he had reconsidered and wanted to have counsel when he went to trial. The Honorable Judge Linda Cordaro was willing to appoint counsel for him on the morning of trial but the Appellant turned down her offer. This issue is without merit.

7. Whether said Court violated Appellant constitutional rights, when Appellant was told in open court that said court "will find a way" to deny Appellant Motion to dismiss violation of Rule 600(A)(2)(a).

No such statement was ever made by the Court. The assertion by the Appellant that this statement was made is false. This issue is without merit.

8. Whether the Courts violated the right to effective assistance when it interferes in certain ways and ability of appointed counsel to make independent decision about how to conduct adequate legal assistance.

The statement by the Appellant is so unsupported that the Court cannot form a reply. This issue is so vague as to be waived.

13. Whether appointed counsel deprived Appellant of his rights to effective assistance simply by failing to render adequate legal assistance before Appellant became pro-se.

Without any specifics, the Court cannot guess what the Defendant is referencing. The Supreme Court of Pennsylvania has explicitly held that a defendant who elects to represent himself cannot subsequently raise claims of ineffectiveness against prior counsel or stand-by counsel. *Commonwealth v. Williams*, 196 A.3d 1021 (Pa. 2018). The Sixth Amendment guarantees the right to the assistance of counsel for the defendant in a criminal case. However, when the defendant waives this right and chooses self-representation, he forfeits the ability to later claim ineffectiveness of counsel as a basis for relief. *Id.* This issue is without merit.

10. Whether Appellant's due process rights to a fair trial were violated when Officer Mickens was allowed to take the stand after sitting through the Commonwealth's testimony.

The prosecuting officer is normally permitted to remain in the courtroom during the trial to assist the attorney for the Commonwealth with the presentation of the evidence. The Appellant fails to specify how his rights to a fair trial were violated. Defendant does not reference where this issue was preserved for review. This issue is vague and non-specific to such a degree that the Court cannot rationally respond and the issue should be deemed to be waived as a result.

14. Whether Appellant's due process rights to a fair trial were violated when Officer Mickens stated on the stand that the Appellant was on the Megan's Law Registry.

Officer Tai Mickens was called to the stand by the prosecution and testified that he took the initial report for this incident. During the Appellant's questioning of the officer, the Appellant asked him how he located him as there are allegedly four individuals with the same name as his in the Brownsville area. Officer Mickens stated that "there was only one that lived on Water Street with your name at this time." (N.T. at pg. 85). Appellant responded that this didn't answer the question. Officer Mickens responded "You're on the registry for Water Street." (N.T. at pg. 84). This was a fair response to the defendant's cross-examination, and was thus a self-inflicted wound. Moreover, the Defendant fails to set forth where in the record he preserved this issue for review. Subsequently, on re-direct examination, the prosecuting attorney asked about the identification of the Defendant. Officer Mickens responded that R.R. knew the Appellant, could identify him and also knew he lived nearby. (N.T. at pf. 85).

There was no specific mention of "Megan's Law" only of a "registry". There was no indication as to what registry the officer was referring. The jury was not informed about what registry the officer referred to.

For the above stated reasons, the Court respectfully suggests that there were no material pretrial errors, that the verdict was properly entered, and the sentence was properly imposed.

BY THE COURT:  
Leskinen, P.J.

ATTEST:  
Clerk of Courts

