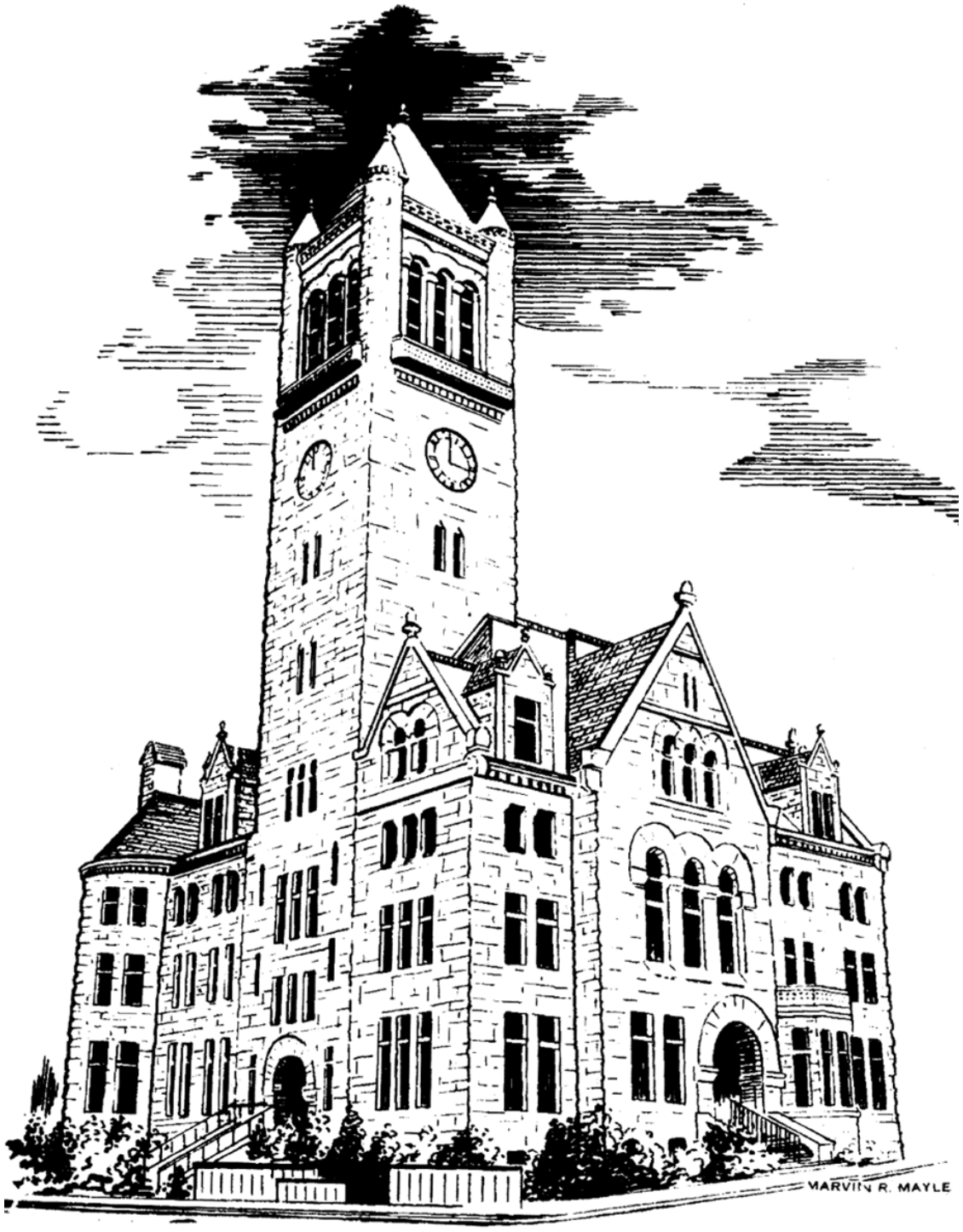
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FAYETTE LEGAL JOURNAL

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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

DOUGLAS RAY BLACK a/k/a DOUGLAS R. BLACK, late of Perry Township, Fayette County, PA
Administratrix: Staicey Black
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

WILLIAM BRISBANE a/k/a WILLIAM DAVID BRISBANE a/k/a WILLIAM D. BRISBANE, JR., late of Springfield Township, Fayette County, PA
Co-Executrix: Maria Luiza Galveas Brisbane-Palhares and Christianna G. Brisbane
c/o Lope & Casker
207 E. Grandview Avenue
Zelienople Pennsylvania 16063
Attorney: Steven Casker

GWENDOLYN M. KNIGHT, late of Uniontown City, Fayette County, PA
Executor: Patrick K. Lion
c/o Davis & Davis Attorneys At Law
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

TERESA LAH a/k/a TERESA J. LAH, late of Perry Township, Fayette County, PA
Executrix: Amber Lynn Evon aka Amber L. Evon
c/o Anderson Law Firm
429 Fourth Avenue, Suite 602
Pittsburgh, PA 15219
Attorney: Caleb Dunn

MARY E. MEYERS, late of Connellsville City, Fayette County, PA
Personal Representative:
Constance Nicholson
c/o Finoli Law, LLC
229 South Maple Avenue
Greensburg, PA 15601
Attorney: Vincent J. Finoli

JOHN WAGNER a/k/a JOHN ROBERT WAGNER, late of Henery Clay Township, Fayette County, PA
Executor: John S. Wagner Jr.
c/o Pavina Law, LLC
4 N. Beeson Boulevard
Uniontown, PA 15401
Attorney: Bryan Pavina Jr.

Second Publication

CLARA BERARDI a/k/A CLARA E. BARARDI, late of Uniontown, Fayette County, PA
Executrix: Amy Slusarick
c/o Tiberi Law Office
84 E. Main Street
Uniontown, PA 15401
Attorney: Vincent Tiberi

JAMES A. GNAGEY, late of Uniontown, Fayette County, PA
Executrix: Joy Lynn Huston
c/o 310 Grant Street, Suite 1109
Pittsburgh, PA 15219
Attorney: Rosalie P. Wisotzki

SUSAN L. HOLLY, late of Chalk Hill, Wharton Township, Fayette County, PA
Administrator: David L. Herring
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

DONALD W. JOBES, late of Strongsville, Cuyahoga County, Ohio
Personal Representative:
Melissa C. Novotnak
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: Christian E. Sesek

TERRY LEE MYERS a/k/a TERRY L. MYERS, late of Smithfield, Fayette County, PA
Executor: Brian A. Myers
c/o Proden O'Brien & Lementowski
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

ROSEMARY PENGLASE, late of Ruther Glen, Caroline County, Virginia
Administratrix: Mary Shannon Johnson
c/o Metz Lewis Brodman
Must O'Keefe LLC
444 Liberty Avenue, Suite 2100
Pittsburgh, PA 15222
Attorney: Stephen Ban

ERNEST SHULTZ a/k/a ERNEST A. SHULTZ, late of Springfield Township, Fayette County, PA
Administrator: Anthony Shultz
c/o Tremba, Greiner & Brooks
1310 Morrell Avenue, Suite C
Connellsville, PA 15425
Attorney: John Greiner

First Publication

GARY A. BASINGER a/k/a GARY A. BASINGER, SR., late of Springfield Township, Fayette County, PA
Executrix: Christina L. Basinger a/k/a Christine L. Basinger
c/o Auld Brothers Law Group, LLC
5349 William Flynn Highway
Gibsonia, PA 15044
Attorney: Rebecca A. Auld

JOY A. CRAIG a/k/a JOY ARLENE CRAIG, late of North Union Township, Fayette County, PA
Executor: Walter T. Craig, II
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401

JAMES FRANCIS DECARLO, late of Menallen Township, Fayette County, PA
Executrix: Brooke DeCarlo Fagan
c/o 45 East Main Street, Suite 400
Uniontown, PA 15401
Attorney: John M. Elias

SUE ELLEN MCGRANE DUCHENE a/k/a SUE ELLEN DUCHENE, late of Springfield Township, Fayette County, PA
Executor: Richard Pierce Duchene
c/o 3300 Grant Building
310 Grant Street
Pittsburgh, PA 15219
Attorney: Walter Nalducci

JULIA ICKES, late of Stewart Township, Fayette County, PA
Executrix: Billie Mastowski
141 Sycamore Lane
Normalville, PA 15469

KELLY SUE KENT, late of Connellsville, Fayette County, PA
Personal Representative:
Danielle Huey
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

STEPHEN JOHN KNAPP, late of Masontown, Fayette County, PA
Administrator: James Andrew Knapp, Sr.
c/o 11 Pittsburgh Street
Uniontown, PA 15401
Attorney: Thomas W. Shaffer

ALAN MILLER, late of South Union Township, Fayette County, PA
Administrator: Rick Miller
c/o Adams Law Offices, PC
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason F. Adams

DOROTHY JOAN SHAFFER a/k/a DOROTHY J. SHAFFER, late of Uniontown, Fayette County, PA
Executrix: Suzanne Carothers
c/o Radcliffe Martin Law, LLC
648 Morgantown Road, Suite B
Uniontown, PA 15401
Attorney: William M. Radcliffe

LARRY G. SHOW a/k/a LARRY GEORGE SHOW, late of Farmington, Fayette County, PA
Co-Executors: Larry Edward Show and Bruce William Show
c/o Radcliffe Martin Law, LLC
648 Morgantown Road, Suite B
Uniontown, PA 15401
Attorney: William M. Martin

LEGAL NOTICES

** NO LEGAL NOTICES **

REGISTER'S NOTICE

Notice by JEFFREY L. REDMAN, Register of Wills and
Ex-Officio Clerk of the Orphans' Court Division of the Court of Common Pleas

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Monday November 2, 2026
at
9:30 o'clock A.M

Estate Number	Estate Name	Representative
2626-0331	Eric I. Lear	Patrick S. Lear, Administrator

Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Monday, November 16, 2026, at 9:30 A.M.

in Courtroom No. 5 of the **Honorable Judge Joseph M. George, Jr.**, or his chambers, Third Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JEFFREY L. REDMAN
Register of Wills and Ex-Officio Clerk of the Orphans' Court Division (2 of 2)

WARMAN ABSTRACT & RESEARCH LLC

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518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE E&O INSURED WILL TRAVEL ACCEPTING NEW CLIENTS

JUDICIAL OPINION

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

COMMONWEALTH OF PENNSYLVANIA	:
Plaintiff,	:
v.	:
JESUS DEJESUS	: No. 1191 of 2025
Defendant.	: Honorable Linda R. Cordaro

OPINION

Cordaro, J. August 19, 2026

Before this Court is Defendant's Omnibus Pretrial ("OPT") motion for suppression of items seized during the vehicle search, suppression of statements made by the Defendant, and habeas corpus. At a hearing on July 15, 2025, this Court received the preliminary hearing transcript and body camera footage. Additionally, the Court heard testimony from Corporal James Garlick of the Connellsville Police.

The Defendant is charged with felon in possession of a firearm, firearms not to be carried without a license, DUI, and possession of a small amount of marijuana {1}.

For the reasons set forth in this opinion, Defendant's motion is hereby GRANTED IN PART and DENIED IN PART.

SUMMARY

The following facts were established via the preliminary hearing transcript, the body camera footage, and Corporal Garlick's testimony. On April 2, 2025, Corporal Garlick initiated a traffic stop with a red Dodge pick-up truck due to the vehicle having an inoperable brake light. Upon approaching the vehicle, Corporal Garlick smelled a strong odor of marijuana. The Defendant, who was driving the vehicle, stated that he smoked marijuana approximately 30 minutes prior. The Defendant provided his medical marijuana card. The officers queried both the Defendant and the vehicle passenger, and there was an active warrant on the passenger. Upon arresting the passenger, the Defendant asked the passenger a question regarding whether he had the "John," which Corporal Garlick recognized as slang for a firearm. The Defendant informed another officer that there was possibly a handgun in the vehicle that belonged to the Defendant's wife. The Defendant consented to a vehicle search, and Corporal Garlick informed the Defendant that he did not have to consent and that he could request the officers to stop searching at any point. A firearm was located under the passenger seat. Additionally, officers found ammunition and magazines in the vehicle. The Defendant was not permitted to possess firearms due to his felon status.

{1} 18 Pa. C.S.A. § 6105(a)(1); 18 Pa. C.S.A. § 6106(a)(1); 75 Pa. C.S.A. § 3802(d)(1); 35 Pa. C.S.A. 780-113(a)(3)(1)(i).

DISCUSSION

The Defendant argues that the items seized must be suppressed because the Defendant's consent to search was obtained due to coercion that unreasonably extended the traffic stop ("Count I"). The Defendant further argues that the statements he made must be suppressed because he was not given his Miranda warnings ("Count II"). Additionally, the Defendant argues that the charges of person in possession of a firearm prohibited and firearms not to be carried without a license must be dismissed, if the motion to suppress the items seized is granted, because the Commonwealth cannot sustain the prima facie burden.

Motion to Suppress Items Seized

The Defendant's first argument is that his consent to search the vehicle was invalid because it was obtained through duress or coercion, relying on Commonwealth v. Acosta. The Court rejects this argument.

It is well-established that if an additional suspicion arises prior to the end of a traffic stop, an officer is permitted to investigate that suspicion. "An officer's inquiries into matters unrelated to the justification for the traffic stop, this Court has made plain, do not convert the encounter into something other than a lawful seizure, so long as those inquiries do not measurably extend the duration of the stop." Arizona v. Johnson, 555 U.S. 323, 333 (2009).

Here, upon approaching the vehicle, Corporal Garlick smelled marijuana, and he testified that the odor was burnt marijuana. This in itself was sufficient justification for the extension of the stop. Further, it is firmly established that the possession of a medical marijuana card does not permit the cardholder to drive while under the influence of the medical marijuana. See Commonwealth v. Dabney, 274 A.3d 1283 (Pa. Super. 2022). Additionally, the police became aware that there was a firearm in the vehicle when the Defendant asked the passenger where the "John" was. Neither the Defendant nor the passenger were permitted to possess a firearm.

The Defendant relies on Acosta. In Acosta, narcotics were discovered during a consent search of a vehicle. There, the Court found that the defendant's consent was invalid due to the totality of the circumstances, particularly emphasizing that the defendant's documentation was still being withheld at the time he gave consent, the amount of officers and flashing lights from patrol vehicles, and that there was not an express endpoint for the encounter. See Commonwealth v. Acosta, 815 A.2d 1078, 1085 (Pa. Super. 2003). The Court found that these factors, in totality, created a coercive environment. Id. Additionally, the defendant in Acosta spoke very little English.

The circumstances that were present in Acosta are not present here. Foremost, Corporal Garlick returned the Defendant's documentation to him substantially prior to the request to search. On Corporal Garlick's body camera footage, the Defendant's documentation is returned to him at timestamp 7 minutes and 17 seconds. Corporal Garlick requests to search the Defendant's vehicle at timestamp 13 minutes 22 seconds. Additionally, Corporal Garlick further stated to the Defendant that "you know, you can refuse that search, like if you want me to stop, just tell me, and I'll stop. Ok." (Garlick Body Cam 13:34). The Defendant reassured the officers that they would not find anything else in the vehicle, except for the firearm. Thus, two of the main reasons the Acosta Court relied on are not present here. The Court is not persuaded that the presence of numerous officers or patrol vehicles with flashing lights in itself rises to a level of coercion, especially when the Defendant's documentation had been returned to him and he was explicitly informed of his right to refuse the search.

A warrantless search is deemed to be unreasonable, subject to specific exceptions, including consent to the search. Commonwealth v. Strickler, 757 A.2d 884, 888 (Pa. 2000). If the underlying encounter is lawful, then the voluntariness of the consent becomes the exclusive focus. Id. at 888-89. The Commonwealth must establish that the consent was "the product of an essentially free and unconstrained choice ... under the totality of the circumstances." Id. at 901.

Here, the Defendant was not coerced into giving consent to search, and he was informed that he did not have to consent.

For these reasons, Count I of the Defendant's motion is hereby DENIED.

Motion to Suppress Statements

The Defendant further argues that his statements must be suppressed because he was in police custody at the time officers questioned him. The Court agrees.

Deficient Miranda warnings render the warning as invalid. In Commonwealth v. Sites, the Pennsylvania Supreme Court made clear that the failure to inform a defendant of his right to have counsel appointed if he cannot afford one is improper. See Commonwealth v. Sites, 235 A.2d 387, 389-390 (Pa. 1967).

Here, the Defendant was provided deficient Miranda warnings from Officer Ryan Francis, who failed to inform the Defendant that if he is unable to afford an attorney, one will be provided to him. Officer Francis merely stated the following:

"You know you have the right to remain silent. Anything you say can and will be used against you in the court of law. You have the right to have an attorney with you during any questions. You have the right to refuse any questioning at any time. Do you understand that right? You are not free to leave at this point in time." Officer Francis Body Camera 21:41 -21:55.

Therefore, the Court finds that any statement the Defendant made after this point were obtained in violation of his Fifth Amendment rights. Thus, Count II of the Defendant's motion is GRANTED IN PART.

The Court notes that the statements the Defendant made prior to the deficient Miranda warnings being given will not be suppressed. When the Defendant first stepped out of the vehicle, this remained a mere non-custodial stop. See Commonwealth v. Mannion, 725 A.2d 196, 202 (Pa. Super. 1999). Thus, the statements the Defendant made in response to Corporal Garlick that the last time he smoked was approximately 30 minutes prior are admissible. Additionally, the Defendant voluntarily made the officers alert that there was a firearm in the vehicle when he blurted out to his passenger about "the John." "When a person's inculpatory statement is not made in response to a custodial interrogation, the statement is classified as gratuitous, and is not subject to suppression for lack of warnings." Commonwealth v. Baker, 24 A.3d 1006, 1019 (Pa. Super. 2011) relying on Commonwealth v. Simala, 252 A.2d 575, 578 (Pa. 1969). Here, the Defendant's statement regarding the "John" was offered freely and gratuitously, and therefore, it will not be suppressed.

Count II of the Defendant's motion is hereby DENIED IN PART as to the statements made by the Defendant prior to this deficient Miranda warnings.

Habeas Corpus

The Defendant argues that Counts 1 and 2 of the information should be dismissed if the motion to suppress the firearm is granted. The Court finds that the firearm is admissible, and for that reason, Count Ill of the Defendant's motion is hereby DENIED. August 19, 2026

ORDER

AND NOW, this 19th day of August, 2026, in consideration of the Defendant's Omnibus Pre-trial Motion and for the reasons set forth in this Court's opinion, it is hereby ORDERED that the Defendant's Motion is DENIED as to Counts I and III and DENIED IN PART and GRANTED IN PART as to Count II. Specifically, the Defendant's statement that the last time he smoked marijuana was approximately 30 minutes earlier is admissible. Further, the Defendant's statement to the passenger referencing "the John" is admissible. Any statement made by the Defendant after the deficient Miranda warnings is hereby inadmissible.

The Commonwealth shall list this case for trial.

BY THE COURT:
Linda R. Cordaro, Judge

ATTEST:
Clerk of Courts