

LACKAWANNA JURIST

JUDICIAL OPINION

CASE NAME AND NUMBER: Hunter Chase II, LLC v. Yavorsky - **2025 WL 3298337** (Lacka. Co. 2025)

DATE OF DECISION: November 26, 2025

JUDGE: Terrence R. Nealon

ATTORNEYS INVOLVED: John J. McGovern, Jr., Esquire and Christopher J. Szewczyk, Esquire, *Counsel for Plaintiff*
Samantha Hazen, Esquire, *Counsel for Defendant*

SUMMARY OF OPINION:

Plaintiff commenced this ejectment action asserting that it owns and is entitled to immediate exclusive possession of land which defendants occupy and on which they have constructed gates, fences, and impediments that they refuse to remove. Plaintiff's complaint contained a legal description of the property at issue and attached and incorporated by reference a recorded deed which identified the boundaries of that land in eight pages setting forth its metes and bounds with specific references to adjoining properties and landmarks. It also attached and incorporated an abstractor's "affidavit of title" examining in chronological order the relevant deeds and instruments during the past six decades establishing the "present-day chain of title" for the subject property. In their responsive pleading, defendants alleged that the parcel in question was conveyed out of plaintiff's chain of title, albeit without attaching any supporting deed(s) or abstract of title to their answer, and plaintiff filed a reply to defendants' new matter specifically denying defendants' ownership allegations. Defendants filed a motion for judgment on the pleadings seeking the entry of judgment in their favor as a matter of law on the grounds that plaintiff's complaint and exhibits did not provide "an adequate legal description" of the land in question and that the property "actually belongs" to them.

When considering a motion for judgment on the pleadings, the non-moving party's factual averments and documents attached to its pleadings must be accepted as true, and the motion may be granted only if the facts which are specifically admitted by the non-moving party establish that there are no disputed questions of fact and that it is free from doubt that the moving party is entitled to judgment as a matter of law. Plaintiff's complaint and attached exhibits adequately described the pertinent property in conformity with Pa.R.Civ.P. 1054, and indicated that plaintiff had the right to immediate exclusive possession of that land due to the strength of its own title. Based upon the standard of review governing a motion for judgment on the pleadings, defendants could not secure judgment in their favor by simply alleging in their responsive pleading that they own the subject parcel. Since the facts averred and expressly admitted by plaintiff reflected that there were contested issues of fact regarding paramount title to the land, defendants did not establish their entitlement to judgment as a matter of law, and, therefore, their motion for judgment on the pleadings was denied.

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ESTATE

First Notice

NOTICE is hereby given that Letters of Administration have been granted in the **ESTATE OF RAYMOND G. BACCHIOCCHI**, late of Peckville, Lackawanna County, Pennsylvania, who died September 20, 2025. All persons indebted to said Estate are required to make payment, and those having claims or demands, to present the same without delay to the Administratrix, Patricia J. Bacchiocchi, c/o Hourigan, Kluger & Quinn, P.C., 600 Third Avenue, Kingston, PA 18704.

ESTATE OF DARLENE CERMINARO A/K/A DARLENE A. CERMINARO (died November 9, 2025) formerly of Jessup, Pennsylvania. All persons indebted to the estate shall make payment and those having claims or demands are to present same without delay to the Administrator, Rosario Cerminaro, Jr., or Richard A. Fanucci, Attorney for the Estate, 1711 Main Street, Blakely, PA 18447.

ESTATE OF JAYNE A. FIGUEROA, late of the City of Scranton, PA, who died on October 11, 2023. Letters of Administration in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Victor Figueroa, C/o: Attorney for the Estate, John M. Hart, III, Esquire, HART LAW, 134 E. Grove Street, Dunmore, PA 18510.

ESTATE OF FRANCIS P. GALLAGHER a/k/a FRANK PAUL GALLAGHER, late of Scranton, Pennsylvania (Died October 20, 2025). Marianne Gallagher, Executrix or Barbara J. O'Hara, Esquire, Attorney for the Estate, 1421 E. Drinker Street, Dunmore, Pennsylvania 18512.

Estate of **LESLIE H. GIBSON**, late of Clarks Summit, Lackawanna County, Pennsylvania (died July 16, 2025). Notice is hereby given that Letters Administrative for the Estate have been issued to David Gibson, Administrator of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Administrator, or to John J. McGovern, Jr., Attorney for the Estate, 321 Biden Street - Suite 201, Scranton, PA 18503.

ESTATE OF MARY ANNE GIELLO, late of the Borough of Dunmore, PA, who died on October 9, 2025. Letters of Administration in the above estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Nathan Giello, C/o: Attorney for the Estate, Alexander J. Tulaney, Esquire, HART LAW, 134 E. Grove Street, Dunmore, PA 18510.

Notice is hereby given that Letters of Administration have been granted to Melissa Mariotti, Administratrix of the **ESTATE OF KEVIN ALFRED JONES a/k/a KEVIN A. JONES a/k/a KEVIN JONES**, late of Taylor, PA, who died on November 10, 2025. All persons indebted to the Estate are required to make payment and those having claims or demands are to present the same without delay to the Administratrix or to Raymond C. Rinaldi, II, Rinaldi & Poveromo, P.C., P.O. Box 826, Scranton, PA, 18501.

ESTATE OF MICHAEL KULICK, late of Jefferson Township, Lackawanna County, Pennsylvania, Deceased. Letters of Administration on said Estate having been granted to the undersigned, all persons indebted thereto are requested to make immediate payment and those having claims or demands against the same will present them without delay for settlement to Jeffrey Kulick, Administrator, 1345 Mount Cobb Road, Jefferson Township, PA 18436 or James M. O'Connor, Esquire, O'Connor Law, 608 West Oak Street, P.O. Box 201, Frackville, PA 17931.

Estate of **SHIRLEY C. LESOINE**, late of South Abington Township, Lackawanna County, Pennsylvania (died April 30, 2025). Notice is hereby given that Letters of Testamentary for the Estate have been issued to KATHRYN J. LESOINE, Executrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the EXECUTRIX, or to John J. McGovern, Jr., Attorney for the Estate, 321 Biden Street - Suite 201, Scranton, PA 18503.

Estate of **RICHARD EARL MAURER a/k/a RICHARD E. MAURER**, Deceased, late of 1300 Morgan HWY, S. Abington TWP., PA 18411, (Died October 24, 2025). Robert Smith, Executor; Dante Cancelli, Suite 260, 125 North Washington Ave., Scranton, Pennsylvania 18503, Attorney.

NOTICE IS HEREBY GIVEN that Letters Testamentary in the **ESTATE OF JOSEPHINE C. MONCHELLI, a/k/a JOSEPHINE MONCHELLI**, late of Springbrook Township, Lackawanna County, Pennsylvania, have been granted to the undersigned. All persons indebted to said Estate are required to make immediate payment and those having claims shall present them for settlement to Carl A. Monchelli, Jr., Executor or Kevin R. Grebas, Esquire, Colbert & Grebas, P.C., 210 Montage Mountain Road – Suite A, Moosic, PA 18507. Date of death: September 15, 2025.

SHERMAN K. MYERS, deceased, late of Mayfield, PA (died May 6, 2025). Letters of Administration having been granted, all persons having claims or demands against the Estate of the decedent shall make them known and present them, and all persons indebted to the decedent shall make payment thereof to Alexis Myers, Administratrix, or to Raymond W. Ferrario, Attorney for the Estate, Suite 528, Scranton Life Building, 538 Biden Street, Scranton, PA 18503-1816.

Estate of **LAWRENCE P. ROWKER**, Deceased, late of 404 2nd Street, Blakely, PA 18447, (Died October 12, 2025). Carolyn Rowker, Administratrix; Mark G. Rudalavage, 171 Scranton-Carbondale Highway, Eynon, Pennsylvania 1840301027, Attorney.

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ESTATE OF MARION SPELLMAN, late of Scranton, Lackawanna County, Pennsylvania (died February 6, 2022). Letters of Administration having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to Joanne Booth, Administrator, 87 S Alpine Street, Oakland, Maine 04963 or to Kimberly Kost Scanlon, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, Clarks Summit, Pennsylvania 18411.

ESTATE OF JOAN L. STEPANAUCKAS, late of Scranton, Pennsylvania (died November 7, 2025). Notice is hereby given that Letters Testamentary for the Estate of Joan L. Stepanauckas have been issued to Gerard M. Garvey, Lauretta R. Dorazio and Randal R. Step, Executors of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executors at 501 Cayuga Street, Scranton, PA 18508 or to Robert T. Kelly, Jr., Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Biden Street, Suite 200, Scranton, PA 18503.

ESTATE OF PATRICIA ANN UHRIN, late of Scott Township, PA, who died November 26, 2025. Letters Testamentary in the above-estate having been granted, all persons having claims or demands against the estate of the decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to: Cheryl Boyarsky, Executrix, or Daniel L. Penetar, Jr., Esquire, 753 East Drinker Street, Dunmore, PA 18512.

Second Notice

NOTICE IS HEREBY GIVEN that Letters of Administration have been granted to Chad Wilmot, Administrator, of the Estate **OF BALL, MARJORIE N., AKA BALL, MARJORIE**, late of Scranton, Lackawanna County, Pennsylvania, who died on August 6, 2023. All persons indebted to said Estate are required to make payment and those having claims or demands to present the same without delay to the Administrator, c/o Biagio V. Musto, II, Esquire, 171 William Street, Pittston, PA 18640.

Estate of **JOHN BRAVETTI**, late of Roaring Brook Township, Lackawanna County, Pennsylvania (died September 26, 2025). Notice is hereby given that Letters of Testamentary for the Estate have been issued to MICHELLE M. POPLAWSKI,, Executrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the EXECUTRIX, or to John J. McGovern, Jr., Attorney for the Estate, 321 Biden Street - Suite 201, Scranton, PA 18503.

ESTATE OF ANDREW E. EARYES, NUMBER 35 2024 1180. Deceased. Late of Carbondale, Lackawanna County, PA: Died July 10, 2024. Notice is hereby given that Letters of Testamentary have been granted in the above Estate. All persons indebted to said Estate are requested to make payments, and those having claims or demands are required to present the same without delay to Kimberly Doherty, 16 Neponset Road, Wilmington, DE 19810.

ESTATE OF JOHN R. HOLLENBACK, late of Greenfield Township, Lackawanna County, Pennsylvania (died October 6, 2025). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to the Executor, John P. Hollenback, 52 Lynwood Terrace, Clifton, New Jersey 07012, or to John M. Price, Esquire, Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, Clarks Summit, Pennsylvania 18411.

ESTATE OF ALICE KEISLING, late of South Abington Township, Lackawanna County, Pennsylvania (died July 26, 2025). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to one of the Executors, Matthew P. Keisling, 10 Dunbar Way, Old Forge, PA 18518, Sarah Snyder, 2385 Cherry Hill Road, Clarks Summit, PA 18411, or to James J. Gillotti, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, Clarks Summit, Pennsylvania 18411.

ESTATE OF DEBORAH LANUTI, late of the Village of Eynon, died October 27, 2025. Letters Testamentary in the above Estate having been granted, all persons having claims or demands against the Estate of the decedent shall make them known and present them, and all persons indebted to the decedent shall make payments thereof, without delay to Jakub LeKach, 9459 State Route 374, Clifford Township, PA 18470, or Attorney Robert C. Robinson, 336 S. State Street, Clarks Summit, PA 18411.

Estate of **ELIZABETH R. OSMAN**, late of Dalton, Lackawanna County, Pennsylvania (died October 20, 2025). Notice is hereby given that Letters Testamentary for the Estate have been issued to Jeffery A. Osman, Executor of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the EXECUTOR, or to John J. McGovern, Jr., Attorney for the Estate, 321 Biden Street - Suite 201, Scranton, PA 18503.

ESTATE OF TREVOR PAUL SCHIRRA, NUMBER 35 2025 1451. Deceased. Late of Dickson City, Lackawanna County, PA: Died September 13, 2025. Notice is hereby given that Letters of Administration have been granted. All persons indebted to the above Estate are required to make payments, and those having claims or demands are to present the same without delay to J. Michael Schirra, 205 Reed Road, Roaring Brook Township, PA 18444, and Mary Rose Schirra, 413 Fourth St., First Floor, Dunmore, PA 18512.

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ESTATE OF ROBERT W. SEMIAN, late of the City of Scranton, Lackawanna County, Pennsylvania (died July 31, 2025). Letters Testamentary having been granted, all persons having claims or demands against estate of decedent shall make them known and present them, and all persons indebted to said decedent shall make payment thereof without delay to one of the Executors, David Scott Semian, 8802 Terra Cliff, San Antonio, TX 78255, Richard Robert Semian, 14 Jamie Beth Drive, Mertztown, PA 19539, or to James J. Gillotti, of Oliver, Price & Rhodes, Attorney for the Estate, 1212 South Abington Road, Clarks Summit, Pennsylvania 18411.

Notice is hereby given that Letters Testamentary have been granted to Karen Kopic, Administratrix of the **ESTATE OF ELEANOR A. SWIDERSKI**, late of Olyphant, Lackawanna County, Pennsylvania, who died on July 15, 2025. All persons indebted to said Estate are required to make payment and those having claims or demands to present the same without delay to the Administratrix, c/o Biagio V. Musto, II, Esquire, 171 William Street, Pittston, PA 18640.

Third Notice

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF RUTH L. BELASKI, a/k/a RUTH LILLIAN BELASKI**, Deceased, 10 Hart Place, Carbondale, Lackawanna County, Pennsylvania 18407, who died on October 24, 2025. All persons indebted to the Estate are requested to make payment and those having claims or demands are to present same, without delay, to the Executor, John Wormuth, or Michael N. Krisa, Attorney for the Estate. 3397 Scranton/Carbondale Highway, Suite 4, Blakely, Pennsylvania 18447.

ESTATE OF MAUREEN E. COYLE late of Dunmore, Lackawanna County, Pennsylvania, 18510 (died *August 5, 2025*). Letters in the above Estate having been granted, all persons having claims or demands against the Estate of the Decedent shall make them known and present them, and all persons indebted to the said Decedent shall make payment thereof, without delay, to Donna Wharton, Personal Representative, or to Joseph S. Toczydlowski, Jr., Esquire of the Toczydlowski Law Office, 723 N. Main Street, Archbald, PA, 18403.

NOTICE IS HEREBY GIVEN that Letters of Administration were granted to Rochelle M. Ferraro Coxie, in the **ESTATE OF DOLORES T. FERRARO**, late of the City of Scranton, Lackawanna County, Pennsylvania, who died on January 9, 2024. All persons indebted to the said Estate are required to make payment, and those having claims or demands to present the same without delay to the estate's counsel named below: Edwin A. Abrahamson, Esquire Abrahamson, Conaboy & Abrahamson, P.C. 255 E. Grove St., 2nd Fl, Clarks Summit, PA 18411.

NOTICE is hereby given that Letters Testamentary have been granted in the **ESTATE OF RONALD JENKINS**, late of Scranton, Lackawanna County, who died September 14, 2025. All persons indebted to said Estate are required to make payment and those having claims to present the same, without delay to the Executrix, Margaret Walsh, and her Attorney, David Cherundolo, Esquire, 410 Jefferson Avenue, Scranton, PA 18510.

THE ESTATE OF JOHN W. MONTGOMERY, JR., a/k/a JOHN W. MONTGOMERY, a/k/a J. WILLIAM MONTGOMERY, JR., late of the City of Scranton, County of Lackawanna, Commonwealth of Pennsylvania (died October 10, 2025). Notice is hereby given that Letters Testamentary have been granted in the above Estate to Tamara Pierre, Executrix. All persons indebted to said Estate are required to make payments and those having claims or demands are to present the same without delay to Tamara Pierre, 195 Colvin Road, Dalton, PA 18414.

NOTICE is hereby given that Letters of Administration have been granted in the Estate of **ROBERT E. PASSARIELLO**, late of Old Forge, Lackawanna County, who died September 24, 2025. All persons indebted to said Estate are requested to make payment and those having claims to present the same, without delay to the Administratrix, Bonnie Grochal, and her Attorney, David Cherundolo, Esquire, 410 Jefferson Avenue, Scranton, PA 18510.

NOTICE IS HEREBY GIVEN that Letters Testamentary have been granted in the **ESTATE OF MATTHEW P. PROROCK**, of Blakely, Lackawanna County, Pennsylvania, 18447. All persons indebted to the Estate are requested to make payment and those having claims or demands are to present same, without delay, to the Executrix, Joanne Linnenbach, or John P. Sanderson, III, Attorney for the Estate – Sanderson Building, 1 Terrace Drive, Olyphant, Pennsylvania 18447.

RONALD J. REFICE, late of Clarks Summit, Lackawanna County, Pennsylvania, (Died October 19, 2025), Letters Testamentary granted to Personal Representative, Catherine Tolerico Refice. All persons indebted to the said Estate are requested to make payment and all creditors having claims or demands are to present without delay to Catherine Tolerico Refice or to the attorney for the Estate Donna M. DeVita, Esq., 1209 Marion Street, Dunmore, Pa. 18509.

ESTATE OF CARMEN A. SANTARSIERO, late of Scranton, Pennsylvania, died on October 10, 2025. All persons having claims against the Estate shall present same to Executrix, Donna Zelinski, c/o Donald W. Jensen, Esquire, 538 Biden Street, Suite 730, Scranton, Pennsylvania 18503.

Notice is hereby given that Letters Testamentary have been granted to Cynthia Hunter in the **ESTATE OF DOROTHY VERONICA STEWART**, of the Township of South Abington, County of Lackawanna, Commonwealth of Pennsylvania, who died on October 7, 2025. All persons indebted to said Estate please make payment; and those having claims, present the same to Andrew J. Lentowski, Esquire, P.O. Box 1135, Moscow, PA 18444.

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ESTATE OF DOROTHY V. TROTTA A/K/A DOROTHY TROTTA, late of Roaring Brook Township, Pennsylvania (died June 25, 2025). Notice is hereby given that Letters Testamentary for the Estate of Dorothy V. Trotta a/k/a Dorothy Trotta have been issued to Lisa A. Trygar, Executrix of the Estate. All those having claims or demands against the Estate or indebtedness owed to the Estate shall present claims or remit payment without delay to the Executrix at 4411 Dawn Acres Drive, Moscow, PA 18444 or to Robert T. Kelly, Jr., Myers, Brier & Kelly, LLP, Attorney for the Estate, 425 Biden Street, Suite 200, Scranton, PA 18503.

ESTATE OF HELEN G. YEARING, late of Archbald, Lackawanna County, Pennsylvania, 18505 (died *September 27, 2025*). Letters in the above Estate having been granted, all persons having claims or demands against the Estate or the Decedent shall make them known and present them, and all persons indebted to the said Decedent shall make payment thereof, without delay, to Carol Snyder, Personal Representative, or to Joseph S. Toczydlowski, Jr., Esquire of the Toczydlowski Law Office, 732 N. Main Street, Archbald, PA 18403.

Change of Name

In the Court of Common Pleas, Lackawanna County, Pennsylvania, Civil Division: In Re: In the Matter of the Petition if Caterina Rose Ristagno for Change of Name. Notice is hereby given that on November 24, 2025, the Petition for Change of Name was filed in the above Court, requesting an Order to change Petitioner's name to Caterina Rose Brazen. The Court has fixed the 30th day of January, 2026 at 1:30 p.m. in Courtroom A at the Lackawanna County Government Center located at 123 Wyoming Avenue in Scranton, PA 18503 as the time and place for the hearing of said petition for name change, when and where all persons interested may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

LACKAWANNA JURIST

NOTICE

**In the Court of Common Pleas of
Lackawanna County**

Civil Action No. 25-9198

**In the Matter of John T. O'Malley
(Attorney Registration No. 78741)**

NOTICE OF CONSERVATORSHIP

On June 2, 2025, pursuant to Pa.R.D.E. 214(d)(2), the Supreme Court of Pennsylvania ordered that John T. O'Malley be disbarred on consent from the practice of law. The O'Malley Law Office is closed. By Order dated November 21, 2025, the Court of Common Pleas appointed Brian J. Cali, Esquire, of Cali Law, as Conservator for the files of John T. O'Malley.

If you are a current or former client, please call the Conservator's office at (570) 344-2029 or send an email to b.cali@brianjcali.com and lawclerk@brianjcali.com within forty-five (45) days to receive your files. All unclaimed files will be destroyed in compliance with Rule 322 of the Pennsylvania Rules of Disciplinary Enforcement.

If you believe the law office of John T. O'Malley is in possession of funds that belong to you, please contact the Conservator immediately. Any remaining funds in accounts owned by Mr. O'Malley may be paid over to the Pennsylvania Lawyers Fund for Client Security. If you require substitute counsel, please contact:

Pennsylvania Bar Association Lawyer Referral Services

100 South Street, Harrisburg, PA, 17101

(800) 692-7375

LACKAWANNA JURIST

NOTICE FROM THE LACKAWANNA COUNTY COURT OF COMMON PLEAS
REGARDING MOTION COURT EN BANC FOR DECEMBER 26, 2025:

Please be advised that in-person Motion Court en Banc will not be held on Friday, December 26, 2025. All motions that day should be submitted electronically via the following email addresses corresponding to the motion.

civilmotion@lackawannacounty.org

familymotion@lackawannacounty.org

orphanmotion@lackawannacounty.org

Thank you.

LACKAWANNA JURIST

IN THE COURT OF COMMON PLEAS OF
LACKAWANNA COUNTY, PENNSYLVANIA
45TH JUDICIAL DISTRICT

LAURIE L. BELIARD : CIVIL ACTION - IN DIVORCE
VS. :
LESLEY BELIARD, JR. : No. 14-FL-40442

NOTICE

If you wish to deny of the statement set forth in this affidavit, you **must** file a counter-affidavit within **twenty (20)** days after this affidavit has been served on you or the statements will be admitted.

AFFIDAVIT UNDER SECTION 3301(d)
OF THE PENNSYLVANIA DIVORCE CODE

1. The parties to this action separated on **April 2, 2014**.
2. Check (a) or (b):
 - a. The date of separation was prior to December 5, 2016, and the parties have continued to live separate and apart for a period of at least two years.
 - b. The date of separation was on or after December 5, 2016, and the parties have continued to live separate and apart for a period of at least one year.
3. The marriage is irretrievably broken.
4. I understand that I may lose rights concerning alimony, division of property, lawyer's fees, costs and expenses, or other important rights if I do not claim them before a divorce is granted.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S.A. § 4904 relating to unsworn falsification to authorities.

DATE: 10-23-2025


Laurie L. Beliard
Plaintiff