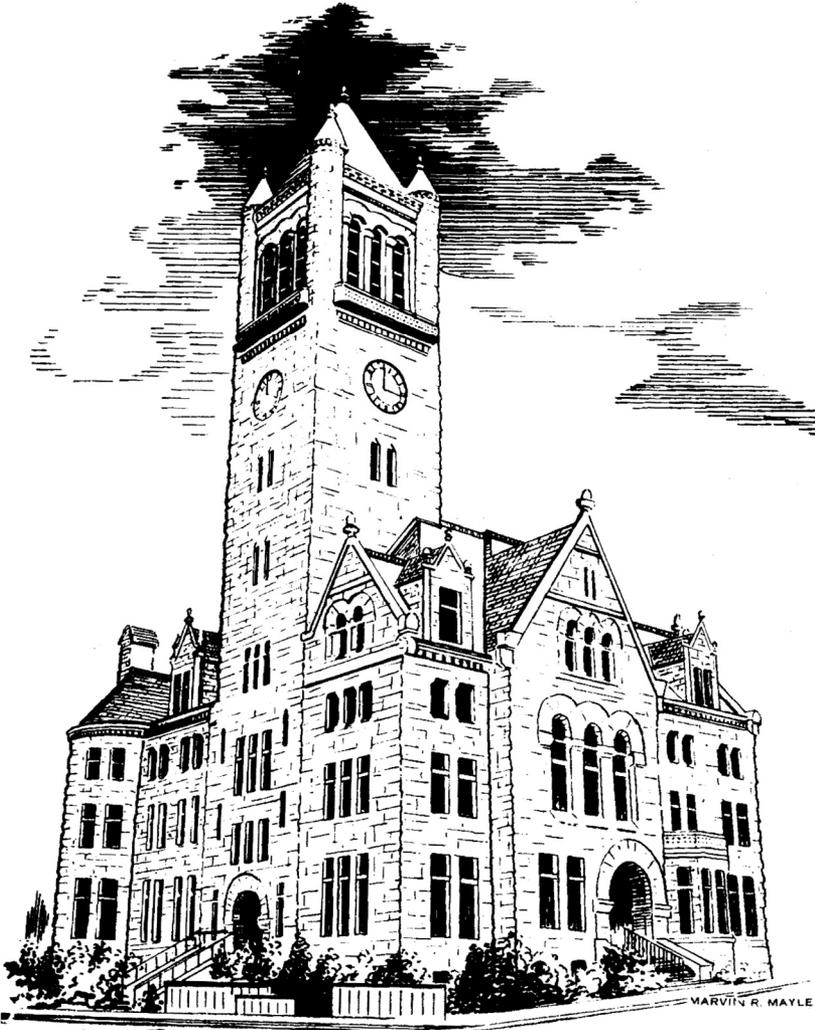


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Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay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

Third Publication

RALPH KEVIN BUCCI, late of Belle Vernon, Fayette County, PA (3)

Executrix: Dianne Lee Bucci
c/o Julian Gray Associates
954 Greentree Road
Pittsburgh, PA 15220
Attorney: Karen S. Timko

DAVID PANKRATZ, a/k/a DAVID JOHN PANKRATZ, late of Brownsville, Fayette County, PA (3)

Executrix: Donna Pankratz
c/o Entrusted Legacy Law
P.O. Box 130
Bradford Woods, PA 15015
Attorney: Ashley Sharek

CHARLES PITMAN, a/k/a CHARLES PITMAN, JR., late of Acme, Fayette County, PA (3)

Administratrix: Nancy A. Tebell
11421 Donnington Ct
Manassas, Virginia 20111
c/o King Legal Group
114 North Maple Avenue
Greensburg, PA 15601
Attorney: Bradley A. King

MARYANN REAGGLE, late of North Union, Fayette County, PA (3)

Administrator: Jeremiah Ditmore
1 Lucille Avenue
Uniontown, PA 15401

ELSIE M. WEBB, a/k/a ELSIE MATILDA WEBB, late of Dunbar Township, Fayette County, PA (3)

Personal Representative: Anna E. Webb
c/o 208 South Arch Street, Suite 2
Connellsville, PA 15425
Attorney: Richard A. Husband

Second Publication

RONALD LEE BAIRD, late of Lower Tyrone Township, Fayette County, PA (2)

Executrix: Rachel Louise Baird Alahmad
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Jeremy J. Davis

MARILYN BULLOCK, a/k/a MARILYN FRANCES BULLOCK, late of Silver Spring, Montgomery County, Maryland (2)

Executrix: Cynthia J. Conte
4623 Warrington Drive
Orlando, Florida 32826
c/o 4 West Manilla Avenue, Suite 10
Pittsburgh, PA 15220
Attorney: Joan Shinavski

JAMES W. BUSH, a/k/a JAMES W. BUSH, JR., late of Perry Township, Fayette County, PA

Executrix: Natalie King Bush (2)
8 Railroad Street
Dawson, PA 15428
c/o Jones Gregg Creehan & Gerace, LLP
20 Stanwix Street, Suite 1100
Pittsburgh, PA 15222
Attorney: Branden A. Fulciniti

LAWRENCE R. DENNIS, late of Menallen Township, Fayette County, PA (2)

Administratrix: Elizabeth W. Dennis
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

SHIRLEY B. EVANS, a/k/a SHIRLEY ANN EVANS, late of Springhill Township, Fayette County, PA (2)

Executrix: Patricia Heidt
c/o 4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Sheryl R. Heidt

GERALDINE M. GEBADLO, late of Dunbar Township, Fayette County, PA (2)

Personal Representative: Timothy J. King
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

**HOWARD JOSEPH GILLOTT, a/k/a
HOWARD T. GILLOTT**, late of Bullskin Township, Fayette County, PA (2)

Executor: Howard Justin Gillott
1505 Breakneck Road
Connellsville, PA 15425
c/o Henderson Law Offices, PC
319 Pittsburgh Street
Scottdale, PA 15683
Attorney: Kevin Henderson

**VINCENT LOUIS GRLOVICH, a/k/a
VINCENT L. GRLOVICH**, late of Redstone Township, Fayette County, PA (2)

Executrix: Mary Ann Grlovich, a/k/a
Mary Ann Plisko-Grlovich
495 Twin Hills Road
Grindstone, PA 15442
c/o 96 East Main Street
Uniontown, PA 15401
Attorney: Anne N. John

**ROSEMARY S. KALASKY, a/k/a
ROSEMARY SUSAN KALASKY**, late of North Union Township, Fayette County, PA

Executor: Andrew M. Kalasky and
Joseph A. Kalasky (2)
31 Phillippi Avenue
Uniontown, PA 15401
c/o Newcomer Law Offices
4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Ewing D. Newcomer

JUDY M. LIVENGOOD, late of South Union Township, Fayette County, PA (2)

Co-Executors: Aleta Held and
Richard A. Livengood II
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Anthony S. Dedola, Jr.

PHILLIP JOHN MICHAEL, late of South Union Township, Fayette County, PA (2)

Administratrix: Tricia Carbonara-Michael
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

SHIRLEY K. MUNDEL, late of South Union Township, Fayette County, PA (2)

Personal Representatives:
Benjamin Mundel and Jeffrey W. McCabe
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

CHARLES HENRY PITMAN, late of Acme Township, Fayette County, PA (2)

Administratrix: Nancy A. Tebell
11421 Donnington Court
Manassas, VA 20111
c/o King Legal Group, LLC
114 North Maple Avenue
Greensburg, PA 15601
Attorney: Bradley A. King

JOEL C. REBOVICH, late of Perryopolis Borough, Fayette County, PA (2)

Executrix: Dana J. Rebovich
536 Liberty Street
Perryopolis, PA 15473
c/o Bassi, Vreeland & Associates, P.C.
P.O. Box 144
111 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Bradley M. Bassi

YVONNE J. URBAN, late of Perryopolis Borough, Fayette County, PA (2)

Executor: Kenneth R. Urban
232 Todd Farm Road
Belle Vernon, PA 15012
c/o Moore Becker Smarto & Acosta, P.C.
121 West Second Street
Greensburg, PA 15601
Attorney: Elizabeth A. Becker

CHARLES W. WATSON, late of Dunbar Township, Fayette County, PA (2)

Personal Representative: Aaron C. Watson
c/o Watson Mundorff, LLP
720 Vanderbilt Road

Connellsville, PA 15425
Attorney: Timothy J. Witt

MORRIS WEBB, JR., late of Dunbar Township, Fayette County, PA (2)
Administratrix: Anna E. Webb
 c/o 208 South Arch Street, Suite 2
 Connellsville, PA 15425
Attorney: Richard A. Husband

ANNA P. WHITE, a/k/a ANNA PEARL WHITE, late of Dunbar Township, Fayette County, PA (2)
Executor: Duane L King
 P.O. Box 732
 Vanderbilt, PA 15486
 c/o Lederach Law
 201 North Chestnut Street
 P.O. Box 342
 Scottdale, PA 15683
Attorney: James S. Lederach

First Publication

SAMUEL EDWARD ANGELO, late of Menallen Township, Fayette County, PA (1)
Administrator: James Paul Angelo
 c/o Steven M. Zelinger, Esquire
 1650 Market Street, #3600
 Philadelphia, PA 19103
Attorney: Steven M. Zelinger

MARY LOUISE BRENZY, a/k/a MARY LOU BRENZY, late of German Township, Fayette County, PA (1)
Executrix: Theresa Hunyady
 c/o Proden & O'Brien
 99 East Main Street
 Uniontown, PA 15401
Attorney: Sean M. Lementowski

MICHAEL J. CHUBERKO, late of Hopwood, Fayette County, PA (1)
Administratrix: April Behneman
 c/o 45 East Main Street, Suite 400
 Uniontown, PA 15401
Attorney: Charles C. Gentile

EDWARD C. FESTOR, SR., late of North Union Township, Fayette County, PA (1)
Executor: Edward C. Festor, Jr.
 c/o Fitzsimmons & Barclay
 55 East Church Street, Suite 102
 Uniontown, PA 15401
Attorney: James N. Fitzsimmons, Jr.

LINDA L. GLISAN, late of Stewart Township, Fayette County, PA (1)
Executor: Eric Jason Glisan
 c/o Adams Law Offices, PC
 55 East Church Street, Suite 101
 Uniontown, PA 15401
Attorney: Jason Adams

CAROLYN L. JOHNSON, a/k/a CAROLYN LEE JOHNSON, late of Henry Clay Township, Fayette County, PA (1)
Co-Executors: Kelley E. Shaw and Keith A. Johnson
 c/o Proden & O'Brien
 99 East Main Street
 Uniontown, PA 15401
Attorney: Sean M. Lementowski

MILDRED L. MARTIN, late of North Union Township, Fayette County, PA (1)
Executrix: Lana J. Miller
 c/o Webster & Webster
 51 East South Street
 Uniontown, PA 15401

ROSE MARIE MCCOY, late of Henry Clay Township, Fayette County, PA (1)
Executrix: Denise McCoy-Gaurrich
 c/o Davis & Davis
 107 East Main Street
 Uniontown, PA 15401
Attorney: James T. Davis

JAXON PAUL PIREAUX, late of Mill Run, Fayette County, PA (1)
Administratrix: Skylar K. Pireaux
 P.O. Box 252
 Mill Run, PA 15464
 c/o Phillips Froetschel, LLC
 310 Grant Street, Suite 700
 Pittsburgh, PA 15219
Attorney: Laura D. Phillips

LEGAL NOTICES

The Fayette County Board of Assessment Appeals will hold forty-day assessment appeal hearings for the 2024 tax year and annual assessment appeal hearings for the 2025 tax year on September 3, 4, 5, 10, 11, 12 and 17. The appeal hearings are scheduled to begin at 9:10 AM. The hearings will be held at Board of Appeals Hearing Room, 2nd Floor, 2 West Main St, Uniontown. All hearings are open to the public.

Rebecca L. Cieszynski, CPE
Director of Tax Services
AV-002803

In Re: Leeland James Breakiron, a minor individual, a Hearing on the Petition to Change Name will be held on October 18, 2024, at 10:30 A.M., in Courtroom #3 of the Fayette County Courthouse, Uniontown, PA

NOTICE

If you wish to object, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT AY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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Notice of Condemnation

**In the County of Common Pleas of Fayette County, Pennsylvania
Civil Division
In REM Proceeding
Civil Action No. 1569 of 2024 GD**

Columbia Gas of Pennsylvania, Inc., 121 Champion Way, Suite 100, Canonsburg, Pennsylvania 15317, Condemnor,
v.

Real Property Situate in the Township of Dunbar, Fayette County, Pennsylvania, as vested by that Certain Deed Dated January 17, 1919 of record at Deed Book 369 and Page 67 in the Recorder’s Office of Fayette County, Pennsylvania being, respectively, Fayette County Tax Parcel Number 09-03-0106, Condemnees.

**Notice of Condemnation
For Pipeline Right- Of-Way**

Notice is given to the heirs, successors or assigns, if any, and unknown owners of real property situate in Dunbar Township, Fayette County, Pennsylvania, as vested by that Certain Deed between William J. Reed and Annetta Reed Dated January 17, 1919 of record at Deed Book 369 and Page 67 in the Recorder’s Office of Fayette County, Pennsylvania being, respectively, Fayette County Tax Parcel Number 09-03-0106, that Columbia Gas of Pennsylvania, Inc. has filed a Verified Application for Taking a Natural Gas Right- of-Way pursuant to 15 Pa. Cons. Stat. § 1511 and Rule 1007 of the Pennsylvania Rules of Civil Procedure to acquire title to, and right of possession of, the Right-of-Way for the construction and maintenance of a natural gas pipeline. The Right -of-Way is described in the Verified Application for Taking a Natural Gas Right-of-Way and depicted on the map attached to it. The action was filed on August 5, 2024. Just compensation has been secured by the posting of a bond in the amount of \$470.00.

(1 of 2)

IN THE COURT OF COMMON PLEAS
FAYETTE COUNTY, PENNSYLVANIA

NewRez LLC d/b/a Shellpoint Mortgage
Servicing
Plaintiff,
vs.

Jessie Thibodeau, as Believed Heir and/or
Administrator of the Estate of Joseph R.
Thibodeau; Unknown Heirs and/or
Administrators of the Estate of Joseph R.
Thibodeau (if any)
Defendants.

CIVIL DIVISION

Docket No.: 2023-01569

NOTICE OF SHERIFF'S SALE
OF REAL PROPERTY PURSUANT TO
PENNSYLVANIA RULE OF CIVIL
PROCEDURE 3129

TO: Jessie Thibodeau, as Believed Heir and/or
Administrator of the Estate of Joseph R.
Thibodeau; Unknown Heirs and/or
Administrators of the Estate of Joseph R.
Thibodeau (if any)
128 Spear Lane
Markleysburg, PA 15459

TAKE NOTICE:

That the Sheriff's Sale of Real Property
(Real Estate) will be offered for public auction
online at <https://fayette.pa.realforeclose.com> on
November 21, 2024 at 2:00PM prevailing local
time.

THE PROPERTY TO BE SOLD is
delineated in detail in a legal description
consisting of a statement of the measured
boundaries of the property, together with a brief
mention of the buildings and any other major
improvements erected on the land.

(SEE LEGAL DESCRIPTION
ATTACHED AS EXHIBIT "A").

The LOCATION of your property to be
sold is:
128 Spear Lane, Markleysburg, PA 15459

The JUDGMENT under or pursuant to
which your property is being sold is docketed to:
No. 2023-01569

THE NAME(S) OF THE OWNER(S) OR
REPUTED OWNER(S) OF THIS PROPERTY

ARE:

Jessie Thibodeau, as Believed Heir and/or
Administrator of the Estate of Joseph R.
Thibodeau; Unknown Heirs and/or
Administrators of the Estate of Joseph R.
Thibodeau (if any)

A SCHEDULE OF DISTRIBUTION,
being a list of the persons and/or governmental
or corporate entities or agencies being entitled to
receive part of the proceeds of the sale received
and to be disbursed by the Sheriff (for example
to banks that hold mortgages and municipalities
that are owed taxes), will be filed by the Sheriff
thirty (30) days after the sale, and distribution of
the proceeds of sale in accordance with this
schedule will, in fact, be made unless someone
objects by filing exceptions to it, within ten (10)
days of the date it is filed. Information about the
Schedule of Distribution may be obtained from
the Sheriff of the Court of Common Pleas of
Fayette County, at the Fayette County Sheriff's
Office, 61 East Main Street, Uniontown, PA
15401.

THIS PAPER IS A NOTICE OF THE TIME
AND PLACE OF THE SALE OF YOUR
PROPERTY.

It has been issued because there is a
Judgment against you. It may cause your
property to be held, to be sold or taken to pay
the Judgment. You may have legal rights to
prevent your property from being taken. A
lawyer can advise you more specifically of these
rights. If you wish to exercise your rights, you
must act promptly.

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THE LEGAL RIGHTS YOU MAY HAVE
ARE:

1. You may file a petition with the Court of
Common Pleas of Fayette County to open the
Judgment if you have a meritorious defense
against the person or company that has entered

judgment against you. You may also file a petition with the same Court if you are aware of a legal defect in the obligation or the procedure used against you.

2. After the Sheriff's Sale, you may file a petition with the Court of Common Pleas of Fayette County to set aside the sale for a grossly inadequate price or for other proper cause. This petition must be filed before the Sheriff's Deed is delivered.

3. A petition or petitions raising the legal issues or rights mentioned in the preceding paragraphs must be presented to the Court of Common Pleas of Fayette County. The petition must be served on the attorney for the creditor or on the creditor before presentation to the Court and a proposed order or rule must be attached to the petition. If a specific return date is desired, such date must be obtained from the Court Administrator's Office, Fayette County Courthouse, 61 East Main Street, Uniontown, PA 15401, before presentation of the petition to the Court.

Dated: 06/19/2024

Kimberly J. Hong, Esquire (74950)
Manley Deas Kochalski LLC
P. O. Box 165028
Columbus, OH 43216-5028
Telephone: 614-220-5611
Fax: 614-220-5613
Email: kjhong@manleydeas.com
Attorney for Plaintiff

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

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JUDICIAL OPINION

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

COMMONWEALTH OF	:	
PENNSYLVANIA,	:	
v.	:	
	:	
WILLIAM BENJAMIN DAVIS,	:	No. 565 of 2024
Defendant.	:	Judge Mark M. Mehalov

OPINION AND ORDER

MEHALOV, J.

August 14th, 2024

This matter comes before the Court on Defendant's Omnibus Pre-trial Motion in the form of a Motion to Suppress Evidence, a Petition for Writ of Habeas Corpus, and a Motion to Compel Discovery. Defendant is charged with one (1) count of Possession with Intent to Deliver {1}; and three (3) additional Summary Offenses: Driving an Unregistered Vehicle {2}, Obscured Plate {3}, Duty of Operator {4}. A Preliminary Hearing was held at Central Court on March 19th, 2024, after which all charges were bound over to the Court of Common Pleas. On June 12th, 2024, an Omnibus Pretrial Hearing was held before this Court. After thoughtful consideration, the Court will GRANT the Motion in its entirety.

DISCUSSION

First, Defendant raises a Motion to Suppress Evidence alleging that there was no probable cause for the stop, search, and seizure of the vehicle driven by Defendant. To conduct a proper "Terry stop" or "investigative detention", *Terry vs. Ohio*, 392 U.S. 1 (1968), a law enforcement officer must have reasonable suspicion to support the stop. For this stop to rise to the level of an arrest or "custodial detention, it must be supported by probable cause. *Commonwealth vs. Rodriguez*, 614 A. 2d 1378, 1382 (Pa. 1992). Probable cause is based on a finding of the probability that criminal activity is afoot. *Commonwealth vs. Ryerson*, 817 A.2d 510, 513-14 (Pa. Super 2003). It exists only if a reasonable person in the situation would believe that a crime has been or is being committed. *Commonwealth vs. Young*, 294 A.2d 785 (Pa. Super. 1972).

In the instant case, the initial reason presented by Trooper Tyler for stopping Defendant while driving was his observation of Defendant re-positioning himself. Specifically, Defendant "... sat up and went to ten (10) and two (2) on the steering wheel." (P.T. p. 5). Trooper Tyler described this as a "death grip". He also observed that Defendant "looked at" the marked patrol unit. (Id.)

{1} 35 § 780-113 §§ A30
 {2} 75 § 1301 §§ A
 {3} 75 § 1332 §§ B4
 {4} 75 § 6308 §§ A

The Court does not believe that a driver of a motor vehicle shifting positions in the seat and assuming a proper ten and two hand position on the steering wheel rises to any level of suspicion. Additionally, it is not unreasonable to assume that most drivers tend to take note of marked law enforcement vehicles while driving. Although Trooper Tyler did eventually notice that the vehicle contained a license plate which partially was obstructed by a dealer surround and then subsequently became aware of a suspended registration. However, these observations were not found until the Trooper relied upon his suspicions from the movements of Defendant in the driver's seat which he observed. This would render these subsequent observations to essentially be the famed fruit of the poisonous tree. Thus, we grant Defendant's Motion to Suppress Evidence.

Next, Defendant files a Petition for Writ of Habeas Corpus alleging that the Commonwealth failed to establish a prima facie case against the Defendant. In an Omnibus Pre-Trial Motion for Petition for Habeas Corpus relief, the Court must determine whether the Commonwealth established a prima facie case for the charged offenses. *Commonwealth v. Packard*, 767 A.2d 1068, 1070 (Pa. Super. 2001). "When deciding whether a prima facie case was established, [the Court] must view the evidence in the light most favorable to the Commonwealth, and . . . consider all reasonable inferences based on that evidence which could support a guilty verdict." *Commonwealth v. James*, 863 A.2d 1179, 1182 (Pa. Super. 2004) (citation omitted). Unlike the beyond a reasonable doubt standard, a prima facie case is merely a degree of evidence "that if presented at the trial in court, and accepted as true, the judge would be warranted in allowing the case to go to the jury." *Commonwealth v. Wojdak*, 502 Pa. 359, 368, 466 A.2d 991, 996 (1983) (emphasis original); see *James*, 863 A.2d at 1182. In criminal matters, evidence is deemed to be sufficient if the Court after carefully viewing all evidence admitted against Defendant in the light most favorable to the Prosecution and drawing all reasonable inferences from the same, finds that the evidence would enable the trier of fact to find every element of the crimes charged beyond a reasonable doubt. *Commonwealth vs. Goldblum*, 498 Pa. 455, 447 A.2d 234 (1982).

In the instant case, with the Motion to Suppress granted as outlined above, the Commonwealth is unable to make a prima facie showing of the guilt of Defendant in this matter. As such, the Motion for Writ of Habeas Corpus is granted.

Wherefore, we will enter the following Order:

ORDER

AND NOW, this 20th day of August, 2024, upon consideration of the Defendant's Omnibus Pre-Trial Motion to Suppress Evidence and Petition of Writ of Habeas Corpus, it is hereby ORDERED and DECREED that the motion is GRANTED in its Entirety.

The pending charges are hereby DISMISSED with PREJUDICE.

BY THE COURT:
MARK M. MEHALOV, JUDGE

ATTEST:
Clerk of Courts

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