

Adams County Legal Journal

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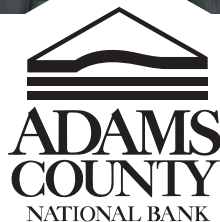
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1864 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 29th day of May, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being in Hamiltonban Township, Adams County, Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a P.K. Nail set in the centerline of the Bullfrog Road (T-321), at corner of other land now or formerly of Carl R. Sturges; thence crossing and leaving said Bullfrog Road (T-321), and by said other land now or formerly of Carl R. Sturges, and through a Reference Rebar set 30.0 feet from the beginning of this course, North 31 degrees 30 minutes 00 seconds East, 350.00 feet to a Rebar set at corner of said other land now or formerly of Carl R. Sturges; thence by said other lands of the Carl R. Sturges, South 58 degrees 30 minutes 00 seconds East, 250.00 feet to a Rebar set at corner of said other land now or formerly of Carl R. Sturges; thence by said other land now or formerly of Carl R. Sturges, and through a Reference Rebar set 30.00 feet back from the end of this course, South 31 degrees 30 minutes 00 seconds West, 350.00 feet to a P.K. Nail set in the centerline of the said Bullfrog Road (T-321), at corner of said other land now or formerly of Carl R. Sturges; thence in and along the centerline of the said Bullfrog Road (T-321), North 58 degrees 30 minutes 00 seconds West, 250.00 feet to a P.K. Nail set in the centerline of the said Bullfrog Road (T-321), at corner of said other land now or formerly of Carl R. Sturges, the point and place of BEGINNING, CONTAINING 2.008 Acres.

The above-description was taken from a draft of survey and final subdivision plan, dated July 20, 1995, by Mark A. Kuntz, Surveyor, which draft of survey and final subdivision plan is recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 67 at Page 81.

TITLE TO SAID PREMISES IS VESTED IN George F. Sturges and L.

Michaëlle Sturges, h/w as tenants of an Estate by the entireties, by Deed from George F. Sturges and L. Michaëlle Sturges, his wife, dated 04/29/2002, recorded 04/30/2002 in Book 2643, Page 0016.

Premises: 4015 Bullfrog Road, Fairfield, PA 17320-9389

Parcel No.: (18) C15-0001

SEIZED and taken into execution as the property of **George F. Sturges & L. Michaëlle Sturges** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on June 19, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/8, 15 & 22

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1834 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 29th day of May, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or tract of land with the buildings and improvements thereon erected situate, lying and being in the Township Menallen, County of Adams and State of Pennsylvania, more particularly described as follows:

BEGINNING at a Magnail set in the center line of Boyd's Hollow Road (T-368) at the Southeast corner of Lot No. 2 as shown on the draft of survey referred to below; thence in the center line of said road, South 08 degrees 46 minutes 22 seconds East 18.80 feet to another Magnail set at existing spike in

the center line of said road; thence continuing in the center line of said road, South 03 degrees 00 minutes 01 second East 128.62 feet to a Magnail set at existing spike in the center line of said road; thence by other land now or formerly of Ricky Showers, North 85 degrees 38 minutes 30 seconds West 447.75 feet to an existing rebar at corner post at land now or formerly of Eugene McGlaughlin; thence by said land now or formerly of Eugene McGlaughlin, North 15 degrees 01 minute 20 seconds East 148.44 feet to a rebar set at the Southwest corner of Lot No. 2 as shown on the draft of survey referred to below; thence by said Lot No. 2, South 85 degrees 38 minutes 30 seconds East 399.53 feet to a Magnail set in the center line of Boyd's Hollow Road (T-368); the place of BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN Arthur G. Cease and Kimberlee A. Cease by deed from Arthur G. Cease dated March 27, 2006 and recorded April 6, 2006 in Deed Book 4370, Page 273.

Map and Parcel ID: (29) C06-0043C

BEING KNOWN AS: 94 Boyd Hollow Road, Biglerville, Pennsylvania 17307.

SEIZED and taken into execution as the property of **Arthur G. Cease & Kimberlee A. Cease** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on June 19, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/8, 15 & 22

COMMONWEALTH VS. HARRIS

1. To be eligible for P.C.R.A. relief, petitioner must currently be serving sentence of imprisonment, probation or parole. Ineligibility for P.C.R.A. relief upon completion of the underlying sentence remains regardless of whether the defendant was serving a sentence when the petition was filed.

2. Dismissal of the petition is required when a defendant is no longer under sentence regardless of the existence of collateral consequences or outstanding obligations for the payment of fines.

3. In order to establish a claim of ineffectiveness of counsel, the petitioner must show that: (1) the underlying claim of trial counsel's ineffectiveness has arguable merit; (2) counsel had no reasonable basis for failing to pursue the claim; and (3) but for counsel's ineffectiveness, the result would have differed.

4. Pennsylvania law is clear that the Post-conviction Relief Act does not provide relief to those whose only sentence is a fine.

In the Court of Common Pleas of Adams County, Pennsylvania,
Criminal, No. CP-01-SA-143-2006. COMMONWEALTH OF
PENNSYLVANIA VS. TERRY HARRIS.

Bernard A. Yannetti, Jr., Esq., Assistant District Attorney, for
Commonwealth

David R. Erhard, Esq., for Defendant

George, J., August 21, 2008

OPINION PURSUANT TO PA. R.A.P. 1925(A)

On December 27, 2006, the Defendant, Terry Harris ("Harris"), was found guilty of the summary offense of driving under suspension-DUI related, 75 Pa. C.S.A. § 1543(b). Harris was sentenced to serve 90 days in the Adams County Prison and pay a mandatory fine in the amount of \$500. Harris was permitted to remain free on bail while he pursued appeal to the Pennsylvania Superior Court. By Memorandum Opinion dated August 24, 2007, the Superior Court affirmed this Court's sentence. Thereafter, Harris filed a Petition for Allowance of Appeal to the Supreme Court which was denied on March 12, 2008. By Order dated April 16, 2008, Harris was directed to report to the Adams County Prison to commence serving his sentence. Harris reported to the Prison as directed on April 29, 2008. He completed service of his sentence on July 28, 2008 and was released from all supervision.

On May 15, 2008, Harris filed a P.C.R.A. Petition challenging his summary conviction. By Order dated May 13, 2008, the Court advised Harris of its intent to dismiss the P.C.R.A. Petition without

hearing and appointed counsel to assist Harris.¹ Following the filing of an Amended P.C.R.A. Petition, hearing was held on July 7, 2008. The sole issue at hearing related to trial counsel's effectiveness at the summary appeal hearing as it related to the cross-examination of witnesses. Specifically, Harris claimed counsel's ineffectiveness in failing to adequately cross-examine on the issue of racial profiling. At the conclusion of hearing, this Court denied Harris' request for P.C.R.A. relief.

After this Court's dismissal of his P.C.R.A. Petition, Harris filed the current appeal on July 13, 2008. In response to this Court's Order requesting a Concise Statement of Matters Complained of on Appeal, Harris alleges a boilerplate claim that the Court erred in dismissing his P.C.R.A. Petition. He further raises, for the first time, summary appeal counsel's ineffectiveness in failing to appeal another citation for which Harris was convicted at the original summary trial held before the Magisterial District Judge.

As Harris is no longer serving a sentence of imprisonment, probation, or parole, the courts no longer have jurisdiction to consider his Post-Conviction Petition. 42 Pa. C.S.A. § 9543; *Commonwealth v. Ahlborn*, 699 A.2d 718, 720 (Pa. 1997) (to be eligible for P.C.R.A. relief, petitioner must currently be serving sentence of imprisonment, probation, or parole). Ineligibility for P.C.R.A. relief upon completion of the underlying sentence remains regardless of whether the defendant was serving a sentence when the petition was filed. *Commonwealth v. Hart*, 911 A.2d 939, 942 (Pa.Super. 2006). See also *Commonwealth v. McGuire*, 698 A.2d 61 (Pa. 1997) (dismissal of P.C.R.A. petition affirmed where sentence lapsed after completion of P.C.R.A. hearing). The language of the statute prohibiting court consideration of a P.C.R.A. issue after a sentence has lapsed was intended "to preclude relief for those whose sentences have expired." *Commonwealth v. Pierce*, 579 A.2d 963, 966 (Pa. Super. 1990), *alloc. denied*, 590 A.2d 296 (1991). As such, dismissal of the petition is required when a defendant is no longer under sentence regardless of the existence of collateral consequences or outstanding obligations for the payment of fines. *Commonwealth v. Fisher*, 703 A.2d 714, 716 (Pa.Super. 1997).

¹The Court's notice to Harris advised him that his Petition failed to aver a cognizable claim under the Post-Conviction Relief Act, 42 Pa. C.S.A. § 9543, and that the issue raised in his Petition was previously litigated.

The authority cited above is controlling. Harris is no longer in custody, on probation, or on parole. Moreover, there is no compelling miscarriage of justice or due process concern in dismissing Harris' Petition. The summary convictions, which Harris contests, were the subject of a summary hearing before the Magisterial District Judge. A de novo hearing on the driving under suspension conviction was held before this Court. Following his conviction, he filed direct appeal to the Pennsylvania Superior Court raising a challenge to the propriety of the police officer's vehicle stop which was based upon the improper display of the registration plate on the vehicle operated by Harris. The conviction and the propriety of the vehicle stop were affirmed by the Superior Court. After exhausting his direct appeal rights, Harris sought post-conviction relief. In an effort to address the merits of his claim, this Court proceeded to promptly schedule and conduct a P.C.R.A. hearing fully aware of the jurisdictional requirements.

Moreover, the issue raised by Harris is meritless. He essentially claims that racial comments were made at the time of the vehicle stop which, in combination with an alleged effort by the police to enlist his services as a confidential informant, led him to believe that the vehicle stop was based upon "racial profiling." He claims that counsel was ineffective in failing to pursue this issue through aggressive cross-examination of the arresting officer during the de novo appeal hearing. In order to establish a claim of ineffectiveness of counsel, the petitioner must show that: (1) the underlying claim of trial counsel's ineffectiveness has arguable merit; (2) counsel had no reasonable basis for failing to pursue the claim; and (3) but for counsel's ineffectiveness, the result would have differed. *Commonwealth v. Mallory*, 941 A.2d 686, 699 (Pa. 2008). The only evidence which Harris offered in support of his claim was self-serving testimony which this Court determined to be incredible. Harris failed to present any evidence that a different tact by counsel in cross-examination of Commonwealth witnesses would have yielded additional information. Importantly, Harris has failed to present any evidence as to the non-existence of the Vehicle Code violation which the Superior Court has found sufficient to justify the stop. As he has failed to establish that the result would have differed had counsel chosen a different course, Harris' Petition was denied.

The lack of merit of this current litigation is evidenced by Harris' attempt to raise for the first time in his current Concise Statement of Matters Complained of on Appeal an ineffectiveness claim for the other summary conviction which resulted in fine only. Pennsylvania law is clear that the Post-Conviction Relief Act does not provide relief to those whose only sentence is a fine. *Commonwealth v. Fisher*, 703 A.2d 714, 716 (Pa.Super. 1997).

For the foregoing reasons, it is respectfully requested that the appeal in this matter be quashed.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-43 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 29th day of May, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land situate, lying and being in the Borough of McSherrystown, Adams County, Pennsylvania, bounded and limited as follows, to wit:

BEGINNING for a point along the Westerly right-of-way line of Westview Drive and Lot No. 1 of the hereinafter referred to subdivision plan; thence along said Lot No. 1, South seventy (70) degrees forty (40) minutes thirty-one (31) seconds West, one hundred ten and zero hundredths (110.00) feet to a point at other lands now or formerly of John J. Grim, et ux, et al hereinto be conveyed to McSherrystown Borough; thence along said other lands now or formerly of John J. Grim, et ux, et al, North nineteen (19) degrees nineteen (19) minutes twenty-nine (29) seconds West, forty-two and zero hundredths (42.00) feet to a point at lot No. 2, thence along said Lot No. 2, North seventy (70) degrees forty (40) minutes thirty-one (31) seconds East, one hundred ten and zero hundredths (110.00) feet to a point along the Westerly right-of-way line of Westview Drive; thence along the westerly right-of-way line of Westview Drive; South nineteen (19) degrees nineteen (19) minutes twenty-nine (29) seconds East, forty-two and zero hundredths (42.00) feet to a point, the place of beginning.

CONTAINING 4,620 square feet and being identified as Lot No. 1-A on the final Subdivision plan of McSherrystown West, which plan is recorded in the Adams County Recorder of Deeds Office in Plan Book 64, page 20.

TAX PARCEL NUMBER: (28) 002-0249

IMPROVEMENTS: Residential dwelling

TITLE TO SAID PREMISES IS VESTED IN Lucas A. Hose, Adult individual by Deed from Stephen F. Klunk and Julia A. Klunk, husband and wife, dated 7/14/2003 and recorded 8/4/2003 in Record Book 3224, Page 348.

Premises Being: 5 Westview Drive McSherrystown, PA 17344

SEIZED and taken into execution as the property of **Lucas A. Hose** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the

Sheriff in his office on June 19, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/8, 15 & 22

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1173 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 29th day of May, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that tract of land situate, lying and being on the West side of Black Horse Tavern Road, T-334, in Cumberland Township, Adams County, Pennsylvania, being more particularly bounded and described as follows:

BEGINNING at a P.K. nail located in the center line of Black Horse Tavern Road, T-334 aforesaid at Lot No. 2, lands now or formerly of Victor A. Olswfski, Sr., and as more particularly established on the subdivision plan hereinafter referred to; thence in and along the center line of Black Horse Tavern Road, T-334, South 19 degrees 9 minutes 5 seconds East, 100 feet to a P.K. nail in the center of Black Horse Tavern Road, T-334 at Lot No. 4, other lands now or formerly of Kenneth R. Hostetter; thence leaving said Black Horse Tavern Road, T-334 and through a steel reference rod set 25 feet from the beginning hereof, South 70 degrees 50 minutes 55 seconds West, 180 feet to a steel rod at lands now or formerly of Stanley R. Wolf and E. LeVaughne Wolf; thence by lands now or formerly of Stanley R. Wolf and E. LeVaughne Wolf, North 19 degrees 9 minutes 5 seconds West, 100 feet to a steel rod at lands now or formerly of Victor A. Olswfski, Sr., Lot No. 2; thence by lands now or formerly of Victor A. Olswfski, Sr., Lot No. 2 and through a steel reference rod set back 25 feet from the end hereof, North 70 degrees 50 minutes and 55 seconds East, 180 feet to a P.K. nail in the center of Black Horse Tavern Road, T-334, the point and place of BEGINNING, CONTAINING 18,000 square feet.

The above description was taken from a draft of survey and final subdivision

plan dated November 3, 1985, by Adams County Surveyors, which draft of survey and final subdivision plan was recorded on November 30, 1987, in the Office of the Recorder of Deeds of Adams County, Pennsylvania, in Plat Book 48, page 67, upon which draft of survey and final subdivision plan in the above-described tract of land is labeled as Lot No. 3.

BEING the same tract of land, which Victor A. Olswfski, Sr., by his deed dated July 8, 1991, sold and conveyed unto Sharon E. Johnson and Philip C. Johnson, and recorded in the office of the Recorder of Deeds of Adams County, Pennsylvania, in Record Book 593 at page 791, the grantors herein.

The above described lot of ground is subject to a uniform set of restrictions identified as Black Horse Tavern Road Restrictions which is duly recorded in the Office of the Recorder of Deeds of Adams County, Pennsylvania, on July 27, 1988, in Record Book 495 at page 981, said restrictions being incorporated herein by reference thereto.

Together with the sewer and utility right of way as shown on the plan of lots recorded in Adams County Plat Book 48 at page 67, and as more specifically referred to and set out in Record Book 482 at page 224.

TITLE TO SAID PREMISES IS VESTED IN Cory R. Goff and Gretchen M. Goff, h/w, as tenants of an estate by the entireties, by Deed from Sharon E. Johnson and Philip C. Johnson, h/w, dated 10/24/2003, recorded 11/03/2003 in Book 3365, Page 287.

Tax Parcel: (09) E13-0180

Premises Being: 784 Black Horse Tavern Road, Gettysburg, PA 17325

SEIZED and taken into execution as the property of **Cory R. Goff & Gretchen M. Goff** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on June 19, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/8, 15 & 22

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-301 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 12th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Bendersville Borough, County of Adams, Commonwealth of Pennsylvania, more particularly bounded and described as follows:

BEGINNING at a point along the Northern side of Kime Avenue at the Southwest corner of the lot of ground designated as Lot No. 6 on the plan of lots referred to below; thence along the Northern side of Kime Avenue, South 81 degrees 45 minutes West 112.37 feet to a point; thence by land now or formerly of Robert L. Kime and wife North 8 degrees 15 minutes West, 133.66 feet to a point; thence by land now or formerly of Isabelle Hutton, North 81 degrees 30 minutes East, 112.37 feet to a point; thence by land now or formerly of Robert L. Kime and wife, South 8 degrees 15 minutes East, 134.15 feet to a point along the Northern side of Kime Avenue, place of BEGINNING.

The lot of ground hereby conveyed is designated as Lot No. 8 on a plan of lots of Paradise Heights prepared by Buchart-Horn, Consulting Engineers and Planners, said plan being revised July 14, 1972, and recorded on August 20, 1973, in the Office of the Recorder of Deeds of Adams County, Pennsylvania in Plat Book 3 at page 19.

Being the same premises which Real Estate Diversified, Inc., a Pennsylvania Corporation, by its deed dated March 9, 2007 and intended to be recorded prior hereto in the Office of the Recorder of Deeds of Adams County Pennsylvania, sold and conveyed unto Timothy E. McSparran and Buffy N. McSparran, husband and wife, the Mortgagors herein.

SUBJECT, NEVERTHELESS, to the covenants, restrictions and reservations recorded in the Adams County Recorder of Deeds Office in Deed Book 315, Page 580.

115 Kime Ave., Bendersville, PA 17306

PARCEL# (3) 3-46

SEIZED and taken into execution as the property of **Timothy E. McSparran & Buffy N. McSparran** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the

Sheriff in his office on July 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/22, 29 & 6/5

IN THE COURT
OF COMMON PLEAS OF
ADAMS COUNTY, PENNSYLVANIA
PETITION FOR NAME CHANGE
NO. 09-S-489

IN RE: Darrell Amon Adams

PETITION FOR CHANGE OF NAME

Mr. Darrell Amon Adams petitions the Court to change his name to Darrell Amon Norton.

A hearing is set for Monday, July 6, 2009, at 9:00 AM, in Courtroom No. 2 of the Adams County Courthouse.

Mr. Adams hereby gives notice, as required by 54 Pa. C.S.A. § 701 3(ii)(A), of the filing of this petition and the date, time and location of the hearing by publishing in the Adams County Legal Journal and the Gettysburg Times. Mr. Adams further gives notice under 54 Pa.C.S.A. § 701 3(ii)(B).

At the hearing, Mr. Adams shall comply with 54 Pa.C.S.A. Section (4)(A) and (B).

Mr. Adams shall also present a proposed Decree to the Court for review and signature.

5/22

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Act of Assembly No. 295 of 1982, of the filing in the Office of the Secretary of Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on May 7, 2009, a certificate for the conduct of business in Adams County, Pennsylvania, under the assumed or fictitious name, style or designation of "THE BOBCAT DOCTOR" with its principal place of business at 667 Grant Drive, Gettysburg, Pennsylvania. The name of the entity owning or interested in said business is HRH Repair, LLC.

David K. James, III, Esq.
234 Baltimore Street
Gettysburg, PA 17325

5/22

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1566 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 29th day of May, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain lot or piece of ground situate in Carroll Valley Borough, County of Adams, Commonwealth of Pennsylvania, being Lot No. 29CR in Section B, more particularly bounded and described as follows:

BEGINNING at a point in the center of Swallow Trail at Lot No. 30CR; thence by said lot North 60 degrees, 44 minutes East 200 feet to Lot No. 22CR; thence by said lot South 29 degrees, 16 minutes East 100 feet to Lot No. 28CR; thence by said lot South 60 degrees, 44 minutes West 200 feet to a point in the center of said Swallow Trail; thence in said Swallow Trail North 29 degrees, 16 minutes West 100 feet to the place of BEGINNING.

Parcel No # (43) 35-98

Being known and numbered as 61 Swallow Trail, Fairfield, PA 17320.

Being the same premises which Rodney E. Helwig and Beth A. Helwig, husband and wife, by deed dated May 6, 2004 and recorded June 12, 2004 in and for Adams County, Pennsylvania, in Deed Book Volume 3563, Page 232, granted and conveyed unto David Gary Myers.

SEIZED and taken into execution as the property of **David Gary Myers** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on June 19, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/8, 15 & 22

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1694 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 12th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described piece, parcel or tract of land lying, being and situate in Reading Township, Adams County, Pennsylvania, bounded, limited and described as follows, to wit:

BEGINNING at a point in the center line of Township Road (T-574), also known as Rife Road at corner of lands now or formerly of Charles R. Nell; thence along said Township Road (T-574), also known as Rife Road, North forty-three (43) degrees six (06) minutes twenty (20) seconds West, one hundred ninety and fifteen hundredths (190.15) feet to a point at Lot No. 1 of the hereinafter mentioned Final Plan, thence North forty-nine (49) degrees thirty (30) minutes zero (0) seconds East five hundred forty-two and twenty hundredths (542.20) feet to an iron pin at lands now or formerly of James Welsh; thence South thirty-nine (39) degrees twenty-six (26) minutes zero (0) seconds East two hundred thirty-eight (238.00) feet to an existing nail in a fence post at lands now or formerly of Charles R. Nell; thence South fifty-four (54) degrees forty-one (41) minutes zero (0) seconds West five hundred thirty-one and thirty hundredths (531.30) feet to the point and place of beginning. CONTAINING 2.630 acres.

Known as Lot No. 3 on a Final Plan prepared for Daniel J. and Judy A. Culbert, his wife, surveyed by George M. Wildasin, PLS, dated September 10, 1983 and revised May 13, 1985 and recorded in the Office of the Recorder of Deeds in and for Adams County, Pennsylvania in Plat Book 41, page 119.

SUBJECT, NEVERTHELESS, to certain conditions, restrictions, etc. as recorded on said plan.

Being known as 35 Rife Road, East Berlin, PA 17316

BEING THE SAME PREMISES which Phomma Phanththy and Tanis A. Phanththy, married, by Indenture dated August 11, 2006 and recorded October 5, 2006 in the Office of the Recorder of Deeds in and for Adams County in Deed Book 4595, Page 23, granted and conveyed unto Phomma Phanththy, adult individual.

PARCEL No. (36) L7-23G

SUBJECT TO MORTGAGE

SEIZED and taken into execution as the property of **Phomma Phanththy** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/22, 29 & 6/5

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1851 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 12th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL that certain tract of land situate in York Springs Borough, Adams County Pennsylvania, being more particularly bounded, limited and described as follows, to wit:

BEGINNING at a point in or near the centerline of an alley and at lot No. 3 of the hereinafter named development; thence extending along said alley South 20 degrees 43 mm. 26 sec. East 44 and 29 hundredths 44.29 feet to a point at a curve; thence by a curve to the right having a call of 94 degrees 13 mm. 26 sec. a radius of 25 feet an arc distance of 41.11 feet a chord bearing South 26 deg. 23 mm. 17 sec. West, a chord length of 36.63 feet; thence along Atlantic Avenue the following courses and distances: South 73 feet 30 mm. 00 sec. West 45.87 feet to a curve; thence by a curve to the right having an angle of 2 deg. 58 mm. 20 sec., a radius of 495 feet, an arc distance of 25.68 feet a chord bearing of South 74 deg. 59 mm. 10 sec., West a chord length of 25.88; thence by another curve having a central angle of 82 deg. 48 mm. 15 sec., a radius of 25 feet, an arc of 36.13 feet, a chord bearing of North 62 deg. 07 mm. 33 sec. West, a chord length of 33.07 feet; thence along the Northern line of Cider Drive, 20 deg. 43 mm. 26 sec. West 38 and 50/100's

feet to a point at lot no. 3; thence along lot no. 3 North 69 deg. 16 mm. 34 sec. East 120 feet to a point in or near the centerline of said alley and place of BEGINNING.

BEING Lot No. 2 on a final plan, Section 1 of Apple Hill prepared by Morrow Engineering Company dated February 1978. Said plan is recorded in the Adams County Records Office in Plat Book 35 at page 82 and 82A.

Map and Parcel ID: (42) 002-57

TITLE TO SAID PREMISES IS VESTED IN Jason E. Swartz and Sarah Swartz, husband and wife as joint tenants with the right of survivorship, by deed from Jason E. Swartz, a married person dated September 26, 2005 and recorded October 6, 2005 in Deed Book 4155, Page 172.

Being Known As: 102 Cider Drive, York Springs, Pennsylvania 17372.

SEIZED and taken into execution as the property of **Jason E. Swartz & Sarah E. Swartz** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/22, 29 & 6/5

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-1706 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 12th day of June, 2009, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

ALL the following described real estate, together with improvements thereon erected, lying and being situate on the South side of the Lincoln Highway in Franklin Township, Adams County, Pennsylvania, bounded and limited as follows:

BEGINNING on the South side of the Lincoln Highway at a corner of land now or formerly of Edward C. Smith, known as Lot No. 17 on plan hereinafter referred to: thence with the said Lincoln Highway, South 81 degrees East 100 feet to the corner of another lot now or formerly of Edward C. Smith, known as Lot No. 20 on said plan; thence by said lot known as Lot No. 20, South 9 degrees West 300 feet to a corner of other land now or formerly of Edward C. Smith; thence by same North 81 degrees West 100 feet to the corner of land now or formerly of Edward C. Smith, known as Lot No. 17; thence by said Lot No. 17 North 9 degrees East 300 feet to the corner of the Lincoln Highway, the place of BEGINNING. Being lot Nos. 18 and 19 on a survey for Harry A. Marshall prepared by John E. McElroy, surveyor, dated April 26, 1922.

Map and Parcel ID: (12) A09-77

TITLE TO SAID PREMISES IS VESTED IN Gerald D. Thomas and Brenda S. Thomas, husband and wife, by deed from Gerald D. Thomas and Brenda S. Thomas, his wife dated April 14, 1989 and recorded April 18, 1989 in Deed Book 519, Page 920.

Being Known As: 6270 Chambersburg Road, Fayetteville, Pennsylvania 17222.

SEIZED and taken into execution as the property of **Gerald D. Thomas & Brenda S. Thomas** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 6, 2009, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

5/22, 29 & 6/5

FICTITIOUS NAME NOTICE

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Act of Assembly No. 295 of 1982, of the filing in the Office of the Secretary of Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on May 5, 2009, a certificate for the conduct of business in Adams County, Pennsylvania, under the assumed or fictitious name, style or designation of "1863 INN OF GETTYSBURG" with its principal place of business at 516 Baltimore Street, Gettysburg, Pennsylvania. The name of the entity owning or interested in said business is The 516 Baltimore Street Inn of Gettysburg, Inc.

David K. James, III, Esq.
234 Baltimore Street
Gettysburg, PA 17325

5/22

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF DALE J. LUX, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Yvonne J. Callaway, 13026 Roundup Avenue, San Diego, CA 92129

Attorney: Henry O. Heiser, III, Esq.,
104 Baltimore Street, Gettysburg,
PA 17325

ESTATE OF TERRI LYNN MOORE a/k/a TERRI L. MOORE, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Administrator: Eustace Hagley, Jr.,
P.O. Box 343, Littlestown, PA 17340

Attorney: Victor A. Neubaum, Esq., 42
South Duke Street, York, PA 17401

ESTATE OF WILLIAM H. ORTMAN, JR., DEC'D

Late of Germany Township, Adams County, Pennsylvania

Administratrices: Linda Darlene Ortman, 6320 Baltimore Pike, Littlestown, PA 17340; Falon E. Ortman, 155 Crest View Drive, East Berlin, PA 17316

Attorney: John J. Mooney, III, Esq.,
Mooney & Associates, 230 York
Street, Hanover, PA 17331

ESTATE OF NANCY JANE SENTZ, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Michael Sents, 409 Littlestown Road, Littlestown, PA 17340

Attorney: John A. Wolfe, Esq., Wolfe & Rice, LLC, 47 West High Street, Gettysburg, PA 17325

SECOND PUBLICATION**ESTATE OF MILDRED E. LITTLE, DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Co-Executors: Eugene F. Little, 2035 East Berlin Road, New Oxford, PA 17350; Theresa A. Shank, 205 Browns Dam Road, New Oxford, PA 17350

Attorney: Ronald J. Hagarman, Esq.,
110 Baltimore Street, Gettysburg,
PA 17325

ESTATE OF IRVIN W. WEIGANDT, DEC'D

Late of Hamiltonban Township, Adams County, Pennsylvania

Executor: Benny M. Akers, 480 Cold Spring Rd., Gettysburg, PA 17325

Attorney: Chester G. Schultz, Esq.,
145 Baltimore Street, Gettysburg,
PA 17325

THIRD PUBLICATION**ESTATE OF JAMES W. HARTMAN, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Co-Executors: James A. Hartman, 650 Observatory Drive, Lewisberry, PA 17339; George D. Hartman, 493 Eshelman Street, Highspire, PA 17034

Attorney: Gary E. Hartman, Esq.,
Hartman & Yannetti, Attorneys at
Law, 126 Baltimore St., Gettysburg,
PA 17325

ESTATE OF PATRICIA B. KIRVIN, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Donald Finnegan, 60 Brentwood Ct., Hanover, PA 17331

Attorney: Keith R. Nonemaker, Esq.,
Guthrie, Nonemaker, Yingst & Hart,
40 York St., Hanover, PA 17331

ESTATE OF THOMAS O. OYLER, JR., DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Thomas O. Oyler, III, 122 Rodes Avenue, Gettysburg, PA 17325

Attorney: John R. White, Esq.,
Campbell & White, P.C., 112
Baltimore St., Gettysburg, PA 17325

PENNSYLVANIA BAR INSTITUTE

Continuing Education Arm of the Pennsylvania Bar Association

BRINGING EXCELLENCE TO CLE

Richard McCoy Named Executive Director of PBI

Mechanicsburg. Effective May 1, Richard McCoy was named the Executive Director of the Pennsylvania Bar Institute. Founded in 1965, the Pennsylvania Bar Institute is the continuing legal education arm of the Pennsylvania Bar Association.

In announcing Mr. McCoy's appointment, Thomas G. Wilkinson, Jr., President of the Board of PBI, noted that "Dick brings extensive experience, proven organizational ability, and innovation to the challenges of providing continuing legal education to the 45,000 practicing lawyers in Pennsylvania. There were many talented people interested in serving as PBI's Executive Director. Dick McCoy's thorough knowledge of PBI's operations and his unwavering commitment to bringing excellence in CLE programming to Pennsylvania lawyers convinced the Board and officers that he was the best choice to lead PBI." Mr. McCoy most recently served as PBI's Deputy Executive Director and as Associate Director for Curriculum. He will succeed Roger B. Meilton, who had served as Executive Director of PBI since 1978.

Mr. McCoy is a graduate of the Dickinson School of Law and has been a member of the Pennsylvania Bar since 1976. He served as a judicial law clerk and engaged in private practice until 1980, when he began his career with PBI as an assistant director. In 1984, Mr. McCoy was promoted to Associate Director for Curriculum Development for PBI. In this role Mr. McCoy has helped to lead the expansions of both PBI's curriculum and the range of services offered to lawyers in the Pennsylvania legal community. He has played a critical role in directing PBI's prompt response to changes in the law and in its implementation of many innovative services and CLE delivery methods. Mr. McCoy earned a Bachelor of Arts degree from the University of Delaware.

The selection of Mr. McCoy followed a national search by a special committee of PBI's Board. The search committee was chaired by Marvin Rudnitsky from Selinsgrove. Committee members included four PBI past presidents: Mr. Rudnitsky, John Bagnato from Johnstown, Nancy Hopkins Wentz from Norristown, and Stephanie Latimore from Harrisburg; three Board members: Jane Roach Maughan from Stroudsburg, Sara Austin from York, and Paul Troy from Norristown; and Pennsylvania Bar Association Zone 10 Governor Brenda McBride from Grove City.

Incorporated in 1965, PBI, one of almost 50 nonprofit, state bar affiliated continuing legal education providers, continues to receive national recognition and awards for its high quality CLE programs and publications.

PBI's mission is to bring excellence to CLE by providing high quality CLE courses and publications for members of the legal community in Pennsylvania.

5/22

THE ADAMS COUNTY DOMESTIC RELATIONS SECTION IS MOVING

The Adams County Domestic Relations Section will be moving to their new facilities on June 2-5, 2009. The office will be closed during this period of time.

The new address will be Domestic Relations Section, 123 Baltimore Street, Gettysburg, PA 17325. It will be next door to the Courthouse, the former American Legion Building. The telephone number for the office will remain the same.

5/15, 22 & 29