

# Adams County Legal Journal

Vol. 54

December 28, 2012

No. 33, pp. 250-254

## IN THIS ISSUE

### HOWARD VS. COMMONWEALTH

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mind. So does the  
strength of experience.**

**Karen Arthur**  
*First Vice President  
& Senior Trust Officer*



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## ADAMS COUNTY LEGAL JOURNAL (USPS 542-600)

Designated for the Publication of Court and other Legal Notices. Published weekly by Adams County Bar Association, John W. Phillips, Esq., Editor and Business Manager.

Business Office – 117 BALTIMORE ST RM 305 GETTYSBURG PA 17325-2313. Telephone: (717) 334-1553

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# NOTICE OF ACTION IN MORTGAGE FORECLOSURE

IN THE COURT OF COMMON PLEAS  
OF ADAMS COUNTY, PENNSYLVANIA

CIVIL ACTION—LAW  
COURT OF COMMON PLEAS  
CIVIL DIVISION  
ADAMS COUNTY  
No. 12-S-1402

METLIFE HOME LOANS, A DIVISION  
OF METLIFE BANK, N.A., Plaintiff  
vs.

AMANDA HOWE, IN HER CAPACITY AS  
CO-ADMINISTRATRIX AND HEIR OF  
THE ESTATE OF BENJAMIN R. HOWE,  
Defendant

## NOTICE

TO UNKNOWN HEIRS, SUCCESSORS,  
ASSIGNS, AND ALL PERSONS, FIRMS,  
OR ASSOCIATIONS CLAIMING RIGHT,  
TITLE OR INTEREST FROM OR UNDER  
BENJAMIN R. HOWE, DECEASED AND  
UNKNOWN HEIRS, SUCCESSORS,  
ASSIGNS, AND ALL PERSONS, FIRMS,  
OR ASSOCIATIONS CLAIMING RIGHT,  
TITLE OR INTEREST FROM OR UNDER  
DEBRA S. HOWE, DECEASED

You are hereby notified that on  
October 5, 2012, Plaintiff, METLIFE  
HOME LOANS, A DIVISION OF METLIFE  
BANK, N.A., filed a Mortgage  
Foreclosure Complaint endorsed with a  
Notice to Defend, against you in the  
Court of Common Pleas of Adams  
County, Pennsylvania, docketed to No.  
12-S-1402. Wherein Plaintiff seeks to  
foreclose on the mortgage secured on  
your property located at 165 WHITE  
HALL ROAD, LITTELTOWN, PA 17340-  
9423 whereupon your property would be  
sold by the Sheriff of Adams County.

You are hereby notified to plead to the  
above referenced Complaint on or  
before 20 days from the date of this  
publication or a Judgment will be  
entered against you.

## NOTICE

If you wish to defend, you must enter  
a written appearance personally or by  
attorney and file your defenses or objec-  
tions in writing with the court. You are  
warned that if you fail to do so, the case  
may proceed without you and a judg-  
ment may be entered against you with-  
out 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 NOTICE  
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 MAY OFFER  
LEGAL SERVICES TO ELIGIBLE  
PERSONS AT A REDUCED FEE OR NO  
FEE.

Notice to Defend:  
Office of the Court Administrator  
Adams County Courthouse  
Gettysburg, PA 17325  
717-337-9846

MidPenn Legal Services, Inc.  
128 Breckenridge Street  
Gettysburg, PA 17325  
717-334-7624

12/28

## LEGAL NOTICE-ANNUAL MEETING

The annual meeting of the policyhold-  
ers of the Protection Mutual Insurance  
Company of Littlestown will be held at  
the home office located at 101 South  
Queen Street in the Borough of  
Littlestown, Pennsylvania, between the  
hours of 1 and 2 p.m., on January 12,  
2013 to elect directors and to transact  
any other business properly presented.

Attest: Marilyn Q. Butt  
President/Treasurer

12/7, 14, 21 & 28

## NOTICE BY THE ADAMS COUNTY CLERK OF COURTS

NOTICE IS HEREBY GIVEN to all  
heirs, legatees and other persons con-  
cerned that the following accounts with  
statements of proposed distribution filed  
therewith have been filed in the Office of  
the Adams County Clerk of Courts and  
will be presented to the Court of Common  
Pleas of Adams County—Orphan's  
Court, Gettysburg, Pennsylvania, for  
confirmation of accounts entering  
decrees of distribution on Friday,  
January 4, 2013 at 8:30 a.m.

**ROSE**—Orphan's Court Action  
Number OC-133-2012. The First and  
Final Account of Jeffrey Wickham,  
Executor of the Last Will and Testament  
of Thomas Damon Rose, deceased, late  
of Franklin Township, Adams County,  
Pennsylvania.

Kelly A. Lawver  
Clerk of Courts

12/21 & 28

## HOWARD VS. COMMONWEALTH

1. Where an appeal is not timely filed, the court of common pleas has no jurisdiction to address the merits of the appeal.

2. However, where the licensee claims not to have received notice, the Department of Transportation must establish actual notice.

3. An extension of time to file nunc pro tunc is permitted where either fraud or an administrative breakdown caused the delay in timely filing the appeal.

4. The Pennsylvania Supreme Court found that due to the statutory language of Section 1532 of the Vehicle Code, license suspensions should merge when the offenses arise out of a single criminal episode.

5. Careless Driving is defined under Section 3714 of the Vehicle Code as any person who drives a vehicle in careless disregard for the safety of persons or property is guilty of careless driving, a summary offense. The *mens rea* required for this offense involves something less than willful or wanton conduct but more than ordinary negligence or the mere absence of care under the circumstances.

In the Court of Common Pleas of Adams County, Pennsylvania,  
Civil, No. 12-S-894, LAURA ANN HOWARD VS.  
COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF  
TRANSPORTATION

Barbara Entwistle, Esq., for Petitioner  
Office of Chief Counsel, PA DOT, for Respondent  
Kuhn, P.J., August 14, 2012

### MEMORANDUM OPINION

Before the Court for disposition is the Petition To Rescind License Suspension Nunc Pro Tunc filed June 8, 2012. For the reasons set forth herein, the Petition is granted.

### BACKGROUND

On June 28, 2011, Petitioner was convicted of Driving Under the Influence, Careless Driving, and Aggravated Assault by Motor Vehicle While DUI, under Sections 3802(a)(1), 3714, and 3735.1, respectively, of the Vehicle Code. At that time, her address was 821 Logan Lane, Hanover, Pennsylvania 17331. She was sentenced for these offenses on August 24, 2011, at which time she surrendered her Pennsylvania driver's license. She also completed the Acknowledgment of Suspension (Form DL-16LC) including the portion noting her change of address to 1864 Taneytown Road, Gettysburg, Pennsylvania 17325.

On October 14, 2011, the Department of Transportation (the Department) sent three separate notices of suspension to Petitioner.

The noted offenses, lengths of suspension, effective dates of suspension and addresses to which the notices were mailed are as follows:

<u>Offense</u>	<u>Suspension</u>	<u>Effective</u>	<u>Address</u>
1. DUI	1 year	8/24/2011	821 Logan Lane Hanover, PA 17331
2. Careless Driving	15 days	8/24/2012	1864 Taneytown Road Hanover, PA 17331
3. Agg. Ass. By DUI	1 year	9/8/2012	1864 Taneytown Road Hanover, PA 17331

Petitioner acknowledges receiving the notice of suspension for the DUI because it was mailed to her prior address. However, Petitioner denies receiving the other two notices and they do not correspond to any address of record for her. Not until Petitioner was taking steps to have her license restored for the DUI did she learn of the other two suspensions. Promptly thereafter, Petitioner retained counsel and filed the instant Petition in which she wishes to challenge the fact that the suspensions were imposed consecutively.

### DISCUSSION

The first issue before the Court is whether Petitioner is entitled to file this Petition nunc pro tunc. Ordinarily, an individual has 30 days to file an appeal from issuance of notice of a license suspension. 75 Pa. C.S.A. § 1550(a); 42 Pa. C.S.A. § 5571(b). Where an appeal is not timely filed, the court of common pleas has no jurisdiction to address the merits of the appeal. *Baum v. Commonwealth, Department of Transportation*, 949 A.2d 345, 348 (Pa. Comlth. Ct. 2008). Here, the notice was mailed on October 14, 2011 and Petitioner filed her Petition on June 8, 2012. Therefore, on the surface, the Petition is untimely.

However, where the licensee claims not to have received notice, the Department must establish actual notice. *Brozena v. Commonwealth, Department of Transportation*, 802 A.2d 1 (Pa. Comlth. Ct. 2002). Here, Petitioner clearly notified the Department of her new address on Form DL-16LC at the time of sentencing on August 24, 2011. Nevertheless, the Department sent the notices to different addresses. Petitioner acknowledges receiving the notice of the suspension for the DUI effective August 24, 2011, because it was sent to her former address (and presumably forwarded to her). She denies receiving the other two notices which were mailed to the right

house and road number but wrong town. The Department could produce no evidence to the contrary.

The exact date that Petitioner became aware of the two suspensions at issue is unknown but she contends that it was promptly filed after learning of the suspension. The Department has not challenged that assertion. An extension of time to file nunc pro tunc is permitted where either fraud or an administrative breakdown caused the delay in timely filing the appeal. *Baum, supra.*, 949 A.2d at 348. Here, Petitioner has established an administrative breakdown by the Department in sending the notices to a wrong address. Therefore, this Court has jurisdiction to address the merits of the Petition.

Substantively, Petitioner first argues that she should not have received separate suspensions for the DUI and the Aggravated Assault by DUI. Instead, pursuant to *Drabic v. Commonwealth, Department of Transportation*, 906 A.2d 1153 (Pa. 2006), she contends that the suspensions should merge. In *Drabic*, our Supreme Court was asked to address whether suspensions arising out of convictions for DUI (§ 3371), Aggravated Assault By DUI (§ 3735.1), and Homicide While DUI (§ 3735) should merge. The Court found that due to the statutory language of Section 1532 of the Vehicle Code, license suspensions should merge when the offenses arise out of a single criminal episode.

There is no dispute in the instant matter that Petitioner's convictions for violation of Sections 3802(a)(1) and 3735.1 arose out of a single criminal episode. Therefore, the one-year suspension for violation of Section 3735.1 should have been effective August 24, 2011, when the suspension for the DUI commenced.

Next, Petitioner argues that the suspension imposed for Careless Driving should merge with the suspension for Aggravated Assault By DUI. She takes the position that Careless Driving involves the same elements as are required for the more serious offense.

Section 3735.1 provides:

(a) Offense defined. – Any person who negligently causes serious bodily injury to another person as a result of a violation of section 3802 and who is convicted of violating section 3802 commits a felony of the second degree when the violation is the cause of the injury.

Thus, this section requires that the driver of a vehicle negligently cause injury to another. The word “negligently” is not defined in the Vehicle Code. Therefore, pursuant to the rules of statutory construction, the word should be ascribed its ordinary meaning. 1 Pa. C.S.A. § 1903. However, recently, appellate authority held that the criminal negligence standard set forth in Section 302(b)(4) of the Crimes Code, 18 Pa. C.S.A. § 302(b)(4) is applicable to Aggravated Assault By DUI *Commonwealth v. Schmohl*, 975 A.2d 1144, 1148 (Pa. Super. 2009). Criminal negligence occurs when the actor

Should be aware of a substantial and justifiable risk that the material element exists or will result from his conduct. The risk must be of such a nature and degree that the actor’s failure to perceive it, considering the nature and intent of his conduct and the circumstances known to him, involves a gross deviation from the standard of care that a reasonable person would observe in the actor’s situation. § 302(b)(4).

Careless Driving is defined under Section 3714 of the Vehicle Code as follows:

(a) General rule. – Any person who drives a vehicle in careless disregard for the safety of persons or property is guilty of careless driving, a summary offense.

The *mens rea* required for this offense involves something less than willful or wanton conduct but more than ordinary negligence or the mere absence of care under the circumstances. *Commonwealth v. Gezovich*, 7 A.3d 300, 302 (Pa. Super. 2010).

This Court has not been provided with the facts supporting each of the underlying convictions. I assume, therefore, that the action of Petitioner supporting the Careless Driving conviction was the same conduct that supported the Aggravated Assault By DUI conviction. Both charges required Petitioner: 1) to be driving her vehicle and 2) to have created a risk of harm to another person. The *mens rea* applicable to the more serious offense would also support the lesser offense of Careless Driving. Therefore, for purposes of this proceeding, it appears that the conviction for Aggravated Assault By DUI and Careless Driving arise out of the same criminal episode.

Pursuant to the reasoning set forth in *Drabic*, it follows that the license suspension for the two convictions must merge.

Accordingly, the attached Order is entered.

#### ORDER OF COURT

AND NOW, this 14th day of August 2012, for the reasons set forth in the attached Memorandum Opinion, the Petition to Rescind License Suspension Nunc Pro Tunc filed June 8, 2012, is granted.

The license suspensions imposed by the Department of Transportation for Petitioner's Conviction for Aggravated Assault By Motor Vehicle While DUI and for Careless Driving, 75 Pa. C.S.A. § 3735.1 and 3714, respectively, shall merge with the suspension for her conviction for Driving Under the Influence, 75 Pa. C.S.A. 3802(a)(1), effective August 24, 2011.

The Department of Transportation is directed to amend Petitioner's driving record accordingly.

## SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on FRIDAY, the 18th day of January 2013, at 10 o'clock in the forenoon at the 4th floor Jury Assembly room in the Adams County Court House, 111 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

Writ of Execution No.:  
2010-SU-0001638  
Property Address: 220 Zoo Road,  
Fairfield, PA 17320  
Parcel No.: 18-B16-0059  
Municipality: Hamiltonban  
Improvements: Residential Dwelling  
Defendants: Jeremy Griffith and  
Laura Novotny  
Attorneys for Plaintiff: David Fein, Esq.,  
215-627-1322

Writ of Execution No.:  
2011-SU-0001120  
Property Address: 16 Hancock Drive,  
East Berlin, PA 17316  
Parcel No.: (36)-102-0025  
Municipality: Reading  
Improvements: Residential Dwelling  
Defendants: Shawn Edward Anderson  
Attorneys for Plaintiff: Sherri J.  
Braunstein, Esq., 856-669-5400

Writ of Execution No.:  
08-S-1566  
Property Address: 61 Swallow Trail,  
Fairfield, PA 17320  
Parcel No.: 43-035-0098-000  
Municipality: Carroll Valley  
Improvements: Residential Dwelling  
Defendants: David Gary Myers  
Attorneys for Plaintiff: Jaime R.  
Ackerman, Esq., 908-233-8500

Writ of Execution No.:  
2008-SU-0000797  
Property Address: 677 Shippensburg  
Road, Biglerville, PA 17307  
Parcel No.: 29-C-6-40-AA  
Municipality: Menallen  
Improvements: Residential Dwelling  
Defendants: Melissa C. Runk and  
Robert K. Runk  
Attorneys for Plaintiff: David Fein, Esq.,  
215-627-1322

Writ of Execution No.:  
2011-SU-0001508  
Property Address: 67 Meadowlark Trail  
a/k/a 67 Meadow Lark Trail, Fairfield,  
PA 17320  
Parcel No.: (43)-029-0140  
Municipality: Carroll Valley  
Improvements: Residential Dwelling  
Defendants: Robert J. Stevenson  
Attorneys for Plaintiff: Gregory  
Javardian, Esq., 215-942-9690

Writ of Execution No.:  
2012-SU-0000837  
Property Address: 6295 Oxford Road,  
Gardners, PA 17324-9568  
Parcel No.: 22H04-0006---000  
Municipality: Huntington  
Improvements: Residential Dwelling  
Defendants: Stanley A. Watts Sr. a/k/a  
Stanley A. Watts  
Attorneys for Plaintiff: John Michael  
Kolesnik, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0000604  
Property Address: 436 Orchard Lane,  
Aspers, PA 17304-9723  
Parcel No.: 29F06-0049---000  
Municipality: Menallen  
Improvements: Residential Dwelling  
Defendants: Raymond F. Tracey a/k/a  
Raymond Floyd Tracey  
Attorneys for Plaintiff: John Michael  
Kolesnik, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0000935  
Property Address: 12 Ash Drive,  
Littlestown, PA 17340  
Parcel No.: 06-010-0018  
Municipality: Bonneauville  
Improvements: Erected Thereon  
a Dwelling.  
Defendants: Jennifer Ann Rites  
Attorneys for Plaintiff: Lois M. Vitti,  
Esq., 412-281-1725

Writ of Execution No.:  
2011-TL-0000035  
Property Address: 166 East King Street,  
Abbottstown, PA 17301  
Parcel No.: 01002-0022---000  
Municipality: Abbottstown  
Improvements: Residential Dwelling  
Defendants: Denver Lamar Rinehart  
Attorneys for Plaintiff: Sharon E. Myers,  
Esq., 717-848-4900

Writ of Execution No.:  
2012-SU-0000836  
Property Address: 1155 Jacks Mountain  
Road, Fairfield, PA 17320-8266  
Parcel No.: 18B17-0047---000  
Municipality: Hamiltonban  
Improvements: Residential Dwelling  
Defendants: Gary J. Sites and  
Ethel L. Sites  
Attorneys for Plaintiff: Matthew  
Brushwood, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0001126  
Property Address: 2103 Table Rock  
Road, Biglerville, PA 17307  
Parcel No.: 07.F09-0063  
Municipality: Butler  
Improvements: Residential Dwelling  
Defendants: James C. Strickland and  
Katie M. Strickland  
Attorneys for Plaintiff: David Fein, Esq.,  
215-627-1322

Writ of Execution No.:  
2012-SU-0000653  
Property Address: 343 Main Street,  
McSherrystown, PA 17344  
Parcel No.: 28-005-0178  
Municipality: McSherrystown  
Improvements: Residential Dwelling  
Defendants: Lauren M. Elkins and  
Harry L. Hain II  
Attorneys for Plaintiff: Louis P. Vitti,  
Esq., 412-281-1725

Writ of Execution No.:  
2012-SU-0000560  
Property Address: 949 Herrs Ridge  
Road, Gettysburg, PA 17325-8402  
Parcel No.: 09F12-0107---000  
Municipality: Cumberland  
Improvements: Residential Dwelling  
Defendants: William D. Newton  
Attorneys for Plaintiff: Allison F. Wells,  
Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0000969  
Property Address: 64 East Hanover  
Street, Gettysburg, PA 17325  
Parcel No.: 06.006-0025  
Municipality: Bonneauville  
Improvements: Residential Dwelling  
Defendants: Larry K. Sutherland  
Attorneys for Plaintiff: Lisa Lee, Esq.,  
215-627-1322

Notice directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than thirty (30) days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten (10) days thereafter. Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

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.

James Muller  
Sheriff of Adams County

<http://www.sheriffofadamscounty.com/sheriffsales.html>

12/21, 28 & 1/4



## SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on FRIDAY, the 18th day of January 2013, at 10 o'clock in the forenoon at the 4th floor Jury Assembly room in the Adams County Court House, 111 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

Writ of Execution No.:  
2010-SU-0000605  
Property Address: 6647 Chambersburg Road, Fayetteville, PA 17222-8335  
Parcel No.: 12A09-0087  
Municipality: Franklin  
Improvements: Residential Dwelling  
Defendants: Robert C. Stanhope Jr.  
Attorneys for Plaintiff: John Michael Kolesnik, Esq., 215-563-7000

Writ of Execution No.:  
2011-SU-0001250  
Property Address: 20 Forest Trail, Fairfield, PA 17320-8148  
Parcel No.: 0170137  
Municipality: Carroll Valley  
Improvements: Residential Dwelling  
Defendants: Grover C. Keadle III and Julie L. Keadle  
Attorneys for Plaintiff: John Michael Kolesnik, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0000179  
Property Address: 438 Barlow Greenmount Road a/k/a 438 Barlow-Greenmount Road, Gettysburg, PA 17325-8783  
Parcel No.: 09F16-0038---000  
Municipality: Cumberland  
Improvements: Residential Dwelling  
Defendants: William Dallas Trott Jr. and Vonda Kay Trott  
Attorneys for Plaintiff: Matthew Brushwood, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0000245  
Property Address: 51 Rist Trail, Fairfield, PA 17320-9479  
Parcel No.: 25AA0-0028---000  
Municipality: Liberty  
Improvements: Residential Dwelling  
Defendants: Keith D. Koontz and Heather N. Koontz a/k/a Heather N. Stambaugh  
Attorneys for Plaintiff: Matthew Brushwood, Esq., 215-563-7000

Writ of Execution No.:  
2009-SU-0001974  
Property Address: 190 Maple Drive, Hanover, PA 17331-8941  
Parcel No.: 08024-0028---000  
Municipality: Conewago  
Improvements: Residential Dwelling  
Defendants: Linda A. Edmonds  
Attorneys for Plaintiff: John Michael Kolesnik, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0000170  
Property Address: 2621 York Road, Gettysburg, PA 17325  
Parcel No.: 38, H12, 0063  
Municipality: Straban  
Improvements: Residential Dwelling  
Defendants: Brian K. Rondeau  
Attorneys for Plaintiff: Richard E. Thrasher, Esq., 717-334-2159

Writ of Execution No.:  
2010-SU-0001608  
Property Address: 2205 Carlisle Road, Aspers, PA 17304  
Parcel No.: 29-F05-40B  
Municipality: Menallen  
Improvements: Service Garage  
Defendants: Barry A. Hush  
Attorneys for Plaintiff: Michael C. Mazack, Esq., 412-566-1212

Writ of Execution No.:  
2008-SU-0001271  
Property Address: 2520 Mount Hope Road, Fairfield, PA 17320  
Parcel No.: 18A15-0025A---000  
Municipality: Hamiltonban  
Improvements: Residential Dwelling  
Defendants: Jeffrey A. Anders and Christina L. Anders  
Attorneys for Plaintiff: John Michael Kolesnik, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0000299  
Property Address: 128-130 Carlisle Street a/k/a 130 Carlisle Street, Gettysburg, PA 17325-1816  
Parcel No.: 16007-0097---000  
Municipality: Gettysburg  
Improvements: Residential Dwelling  
Defendants: Meena Gangwal  
Attorneys for Plaintiff: Allison F. Wells, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0001106  
Property Address: 625 Iron Springs Road, Fairfield, PA 17320  
Parcel No.: 18-B16-0017-000  
Municipality: Hamiltonban  
Improvements: Residential Dwelling  
Defendants: Joseph H. Kane and Janet L. Kane  
Attorneys for Plaintiff: Geoffrey S. Shuff, Esq., 717-260-1678

Writ of Execution No.:  
2012-SU-0000153  
Property Address: 110 Water Street, Fairfield, PA 17320  
Parcel No.: 18-C15-0089  
Municipality: Hamiltonban  
Improvements: Residential Dwelling  
Defendants: Francis Ray Moore  
Attorneys for Plaintiff: Kristen D. Little, Esq., 215-653-7450

Writ of Execution No.:  
2012-SU-0000795  
Property Address: 530 Conewago Drive, East Berlin, PA 17316  
Parcel No.: 36-L08-0056  
Municipality: Reading  
Improvements: Residential Dwelling  
Defendants: Kathie J. Rahe  
Attorneys for Plaintiff: Andrew J. Benchoff, Esq., 717-762-8222

Writ of Execution No.:  
2012-SU-0000988  
Property Address: 40 Spring Trail, Fairfield, PA 17320  
Parcel No.: 43,023-0104  
Municipality: Carroll Valley  
Improvements: Residential Dwelling  
Defendants: Stacy Cregger and Troy Cregger  
Attorneys for Plaintiff: David Fein, Esq., 215-627-1322

Notice directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than thirty (30) days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten (10) days thereafter. Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

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.

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Writ of Execution No.:  
2009-SU-0001430  
Property Address: 15 Ed Avenue,  
Aspers, PA 17304  
Parcel No.: 29, E05-68N  
Municipality: Menallen  
Improvements: Residential Dwelling  
Defendants: Kimberly S. Bowie and  
Jason L. Bowie Sr.  
Attorneys for Plaintiff: Paige M. Bellino,  
Esq., 856-669-5400

Writ of Execution No.:  
2012-SU-0000372  
Property Address: 675 Grant Drive,  
Gettysburg, PA 17325  
Parcel No.: (32)-105-0138  
Municipality: Mt. Pleasant  
Improvements: Residential Dwelling  
Defendants: Keith R. Ihndris and  
Cara M. Ihndris  
Attorneys for Plaintiff: Harry B. Reese,  
Esq., 856-669-5400

Writ of Execution No.:  
2012-SU-0001024  
Property Address: 107 High Street,  
York Springs, PA 17372  
Parcel No.: 01-42-002-0029-00-000  
Municipality: York Springs  
Improvements: Residential Dwelling  
Defendants: William H. Hinkle  
Attorneys for Plaintiff: Michael  
McKeever, Esq., 215-627-1322

Writ of Execution No.:  
2012-SU-0000968  
Property Address: 36 East Hanover  
Street, Gettysburg, PA 17325  
Parcel No.: 06005-0088  
Municipality: Bonneauville  
Improvements: Residential Dwelling  
Defendants: Robert Dale Hicks  
Attorneys for Plaintiff: Marc S.  
Weisberg, Esq., 215-790-1010

Writ of Execution No.:  
2012-SU-0000583  
Property Address: 45 Vancleve Road,  
New Oxford, PA 17350  
Parcel No.: (40)-107-0063  
Municipality: Tyrone  
Improvements: Residential Dwelling  
Defendants: Raymond N. Potts and  
Judy A. Potts  
Attorneys for Plaintiff: Harry B. Reese,  
Esq., 856-669-5400

Writ of Execution No.:  
2012-SU-0001032  
Property Address: 157 Cemetery Street,  
Littletown, PA 17340  
Parcel No.: 27-011-0010  
Municipality: Littletown  
Improvements: Residential Dwelling  
Defendants: C. Allen Person and  
Mary E. Person  
Attorneys for Plaintiff: Marc S.  
Weisberg, Esq., 215-790-1010

Writ of Execution No.:  
2012-SU-0000320  
Property Address: 61 Flatbush Road,  
Littletown, PA 17340-9451  
Parcel No.: 32115-0052A--000  
Municipality: Mt. Pleasant  
Improvements: Residential Dwelling  
Defendants: Michael K. Conklin a/k/a  
Michael Conklin and Lisa D. Conklin  
a/k/a Lisa Conklin  
Attorneys for Plaintiff: Melissa J.  
Cantwell, Esq., 215-563-7000

Writ of Execution No.:  
2011-SU-0000425  
Property Address: 2350 Table Rock  
Road, Biglerville, PA 17307  
Parcel No.: 07-F09-0020  
Municipality: Butler  
Improvements: Residential Dwelling  
Defendants: Ladanna J. Reed  
Attorneys for Plaintiff: Elana B.  
Fleehinger, Esq., 856-669-5400

Writ of Execution No.:  
2012-SU-0000799  
Property Address: 123 East King Street,  
Littletown, PA 17340-1613  
Parcel No.: 27008-0279---000  
Municipality: Littletown  
Improvements: Residential Dwelling  
Defendants: Renee R. Bollack a/k/a  
Renee R. Engel  
Attorneys for Plaintiff: Robert W.  
Cusick, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0001049  
Property Address: 2A Maryland Avenue,  
Bendersville, PA 17306  
Parcel No.: E05-0038B-000  
Municipality: Menallen  
Improvements: Residential Dwelling  
Defendants: John A. Soth  
Attorneys for Plaintiff: Terrence J.  
McCabe, Esq., 215-790-1010

Writ of Execution No.:  
2012-SU-0000744  
Property Address: 128 Winding Lane,  
East Berlin, PA 17316-9519  
Parcel No.: 17L08-0086B--000  
Municipality: Hamilton  
Improvements: Residential Dwelling  
Defendants: J. D. Collado a/k/a  
J. David Collado and Ann E. Collado  
Attorneys for Plaintiff: John Michael  
Kolesnik, Esq., 215-563-7000

Writ of Execution No.:  
2011-SU-0001161  
Property Address: 489 Bollinger Road,  
Littletown, PA 17340  
Parcel No.: 41-118-0089  
Municipality: Union  
Improvements: Residential Dwelling  
Defendants: Richard L. Stocksleger Jr.  
a/k/a Richard L. Stocksleger  
Attorneys for Plaintiff: McCabe,  
Weisberg and Conway, 215-790-1010

Writ of Execution No.:  
2010-SU-0000255  
Property Address: 2315 Mount Hope  
Road, Fairfield, PA 17320  
Parcel No.: 18-A15-0008-000  
Municipality: Hamiltonban  
Improvements: Residential Dwelling  
Defendants: David A. Clapsadl and  
Hope Miller a/k/a Hope M. Miller  
Attorneys for Plaintiff: Terrence J.  
McCabe, Esq., 215-790-1010

Writ of Execution No.:  
2012-SU-0000912  
Property Address: 133 North Main  
Street, Bendersville, PA 17306  
Parcel No.: 03001-0045---000  
Municipality: Bendersville  
Improvements: Residential Dwelling  
Defendants: Clair J. Shultz  
Attorneys for Plaintiff: Christopher A.  
DeNardo, Esq., 610-278-6800

Writ of Execution No.:  
2012-SU-0000847  
Property Address: 62 Maple Street,  
Gettysburg, PA 17325  
Parcel No.: 8-42  
Municipality: Bonneauville  
Improvements: Residential Dwelling  
Defendants: Richard J. Snyder and  
Carole B. Snyder Limited Partnership  
Attorneys for Plaintiff: Barry W.  
Sawtelle, Esq., 610-370-6700

Notice directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than thirty (30) days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within ten (10) days thereafter. Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

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.

James Muller  
Sheriff of Adams County

<http://www.sheriffofadamscounty.com/sheriffsales.html>

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**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 GERALDINE MAE ACKERMAN, DEC'D**

Late of Tyrone Township, Adams County, Pennsylvania

Administratrix: Wendy A. Ackerman, 271 Rock Valley Road, Aspers, PA 17304

Attorney: John C. Zepp III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

**ESTATE OF MARTIN L. MILLER a/k/a MARTIN LUTHER MILER, DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Executrix: Joan L. Hoff, 2754 Hunterstown Hampton Road, New Oxford, PA 17350

Attorney: Stonesifer and Kelley, P.C., 209 Broadway, Hanover, PA 17331

**ESTATE OF ELISE E. STERNER, DEC'D**

Late of the Borough of Biglerville, Adams County, Pennsylvania

Executor: Oscar E. Sterner Jr., 585 Goldenville Road, Gettysburg, PA 17325

Attorney: Teeter, Teeter & Teeter, 108 West Middle Street, Gettysburg, PA 17325

**SECOND PUBLICATION****ESTATE OF JEAN A. HESS, DEC'D**

Late of Latimore Township, Adams County, Pennsylvania

Executrix: Janey E. Kopp, c/o Roger B. Irwin, Esq., Irwin & McKnight, P.C., 60 West Pomfret Street, Carlisle, PA 17013

Attorney: Roger B. Irwin, Esq., Irwin & McKnight, P.C., 60 West Pomfret Street, Carlisle, PA 17013

**ESTATE OF PAUL P. MOLDOON, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Attorney: Jeffery M. Cook, Esq., 234 Baltimore Street, Gettysburg, PA 17325

**THIRD PUBLICATION****ESTATE OF PEARL M. DITCHBURN, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Attorney: Duane P. Stone, Esq., Stone, Duncan & Linsench, PC, P.O. Box 696, Dillsburg, PA 17019

**ESTATE OF FREDERICK W. ECKER SR., DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Executor: Frederick W. Ecker Jr., 155 Gun Club Road, Orrtanna, PA 17353

Attorney: Larry W. Wolf, P.C., 215 Broadway, Hanover, PA 17331

**ESTATE OF SYLVIA A. KATRINA, DEC'D**

Late of Mt. Joy Township, Adams County, Pennsylvania

Executrix: Lisa Hill, 96 Country Drive, Gettysburg, PA 17325

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

**ESTATE OF SHARON A. KERCHNER a/k/a SHARON ANN KERCHNER, DEC'D**

Late of Conewago Township, Adams County, Pennsylvania

Co-Executors: William Scott Kerchner, 284 Zimmer Road, Kirkwood, New York 13795; Loretta Ann Smith, 221 Center Street, McSherrystown, PA 17344

Attorney: Stonesifer and Kelley, P.C., 209 Broadway, Hanover, PA 17331

**ESTATE OF ELIZABETH K. MCCARTHY, DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Co-Executrices: Kerri Lynne McCarthy, 27 Bragg Drive, East Berlin, PA 17316; Barbara Ann McCarthy, 166 Lake Meade Drive, East Berlin, PA 17316

**ESTATE OF DONALD B. SMITH a/k/a DONALD B. SMITH SR., DEC'D**

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Executrix: Alice C. Smith, c/o Joseph M. Sedlack, Esq., Reed Smith, LLP, 2500 One Liberty Place, 1650 Market Street, Philadelphia, PA 19103

Attorney: Joseph M. Sedlack, Esq., Reed Smith, LLP, 2500 One Liberty Place, 1650 Market Street, Philadelphia, PA 19103

## SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on FRIDAY, the 18th day of January 2013, at 10 o'clock in the forenoon at the 4th floor Jury Assembly room in the Adams County Court House, 111 Baltimore Street, Gettysburg, Adams County, PA, the following real estate, viz.:

Writ of Execution No.:  
2012-SU-0000846  
Property Address: 62 Maple Street,  
Gettysburg, PA 17325  
Parcel No.: (06) 8-41  
Municipality: Bonneauville  
Improvements: Residential Dwelling  
Defendants: Richard J. Snyder and  
Carole B. Snyder Limited Partnership  
Attorneys for Plaintiff: Barry W.  
Sawtelle, Esq., 610-370-6700

Writ of Execution No.:  
2012-SU-0000517  
Property Address: 150 Jackson Drive,  
Gettysburg, PA 17325  
Parcel No.: 30-108-0010  
Municipality: Mt. Joy  
Improvements: Residential Dwelling  
Defendants: Jennie R. Knox a/k/a  
Jennie Knox  
Attorneys for Plaintiff: Stephen M.  
Hladik, Esq., 215-855-9521

Writ of Execution No.:  
2012-SU-0001037  
Property Address: 14 & 18 Creek View  
Trail, Fairfield, PA 17320  
Parcel No.: (43) 45-85 & (43) 45-87  
Municipality: Carroll Valley  
Improvements: Vacant Land  
Defendants: Kevin C. Johnson and  
Kelli K. Johnson  
Attorneys for Plaintiff: Craig  
Oppenheimer, Esq., 215-886-8790

Writ of Execution No.:  
2012-SU-0001198  
Property Address: 30 Hillcrest Drive,  
Biglerville, PA 17307  
Parcel No.: 5-3-182  
Municipality: Biglerville  
Improvements: Residential Dwelling  
Defendants: Jesus M. Lopez  
Attorneys for Plaintiff: Elizabeth L.  
Wassail, Esq., 856-669-5400

Writ of Execution No.:  
2012-SU-0000914  
Property Address: 101-115 Atlantic  
Avenue, York Springs, PA 17372  
Parcel No.: 42-002-0009-00  
Municipality: York Springs  
Improvements: Having erected thereon  
two, four-unit apartment buildings  
Defendants: Alfonso G. Lua and  
Paula R. Lara  
Attorneys for Plaintiff: Matthew R.  
Lubniewski, Esq., 412-281-4333

Writ of Execution No.:  
2012-SU-0000308  
Property Address: 35 Blue Ridge Trail,  
Fairfield, PA 17320-8232  
Parcel No.: 43002-0129---000  
Municipality: Carroll Valley  
Improvements: Residential Dwelling  
Defendants: Scott S. Thomson a/k/a  
Scott Thomson and Heather M.  
Thomson  
Attorneys for Plaintiff: John Michael  
Kolesnik, Esq., 215-563-7000

Writ of Execution No.:  
2012-SU-0000084  
Property Address: 586 Beaver Creek  
Road, Hanover, PA 17331-8792  
Parcel No.: 04L12-0009---000  
Municipality: Berwick  
Improvements: Residential Dwelling  
Defendants: Robert C. Austin and  
Mary J. Austin  
Attorneys for Plaintiff: John Michael  
Kolesnik, Esq., 215-563-7000

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James Muller  
Sheriff of Adams County  
<http://www.sheriffofadamscounty.com/sheriffsales.html>

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## CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that on the 19th day of September 2012, the Petition on behalf of Aneka LaRay Bernhardt, a minor individual, was filed in the Court of Common Pleas of Adams County, Pennsylvania, praying for a decree to change the name of the minor to Aneka Taylor Powell.

The court has affixed the 4th day of January 2013 at 8:30 a.m. in Courtroom No. 4 of the Adams County Courthouse as the time and place for the hearing of said petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petition should not be granted.

Sadie Powell  
P.O. Box 593  
New Oxford, PA 17350  
Petitioner for minor

12/28

## DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN that the Shareholders and Directors of KRANIAS, INC., a Pennsylvania corporation, most recently conducting business at 2-8 Baltimore Street, Gettysburg, Adams County, Pennsylvania 17325, and with an office mailing address that is the same, has approved a proposal that the corporation voluntarily dissolve, and that the Board of Directors engage in winding-up and settling the affairs of the corporation. This notice of the dissolution proceedings is given pursuant to Section 1975 of the Pennsylvania Business Corporation Law of 1988 as amended.

Robert E. Campbell, Esq.  
Campbell & White, P.C.  
112 Baltimore Street  
Gettysburg, PA 17325

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