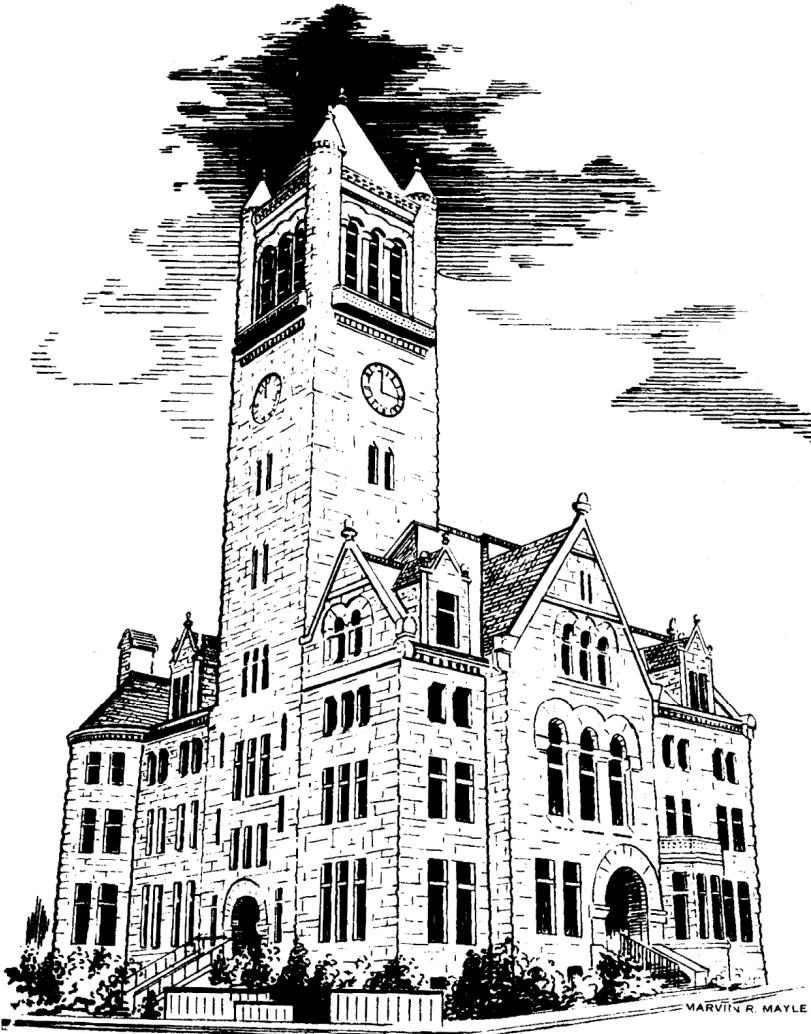


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FAYETTE LEGAL JOURNAL

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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

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ESTATE NOTICES

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

NORMA J. HIGHBURGER, late of Luzerne Township, Fayette County, PA (3)

Executrix: Gloria J. Shanaberger
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Anthony S. Dedola, Jr.

LORRAINE K. LANDY, late of Bullskin Township, Fayette County, PA (3)

Executor: Dennis Landy
555 Kreinbrook Hill Road
Mt. Pleasant, PA 15666
c/o 314C Porter Avenue
Scottdale, PA 15683
Attorney: David G. Petonic

REGINA CATHERINE MUNCZENSKI, a/k/a REGINA C. MUNCZENSKI, late of Luzerne Township, Fayette County, PA (3)

Executor: Ronald Munczenski
c/o 815A Memorial Boulevard
Connellsville, PA 15425
Attorney: Margaret Zylka House

VERNA M. SHIPLEY, late of Dunbar Township, Fayette County, PA (3)

Personal Representative: Barry L. Shipley
c/o P.O. Box 953
Uniontown, PA 15401
Attorney: Ricardo J. Cicconi

JAMES E. SMALLEY, late of Dunbar Township, Fayette County, PA (3)

Personal Representative:
Jimmie A. Fosbrink
c/o River Front Professional Center
208 South Arch Street, Suite 2
Connellsville, PA 15425
Attorney: Richard A. Husband

EUGENE A. STERATORE, late of South Union Township, Fayette County, PA (3)

Executor: Anthony J. Steratore
c/o DeHaas Law, LLC
51 East South Street
Uniontown, PA 15401
Attorney: Ernest P. DeHaas, III

ELIZABETH A. STICKEL, late of Washington Township, Fayette County, PA (3)

Executor: Kenneth E. Stickel
816 Morgan Street
Washington Township, PA 15012
c/o France, Lint & Associates, P.C.
308 Fallowfield Avenue
Charleroi, PA 15022
Attorney: David N. Lint

ELIZABETH UHAL, a/k/a ELIZABETH A. UHAL, late of Uniontown, Fayette County, PA

Executor: Bernadette C. Stash (3)
c/o Higinbotham Law Offices
45 East Main Street, Suite 500
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

Second Publication

CHARLOTTE RENAE FRANKS, a/k/a CHARLOTTE R. FRANKS, a/k/a CHARLOTTE FRANKS, late of Uniontown, Fayette County, PA (2)

Executor: Vergil Hendrickson
c/o Monaghan & Monaghan, LLP
57 East Main Street
Uniontown, PA 15401
Attorney: Gary D. Monaghan

MARY E. GRIMM, late of North Union Township, Fayette County, PA (2)
Administrator: Matthew D. Grimm
 109 Grimm Road
 Lemont Furnace, PA 15456
 c/o Newcomer Law Offices
 4 North Beeson Boulevard
 Uniontown, PA 15401
Attorney: Ewing D. Newcomer

HAZEL HIXON, a/k/a HAZEL M. HIXON, late of Lower Tyrone Township, Fayette County, PA (1)
Personal Representative: Donna F. Hixon, f/n/a Donna McBee
 c/o River Front Professional Center
 208 South Arch Street, Suite 2
 Connellsville, PA 15425
Attorney: Richard A. Husband

VICTOR RAY SYKES, a/k/a VICTOR SYKES, a/k/a VICTOR R. SYKES, late of Dunbar Township, Fayette County, PA (2)
Administrator CTA: Dennis Sykes
 c/o 9 Court Street
 Uniontown, Pa 15401
Attorney: Vincent J. Roskovensky, II

CLARISSA HULET, a/k/a CLARISSA C. HULET, late of Saltlick Township, Fayette County, PA (1)
Executor: Julie Hoffer
 1137 Buchanan Road
 White, PA 15490
 c/o John A. Cochran, Esquire/CPA
 140 South Main Street #301
 Greensburg, PA 15601
Attorney: John Cochran

First Publication

SARAH BARTUCH, SARAH KATHERINE BARTUCH, a/k/a SARAH K. BARTUCH, a/k/a SALLY BARTUCH, late of Masontown, Fayette County, PA (1)
Executor: Gina G. Barrett
 15 Bayberry Terrace
 Morgantown, WV 26508
 c/o Rowan Law Offices
 890 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Davina Burd

WILLIAM FRANK JOHNSON, JR., a/k/a WILLIAM F. JOHNSON, a/k/a WILLIAM F. JOHNSON, JR., late of Brownsville, Fayette County, PA (1)
Executor: William F. Johnson, III
 c/o Zebley Mehalov & White, P.C.
 18 Mill Street Square
 P.O. Box 2123
 Uniontown, PA 15401
Attorney: Charles O. Zebley, Jr.

RONALD BURWELL, JR., late of German Township, Fayette County, PA (1)
Administrator: Bryan Burwell
 53 Saint Clair Village
 Morgantown, WV 26505
 c/o 986 Brodhead Road
 Moon Township, PA 15108
Attorney: Michele Conti

CHERYL LOUISE MORRIS, a/k/a CHERYL MORRIS, late of Stewart Township, Fayette County, PA (1)
Executrix: Kristie Metts
 c/o Zebley Mehalov & White, P.C.
 18 Mill Street Square
 P.O. Box 2123
 Uniontown, PA 15401
Attorney: Daniel R. White

CARL THOMAS GASKILL, late of North Union Township, Fayette County, PA (1)
Personal Representative: Dewayne Gaskill
 c/o Watson Mundorff & Sepic, LLP
 720 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Timothy J. Witt

CLAIRE S. PROVANCE, late of South Union Township, Fayette County, PA (1)
Personal Representative: James L. Provance
 c/o George & George, LLP
 92 East Main Street
 Uniontown, PA 15401
Attorney: Joseph M. George

GEORGE D. PUSKAR, late of Dunbar Township, Fayette County, PA (1)
Personal Representative: Janet R. Puskar
 c/o Watson Mundorff & Sepic, LLP
 720 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Michelle L. Dietz

LOUISE S. SZWED (SMITH), late of Upper Tyrone Township, Fayette County, PA (1)
Administratrix: Marilyn L. Cassady
 c/o Adams & Adams
 55 East Church Street, Suite 101
 Uniontown, PA 15401
Attorney: Jason Adams

JOHN J. VARHACH, a/k/a JOHN VARHACH, late of Redstone Township, Fayette County, PA (1)
Personal Representative: Theresa Hemp-Hall
 c/o Davis and Davis
 107 East Main Street
 Uniontown, PA 15401
Attorney: James T. Davis

LEGAL NOTICES

**NOTICE OF
 CERTIFICATE OF ORGANIZATION
 LIMITED LIABILITY COMPANY**

Notice is hereby given that a Certificate of Organization was filed with the Pennsylvania Department of State, on July 24, 2019, for a Limited Liability Company, organized under the Limited Liability Company Law of 1994, as amended. The name of the Corporation is: Brooks Auto Wreckers and Towing, LLC, 667 Breakneck Road, Connellsville, PA 15425.

Attorney Carmine V. Molinaro, Jr.
 MOLINARO LAW OFFICES
 P.O. Box 799
 Connellsville, PA 15425
 724-628-1901

IN THE COURT OF COMMON PLEAS OF
 FAYETTE COUNTY, PENNSYLVANIA
 CIVIL ACTION - LAW
ACTION TO QUIET TITLE
 No. 321of 2019 G.D.
 PRESIDENT JUDGE JOHN F. WAGNER, JR.

JOSEPH A. CHOLOCK,
Plaintiff,
 v.
PNC BANK, N.A., HSBC BANK U.S.A., N.A.
successor in interest to BENEFICIAL
CONSUMER DISCOUNT COMPANY D/B/
A/ BENEFICIAL MORTGAGE CO OF
PENNSYLVANIA, and MARY FRANCES
KOLARIK, her successors, heirs, personal
representatives, and assigns, generally,
Defendants.

TO: Mary Frances Kolarik
her heirs, successors and assigns, generally,

You are hereby notified that Joseph A. Cholock, has filed a complaint at the above number and term in the above-mentioned court in an action to quiet title wherein it is alleged that he is the owner in possession of that certain lot of land situate in the City of Uniontown, Fayette County, Pennsylvania having a mailing address of 299 Main Street, Oliver, Pennsylvania, 15472.

Title to the above described property was conveyed to Mary Frances Kolarik, by a deed from Joanne M. Thompson, Administratrix for the Estate of Helen V. Kolarik, dated June 19, 1997, being recorded at the Recorder of Deeds Office at Record Book 1910, Page 323.

Said complaint sets forth that the plaintiff is the owner in fee simple of the above-described premises. The complaint was filed for the purpose of barring all of your right, title, and interest, or claim in and to all or a portion of said premises.

NOTICE

You are hereby notified that you have been sued in court. If you wish to defend against the claim set forth in the complaint and in the within advertisement, you must take action within twenty (20) days after the last advertisement of this notice by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claim set forth against you. You are warned that if you fail to do so, the case may proceed

without you and a judgment may entered against you by the court without further notice or any money claimed in the complaint, or for any other claim or 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 OR CANNOT AFFORD ONE, GOT TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

**PENNSYLVANIA BAR ASSOCIATION
PENNSYLVANIA LAWYER REFERRAL
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
1-800-932-0311**

By Jason F. Adams, Esq.
Adams & Adams
55 E. Church Street
Uniontown, PA 15401
(724) 437-2711

SHERIFF'S SALE

Date of Sale: October 17, 2019

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday, October 17, 2019, at 2:00 p.m. in Courtroom Number Five at the Fayette County Courthouse, Uniontown, Pennsylvania.

The terms of sale are as follows:

Ten percent of the purchase price, or a sufficient amount to pay all costs if the ten percent is not enough for that purpose. Same must be paid to the Sheriff at the time the property is struck off and the balance of the purchase money is due before twelve o'clock noon on the fourth day thereafter. Otherwise, the property may be resold without further notice at the risk and expense of the person to whom it is struck off at this sale who in case of deficiency in the price bid at any resale will be required to make good the same. Should the bidder fail to comply with conditions of sale money deposited by him at the time the property is struck off shall be forfeited and applied to the cost and judgments. All payments must be made in cash or by certified check. The schedule of distribution will be filed the third Tuesday after date of sale. If no petition has been filed to set aside the sale within 10 days, the Sheriff will execute and acknowledge before the Prothonotary a deed to the property sold. (1 of 3)

James Custer
Sheriff Of Fayette County

No. 500 of 2017 GD
 No. 231 of 2019 ED

By virtue of a Writ of Execution No. 2219
 OF 2018 GD

Property of: CHARLES BAILEY

Wells Fargo Bank, N.A.

Execution No.: 500 of 2017

v.
 Deborah Davis a/k/a Deborah Bock Davis a/k/a
 Deborah M. Bock, in Her Capacity as Executrix
 and Devisee of The Estate of Janice M. Bock a/
 k/a Janice Marie Bock a/k/a Janice Marie Fisher
 Bock a/k/a Janice Bock
 Thomas Bock, Jr a/k/a Thomas B. Bock, Jr, in
 His Capacity as Devisee of The Estate of Janice
 M. Bock a/k/a Janice Marie Bock a/k/a Janice
 Marie Fisher Bock a/k/a Janice Bock
 Brandon J. Bock a/k/a Brandon Bock, in His
 Capacity as Devisee of The Estate of Janice M.
 Bock a/k/a Janice Marie Bock a/k/a Janice Marie
 Fisher Bock a/k/a Janice Bock

Judgment Amount: \$45,284.11, Plus Costs

Attorney: Covelli Law Offices, P.C.

Address: 357 Regis Avenue Pittsburgh, PA
 15236

ALL right, title, interest and claim of:
 CHARLES BAILEY of, in and to:

Property located in:
 TOWNSHIP OF LUZERNE, BOROUGH OF
 HILLER, FAYETTE COUNTY, PA:

K/A 231-232 Frick Street, Hiller, PA 15444

owner(s) of property situate in the
 BROWNSVILLE BOROUGH, Fayette County,
 Pennsylvania, being 317 WATER STREET,
 BROWNSVILLE, PA 15417-1632

Improvements: House

Parcel No.: 02-07-0043
 Improvements thereon: RESIDENTIAL
 DWELLING

D.B.V. 2642, PG# 158

TAX MAP# 19-07-0015

Phelan Hallinan Diamond & Jones, LLP

WATSON MUNDORFF & SEPIC, LLP
 720 VANDERBILT ROAD
 CONNELLSVILLE, PA 15425

No. 2219 of 2018 GD
 No. 178 of 2019 ED

No. 396 of 2018 GD
 No. 156 of 2019 ED

Wells Fargo Bank, N.A.

Plaintiff

v.

**Deborah Davis a/k/a Deborah Bock Davis a/k/a
 Deborah M. Bock, in Her Capacity as
 Executrix and Devisee of The Estate of Janice
 M. Bock**

**a/k/a Janice Marie Bock a/k/a Janice Marie
 Fisher Bock a/k/a Janice Bock
 Thomas Bock, Jr a/k/a Thomas B. Bock, Jr,
 in His Capacity as Devisee of The Estate of
 Janice M. Bock a/k/a Janice Marie Bock a/k/a
 Janice Marie Fisher Bock a/k/a Janice Bock
 Brandon J. Bock a/k/a Brandon Bock, in His
 Capacity as Devisee of The Estate of Janice
 M. Bock a/k/a Janice Marie Bock a/k/a Janice
 Marie Fisher Bock a/k/a Janice Bock**

Defendant(s)

SOMERSET TRUST COMPANY

Plaintiff,

v.

**MILISSA A. CHOMIAK, AN INDIVIDUAL,
 AND IN HER CAPACITY AS
 ADMINISTRATRIX OF THE ESTATE OF
 MICHAEL E. CHOMIAK AND OF THE
 ESTATE OF JOSEPHINE L. CHOMIAK;
 ESTATE OF MICHAEL E. CHOMIAK,
 DECEASED; AND ESTATE OF
 JOSEPHINE L. CHOMIAK, DECEASED.**

By virtue of a Writ of Execution No. 156
 of 2019, E.D.

Somerset Trust Company

v.

Milissa A. Chomiak, an individual, and in her
 capacity as administratrix of the estate of
 Michael E. Chomiak and of the Estate of

Josephine L. Chomiak; Estate of Michael E. Chomiak, deceased; and Estate of Josephine L. Chomiak, deceased.

Owner of property situate in REDSTONE TOWNSHIP, Fayette County, Pennsylvania being 48 Park Street, Republic, Pennsylvania 15475

Parcel No: 30240063

Improvements thereon: FRAME OR CB DETACHED GARAGE

BARLEY SNYDER
Joseph P. Schalk, Esquire
Court I.D. No. 91656
126 E. King Street
Lancaster, PA 17602
717.299.5201

No. 519 of 2019 GD
No. 221 of 2019 ED

MID PENN BANK, SUCCESSOR BY MERGER TO THE SCOTSDALE BANK & TRUST COMPANY,

Plaintiff

v.

RONALD S. CRAIG, II,
Defendant

Property Address: 3393 Springfield Pike, Normalville, Fayette County, Pennsylvania
Parcel ID Number: 05-10-0053
Judgment Amount: \$63,486.97

BEING the same premises which Ronald Craig a/k/a Ronald S. Craig, a single man by deed dated April 19, 2010 and recorded April 21, 2010 in the Office of the Recorder of Deeds in and for Fayette County Pennsylvania in Record Book 3120, Page 711, granted and conveyed unto Ronald S. Craig and Ronald S. Craig, II, a single man, son of Ronald S. Craig, as joint tenants with right of survivorship and not as tenants in common.

No. 401 of 2019 GD
No. 215 of 2019 ED

U.S. Bank National Association, as indenture trustee, for the CIM Trust 2016-1, Mortgage-Backed Notes, Series 2016-1,

Plaintiff,

Vs.

Barry W. Darr
Linda M. Darr,
Defendants

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF BARRY W. DARR AND LINDA M. DARR OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN SPRINGFIELD TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED AT DBV 3006 PAGE 756

BEING KNOWN AS 724 MILL RUN ROAD, MILL RUN, PA 15464
TAX MAP NO. 35150058

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 654 of 2019 GD
No. 155 of 2019 ED

DEUTSCHE BANK NATIONAL TRUST COMPANY, AS INDENTURE TRUSTEE, FOR NEW CENTURY HOME EQUITY LOAN TRUST 2005-3

1600 S. Douglass Road, Suite 200-A
Anaheim, CA 92806

Plaintiff
vs.

LEA ANN DRISCOLL
Mortgagor(s) and Record Owner(s)
214 East Apple Street
Connellsville, PA 15425
Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN IN THE CITY OF CONNELLSVILLE, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 214 EAST APPLE STREET, CONNELLSVILLE, PA 15425

TAX PARCEL # 05-06-0399
IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: LEA ANN DRISCOLL

Jill M. Fein, Esquire
 Hill Wallack LLP
 777 Township Line Road, Suite 250
 Yardley, PA 19067
 (215) 579-7700

No. 358 of 2019 GD
 No. 222 of 2019 ED

Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A Plaintiff

v.

Juanita Harris and Geary Harris Defendant

By virtue of a writ of execution case number: 2019-00358

Plaintiff: Wilmington Savings Fund Society, FSB, as trustee of Stanwich Mortgage Loan Trust A

v.

Defendant: Juanita Harris and Geary Harris

owners of property situate in the German Township, Fayette County, Pennsylvania, being pin number 15-26-0040

Property being known as: 57 Main Street, McClennandtown, PA 15458

Improvements thereon: Residential Property

STERN AND EISENBERG, PC
 EDWARD J. McKEE, ESQ.

No. 2168 of 2018 GD
 No. 230 of 2019 ED

The Bank of New York Mellon as Trustee for the benefit of the Certificateholders of Popular ABS, Inc. Mortgage Pass-Through CeLiificates Series 2006-B c/o Ocwen Loan Servicing, LLC Plaintiff

v.

Mark A. Herring and Pamela L. Custer Defendant(s)

ALL THAT CERTAIN PARCEL OF LAND SITUATE IN HENRY CLAY TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA, BEING KNOWN AS 416 Braddock Road, Township of Clay a/k/a Markleysburg, PA 15459

PARCEL NO. 16-15-001708 IMPROVEMENTS - RESIDENTIAL REAL ESTATE

SOLD AS THE PROPERTY OF- Mark A. Herring and Pamela L. Custer

No. 1958 of 2014 GD
 No. 157 of 2019 ED

LSF9 Master Participation Trust PLAINTIFF

vs.

Giancarlo Langeri, Sr. and Terri Langeri DEFENDANTS

ALL that lot of land situate in South Union Township, Fayette County, Pennsylvania, upon which is erected a double frame dwelling numbered 103-104 as shown by plan of lots at Continental No. 1, laid out by Louis Kamansky and Gera Lux, a plot of which plan is of record in the Office of the Recorder of Deeds of said Fayette County in plan book volume 9 at page 1, said lot is more particularly bounded and described as follows:

BEGINNING at a point in the center line of Garner Street, comer with lot occupied by House N. 105/106 as shown on said recorded lot plan; thence along a line of said lots, North 60 degrees 41' West, a distance of 121.41 feet to a point in the center line of a 12.0 foot alley; thence in the center of said 12.0 foot alley, North 29 degrees 19' East, a distance of 79.5 feet to a point comers on Cross Street upon which is erected House No. 1 03-104; thence along Cross Street South 60 degrees 41' east, a distance of 123.41 feet to a point in the center line of Garner Street; thence in the comer line of said Gamer Street, south 29 degrees 19' West, a distance of 79.5 feet to the place of beginning.

THIS CONVEYANCE is made subject to all exceptions, reservations, easements, restrictions, limitations, rights of law, etc. as heretofore granted or excepted and reserved in prior instruments of record.

COMMONLY KNOWN AS: 507 Garner Street, Uniontown, PA 15401

TAX PARCEL NO. 34-16-0297

Phelan Hallinan Diamond & Jones, LLP

No. 253 of 2017 GD
No. 229 of 2019 ED

No. 1076 of 2018 GD
No. 225 of 2019 ED

Wells Fargo Bank, NA
Plaintiff,
vs.
Rebecca L. Lycett
Defendant.

U.S. Bank National Association s/b/m to U.S.
Bank National Association nd
Plaintiff
v.
Judith L. Mcallister
Dean F. Mcallister
Defendant(s)

ALL that certain parcel of land lying and being situate in the City of Connellsville, County of Fayette, and Commonwealth of Pennsylvania, known as 503 South Arch Street, Connellsville, PA 15425 having erected thereon a dwelling house.

By virtue of a Writ of Execution No. 1076 OF 2018 GD

Being known and designated as Tax ID No.: 05070219

U.S. Bank National Association s/b/m to U.S. Bank National Association nd
v.
Judith L. Mcallister Dean F. Mcallister

BEING the same premises which Joseph Pratt, Jr. and Margaret R. Pratt, husband and wife, by Deed dated October 19, 1979 and recorded in and for Fayette County, Pennsylvania in Deed Book 1262, Page 844, granted and conveyed unto James T. Lycett and Rebecca I. Lycett, husband and wife.

owner(s) of property situate in the SALTCLICK TOWNSHIP, Fayette County, Pennsylvania, being 249 Alpine Heights Road, Champion, PA 15622-3026

Parcel No.: 31-18-0029

Improvements thereon: RESIDENTIAL DWELLING

No. 863 of 2019 GD
No. 220 of 2019 ED

No. 1631 of 2018 GD
No. 224 of 2019 ED

PENNYMAC LOAN SERVICES, LLC
vs.
GREGORY A. MANDICH

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY,
PLAINTIFF
VS.
JENNIFER M. MILLER AND RICHARD C. MILLER JR.
DEFENDANTS

ALL THAT CERTAIN piece or parcel of land, situated in Franklin Township, Fayette County, Pennsylvania

ALL that tract of land in Redstone Township, Fayette County, Pennsylvania, being approximately 203 x 79 x 234 x 82.38; Survey at Book 1097, page 819. HAVING THEREON ERECTED DWELLING KNOWN AND NUMBERED AS: 727 BRAZNELL ROAD GRINDSTONE, PA 15442

BEING KNOWN AS: 484 FLATWOODS ROAD, VANDERBILT, PA 15486

TAX MAP#: 30-06-0004

BEING THE SAME PREMISES which Raymond J. Grote, by Deed dated January 17, 2014 and recorded January 22, 2014 in the Office of the Recorder of Deeds in and for Fayette County in Deed Book Volume 3240, Page 2287, granted and conveyed unto GREGORY A. MANDICH, a married man.

PARCEL #13-06-0088

Fayette Record Book 2913, Page 1498
TO BE SOLD AS THE PROPERTY OF JENNIFER M. MILLER AND RICHARD C. MILLER, JR.

Richard M. Squire & Associates, LLC
 By: Richard M. Squire, Esquire
 M. Troy Freedman, Esquire
 Sarah K. McCaffery, Esquire
 Chandra M. Arkema, Esquire
 One Jenkintown Station , Suite 104
 115 West Avenue
 Jenkintown, PA 19046
 Telephone: 215-886-8790

No. 335 of 2019 GD
 No. 223 of 2019 ED

J.P. Morgan Mortgage Acquisition Corp.
PLAINTIFF
v.

ADRIENNE RUSSELL;
DEFENDANT(S).

TAX PARCEL NO.: 19070023
 PROPERTY ADDRESS: 241 FRICK
 STREET, HILLER, PA 15444
 IMPROVEMENTS: Single Family
 Dwelling

SEIZED AND TAKEN in execution as the
 property of ADRIENNE RUSSELL

PARCEL ONE: ALL that certain lot or
 piece of land situate in Luzerne Township,
 Fayette County, Commonwealth of
 Pennsylvania, being Lot No. 113 in a Plan of
 Lots recorded by John W. Galbreath, doing
 business as John W. Galbreath & Co., in the
 Recorder's Office of Fayette County,
 Pennsylvania, in Plan Book 9, Page 34.

PARCEL TWO: ALL that certain lot or
 piece of land situate in the Township of Luzerne,
 Fayette County, Commonwealth of
 Pennsylvania, being Lot No. 112 in a Plan of
 Lots recorded by John W. Galbreath d/b/a John
 W. Galbreath & Co. in the Recorder's Office of
 Fayette County, Pennsylvania, in Plan Book 9,
 Page 34.

BEING jointly identified and assessed as
 Tax ID No. 19070023.

BEING known as 241 Frick Street, Hiller,
 Pennsylvania 15444.

BEING the same premises which Marie A.
 Gardner conveyed unto Adrienne Russell by
 deed dated October 17, 2008 and recorded with
 the Fayette County Recorder on October 22,
 2008 in Deed Book 3076, Page 1973 and
 Instrument no 200800014281.

Stephen M. Hladik, Esquire
 Hladik, Onorato & Federman, LLP
 298 Wissahickon Avenue
 North Wales, PA 19454

No. 1116 of 2019 GD
 No. 235 of 2019 ED

First Guaranty Mortgage Corporation
(Plaintiff)

vs.

Tammy M. Shipley,
(Defendant)

By virtue of Writ of Execution No. 2019-
 01116

First Guaranty Mortgage Corporation
 (Plaintiff) vs. Tammy M. Shipley, (Defendant)
 Property Address 309 Locust Street,
 Masontown, PA 15461

Parcel I.D. No. 21-08-0110
 Improvements thereon consist of a
 residential dwelling.

Judgment Amount: \$88,158.53

KML LAW GROUP, P.C.
 Suite 5000
 701 Market Street
 Philadelphia, PA 19106-1532
 (215) 627-1322

No. 1641 of 2018 GD
 No. 234 of 2019 ED

BAYVIEW LOAN SERVICING, LLC
4425 Ponce de Leon Blvd
Coral Gables, FL 33146
Plaintiff

vs.

AMANDA J. STILLWAGON
Mortgagor(s) and Record Owner(s)
101 East Church Avenue
Masontown, PA 15461

ALL THAT CERTAIN LOT OF LAND
 SITUATE IN THE BOROUGH OF
 MASONTOWN, COUNTY OF FAYETTE
 AND COMMONWEALTH OF
 PENNSYLVANIA.

BEING KNOWN AS: 101 EAST
 CHURCH AVENUE, MASONTOWN, PA

15461

TAX PARCEL# 21-07-0405
IMPROVEMENTS: A RESIDENTIAL
DWELLING
SOLD AS THE PROPERTY OF:
AMANDA J. STILLWAGON

BEING the same premises which David J. Serra and Sherry A. Serra, his wife, by Deed dated June 26, 2006 and recorded in and for Fayette County, Pennsylvania in Deed Book 3000, Page 1648, granted and conveyed unto Anna Marie Toth.

STERN AND EISENBERG, PC
EDWARD J. MCKEE, ESQ.

No. 616 of 2019 GD
No. 228 of 2019 ED

No. 2307 of 2018 GD
No. 195 of 2019 ED

The Bank of New York Mellon as Trustee for NovaStar Mortgage Funding Trust, Series 2004-2, NovaStar Home Equity Loan Asset-Backed Certificates, Series 2004-2 c/o Ocwen Loan Servicing, LLC

Plaintiff

v.

Crissy Stimmel a/k/a Chrissy L. Stimmel

Defendant(s)

**U.S. Bank National Association
Plaintiff,
vs.**

**Melissa Weibl, AKA Melissa Sue Mancuso
Defendant.**

ALL that certain parcel of land lying and being situate in the Township of North Union, County of Fayette, and Commonwealth of Pennsylvania, known as 27 Forbes Street, Uniontown, PA 1540 I having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 25-47-0062

BEING the same premises which Tracy Lynn Anderson, formerly known as Tracy Lann Richardson and Brian K. Anderson, her husband, by Deed dated May 16, 2013 and recorded in and for Fayette County, Pennsylvania in Deed Book 3219, Page 1979, granted and conveyed unto Melissa Sue Mancuso.

SITUATE IN THE THIRD WARD OF THE BOROUGH OF DAWSON, FAYETTE COUNTY, PENNSYLVANIA, BEING KNOWN AS 206 Cochran Street, Dawson, PA 15428

PARCEL NO. 07-03-0015
IMPROVEMENTS - RESIDENTIAL
REAL ESTATE

SOLD AS THE PROPERTY OF- Crissy Stimmel a/k/a Chrissy L. Stimmel

Phelan Hallinan Diamond & Jones, LLP

No. 990 of 2018 GD
No. 232 of 2019 ED

No. 937 of 2019 GD
No. 196 of 2019 ED

**U.S. Bank National Association, as Trustee for SASCO Mortgage Loan Trust 2006-WF3
Plaintiff,**

v.

Anna M. Toth, AKA Anna Marie Toth

Defendant.

**PHH Mortgage Corporation
Plaintiff
v.**

**Joseph G. Yeagley, Sr
Defendant(s)**

ALL that certain parcel of land lying and being situate in the Township of Washington, County of Fayette, and Commonwealth of Pennsylvania, known as 264 Gillespie Hollow Road, Fayette City, PA 15438 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 41220059

By virtue of a Writ of Execution No. 937 OF 2019 GD

PHH Mortgage Corporation
v.

Joseph G. Yeagley, Sr
owner(s) of property situate in the UNIONTOWN CITY, Fayette County, Pennsylvania, being 21 Lemon Street,

Uniontown, PA 15401-2949
 Parcel No.: 38-01-0291
 Improvements thereon: RESIDENTIAL
 DWELLING

Phelan Hallinan Diamond & Jones, LLP

No. 740 of 2019 GD
 No. 186 of 2019 ED

**Bank of America, N.A., Successor by Merger
 to BAC Home Loans Servicing , LP fka
 Countrywide Home Loans Servicing, LP
 Plaintiff
 v.
 Thomas S. Zahand
 Janine Zahand
 Defendant(s)**

By virtue of a Writ of Execution No. 740
 OF 2019 GD
 Bank of America, N.A., Successor by
 Merger to BAC Home Loans Servicing, LP
 fka Countrywide Home Loans Servicing,
 LP
 v.
 Thomas S. Zahand
 Janine Zahand

owner(s) of property situ ate in the
 BROWNSVILLE BOROUGH, 1ST, Fayette
 County, Pennsylvania, being 246 Bank Street,
 Brownsville, PA 15417-2045
 Parcel No.: 02-06-0105
 Improvements thereon: RESIDENTIAL
 DWELLING

END SHERIFF SALES

August CLE Seminars / Ethics Galore

Frank Sarris Public Library

35 North Jefferson Avenue
 Canonsburg, PA 15317
 Conveniently located off of the I-79
 Canonsburg, PA Exit
 Free Parking in Murdock Street Lot
August 29 – August 30, 2019

August 29, 2019 - 9 AM-12:15 PM
Potpourri of Hot Legal Topics Plus Ethics
 Mike Fitzpatrick, Esq. / Joe Dimperio, Esq. /
 Richard McMillan, Esq./ Anthony Fitzpatrick,
 Esq. / Fitzpatric & LaCava, PC
1 Substantive Credit/ 2 Ethics - \$85

August 29, 2019 - 1 PM-4:15 PM
Family Law and Ethical Concerns
 William R. Friedman, Esq. / David J. Slesnick,
 Esq.
2 Substantive Credits/1 Ethics - \$79

August 30, 2019 - 9 AM-12:15 PM
Basics for the Attorney Debt Collector
 James P. Valecko, Esq. / Weltman, Weinberg &
 Reis Co., L.P.A..
2 Substantive Credits/1 Ethics - \$79

August 30, 2019 - 1 PM-4:15 PM
**Retirement Plans: A Primer on Plan Options,
 Hot Topics and Potential Pitfalls**
 Elisa J. Cavalier, Esq. / Rachel Hawili, AIFA /
 Hefren-Tillotson
 Nicholas J. Zapf / Dunbar, Bender & Zapf
 Gary J. Gunnett, Esq. / Houston Harbaugh
2 Substantive Credits/1 Ethics - \$79

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Registers' Notice

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

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

Tuesday, September 3, 2019, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2617-0826	THOMAS D. HEFFNER	Dennis R. Heffner, Administrator

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

Monday, September 16, 2019, at 9:30 A.M.

in Courtroom No. 1 of the **Honorable STEVE P. LESKINEN**, or his chambers, 2nd Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

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

Tuesday, September 3, 2019, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2614-0115	SONDRA H. RUSSELL	Jack A. Hann, Administrator
2617-0765	CAROL ANN MIHALLIK a/k/a CAROL A. MIHALLIK	Andrea Sue Mihallik, Executrix

Accounts filed in the Office of the Clerk of the Orphan's Court Division of the Court of Common Pleas of Fayette County, Pennsylvania

2681-0623	MARY LOUISE KOVAL, an alleged incapacitated person	PNC Bank National Association (Guardian)
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Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Monday, September 16, 2019, at 9:30 A.M.

in Courtroom No. 5 of the **Honorable JOSEPH M. GEORGE, JR.**, or his chambers, 3rd Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JUDICIAL OPINION

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

COMMONWEALTH OF	:	
PENNSYLVANIA,	:	
	:	
vs.	:	
	:	
DEREK GREGORY BROWN,	:	No. 2285 of 2018
Defendant.	:	Honorable President Judge John F. Wagner, Jr.

OPINION AND ORDER

WAGNER, P,J.

July 15, 2019

Before the Court is the Omnibus Pretrial Motion filed by the Defendant, Derek Gregory Brown, who has been charged with Possession with Intent to Deliver, Dealing in Proceeds of Illegal Activities, Possession and Paraphernalia. In his Omnibus Pretrial Motion, the Defendant raises a Motion to Suppress.

BACKGROUND

On March 16, 2018, Trooper Kezmarsky observed a vehicle leaving Pershing Court. He followed the vehicle, ran the plate, and determined that the vehicle displayed an expired registration plate. He also learned that the plate belonged to a person the Trooper was familiar with and testified that he knew the owner and the owner's female friend were drug users. (OPT Hearing, 2/13/2019 at pg. 3). He stopped the vehicle and recognized the driver and the Defendant, who he knew based on other troopers' investigations. (N.T. at pg. 4.) The Trooper questioned the driver about where they were going and felt the information provided was inconsistent with his observations. (N.T. at 6). He then began to question the Defendant, who was the passenger in the vehicle. *Id.* At this time, the Trooper asked the Defendant to exit the vehicle because he appeared nervous and the Trooper felt he may possess a weapon. The Trooper testified that while conducting a pat down of the Defendant, then he asked to search his person and the Defendant agreed. (N.T. at pg. 7). The Trooper located \$622.00 on his person and proceeded to question him about where this "large amount" of currency came from. *Id.*

Defendant responded that he got some from a family member, however he couldn't answer how his family member obtained the money. (N.T. at pg. 8). The Trooper continued to question him about the driver and Defendant admitted to knowing her by her last name. The driver knew him by his street name "Peanut." *Id.* The Trooper testified that as the investigation grew, the Defendant became more nervous. When the Trooper asked to search his groin and buttocks area, the Defendant denied consent. (N.T. at pg. 10). The Defendant stated they intended to buy weed and at that point the Trooper arrest-

ed the Defendant for the money he had on his person. The Trooper stated that he arrested him for possession of the \$622.00 on his person.

After his arrest; the Defendant was taken to the barracks, told that he was going into a state facility and the Defendant then disclosed that he had narcotics on his person. The Trooper obtained the crack cocaine, took the Defendant into an interview room and then Mirandized him. At the barracks, Defendant made statements that he was taking the driver to the weed man. (N.T. at pg. 12);

ARGUMENT

Defendant avers that the seizure of his person and related search was illegal because the Commonwealth lacked any reasonable suspicion or probable cause to justify the seizure of the Defendant, his money, his cell phone and the crack cocaine. The Trooper testified that he arrested the Defendant for Dealing in Proceeds of Unlawful Activity, 18 Pa. C.S. §5111(a).

The offense is defined as -"A person commits a felony of the first degree if the person conducts a financial transaction under any of the following circumstances: (a) With knowledge that the property involved, including stolen or illegally obtained property, represents the proceeds of unlawful activity, represents the proceeds of unlawful activity, the person acts with the intent to promote the carrying on of the illegal activity." 18 Pa. C.S. §5111(a). The statute defines the term "conducts" to include, initiating, concluding or participating in initiating or concluding a transaction. 18 Pa. C.S. §5111(f).

To charge the Defendant with Dealing in Proceeds of Unlawful Activities, the Trooper needed evidence that a financial transaction had occurred, that the property transferred represents the proceeds of unlawful activity, and the person acts to promote unlawful activity. The testimony of the Trooper made it clear that the Defendant did not commit any financial transaction in the presence of the Trooper. The vehicle was stopped for a motor vehicle violation and the Trooper proceeded to question the Defendant in and out of the vehicle. During the consent search, the Trooper located money on the Defendant's person. The Defendant was asked where he obtained the money on his person and he responded that he gets money from a family member. (Hearing at pg. 8). The Trooper inquired as to how the Defendant's family member got their money and the Trooper was not satisfied with the answer he received. *Id.* The Defendant agreed to a search until the Trooper wanted to search his genital area on the side of the road.

Under the Fourth Amendment of the United States Constitution and Article I, Section 8 of the Pennsylvania Constitution provide that individuals shall be free from unreasonable searches and seizures. The legality of the search of an individual is crucial. A Trooper may conduct a full search of a suspect who has been lawfully arrested. If the arrest is not valid, evidence seized in an unlawful search will be suppressed. The propriety of the search depends ultimately on the validity of the arrest. The retrieval of the cocaine occurred at the police barracks, after the Trooper informed the Defendant that

he could get additional charges if he carried drugs into a state facility. The Trooper admits that he did not observe any transaction involving illegal substances or any other illegal action.

The Pennsylvania Supreme Court has held that probable cause has been made out when the facts and circumstances which are within the knowledge of the officer at the time of the arrest and of which he has reasonably trustworthy information, are sufficient to warrant a man of reasonable caution to believe that the suspect has committed or is committing a crime. *Commonwealth v. Thompson*, 985 A.2d 928, 931 (Pa. 2009) (quoting *Commonwealth v. Rodriquez*, 585 A.2d 988 (Pa. 1991)).

A review of the totality of the evidence at the time of the motor vehicle stop, the roadside interview, and the search of the Defendant was insufficient to support a finding of probable cause to support a warrantless arrest. The Defendant was not the operator of the vehicle. After talking with the Defendant, who was the passenger in the vehicle, he began to question him and then did a pat down for officer safety. He then asked to do a search of the Defendant and the Defendant agreed. At that time, he located six hundred and twenty-two dollars (\$622.00) and questioned him related to how he got that money.

When the Defendant's answers as to who gave him a certain did not correspond with the money on his person, the Trooper asked to do a search of the Defendant's genital area at the roadside stop. No transaction occurred in the Trooper's presence. The mere possession of a significant amount of money, but one that was not separated in a way to indicate drug trafficking, does not support probable cause. The amount of money was explained by the Defendant and then the Trooper questioned how Defendant's sources of money could afford to give him that much money. A reasonable person reviewing the totality of circumstances up to the point of the arrest would not be able to determine that this money was the proceeds from illegal activity. The possession of money in and of itself is not illegal.

Therefore, the Court finds that the evidence seized and the Defendant's statements to the Troopers are subject to the application of the exclusionary rule and are therefore suppressed. For the following reasons, The Court will enter the following Order:

ORDER

AND NOW, this 15th day of July, 2019 upon and after consideration of Defendant's Omnibus Pretrial Motion, it is hereby ORDERED that the Defendant's Motion is GRANTED. All evidence and statements obtained by the Commonwealth are SUPPRESSED.

BY THE COURT,
WAGNER, P.J.

ATTEST:
Clerk of Courts

Evan's Destination Day Camp 5k Run/Walk

Dear Colleagues:

As part of a new community outreach initiative, the Bar Association will be a major sponsor of this year's Evan's Destination Day Camp 5K Walk/Run for Autism which will take place on Saturday, September 14th at Sheepskin Trail, Hutchinson Park, Hopwood. 100% of all funds raised go to the students at the Highlands Hospital Regional Center for Autism in Connellsville. A brochure for the Walk/Run is attached and for more information regarding Evan's Destination Day Camp please go to: <https://www.facebook.com/EvansDestinationDayCamp/>.

In support of our sponsorship, the FCBA would encourage you, your family and friends to participate in this fun (non-timed) Walk/Run to benefit local children with Autism. I had the privilege of participating in last year's event; and, it was a lot of fun. It was especially rewarding to see the local children with Autism who participated in the event. The joy on their faces was heartwarming and contagious.

If you would like to participate, please mail the completed registration form, along with a check made payable to "Highlands Hospital Regional Center for Autism" for the registration fee, to John Carom, c/o Abby's, 197 Morgantown Street, Uniontown, PA 15401.

Let's join together and have a great showing. Thank you very much for your support of this worthy endeavor. I'm looking forward to seeing you on the 14th!

Jim Higinbotham
FCBA President

EVAN'S DESTINATION DAY CAMP
5K RUN/WALK FOR AUTISM

Benefits
The Highlands Hospital Regional Center for Autism

SATURDAY, SEPTEMBER 14, 2019

www.evansdestinationdaycamp.com

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Highlands HOSPITAL

LUNCH & LEARN SERIES

FCBA LUNCH & LEARN SERIES

The Fayette County Bar Association's next presentation in its Lunch & Learn Series will be:

- Date: **Wednesday, September 18th from 12:00 p.m. to 1:30 p.m.**
- Location: Courtroom No. 1 of the Fayette County Courthouse
- Discussion topic: **Basics of Powers of Attorney and Living Wills**
Form POA and Living Will will be provided
- Presenter: Timothy J. Witt, Esquire

CLE Credit

1.5 hours of Substantive CLE credit for the program. The fees are as follows:

Members of the FCBA

- No charge for attendance without CLE Credit
- \$10 fee for attendance with CLE Credit

Attorneys admitted to practice in Pennsylvania after January 1, 2012

- No charge for attendance with CLE Credit

Non-members of the FCBA

- \$10 fee for attendance without CLE Credit
- \$20 fee for attendance with CLE Credit

**** All fees to be paid at the door ****

A light lunch will be provided.

RSVP

If interested in attending, please call Cindy at the Bar office at 724-437-7994 or by email to cindy@fcbar.org on or before Monday, September 16th

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