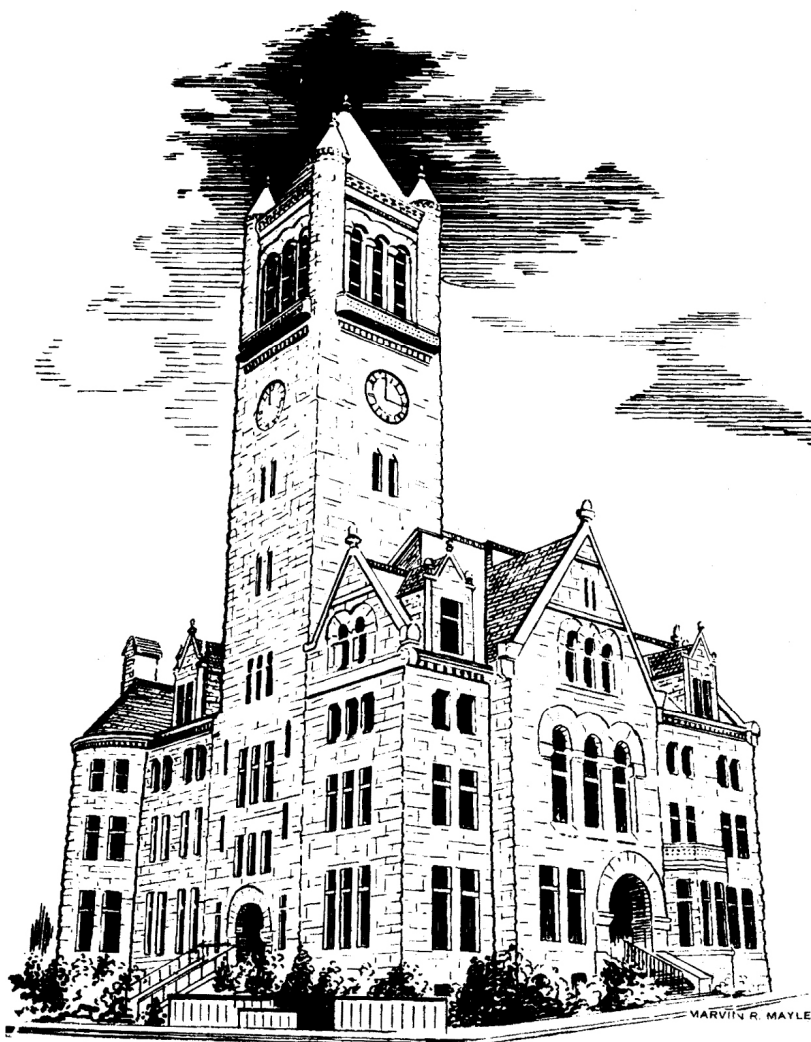


FAYETTE LEGAL JOURNAL

VOL. 84

MARCH 13, 2021

NO. 11



FAYETTE LEGAL JOURNAL

The FAYETTE LEGAL JOURNAL is published weekly by the Fayette County Bar Association, 45 East Main Street, Suite 100, Uniontown, Pennsylvania 15401, 724-437-7994. Legal advertisements should be submitted online at www.fcbar.org no later than 12:00 noon on Friday for publication the following Saturday. No date of publication is promised, however. Legal notices are published exactly as submitted by the advertiser. Copyright 2001 Fayette County Bar Association. All rights reserved.

Co-Editors: Garnet L. Gordon and Melinda Deal Dellarose

Cover Design by Marvin R. Mayle, 207 Lick Hollow Road, Hopwood, PA

FAYETTE COUNTY BAR ASSOCIATION Board of Directors

President: Charles O. Zebley, Jr.
President Elect: Gretchen A. Mundorff
Vice-President: Mark D. Brooks
Secretary: Anne N. John
Treasurer: Louise D. Monaghan
Past President: Louise D. Monaghan
Executive Director: Garnet L. Gordon

Directors
Jennifer M. Casini
Rachel A. Clark
Jeremy J. Davis
Robert A. Gordon
Sheryl R. Heid
James E. Higinbotham, Jr.
Margaret Zylka House
John A. Kopas, III
Wendy L. O'Brien
Douglas S. Sholtis

ETHICS HOTLINE

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.

Call (800) 932-0311, ext. 2214.

LAWYERS CONCERNED FOR LAWYERS

Our assistance is confidential,
non-judgmental, safe, and effective

To talk to a lawyer today, call:
1-888-999-1941
717-541-4360

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

VIRGINIA HOUSTON, a/k/a VIRGINIA JOSEPHINE HOUSTON, late of Uniontown, Fayette County, PA (3)

Executor: Richard Allen Settles
c/o Kopas Law Office
556 Morgantown Road
Uniontown, PA 15401
Attorney: John Kopas

SARAH H. MCCracken, a/k/a SARAH HELEN MCCracken, late of South Union Township, Fayette County, PA (3)

Co-Executors: Thomas L. Hill and Martha J. Hill
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Jeffrey S. Proden

JOHN R. PANELLA, a/k/a JOHN RICHARD PANELLA, late of South Uniontown, Fayette County, PA (3)

Personal Representative: Jeanne M. Unice
c/o George and George
92 East Main Street
Uniontown, PA 15401
Attorney: Joseph M. George

SARA J. PETRO, a/k/a SARA PETRO, late of Uniontown, Fayette County, PA (3)

Executrices: Patricia Gulino and Paula O'Connell
c/o John & John
96 East Main Street
Uniontown, PA 15401
Attorney: Anne N. John

WILLIAM ROSNER, a/k/a WILLIAM G. ROSNER, late of South Union Township, Fayette County, PA (3)

Executrix: Deloris A. Cole
c/o Higinbotham Law Offices
45 East Main Street, Suite 500
Uniontown, PA 15401
Attorney: James Higinbotham

JAMES C. SEBECK, late of Redstone Township, Fayette County, PA (3)

Personal Representative: Joseph L. Sebeck
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Jeremy J. Davis

Second Publication

JENNIE J. AMBRISCO, a/k/a JENNIE AMBRISCO, late of Connellsville, Fayette County, PA (2)

Executor: Eugene Falvo
c/o Molinaro Law Offices
P.O. Box 799
Connellsville, PA 15425
Attorney: Carmine V. Molinaro, Jr.

JAMES ASHFORD, JR., late of Fayette County, PA (2)

Administratrix: Hettie J. Ashford
40 F St NE
Ardmore, Oklahoma 73401
c/o McMorrow Law, LLC
10475 Perry Highway, Suite 204
Wexford PA 15090
Attorney: Brooke McMorrow

LEONA MARIE BUTALLA, a/k/a LEONA M. BUTALLA, a/k/a LEONA BUTALLA, late of Masontown, Fayette County, PA (2)

Executor: Franz Joseph Butalla
c/o 769 Lippencott Road
Waynesburg, PA 15370
Attorney: Cheryl Catherine Cowen

NANCY W. GNAGEY, a/k/a NANCY JEAN GNAGEY, late of Uniontown, Fayette County, PA (2)

Executor: James A. Gnagey
48 Adele Avenue
Uniontown, PA 15401

c/o 310 Grant Street, Suite 1109
Pittsburgh, PA 15219
Attorney: Rosalie P. Wisotzki

GIFFORD F. GRIMES, a/k/a GIFFORD GRIMES, late of North Union Township, Fayette County, PA ⁽²⁾

Executrix: Kimberly Ann Rabatin
c/o John and John
96 East Main Street
Uniontown, PA 15401
Attorney: Simon B. John

DARRALL THOMAS HEATON, a/k/a DARRALL T. HEATON, late of German Township, Fayette County, PA ⁽²⁾

Executor: Nathan Duley
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

ANDREW MICHAEL LOBASH, a/k/a ANDREW M. LOBASH, late of Georges Township, Fayette County, PA ⁽²⁾

Executrix: Alta Grace Grimm
c/o Zebley Mehalov & White, P.C.
18 Mill Street Square
P.O. Box 2123
Uniontown, PA 15401
Attorney: Mark M. Mehalov

CHARLES MILLS, a/k/a CHARLES MILLS, SR., late of Connellsville, Fayette County, PA ⁽²⁾

Executor: Charles Mills, Jr.
c/o Goodwin Como, P.C.
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401
Attorney: Benjamin Goodwin

JOSEPH SNYDER, a/k/a JOSEPH WAYNE SNYDER, a/k/a JOSPEH W. SNYDER, late of Bullskin Township, Fayette County, PA ⁽²⁾

Personal Representative:
Matthew R. Phillippi
c/o Higinbotham Law Offices
45 East Main Street, Suite 500
Uniontown, PA 15401
Attorney: James Higinbotham

JOHN D. STONE, a/k/a JOHN STONE, late of Lower Tyrone Township, Fayette County, PA ⁽²⁾

Administratrix: Susan L. Travalena
c/o Zebley Mehalov & White, P.C.
18 Mill Street Square
P.O. Box 2123
Uniontown, PA 15401
Attorney: Mark M. Mehalov

SARA YATES, a/k/a SARA JANE YATES, late of Washington Township, Fayette County, PA ⁽²⁾

Executrix: Heidi Lacovino
15 Royal Oaks Drive
Charleroi, PA 15022
c/o H.A. English & Associates, PC
4290 William Flinn Highway, Suite 200
Allison Park, PA 15101
Attorney: Harold English

First Publication

GLORIA MAE EDWARDS, a/k/a GLORIA M. EDWARDS, late of Lower Tyrone Township, Fayette County, PA ⁽¹⁾

Executrix: Carolyn W. Maricondi
P.O. Box S
Dawson, PA 15428
c/o P.O. Box 760
Connellsville, PA 15425
Attorney: Carolyn W. Maricondi

LISA B. EGNOT, late of South Union Township, Fayette County, PA ⁽¹⁾

Administrator: Thomas D. Egnot
c/o P.O. Box 727
Uniontown, PA 15401
Attorney: Bernadette Tummons

WHITMAN B. EVANS, a/k/a WHITMAN BILL EVANS, late of Hopwood, Fayette County, PA ⁽¹⁾

Executor: Whitman B. Evans, Jr.
c/o DeHaas Law, LLC
51 East South Street
Uniontown, PA 15401
Attorney: Ernest P. DeHaas, III

THEODORE R. GENOVESE, II, a/k/a THEODORE R. GENOVESE, late of Wharton Township, Fayette County, PA ⁽¹⁾

Executor: Vincent C. Genovese

c/o Webster & Webster
51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

THERESA S. GRAHAM, late of Uniontown,
Fayette County, PA ⁽¹⁾

Administrator: William F. Graham
13 Rankin Road
Farmington, PA 15437
c/o 22 Bierer Avenue
P.O. Box 1206
Uniontown, PA 15401
Attorney: Mary Lenora Hajduk

MICHAEL J. HAZY, late of Washington
Township, Fayette County, PA ⁽¹⁾

Co-Executor: Joseph Hazy
1253 Ridge Road
Rostraver, PA 15012
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

CHARLES A. KASPER, late of Washington
Township, Fayette County, PA ⁽¹⁾

Administratrix: Melinda R. Kasper
128 Blackbird Lane
Shippensburg, PA 17257
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

**ELIZABETH LITAVEC, a/k/a BETTY
LITAVEC, a/k/a BETTY J. LITAVEC**, late of
Jefferson Township, Fayette County, PA ⁽¹⁾

Executrix: Bernice Yankovich
c/o 9 Court Street
Uniontown, PA 15401
Attorney: Vincent J. Roskovensky, II

**LEON R. MOWRY, a/k/a LEON ROBERT
MOWRY**, late of Saltlick Township, Fayette
County, PA ⁽¹⁾

Executor: Leon R. Mowry, II
272 Keslar School Road
Acme, PA 15610
c/o 231 South Main Street, Suite 402
Greensburg, PA 15683
Attorney: Marilyn Gaut

FRANK ORIS, a/k/a FRANK J. ORIS, late of
South Union Township, Fayette County, PA ⁽¹⁾

Executrix: Theodora DeFrank Shoaf
c/o Higinbotham Law Offices
45 East Main Street, Suite 500
Uniontown, PA 15401
Attorney: James Higinbotham

PATRICK PURCELL, late of Brownsville
Borough, Fayette County, PA ⁽¹⁾

Executrix: Peggy Podoloff
P.O. Box 1052
Deep River, Connecticut 06417
c/o P.O. Box 310
Hiller, PA 15444
Attorney: Herbert G. Mitchell, III

PAUL G. WATSON, late of North Union
Township, Fayette County, PA ⁽¹⁾

Executor: Jeffrey L. Watson
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

LEGAL NOTICES

NOTICE

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Fayette County, Pennsylvania, seeking to change the name of Tray R. Mickens a/k/a Tray Randell Mickens to Trace Lahoud Thomas. A hearing on the Petition will be held on April 12, 2021 at 10:30 o'clock a.m. in Courtroom No. 4 at the Fayette County Courthouse, Uniontown, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

Tray R. Mickens a/k/a Tray Randell Mickens
% Dellarose Law Office, PLLC
Melinda Deal Dellarose
99 East Main Street
Suite 101
Uniontown, PA 15401
(724) 437-3200

NOTICE

NOTICE is hereby given of the administration of the The Brittany Dawn Rosenburg Irrevocable Trust u/a/d August 13, 2002. Brittany Dawn Rosenburg, of Fayette County, Pennsylvania, died December 23, 2020. All persons having claims against the The Brittany Dawn Rosenburg Irrevocable Trust u/a/d August 13, 2002 are requested to make known the same to the Trustee or attorney named below. All persons indebted to the The Brittany Dawn Rosenburg Irrevocable Trust u/a/d August 13, 2002 are requested to make payment without delay to the Trustee or attorney named- PNC Bank, National Association. (1 of 3)

NOTICE

NOTICE is hereby given pursuant to the provisions of Act 295 of December 16, 1982, P.L. 1309, that a Certificate was filed in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on or about March 2, 2021, to conduct a business in Fayette County, Pennsylvania, under the assumed or fictitious name of Jennys Maids and More with the principal place of business at: 1259 Grindstone Road. The name or names and addresses of persons owning and interested are: Jenna Schaa.

IN RE: Dolfi, Eric M. and Stacey A.
Case No. 19-21910-CMB, Chapter 13

Real Estate Located at 30 Walnut Street,
Uniontown, Fayette County, PA
Parcel No. 38-04-0276

Date of Sale: 4/12/2021 @10:00 a.m.

A Zoom Video Conference Hearing will be held
on 4/12/2021 at 10:00 a.m.

via the Zoom Video Conference Application.

To participate in and join a Zoom Hearing,
please initiate and use the following link at least
15 minutes prior to the scheduled Zoom Hearing
time:

<https://www.zoomgov.com/j/16143800191>,
or alternatively, you may use the following:
Meeting ID: 161 4380 0191.

Objections due by: 3/19/2021

Initial Offer \$ 12,500.00

Higher and better offers will be
considered at the hearing

Hand money required: \$500.00

(Cash or Certified Funds Only)

Contact: Robert H. Slone, Esq.

223 South Maple Avenue

Greensburg, PA 15601

Ph# (724) 834-2990

For more information:

www.pawb.uscourts.gov/easi.htm

Robert H. Slone, Esquire

Attorney for Eric M. and Stacey A. Dolfi

223 South Maple Avenue

Greensburg, PA 15601

Ph# (724)834-2990

IN THE COURT OF COMMON PLEAS

Fayette COUNTY

CIVIL ACTION - LAW

ACTION OF MORTGAGE FORECLOSURE

Term No. 2019-01985

NOTICE OF ACTION IN MORTGAGE
FORECLOSURE

REVERSE MORTGAGE SOLUTIONS, INC.

Plaintiff

vs.

The Unknown Heirs of MARTIN D.

YURCHISON aka MARTIN YURCHISON,

Deceased, GARY YURCHISON Solely in His

Capacity as Heir of MARTIN D. YURCHISON

aka MARTIN YURCHISON Deceased,

MATTHEW YURCHISON Solely in His

Capacity as Heir of MARTIN D. YURCHISON

aka MARTIN YURCHISON Deceased & PAUL

YURCHISON Solely in His Capacity as Heir of

MARTIN D. YURCHISON aka MARTIN

YURCHISON Deceased

Mortgagor and Real Owner

Defendant

The Unknown Heirs of MARTIN D.

YURCHISON aka MARTIN YURCHISON,

Deceased, GARY YURCHISON Solely in His

Capacity as Heir of MARTIN D. YURCHISON

aka MARTIN YURCHISON Deceased,

MATTHEW YURCHISON Solely in His

Capacity as Heir of MARTIN D. YURCHISON

aka MARTIN YURCHISON Deceased,

MORTGAGOR AND REAL OWNER,

DEFENDANT whose last known address is 300

Mohawk Road Extension Champion, PA 15622.

THIS FIRM IS A DEBT COLLECTOR AND

WE ARE ATTEMPTING TO COLLECT A

DEBT OWED TO OUR CLIENT. ANY

INFORMATION OBTAINED FROM YOU

WILL BE USED FOR THE PURPOSE OF

COLLECTING THE DEBT.

You are hereby notified that Plaintiff REVERSE

MORTGAGE SOLUTIONS, INC., has filed a

Mortgage Foreclosure Complaint endorsed with

a notice to defend against you in the Court of Common Pleas of Fayette County, Pennsylvania, docketed to No. 2019-01985 wherein Plaintiff seeks to foreclose on the mortgage secured on your property located, 300 Mohawk Road Extension Champion, PA 15622 whereupon your property will be sold by the Sheriff of Fayette.

NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the Complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claim 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, 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. PENNSYLVANIA LAWYER REFERRAL SERVICE

Pennsylvania Bar Association
100 South Street, PO Box 186
Harrisburg, PA 17108
800-692-7375

Michael T. McKeever
Attorney for Plaintiff
KML Law Group, P.C., PC
Suite 5000, BNY Independence Center
701 Market Street
Philadelphia, PA 19106-1532
215-627-1322

SHERIFF'S SALE

Date of Sale: May 20, 2021

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, May 20, 2021, 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. 1740 of 2020 GD
No. 1 of 2021 ED

**First National Bank of Pennsylvania,
successor by merger to Parkvale Savings
Bank,**

Plaintiff,

vs.

**All Unknown Heirs, Successors or Assigns
and All Persons, Firms or Associations
claiming right, title or interest, from or under
Ronald A. Kovach, Deceased,**

Defendants

at Execution Number 1740 of 2020 GD

ALL THAT CERTAIN PIECE, PARCEL
OR TRACT OF LAND BEING SITUATE AND
LAYING IN THE TOWNSHIP OF
REDSTONE, COUNTY OF FAYEITE AND
COMMONWEALTH OF PENNSYLVANIA,
AS MORE FULLY DESCRIBED IN DEED
BOOK 768 PAGE 154 AND PARCEL# 30-06-
0016 .

BEING COMMONLY KNOWN AS 1347
GRINDSTONE ROAD, GRINDSTONE, PA
15442.

IMPROVEMENT THEREON:
RESIDENTIAL DWELLING

TAX PARCEL NUMBER: 30-06-0016

BEING THE SAME PREMISES
GRANTED AND CONVEYED TO RONALD
ANTHONY KOVACH, HIS SON, BY DEED
OF GEORGE KOVACH, A SINGLE
PERSON, DATED DECEMBER 11, 1990,
AND RECORDED IN THE OFFICE OF THE
RECORDER OF DEEDS OF FAYETTE
COUNTY ON DECEMBER. 11, 1990, IN
DEED BOOK VOLUME 768, PAGE 154.

KML LAW GROUP, P.C.

Suite 5000

701 Market Street

Philadelphia, PA 19106-1532

(215) 627-1322

No. 2810 of 2019 GD

No. 2 of 2021 ED

**QUICKEN LOANS, LLC F/K/A QUICKEN
LOANS INC.**

635 Woodward Avenue

Detroit , MT 48226

Plaintiff

vs.

**GRANT G. ARNOLD AKA GRANT G.
ARNOLD, JR.**

VERNA KNOX AKA VERNIA J. KNOX

Mortgagor(s) and Record Owner(s)
1410 Brownfield Road
Brownfield, PA 15416
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
 SITUATE IN SOUTH UNION TOWNSHIP.
 COUNTY OF FAYETTE AND
 COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 1410
 BROWNFIELD ROAD, BROWNFIELD, PA
 15416

TAX PARCEL #34-27-0276
 IMPROVEMENTS: A RESIDENTIAL
 DWELLING

SOLD AS THE PROPERTY OF: GRANT
 G. ARNOLD AKA GRANT G. ARNOLD, JR.
 AND VERA KNOX AKA VERA J. KNOX

William M. Buchanan, Esquire
 PA I.D. #202843

wmbuchanan@burnswhite.com

BURNS WHITE LLC

Firm No. 828

Burns White Center

48 26th Street

Pittsburgh, PA 15222

(412) 995-3000

(412) 995-3300 (Facsimile)

No. 1534 of 2018 GD

No. 24 of 2021 ED

FAY-PENN ECONOMIC DEVELOPMENT
COUNCIL,
Plaintiff,

v.

TAYLOR H. BARNICKEL and
SHERI D. GROOVER,
Defendants.

TAX PARCEL NO.: Tax Parcel No. 11-06
 -0127

PROPERTY ADDRESS: 36 Kyle Avenue,
 Fairchance, PA 15436

IMPROVEMENTS: A single family
 residence.

SEIZED AND TAKEN in execution as the
 property of Taylor H. Barnickel and Sheri D.
 Groover

ALL that certain lot or piece of land situate
 in the Borough of Fairchance, Fayette County,
 Pennsylvania, being Lot No. 3 in the Plan of
 Lots recorded in the Recorder's Office of Fayette
 County, Pennsylvania, by John W. Galbreath in
 Plan Book No. 8, page 244, and all that certain
 lot or piece of land situate in the Borough of

Fairchance, Fayette County, Pennsylvania, being
 Lot No. 4 in the Plan of Lots recorded in the
 Recorder's Office of Fayette County,
 Pennsylvania, by John W. Galbreath in Plan
 Book No. 8, page 244.

BEING the same premises conveyed to
 Taylor H. Barnickel and Sheri D. Groover, both
 of Smithfield by Daniel Lindsay Donaldson,
 Executor of the Estate of Ruth Cunningham
 Donaldson, recorded on November 19, 2010 in
 the Recorder's Office of Fayette County,
 Pennsylvania in Deed Book Volume 3139, page
 1575.

Hladik, Onorato & Federman, LLP
 298 Wissahickon Avenue
 North Wales, PA 19454

No. 2120 of 2020 GD

No. 21 of 2021 ED

Federal Home Loan Mortgage Corporation,
as Trustee for the benefit of the Freddie Mac
Seasoned Loans Structured Transaction
Trust, Series 2019-2
(Plaintiff)

vs.

James A. Clark,
(Defendant)

By virtue of Writ of Execution No. 2020-
 02120

Federal Home Loan Mortgage Corporation,
 as Trustee for the benefit of the Freddie Mac
 Seasoned Loans Structured Transaction Trust,
 Series 2019-2 (Plaintiff) vs. James A. Clark,
 (Defendant)

Property Address 899 Rich Hill Road,
 Connellsville, PA 15425

Parcel I.D. No. 35-04-0006-01

Improvements thereon consist of a
 residential dwelling. Judgment Amount:
 \$109,262.77

No. 2141 of 2020 GD

No. 22 of 2021 ED

FIRST NATIONAL BANK OF
PENNSYLVANIA,
Plaintiff.

vs.

CARLINE H. JACKSON, Executrix of the
Estate of HENRY L. WILSON,
Defendant.

ALL THE RIGHT, TITLE, INTEREST
 AND CLAIM OF CARLINE H. JACKSON,

EXECUTRIX OF THE ESTATE OF HENRY L. WILSON, OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN REAL ESTATE SITUATED IN JEFFERSON TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA. HAYING ERECTED THEREON A DWELLING KNOWN AS 104 COTTAGE AVENUE, GRINDSTONE, PA 15442. DEED BOOK VOLUME 2866, PAGE 960 AND PARCEL NUMBER 17-15-0014.

GEBHARDT & SMITH LLP

Shaan S. Chima, Esquire
One South Street, Suite 2200
Baltimore, Maryland 21202
Phone: 410-385-5109

Fax: 443-957-4329

Email: shaan.chima@gebsmith.com

No. 182 of 2020 GD

No. 25 of 2021 ED

**UNITED BANK, successor-by-merger to
CENTRA BANK,**

2071 Chain Bridge Road, Suite 600

Vienna, Virginia 22182-2622

Plaintiff,

v.

KEJ PROPERTIES, LP,

201 Lexington Place

Uniontown, Pennsylvania 15401

Defendant.

SHERIFF'S SALE OF REAL ESTATE
FAYETTE COUNTY COURTHOUSE

Courtroom No. 5

61 East Main Street

Uniontown, Pennsylvania 15401

Thursday, May 20, 2021

2:00 O'Clock P.M. Prevailing Time.

All that certain tract and parcel of land situate, lying and being in Fayette County, Pennsylvania, with all improvements thereon, owned by KEJ Properties, LP and generally known as 20 Highland Park Drive and 25 Highland Park Drive, South Union Township, Uniontown, Fayette County, Pennsylvania 15401 and having Uniform Parcel Identification Numbers of 34-1-68-14, 34-05-0356-A00 and 34-05-0356-B.

The improvements are believed to consist of commercial buildings.

Judgment Amount: \$1,088,781.42

To be sold as the property of KEJ Properties, LP.

Shaan S. Chima, Esquire

P.A. Bar No. 312429

GEBHARDT & SMITH LLP

One South Street, Suite 2200

Baltimore, Maryland 21202-3281

(410) 385-5109

TO ALL PARTIES IN INTEREST AND CLAIMANTS: Take notice that a Schedule of Distribution will be filed within thirty (30) days from the date of sale and distribution will be made in accordance with the Schedule of Distribution unless exceptions are filed thereto within ten (10) days thereafter. No further Notice of the filing of the Schedule of Distribution will be given.

Richard M. Squire & Associates, LLC

By: Richard M. Squire, Esquire

M. Troy Freedman, Esquire

Michael J. Clark, Esquire

ID. Nos. 04267 / 85165 / 202929

One Jenkintown Station, Suite 104

115 West Avenue

Jenkintown, PA 19046

Telephone: 215-886-8790

Fax: 215-886-8791

No. 1984 of 2020 GD

No. 26 of 2021 ED

J.P. Morgan Mortgage Acquisition Corp.

PLAINTIFF

v.

Paul Pellick, Jr.

DEFENDANT

TAX PARCEL NO.: 17-16-42

PROPERTY ADDRESS: 122 East First
Street, Grindstone, PA 15442

IMPROVEMENTS: Single Family
Dwelling

SEIZED AND TAKEN in execution as the property of Paul Pellick, Jr.

ALL that certain piece or parcel of land situate in Jefferson Township, Fayette County, Pennsylvania, being part of the Colonial No. 4 Mining Village and shown by plan exhibit "E" recorded with the deed from H.C. Frick Coke Company to Mark Sugarman et ux.

No. 239 of 2020 GD
No. 15 of 2021 ED

WELLS FARGO BANK, N.A.

Plaintiff

vs.

Claire E. Pizer AKA Claire E. Swaney

Defendant(s)

All that certain Lot of land situate in the Third Ward of the Borough of Brownsville (formerly South Brownsville), Fayette County, Pennsylvania, known as and being Lot No. 1 in James I. Thornton's plan of Lots, laid out as an addition to the Borough to the Bridgeport, and recorded in the Recorder's Office of Fayette County in Plan Book Vol. 2, Page 25.

BEING THE SAME PREMISES which Therese Battaglini, by Deed dated November 30, 2007 and recorded in the Office of the Recorder of Deeds of Fayette County on December 28, 2007 in Deed Book 3049, Page 1365 at Instrument No. 200700018442, granted and conveyed unto Claire E. Swaney

BEING known as 416 Green St, Brownsville, Pennsylvania 15417

PARCEL # 02100231

Robertson, Anschutz, Schneid, Crane & Partners, PLLC

A Florida Limited Liability Company

133 Gaither Drive, Suite F

Mt. Laurel, NJ 08054

Phone: (855) 225-6906

Fax: (866) 381-9549

Robert Fiacco, Esquire, Id. No. 325024

No. 241 of 2017 GD

No. 18 of 2021 ED

**DEUTSCHE BANK TRUST COMPANY
AMERICAS AS TRUSTEE F/K/A
BANKERS TRUST COMPANY, AS
TRUSTEE OF AMERESCO RESIDENTIAL
SECURITIES CORPORATION
MORTGAGE LOAN TRUST 1998-1
UNDER POOLING AND SERVICING
AGREEMENT DATED AS OF FEBRUARY
1, 1998**

Plaintiff

v.

**STEVEN SANDOVAL; JULIE SANDOVAL
NKA JULIE BROWN**

Defendant(s)

ALL THOSE CERTAIN LOTS OR
PIECES OF GROUND SITUATE IN
EVERSON BOROUGH, UPPER TYRONE

TOWNSHIP, FAYETTE COUNTY,
PENNSYLVANIA:

BEING KNOWN AS: 200 JONES
STREET EVERSON, PA 15631

BEING PARCEL NUMBER: 10-03-0211-
01

IMPROVEMENTS: RESIDENTIAL
PROPERTY

KML LAW GROUP, P.C.

Suite 5000

701 Market Street

Philadelphia, PA 19106-1532

(215) 627-1322

No. 956 of 2020 GD

No. 4 of 2021 ED

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS INDENTURE TRUSTEE,
ON BEHALF OF THE HOLDERS OF THE
ACCREDITED MORTGAGE LOAN
TRUST 2005-1, ASSET-BACKED NOTES
3217 S. Decker Lake Drive Salt Lake City,
UT 84119**

Plaintiff

vs.

VICKI L. SIELOFF

Mortgagor(s) and Record Owner(s)

814 Main Street

Mcclellandtown, PA 15458

Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN GERMAN TWP, COUNTY OF
FAYETTE AND COMMONWEALTH OF
PENNSYLVANIA.

BEING KNOWN AS: 814 MAIN
STREET, MCCLELLANDTOWN, PA 15458

TAX PARCEL #15 -24-0022

IMPROVEMENTS: A RESIDENTIAL
DWELLING SOLD AS THE PROPERTY OF:
VICKI L. SIELOFF

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

No. 2124 of 2019 GD
No. 3 of 2021 ED

**KEY BANK, S/B/M FIRST NIAGARA
BANK, N.A.**

**4224 Ridge Lea Road
Amherst, NY 14226
Plaintiff**

vs.

THE UNKNOWN HEIRS OF MARY E.

KEEFER, DECEASED

**109 Wall Street
Everson, PA 15631
Defendant(s)**

ALL THAT CERTAIN LOT OF LAND
SITUATE IN UPPER TYRONE TOWNSHIP,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 109 WALL
STREET, EVERSON, PA 15631

TAX PARCEL #39-11-0050

IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF: THE
UNKNOWN HEIRS OF MARY E. KEEFER,
DECEASED

ANNE N. JOHN
ATTORNEY AT LAW

No. 1947 of 2020 GD
No. 14 of 2021 ED

**FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION OF GREENE COUNTY, a**

**corporation,
Plaintiff**

vs.

**NANCY L. YEKEL,
Defendant**

ALL that certain tract of land situate in the
Borough of Fairchance, Fayette County, PA.

FOR prior title see Record Book 2798,
page 1371.

Tax Parcel No.: 11-10-0071

UPON which is erected a residential
dwelling known locally as 8 Jordan Street,
Fairchance, PA 15436.

Robertson, Anschutz, Schneid, Crane &
Partners, PLLC

A Florida Limited Liability Company

133 Gaither Drive, Suite F

Mt. Laurel, NJ 08054

Phone: (855) 225-6906

Fax: (866) 381-9549

Robert Fiacco, Esquire, Id. No. 325024

No. 1249 of 2017 GD

No. 9 of 2021 ED

**FIFTH THIRD BANK AS SUCCESSOR BY
MERGER TO FIFTH THIRD MORTGAGE
COMPANY**

Plaintiff

v.

DREW L. ZINCK

Defendant(s)

ALL THOSE CERTAIN LOTS OR
PIECES OF GROUND SITUATE IN THE
THIRD WARD OF THE CITY OF
UNIONTOWN, FAYETTE COUNTY,
PENNSYLVANIA:

BEING KNOWN AS: 155 LENOX
STREET UNIONTOWN, PA 15401

BEING PARCEL NUMBER: 38-03-0082

IMPROVEMENTS: RESIDENTIAL
PROPERTY

*** END SHERIFF'S SALE ***

JUDICIAL OPINION

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

COMMONWEALTH OF
PENNSYLVANIA

V.

KELI MARIE BRUMLEY,
APPELLANT

:
:
:
:
:
:
:

No. 832 of 2017
No. 840 WDA 2020
Honorable President Judge John F. Wagner, Jr.

OPINION

Wagner, P.J.

October 6, 2020

Before the Court is the Appellant's Appeal of her Amended Petition for Post-Conviction Relief. After a hearing on the motion, the Court, on July 14, 2020, denied Appellant's issues related to the ineffectiveness of her counsel. On August 20, 2020, the Appellant filed an appeal of the order. Thereafter, the Court filed a Motion for a Concise Statement of Issues on Appeal and this opinion is in response to the concise issues raised.

CONCISE ISSUES

1. Did the Court abuse its discretion or err as a matter of law when it ignored and failed to address evidence of record that showed ineffective assistance of Appellant's Counsel that during the legal timeframe of 10 days after sentencing Appellant's Counsel failed to return Appellant's phone calls and failed to contact her in any way after being told by Appellant's family members that Appellant wanted to withdraw her plea and instead stand trial?
2. Did the Court abuse its discretion or err as a matter of law when it denied Appellant's request to vacate her nolo contendere guilty plea to third-degree murder and order a trial of the felony underlying the second degree homicide offense of which she was originally charged due to ineffective representation by Appellant's counsel?

BACKGROUND OF THE CASE

Appellant was charged with Criminal Homicide, Criminal Conspiracy to Commit Robbery, Recklessly Endangering Another Person, and Manufacture, Delivery, or Possession With Intent to Deliver; and Criminal Conspiracy. After an Omnibus Pretrial Motion, the Court dismissed one count of Criminal Conspiracy and the Manufacture, Delivery or Possession With Intent to Deliver charges. The remaining Criminal Conspiracy charge was amended to Conspiracy to Commit a Drug Delivery and the Criminal Homicide charge was amended to Third Degree Murder. A plea bargain was negoti-

ated between the Appellee and the Appellant. Pursuant to the plea agreement, Appellant entered a nolo contender plea to the Third Degree Murder, Recklessly Endangering Another Person and the amended Criminal Conspiracy charge and was sentenced at the Third Degree Murder charge to a term of incarceration of ten (10) to twenty (20) years. No appeal was filed in the case. A Petition for Post-Conviction Collateral Relief was filed, amended and a hearing was held on her claims of the ineffectiveness of her counsel. She alleged that her counsel failed to provide her with documentation that her counsel would testify against her, that he had failed to adequately advise her of the plea negotiations, failed to investigate whether her co-conspirator was going to testify against her; failed to inform her that she had a right to withdraw her plea and failed to advise her that she could appeal her sentence. After hearing, the Court issued an order denying the Appellant's PCRA motion.

FACTS OF CASE

On the evening February 26, 2017, Trisa Stickles sent a text to the Appellant requesting to purchase Xanax from the Appellant. After receiving the text, the Appellant told the others in her car that she was going to rob Stickles of her money. A meeting was set up and the Appellant parked near the scheduled location for the meeting. In the car with the Appellant was her boyfriend, Shawn Vaughn; his younger brother, Arsuhan Patterson; and Arsuhan's girlfriend; Autumn Saluga. Stickles drove her boyfriend, Mapstone, to the location and parked her car in the parking lot of a housing project in Uniontown. Appellant texted Stickles that she was counting the pills and to give Arsuhan the money for the drugs. The Appellant directed Arsuhan to go make the transaction. Arsuhan went to the vehicle, sold Mapstone some "lean" but he did not have the requested Xanax pills. Mapstone would not turn over the money to Patterson for the pills until he received them. Patterson returned to Appellant's vehicle, she told him to go and take the money, she did not have any Xanax pills as she had informed Stickles. Patterson was provided his brother's gun and returned to Stickles vehicle. At Stickles' window, Patterson pulled out the gun and pointed it in the window demanding all their money. Mapstone told Stickles to go and the gun was fired into the vehicle. The bullet passed in front of Stickles and hit Mapstone. Stickles drove Mapstone to the hospital where he later died.

The Appellant made three contradictory statements to the police. Her co-conspirator, Patterson, entered into a plea agreement in exchange for his cooperation against the Appellant. As part of Appellant's plea agreement, she also entered into an agreement to testify against Patterson if it became necessary in exchange for a ten (10) to twenty (20) year sentence to third degree murder.

PROCEDURAL HISTORY

When initially charged, the Appellant was charged with Criminal Homicide, Criminal Conspiracy to Commit Robbery, Recklessly Endangering Another Person, Manufacture, Delivery or Intent to Deliver a Controlled Substance and Criminal Conspiracy. She retained private counsel, Jeremy Davis, Esquire, who represented her throughout the proceedings. At the time of the Omnibus Pretrial Motion, the Commonwealth indicated that they were proceeding on the Criminal Homicide charge as Felony Murder or Second-Degree Murder and not Murder in the First Degree. The Omnibus Pretrial Motion

was granted as to one count of Criminal Conspiracy and the Manufacture, Delivery, or Possession With Intent to Deliver a Controlled Substance. The motion was denied as to the other charges.

Appellant was originally offered a plea bargain for ten (10) to twenty (20) years incarceration and the Petitioner rejected the offer. Thereafter, the Commonwealth, having negotiated a plea agreement with the co-defendant, changed the plea offer to twenty (20) to forty (40) years. Appellant rejected that offer as well. Appellant asserts that she received correspondence from her co-defendant that he was not going to testify against her, which she turned over to her counsel. Counsel stated that he reviewed the co-defendant's statements when he entered his plea. Subsequently, her counsel sent her a copy of the final offer from the Commonwealth and it was for a term of incarceration of ten (10) to twenty (20) years to a charge Third Degree Murder, the Criminal Conspiracy charge was amended to Criminal Conspiracy to Deliver a Controlled Substance, and Recklessly Endangering Another Person. After discussions with her counsel, Appellant decided to take the plea offer. She completed a written colloquy and was thoroughly questioned by the court. No direct appeal was filed in this case. At the time of the PCRA hearing on her post-conviction issues, she and her counsel both agreed that they were not seeking an appeal *nunc pro tunc*.

DISCUSSION

1. Did the Court abuse its discretion or err as a matter of law when it ignored and failed to address evidence of record that showed ineffective assistance of Appellant's Counsel that during the legal timeframe of 10 days after sentencing Appellant's Counsel failed to return Appellant's phone calls and failed to contact her in any way after being told by Appellant's family members that Appellant wanted to withdraw her plea and instead stand trial?

Appellant's allegations of ineffectiveness in connection with the entry of a guilty plea will serve as a basis for relief only if the ineffectiveness caused her to enter an involuntary or unknowing plea. *Commonwealth v. Mendoza*, 739 A.2d 303 (Pa. Super. 1999). The law does not require that the petitioner be pleased with the outcome of her decision to enter a guilty plea, all that is required is that the decision to plead guilty was knowing, voluntarily and intelligently made. *Id.*

When a claim of ineffectiveness is made, the claim is evaluated according to the three-prong performance and prejudice test established by *Commonwealth v. Pierce*, 527 A.2d 397 (Pa. 1984). To establish ineffectiveness of counsel, the Appellant must prove (1) that the issue underlying the claim has arguable merit and (2) that defense counsel's acts or omissions were not reasonably designated to advance her interests. Prejudice, the third prong, must be met by demonstrating that there is a reasonable probability that, but for counsel's errors or omissions, the result of the proceeding would have been different. *Strickland v. Washington*, 466 U.S. 668 (1984). To be entitled to relief, the Appellant must meaningfully discuss each of the three prongs. *Commonwealth v. Fears*, 86 A.3d 795 (Pa. 2014). Counsel is presumed to be effective. Counsel is accorded broad discretion to determine tactics and strategy. *Commonwealth v. Thomas*, 744 A.2d 713 (Pa. 2000). It is the Appellant's burden to establish the ineffective assistance of her counsel. *Commonwealth v. Speight*, 677 A.2d 317 (Pa. 1996).

The Court in its determination of the ineffectiveness of trial counsel, found trial counsel to be credible. Statements made by the Appellant during her testimony at the PCRA hearing were directly and clearly contradicted by the evidence of her testimony at the time of her plea and the colloquy that was signed and submitted to the Court.

In her Amended PCRA Motion, Appellant asserted that her counsel failed to respond to her requests post trial to call her to discuss withdrawing her sentence and/or to file an appeal in a timely manner. Counsel disputes this statement. He testified that he had no messages from her after the trial. She asserts that her counsel failed to return her calls and failed to return the telephone calls of her mother and grandmother. Appellant admitted that she did not send counsel any written correspondence informing him of her change of mind. The mother testified that she had left messages for counsel but she did not testify that any of those messages informed him that Appellant wanted to withdraw her plea or have an appeal filed.

Appellant's grandmother did testify she had left a message for Appellant's counsel after the trial and that counsel had returned her telephone message. However, she testified that she spoke to him about Appellant's desire to leave the local prison. There was no discussion with counsel that the Appellant wanted to withdraw her plea. (N.T. pp. 30 -31, 34-35). Appellant's grandmother, Cathy Brumley, testified that Appellant had only told her that she wished to leave the Fayette County Prison but there was no testimony that Appellant had even informed her grandmother that she wished to withdraw her plea. Counsel for the Appellant testified that he did not receive any messages from the Appellant post trial. Nor did he receive any message from Appellant's mother. He did receive and returned the telephone call of Appellant's grandmother. He further testified that he was never informed that Appellant wanted to withdraw her plea or wanted an appeal.

Appellant testified that she did not send any correspondence to counsel when he failed to return her telephone calls. Nor did Appellant provide any evidence such as her telephone records during her incarceration to substantiate her statements that she attempted to contact him. Counsel is presumed effective and this court has determined him to be credible.

Appellant has failed to establish that she made calls to her attorney's office and that any calls from her family would have addressed her claim that she wanted to withdraw her plea. She had failed to establish that any lack of communication post-trial resulted in ineffective representation by her counsel. As a result, Appellant has failed to establish that her counsel was ineffective in his representation of her. Appellant's initial concise issue is without merit and provide her no relief.

1. Did the Court abuse its discretion or err as a matter of law when it denied Appellant's request to vacate her nolo contendere guilty plea to third-degree murder and order a trial of the felony underlying the second-degree homicide offense of which she was originally charged due to ineffective representation by Appellant's counsel?

The Court did not abuse its discretion or err when it denied the Appellant's request to vacate her nolo contendere guilty plea to third degree murder and order a trial of the felony underlying the second-degree homicide offense. The Court could not order a trial

on the charge of the felony underlying the second-degree homicide offence. This issue was never argued to the Court and any separation of the charges resulting from the actions of the Appellant and her co-conspirator on that evening could not be separated without resulting in double jeopardy. All criminal charges arising from the same transaction or incident must be tried together. *Commonwealth v. Swint*, 350 A.2d 851 (Pa. 1976). Appellant's last concise issue is without merit.

For the above stated reasons, this Court's Order in this case should be affirmed.

BY THE COURT:
WAGNER, P.J.

Attest:
Clerk of Courts

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE

E&O INSURED

WILL TRAVEL

ACCEPTING NEW CLIENTS

LUNCH & LEARN SERIES

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

- Date: **Wednesday, March 17th** from 12:00 p.m. to 1:30 p.m.
- Location: Courtroom No. 1 of the Fayette County Courthouse
- Discussion topics: **Lawyers Concerned for Lawyers**
- Presenters: Laurie Besden, Esquire - Executive Director Lawyers Concerned for Lawyers and the Honorable Judge Linda R. Cordaro

CLE Credit

1.5 hours of Ethics 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
- \$40 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, March 15th.

*Quality... Experience... Results...
It's what your clients deserve.*

Medical Malpractice • Auto Accidents • Personal Injury



GISMONDI
& ASSOCIATES

412-281-2200

www.gislaw.com

700 Grant Bldg., 310 Grant St., Pgh., PA 15219