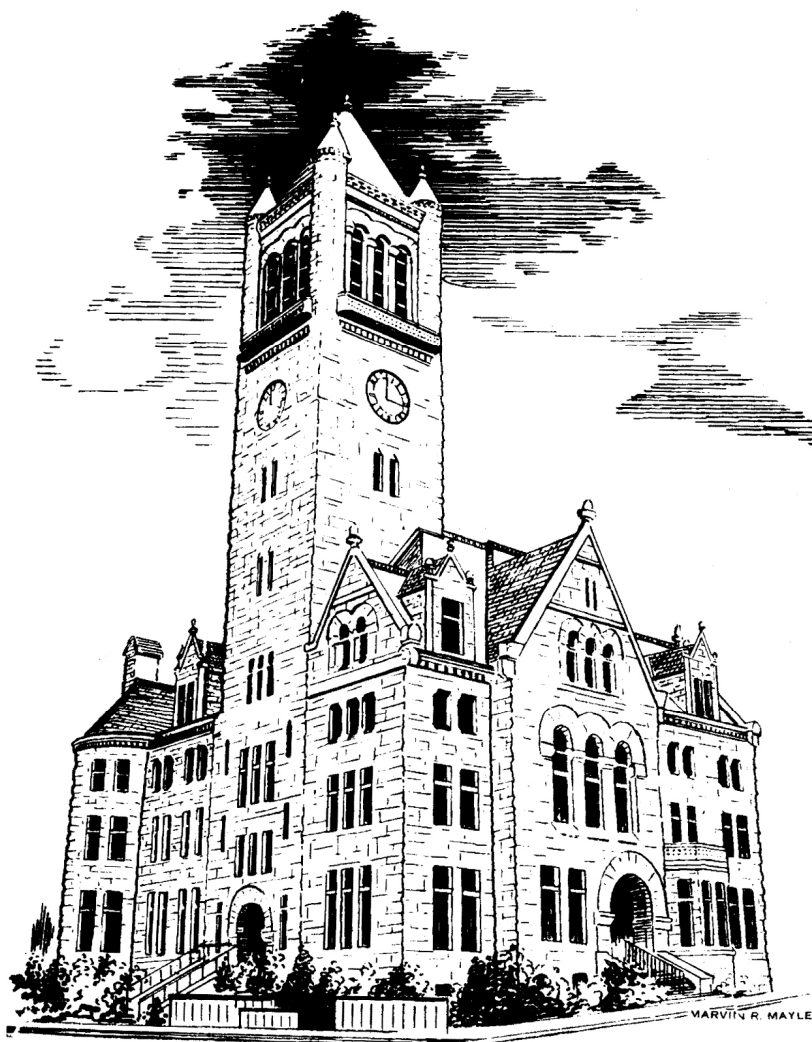


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FAYETTE LEGAL JOURNAL

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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

SALLY J. ABBOTT, late of Bullsken Township, Fayette County, PA ⁽³⁾

Personal Representative:

Douglas A. Abbott
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

RICHARD BARRON, a/k/a RICHARD THOMAS BARRON, late of Saltlick Township, Fayette County, PA ⁽³⁾

Executrix: Linda M. Dupre
c/o Mahady & Mahady
223 South Maple Avenue
Greensburg, PA 15601
Attorney: George Butler

JAMES COX, a/k/a JAMES MICHAEL COX, SR., late of Saltlick Township, Fayette County, PA ⁽³⁾

Executor: Michael J. Cox
4750 West Lawnview Drive
Pittsburgh, PA 15227
c/o Lochner and Lochner, LLC
4232 Brownsville Road, Suite 45
Pittsburgh, Pa 15227
Attorney: Jeffrey Lochner

WILLIAM CHARLES DESHONG, JR., late of South Union Township, Fayette County, PA ⁽³⁾

Administratrix: Shirley DeShong
c/o 9 Court Street
Uniontown, PA 15401
Attorney: Vincent J. Roskovensky, II

MARTHA FISHER, a/k/a MARTHA V. FISHER, late of Perryopolis, Fayette County, PA ⁽³⁾

Personal Representative: Janet Rogers
c/o 68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James Higinbotham

THOMAS D. GOMERY, late of Brownsville, Fayette County, PA ⁽³⁾

Administratrix: Linda Gomery
P.O. Box 3952
Hot Springs, AR 71914
c/o 17 South College Street
Washington, PA 15301
Attorney: Clark A. Mitchell

JAMES THOMAS GORLEY, II, late of Markleysburg, Fayette County, PA ⁽³⁾

Executrix: Carin Gorley Yablonski
c/o Adams Law Offices
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason Adams

JOHN E. I. HENRY, a/k/a JOHN E. HENRY, late of Bullsken Township, Fayette County, PA ⁽³⁾

Personal Representative: Edward I. Henry
548 Quail Hill Road
Normalville, PA 15469

MICHAEL HUNCHUCK, a/k/a MICHAEL P. HUNCHUCK, late of Nicholson Township, Fayette County, PA ⁽³⁾

Personal Representative:
Susanna Hunchuck
c/o P.O. Box 622
Smithfield, PA 15478
Attorney: Charity Grimm Krupa

JOHN LUCAS, late of Bullsken Township, Fayette County, PA ⁽³⁾

Executor: Lynn L. Lucas
P.O. Box 39
Connellsville, PA 15425

DALLAS G. MCCUNE, late of Everson
Borough, Fayette County, PA (3)
Administrator: Adam McCune
420 Turkey Path Road
Mount Pleasant, PA 15666
c/o 231 South Main Street
Greensburg, PA 15601
Attorney: Marilyn M. Gaut

**ADELE N. MCKNIGHT, a/k/a ADELE
MCKNIGHT**, late of Connellsville, Fayette
County, PA (3)
Co-Executors: Toby A. McKnight and
Matthew D. McKnight
c/o Donald McCue Law Firm, P.E.
Colonial Law Building
813 Blackstone Road
Connellsville, PA 15425
Attorney: Donald J. McCue, J.D., P.E.

JAMIE LEE MILLER, late of Washington
Township, Fayette County, PA (3)
Administratrix: Amanda L. Stevens
224 Lowber Road
Fayette City, PA 15438
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

MARTHA L. SHEETS, late of Connellsville,
Fayette County, PA (3)
Personal Representative: Robert D. Sheets
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

**ROBERT SOFCHECK, a/k/a ROBERT
JOHN SOFCHECK, a/k/a ROBERT J.
SOFCHECK**, late of George Township, Fayette
County, PA (3)
Administratrix: Patricia Hart
c/o Kopas Law Office
556 Morgantown Road
Uniontown, Pa 15401
Attorney: John Kopas

WALTER E. STOUT, late of Bullskin
Township, Fayette County, PA (3)
Personal Representative: Shelley Riser
c/o Seneca Law
P.O. Box 333
680 Yorktown Road
Lewisberry, PA 17339-0333
Attorney: Richard C. Seneca

**BERNICE WILTROUT WINEMILLER, a/k/
a BERNICE L. WINEMILLER**, late of South
Connellsville, Fayette County, PA (3)
Personal Representative:
Gary Wayne Winemiller
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

**KAREN A. YAGLA, a/k/a KAREN ANN
YAGLA**, late of Dunbar Township, Fayette
County, PA (3)
Executrix: Melissa M. Renze
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

Second Publication

**ADRIAN CAMPBELL, a/k/a ADRIAN I.
CAMPBELL, a/k/a ADRIAN ISAAC
CAMPBELL**, late of South Union Township,
Fayette County, PA (2)
Executor: John Paul Campbell
c/o Kopas Law Office
556 Morgantown Road
Uniontown, PA 15401
Attorney: John Kopas

DANIEL CHESSLO, late of Springhill
Township, Fayette County, PA (2)
Administrator: William K. Chesslo
c/o Zebley Mehalov & White, P. C.
18 Mill Street Square
P.O. Box 2123
Uniontown, PA 15401
Attorney: Mark M. Mehalov

LORI A. CRABB, late of Washington Township, Fayette County, PA (2)
Administratrix: Denise Hutchinson
 112 Nagy Avenue
 Belle Vernon, PA 15012
 c/o 823 Broad Avenue
 Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

THOMAS FIRESTONE, a/k/a THOMAS M. FIRESTONE, SR., a/k/a THOMAS M. FIRESTONE, late of Springfield Township, Fayette County, PA (2)
Executrix: Joy Ann Brady
 c/o Kopas Law Office
 556 Morgantown Road
 Uniontown, PA 15401
Attorney: John Kopas

THELMA HIXSON, late of Connellsville, Fayette County, PA (2)
Executor: Ronald E. Hixson
 103 Gaut School Road
 Connellsville, PA 45425
 c/o Snyder & Snyder
 17 North Diamond Street
 Mount Pleasant, PA 15666
Attorney: Marvin Snyder

VIOLET R. QUASHNOCK, late of Bullskin Township, Fayette County, PA (2)
Personal Representative: Jodi E. Aller
 c/o 208 South Arch Street, Suite 2
 Connellsville, PA 15425
Attorney: Richard Husband

IDA VIRGINIA WATSON, late of East Millsboro, Fayette County, PA (2)
Administratrix: Laurie A. Watson
 129 Watson Road
 East Millsboro, PA 15433
 c/o Tremba, Kinney, Greiner & Kerr, LLC
 302 West Otterman Street
 Greensburg, PA 15601
Attorney: Meghan E. Young

First Publication

ROBERT S. BURKHOLDER, late of Saltlick Township, Fayette County, PA (1)
Co-Administrators: Dylan Burkholder and Dakota Burkholder
 c/o 39 Francis Street
 Uniontown, PA 15401
Attorney: Jack R. Heneks, Jr.

KAREN J. BUSSARD, a/k/a KAREN JOAN BUSSARD, late of Bullskin Township, Fayette County, PA (1)
Co-Executrix: Heather Alfery
 710 Toner Street
 Latrobe, PA 15650
Co-Executor: Robert B. Alfery
 161 Woodland Road
 Greensburg, PA 15601
 c/o Lederach Law
 201 North Chestnut Street
 P.O. Box 342
 Scottdale, PA 15683
Attorney: James Lederach

JOSEPH MICHAEL EARNESTY, late of Connellsville, Fayette County, PA (1)
Co-Administrator: Robert Paul Earnesty
 P.O. Box 349
 3357 Springfield Pike
 Normalville, PA 15469
Co-Administratrix: Lorrie Ann Earnesty
 P.O. Box 349
 3357 Springfield Pike
 Normalville, PA 15469
 c/o Shire Law Firm
 1711 Grand Boulevard
 Park Centre
 Monessen, Pa 15062
Attorney: Mark J. Shire

GEORGE V. FABIAN, SR., a/k/a GEORGE FABIAN, late of Menallen Township, Fayette County, PA (1)
Administratrix: Stephanie Fabian
 c/o 39 Francis Street
 Uniontown, Pa 15401
Attorney: Jack R. Heneks, Jr.

NOEL HOUZE, late of Nicholson Township, Fayette County, PA (1)
Administratrix: Bradley Houze
 c/o 4 North Beeson Boulevard

Uniontown, PA 15401
Attorney: Sheryl Heid

PAUL HAINES, a/k/a PAUL KENNETH HAINES, a/k/a PAUL K. HAINES, late of Wharton Township, Fayette County, PA (1)
Executrix: Betty J. Haines
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, Pa 15401
Attorney: James Higinbotham

JACQUELINE PERCY, a/k/a JACQUELINE ANN PERCY, Fayette County, PA (1)
Executrix: Linda Percy
c/o 601 McCormick Avenue
Connellsville, PA 15425

AUDREY SHOLTZ, a/k/a AUDREY JEAN SHOLTZ, a/k/a JEAN SHOLTZ, late of Menallen Township, Fayette County, PA (1)
Executrix: Vicki J. Gall
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James Higinbotham

PAUL TRAYNOR, a/k/a PAUL BRUCE TRAYNOR, late of Connellsville, Fayette County, PA (1)
Administratrix: Rebecca A. Snyder
504 Edna Street
Connellsville, PA 15425
Administrator: Thomas Michael Traynor
207 Short Street
Connellsville, PA 15425
c/o Tremba, Kinney, Greiner & Kerr
120 South Third Street
Connellsville, PA 15425
Attorney: Chelsea Forbes

DONNA R. TRESSLER, late of Bullskin Township, Fayette County, PA (1)
Personal Representative:
Ann Marie Rosenberry
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Robert A. Gordon

LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 2013 of 2021 G.D.
JUDGE CORDARO

PAMELA J. SCHWER Executrix of the Estate
of Kathleen R. Welch, deceased,
Plaintiff
vs.

FRANK A. HILL and HELEN HILL, husband
husband and wife, their heirs, successors and
assigns, generally,
Defendant

**TO: FRANK A. HILL and HELEN HILL,
their heirs, successors, and assigns, generally**

You are hereby notified that Pamela J. Schwer, Executrix of Estate of Kathleen R. Welch, deceased, 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 Foster L. Welch Jr. and Kathleen R. Welch, his wife, their heirs, successors and assigns are the owners of property situate in South Union Township, Fayette County, Pennsylvania, being known and designated as Lot Nos. 59 and 60 in the South Uniontown Plan of Lots, said plan of lots having been laid out by Areford Brothers and recorded in the Recorder's Office of Fayette County, Pennsylvania, in Plan Book Volume 4, page 140, having a tax map parcel number of 34-16-0185.

The lots which are the subject of this quiet title action are described in deed dated December 22, 1960 and recorded in the Office of the Recorder of Deeds of Fayette County, Pennsylvania in Deed Book 940, page 727.

Said complaint sets forth that Plaintiff is the owner in fee simple of the above-described premises. A 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 if 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 be 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, GO 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
TELEPHONE: 1-800-932-0311**

James E. Higinbotham, Jr., Esquire
68 South Beeson Avenue
Uniontown, PA 15401
Date: November 29, 2021

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 2016 of 2021 G.D.
JUDGE GEORGE

James E. Higinbotham Jr. Administrator
DBNCTA of the Estate of SHERMAN WAYNE
FRIEND a/k/a WAYNE FRIEND, deceased,
Plaintiff
vs.
OLIVER BATTAGLINI his heirs, successors
and assigns, generally,
Defendant

**TO: OLIVER BATTAGLINI his heirs,
successors, and assigns, generally**

You are hereby notified that James E. Higinbotham, Jr. Administrator DBNCTA of Estate of Sherman Wayne Friend a/k/a Wayne Friend, deceased, 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 Sherman Wayne Friend a/k/a Wayne Friend, his heirs, successors and assigns is the owner of property situate in Luzerne Township, Fayette County, Pennsylvania, being

known and designated as LR 26001- LaBelle containing 11 acres, having Fayette County Tax Map Identification Number 19-02-0023, the same having been sold to Sherman Wayne Friend a/k/a Wayne Friend by the Fayette County Tax Claim Bureau by deed dated December 5, 2007 and recorded December 6, 2007 in the Recorder's Office of Fayette County, Pennsylvania, in Record Book Volume 3047 page 1697.

Said complaint sets forth that Plaintiff is the owner in fee simple of the above-described premises. A complaint was filed for the purpose of barring all 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 if 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 be 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, GO 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
TELEPHONE: 1-800-932-0311**

James E. Higinbotham, Jr., Administrator
DBNCTA of Estate of Sherman Wayne Friend
a/k/a Wayne Friend, deceased
68 South Beeson Avenue
Uniontown, PA 15401
Date: November 29, 2021

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 2017 of 2021 G.D.
JUDGE WAGNER

James E. Higinbotham Jr. Administrator
DBNCTA of the Estate of SHERMAN WAYNE
FRIEND a/k/a WAYNE FRIEND, deceased,
Plaintiff
vs.
REGIS WEAVER his heirs, successors and
assigns, generally,
Defendant

**TO: REGIS WEAVER his heirs, successors,
and assigns, generally**

You are hereby notified that James E. Higinbotham, Jr. Administrator DBNCTA of Estate of Sherman Wayne Friend a/k/a Wayne Friend, deceased, 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 Sherman Wayne Friend a/k/a Wayne Friend, his heirs, successors and assigns is the owner of property situate in Luzerne Township, Fayette County, Pennsylvania, being known and designated as Riverview Street - LaBelle Lots 3-4, containing .22 acres, having Fayette County Tax Map Identification Number 19-05-0063, the same having been sold to Sherman Wayne Friend a/k/a Wayne Friend by the Fayette County Tax Claim Bureau by deed dated and recorded July 29, 2011 in the Recorder's Office of Fayette County, Pennsylvania, in Record Book Volume 3160 page 1626.

Said complaint sets forth that Plaintiff is the owner in fee simple of the above-described premises. A complaint was filed for the purpose of barring all 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 if 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 be 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, GO 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
TELEPHONE: 1-800-932-0311**

James E. Higinbotham, Jr., Administrator
DBNCTA of Estate of Sherman Wayne Friend
a/k/a Wayne Friend, deceased
68 South Beeson Avenue
Uniontown, PA 15401
Date: November 29, 2021

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 2018 of 2021 G.D.
JUDGE CORDARO

James E. Higinbotham Jr. Administrator
DBNCTA of the Estate of SHERMAN WAYNE
FRIEND a/k/a WAYNE FRIEND, deceased,
Plaintiff
vs.
OLIVER BATTAGLINI his heirs, successors
and assigns, generally,
Defendant

**TO: OLIVER BATTAGLINI his heirs,
successors, and assigns, generally**

You are hereby notified that James E. Higinbotham, Jr. Administrator DBNCTA of Estate of Sherman Wayne Friend a/k/a Wayne Friend, deceased, 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 Sherman Wayne Friend a/k/a Wayne Friend, his heirs, successors and assigns is the owner of property situate in Luzerne Township, Fayette County, Pennsylvania, being known and designated as Riverview Street - LaBelle Lots 5-8, containing .44 acres, having Fayette County Tax Map Identification Number

19-05-0064, the same having been sold to Sherman Wayne Friend a/k/a Wayne Friend by the Fayette County Tax Claim Bureau by deed dated December 5, 2007 and recorded December 6, 2007 in the Recorder's Office of Fayette County, Pennsylvania, in Record Book Volume 3047 page 1700.

Said complaint sets forth that Plaintiff is the owner in fee simple of the above-described premises. A complaint was filed for the purpose of barring all 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 if 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 be 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, GO 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
TELEPHONE: 1-800-932-0311**

James E. Higinbotham, Jr., Administrator
DBNCTA of Estate of Sherman Wayne Friend
a/k/a Wayne Friend, deceased
68 South Beeson Avenue
Uniontown, PA 15401
Date: November 29, 2021

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 2019 of 2021 G.D.
JUDGE VERNON

James E. Higinbotham Jr. Administrator
DBNCTA of the Estate of SHERMAN WAYNE
FRIEND a/k/a WAYNE FRIEND, deceased,
Plaintiff
vs.

OLIVER BATTAGLINI his heirs, successors
and assigns, generally,
Defendant

**TO: OLIVER BATTAGLINI his heirs,
successors, and assigns, generally**

You are hereby notified that James E. Higinbotham, Jr. Administrator DBNCTA of Estate of Sherman Wayne Friend a/k/a Wayne Friend, deceased, 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 Sherman Wayne Friend a/k/a Wayne Friend, his heirs, successors and assigns is the owner of property situate in Luzerne Township, Fayette County, Pennsylvania, being known and designated as Riverview Street - LaBelle Lots 9-15, containing .73 acres, having Fayette County Tax Map Identification Number 19-05-0065, the same having been sold to Sherman Wayne Friend a/k/a Wayne Friend by the Fayette County Tax Claim Bureau by deed dated December 5, 2007 and recorded December 6, 2007 in the Recorder's Office of Fayette County, Pennsylvania, in Record Book Volume 3047 page 1703.

Said complaint sets forth that Plaintiff is the owner in fee simple of the above-described premises. A complaint was filed for the purpose of barring all 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 if 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 be 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, GO TO OR TELEPHONE TDK 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
TELEPHONE: 1-800-932-0311**

James E. Higinbotham, Jr., Administrator
DBNCTA of Estate of Sherman Wayne Friend
a/k/a Wayne Friend, deceased
68 South Beeson Avenue
Uniontown, PA 15401
Date: November 29, 2021

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 2020 of 2021 G.D.
JUDGE LESKINEN

James E. Higinbotham Jr. Administrator
DBNCTA of the Estate of SHERMAN WAYNE
FRIEND a/k/a WAYNE FRIEND, deceased,
Plaintiff
vs.

OLIVER BATTAGLINI his heirs, successors
and assigns, generally,
Defendant

**TO: OLIVER BATTAGLINI his heirs,
successors, and assigns, generally**

You are hereby notified that James E. Higinbotham, Jr. Administrator DBNCTA of Estate of Sherman Wayne Friend a/k/a Wayne Friend, deceased, 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 Sherman Wayne Friend a/k/a Wayne Friend, his heirs, successors and assigns is the owner of property situate in Luzerne Township, Fayette County, Pennsylvania, being known and designated as Riverview Street - LaBelle Lots 24-36, containing 1.59 acres, having Fayette County Tax Map Identification

Number 19-05-0067, the same having been sold to Sherman W. Friend by the Fayette County Tax Claim Bureau by deed dated May 11, 2009 and recorded July 23, 2009 in the Recorder's Office of Fayette County, Pennsylvania, in Record Book Volume 3096 page 1979.

Said complaint sets forth that Plaintiff is the owner in fee simple of the above-described premises. A complaint was filed for the purpose of barring all 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 if 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 be 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.

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

James E. Higinbotham, Jr., Administrator
DBNCTA of Estate of Sherman Wayne Friend
a/k/a Wayne Friend, deceased
68 South Beeson Avenue
Uniontown, PA 15401
Date: November 29, 2021

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 1859 of 2021
JUDGE STEVE LESKINEN

IN RE: 2015 NISSAN ROGUE
VIN KNMAT2MT7FP509787

TO: SHAWN WILLIAM DUNBAR
his heirs, successors and assigns, generally,

You are hereby notified that a hearing has been scheduled for **December 14, 2021 at 11:30 a.m.** in Courtroom No. 1 of the Fayette County Courthouse in Uniontown, Fayette County, Pennsylvania to terminate your rights to the above captioned vehicle. If you do not attend, the hearing will go on without you and the Judge will render a final decision in your absence.

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 Law Offices, P.C.
55 E. Church Street
Uniontown, PA 15401

NOTICE

Notice is hereby given that a Certificate of Organization was filed with the Pennsylvania Department of State, on October 12, 2021, for a Limited Liability Company, organized under the Limited Liability Company Law of 1994, as from time to time amended. The name of the Company is Holbert Enterprises, LLC having an address of 352 Outcrop Road, Smithfield, PA 15478.

ADAMS LAW OFFICES, PC
Jason F. Adams, Esquire
55 East Church Street, Suite 101
Uniontown, PA 15401
724-437-2711

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA --
CIVIL DIVISION
CIVIL ACTION - LAW
NO. 2035 of 2021, G.D.
JUDGE NANCY D. VERNON

MARK MARINO.
Plaintiff

vs.

EDWARD WILLIAM TODAK and ANDREW CHARLES TODAK. their respective Heirs, successors. and assigns. generally. and JACOB R. FRAME and BETTY M. FRAME, TRUSTEES of the FRAME JOINT REVOCABLE TRUST, its/their successors and assigns. generally
Defendants

LEGAL NOTICE AND ORDER OF COURT

TO THE DEFENDANTS. take notice that the named Plaintiff filed an Action to Quiet Title at No. 2035 of 2021. G.D. in the Court of Common Pleas of Fayette County, Pennsylvania. averring that he is the owner in fee and in possession of real estate located in 228 First Street, Footedale, German Township, Fayette County, Pennsylvania, known as Tax Map No. 15-18-0019 and 15-18-0019-01 (reputedly owned by Edward William Todak and Andrew Charles Todak). and 2674 Morgantown Road, Georges Township, Fayette County, Pennsylvania. known as Tax Map No. 14-15-0054 (reputedly owned by Jacob R. Frame and Betty M. Frame. Trustees of the Frame Joint Revocable Trust) Plaintiff is asking the Court to enter a decree terminating any and all rights which Defendants may have in the said premises and to declare that Plaintiff has all ownership and possessory rights. and is asking the Court to release and forever discharge of any right. lien. title or interest of any Defendants herein.

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

**PENNSYLVANIA LAWYER
REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 South St.
P.O. Box 186
Harrisburg, PA 17108
Phone: 1-800-692-7375**

Sepic Law
892 Vanderbilt Rd.
Connellsville, PA 15425
724-628-4625

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

JUDICIAL OPINION

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

CODY BOWERS,	:
Plaintiff,	:
v.	:
HILLCREST HOME ESTATES LLC and	:
GODOFREDO PEREZ,	: No. 2053 of 2019
Defendants.	: Honorable Judge Steve P. Leskinen

OPINION AND ORDER

Leskinen, J. November 23, 2021

Before the Court is the Defendants' MOTION FOR SUMMARY JUDGMENT. After careful reconsideration of the evidence and applicable law, the Court hereby issues the following Opinion and Order:

Factual Background

The Plaintiff commenced this action on September 20th, 2019. In his Complaint, the Plaintiff alleged that on October 10th, 2017, while assisting in the tear-down of a mobile home (hereafter, "the trailer"), he stepped on a "weak spot" on the trailer's roof causing his left leg to break through the roof and sustain serious laceration(s). The Plaintiff brought a negligence claim against the Defendants: the owners of the trailer park.

Depositions were taken on July 28th, 2020. Testimony given during the depositions established that the Defendant wanted the trailer torn down because of a bad smell inside. During the Defendant's Deposition, the following exchange took place:

Mr. Apessos: At any time that you did your walk-through, did you notice the trailer to be in any kind of structural disrepair?

The Defendant: No.

...

Mr. Apessos: Did anyone tell you such a -- like Selena*, that the trailer was in disrepair?

The Defendant: No.

*Selena Ohler is the manager of the trailer park.

The Plaintiff testified that he used scaffolding to climb up onto the trailer's roof and that he spent "30 to 35 minutes" poking holes in the trailer's roof with a "punch bar" before his left foot "went" through the roof, leaving him stuck on the roof with his left leg hanging down inside the trailer. The Plaintiff testified that he had torn down trailers before, that he was aware of the dangers of working on trailer roofs, and that he was actively looking out for himself when he was on the roof of the trailer.

Legal Standard

Pa.R.C.P. No. 1035 states:

After the relevant pleadings are closed, but within such time as not to unreasonably delay trial, any party may move for summary judgment in whole or in part as a matter of law:

- (1) whenever there is no genuine issue of any material fact as to a necessary element of the cause of action or defense which could be established by additional discovery or expert report, or
- (2) if, after the completion of discovery relevant to the motion, including the production of expert reports, an adverse party who will bear the burden of proof at trial has failed to produce evidence of facts essential to the cause of action or defense which in a jury trial would require the issues to be submitted to a jury.

Pa.R.C.P. No. 1035.

The Pennsylvania Superior Court articulated the circumstances under which a motion for summary judgment may be granted:

A motion for summary judgment may properly be granted only "if the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law."

Samarin v. GAF Corp., 571 A.2d 398, 401 (Pa.Super.1989) (quoting *Washington Federal Savings and Loan Association v. Stein*, 357 Pa. Super. 286, 288 (Pa.Super.Ct.1986)).

The fact that a fall occurred does not give rise to an inference of negligence. *Dimino v. Wal-Mart Corp.*, 83 Pa. 0. & C.4th 169, 171 (Pa.Com.Pl.2007). The burden is on the plaintiff to establish negligence on the part of the defendant by proving four elements: (1) a duty or obligation recognized by law; (2) a breach of that duty; (3) a causal connection between the conduct and the resulting injury; and (4) actual damages. *Pittsburgh National Bank v. Perr*, 637 A.2d 334, 336 (1994). Thus, establishing a breach of a legal duty is a condition precedent to a finding of negligence. *Shaw v. Kirschbaum*, 653 A.2d 12, 15 (1994); *Estate of Swift v. Northeastern Hospital of Philadelphia*, 690 A.2d 719, 722 (1997).

Possessors of land owe a duty to protect invitees from foreseeable harm. Restatement, *supra*, §§ 341A, 343 & 343A. With respect to conditions on the land which are

known to or discoverable by the possessor, the possessor is subject to liability only if he:

- (a) knows or by the exercise of reasonable care would discover the condition, and should realize that it involves an unreasonable risk of harm to such invitee, and
- (b) should expect that they will not discover or realize the danger, or will fail to protect themselves against it, and
- (c) fails to exercise reasonable care to protect them against the danger.

Carrender v. Fitterer, 469 A.2d 120, 123 (1983).

A possessor of land is not liable to invitees for obvious dangers. *Id.* at 187. When an invitee enters business premises, discovers dangerous conditions which are both obvious and avoidable, and nevertheless proceeds voluntarily to encounter them, the doctrine of assumption of risk operates merely as a counterpart to the possessor's lack of duty to protect the invitee from those risks. *Id.* at 188. By voluntarily proceeding to encounter a known or obvious danger, the invitee is deemed to have agreed to accept the risk and to undertake to look out for himself. *Id.* It is precisely because the invitee assumes the risk of injury from obvious and avoidable dangers that the possessor owes the invitee no duty to take measures to alleviate those dangers. *Id.* Thus, to say that the invitee assumed the risk of injury from a known and avoidable danger is simply another way of expressing the lack of any duty on the part of the possessor to protect the invitee against such dangers. *Id.*

Discussion

The Defendant moved for Summary Judgment on November 20th, 2020. On April 16th, 2021, this Court entered an Order granting the Defendant's Motion for Summary Judgment. On May 18th, 2021, the Plaintiff moved for Reconsideration of the Order granting the Defendant's Motion for Summary Judgment. On May 20th, 2021, this Court entered an Order granting the Plaintiffs Motion for Reconsideration of the Order granting the Defendant's Motion for Summary Judgement.

An Argument was held in this matter on November 16th, 2021. At that Argument, the Plaintiff's counsel argued that there was a weak spot on the trailer's roof and that said weak spot was known to or discoverable by the Defendants. The Plaintiffs counsel cited the deposition testimony of Selena Ohler, the manager of the trailer park. Ohler testified that the trailer had been occupied by Michael and Cynthia Brown, that the Browns had stopped paying rent for the trailer, that the Browns had moved out of the trailer, and that the Browns had left the trailer in a malodorous state. Ohler further testified that the Browns operated a "cleaning" business and that she (Ohler) had hired the Browns to clean out and tear down the very trailer which they had debased. The Plaintiff had been hired by the Browns to assist in the tear-down. The Plaintiffs counsel averred that because the Browns had lived in the trailer, they were therefore aware of the state of the trailer, that they would have communicated the state of the trailer to the Defendants, and that the Defendants, thereby, had knowledge of the "weak spot" in the trailer's roof. The Browns were not deposed. The Plaintiffs counsel informed the Court

that he had attempted to speak to the Browns by phone, but that they had been uncooperative and had screamed at him. Ohler and the Defendant testified in their depositions that they did not know of a "weak spot" in the trailer's roof. Nevertheless, the Plaintiff's counsel is seeking more time to obtain the Browns' testimony.

Conclusions

The Court finds that the record precludes a finding that a "weak spot" known or discoverable by the Defendants caused the Plaintiffs injuries. The Plaintiff testified that he spent "30 to 35 minutes" prior to the fall poking holes in the roof with a "punch bar."

Whatever knowledge the Defendant and Selena Ohler had of the roofs weight bearing capacity before the incident was rendered moot by the Plaintiff's own actions: the Plaintiff weakened the roof by punching holes in it. The effect of the Plaintiff's hole-punching on the roofs weight bearing capacity can never be known absent a detailed, forensic engineering analysis. Since the trailer was subsequently demolished, such an analysis can never be made. The Plaintiff cannot now argue that the Defendants knew or were able to discover the strength of a roof which he (the Plaintiff) subsequently spent 35 minutes punching holes in. The Plaintiff testified that he had torn down trailers before, that he was aware of the dangers of working on trailer roofs, and that he was actively looking out for himself when he was on the roof of the trailer. Without being able to show that a weakness in the trailer's roof was known to or discoverable by the Defendants, the Plaintiffs actions must fall under the assumption of risk doctrine. The fact that a fall occurred does not give rise to an inference of negligence. *Dimino v. Wal-Mart Corp.*, 83 Pa. D. & C.4th 169, 171 (Pa.Com.Pl.2007). By voluntarily proceeding to encounter a known or obvious danger, the invitee is deemed to have agreed to accept the risk and to undertake to look out for himself. *Carrender v. Fitterer*, 469 A.2d 120, 188 (1983). In this case, the Plaintiffs own testimony indicates that the weakened roof was not only known to and obvious to him, but had been made weak by him. As noted above, this matter is already a "reconsideration" of the summary judgment previously entered on April 16th, 2021. If the Plaintiff wanted to depose the Browns, it should have been done within the discovery period, or at least within the 90 days after reconsideration was granted.

WHEREFORE, the Court issues the following Order:

ORDER

AND NOW this 23rd day of November, 2021, upon reconsideration of the Defendants' MOTION FOR SUMMARY JUDGMENT, it is hereby ORDERED and DECREED that it is GRANTED pursuant to Pa.R.C.P. No. 1035.2(2), and the Plaintiff's Cause Of Action is hereby DISMISSED.

BY THE COURT:
STEVE. P. LESKINEN, JUDGE

ATTEST:
Prothonotary

PROTHONOTARY OFFICE FEE SCHEDULE

Nina Capuzzi Frankhouser, Prothonotary
Prothonotary's Office Fee Schedule
Effective
January 1, 2022

- Personal Checks Not Accepted
- All professional checks returned for insufficient funds will be assessed a \$30.00 fee.
- There will be no refunds after filing
- Please make all checks payable to Fayette County Prothonotary
- STAFF IS NOT PERMITTED TO PROVIDE LEGAL ADVICE

*** Large copy requests will require a non-refundable \$20.00 Deposit.
If the copies are not picked up within ten (10) days of request,
you will forfeit your deposit.

	Fees Effective January 1, 2022
▪ Per Page Copies	\$0.25
▪ Certified Copies	\$14.00
● FAMILY COURT ACTIVITY	
▪ Complaint in Divorce	\$134.50
♦Each Additional Count	\$68.50
▪ Divorce w/Custody	\$79.00
▪ Custody Complaint	\$118.00
▪ Custody (Mediation Fee)	\$100.00
▪ Out of State Custody	\$69.00
▪ Out of State/County Divorce Decree	\$60.50
▪ Election to Resume Maiden Name	\$6.25
▪ Change Name-Widow 54 Pa. C.S.A.A. §70.1	\$52.25
▪ Resume Maiden Name (Out of County Divorce)	\$66.25
▪ Praecipe to Transmit	\$20.25

● APPEALS	
▪ MDJ Appeals	** \$98.50
▪ License/Registration Suspension	\$110.50
▪ Appoint Board of View	\$110.50
▪ Statement of Objection	\$110.50
▪ Exceptions/Objections to Tax Sale	\$110.50
▪ Tax Assessment Objection	\$110.50
▪ Appellate Court	
♦ Fayette County Fee	\$42.25
♦ Appellate Court Fee	Refer to State Website
▪ Zoning Appeals	\$110.50
● CIVIL ACTIONS	
▪ Assumpsit	** \$117.50
▪ Tort	** \$117.50
▪ Ejectment	** \$117.50
▪ Equity	** \$117.50
▪ Mandamas	** \$117.50
▪ Mortgage Foreclosure	** \$117.50
▪ Partition	** \$117.50
▪ Replevin	** \$117.50
▪ Complaints in Confession of Judgment in Ejectment	** \$117.50
▪ Declaratory Judgment	** \$117.50
▪ Writ of Summons	** \$117.50
▪ Re-Issue Writ of Summons	\$8.25
▪ Lis Pendens (1st Filing)	** \$117.50
▪ Reinstate Complaint	\$8.25
▪ Declaration of Taking/Condemnation	\$110.50
▪ Foreign Subpoena	\$48.25
▪ Assurance of Voluntary Compliance	\$110.50
▪ Quiet Title/ Petition to Appoint Arbitrator	\$110.50
▪ Minor's Compromised Settlement	
▪ Compromised Settlement-Partial Only	
▪ Bill of Costs/Certificate	\$3.25
▪ Change of Venue Motion/Petition	\$110.50
▪ Petition as First Filings and for Abandoned Vehicles	\$110.50

▪ Change of Name unrelated to Divorce	\$110.50
▪ Praecipe to Dismiss/Settle/Withdraw	** \$7.25
*** FEE IS DUE ONLY WHEN NOT PAID PRIOR WITH INITIAL FILING	
● JUDGMENT ACTIVITY	
▪ Judgment: General, Note, or Arrearage from DR	\$22.25
▪ MDJ Transcript	\$22.25
▪ Landlord Tenant Wage Attachment	\$21.25
▪ Exemplification-Triple Seal (out of state)	\$14.25
▪ From Out of State Court/Abstract of Judgment	\$22.25
▪ To Another Court in State of Pa	\$13.25
▪ Writ of Execution/Possession	\$21.25
▪ Writ of Seizure	\$21.25
▪ Writ of Revival	\$30.25
▪ Agreement to Revive	\$22.25
▪ Assignment of Judgment	\$7.25
▪ Release of Judgment	\$7.25
▪ Satisfaction of Judgment	\$7.25
▪ Lien Avoidance	\$7.25
▪ Partial Discontinuance	\$7.25
▪ Satisfaction of Judgment w/ Certificate	\$10.50
▪ Consent Judgment	\$22.25
▪ Out of County Writ	\$21.25
▪ Default Judgment	\$24.25
▪ Default Judgment on a Writ of Revival	\$24.25
● MECHANICS/MUNICIPAL LIEN ACTIVITY	
▪ No Lien Agreement	\$21.25
▪ Municipal Lien Claim (satisfaction included)	\$28.50
▪ Mechanics Lien Claim (satisfaction included)	\$28.50
▪ Mechanics Lien Complaint	\$117.50
▪ Writ of Scire Facias	\$117.50
▪ Satisfaction of Lien (lien filed prior to 02/01/2016)	\$7.25

●	COMMONWEALTH AND FEDERAL TAX LIENS	
▪	Federal Tax Lien	\$21.25
▪	Commonwealth Lien/Judgment Roll	\$21.25
▪	Suggestion of Non Payment	\$21.25
▪	Satisfaction of Lien	\$7.25
●	MISCELLANEOUS	
▪	Subpoenas	\$2.00
▪	Petition to Strike	\$68.25
▪	Notary Signature Registration	\$2.50
▪	Surety Bonds (New)/Certificate of Authority	\$58.25
▪	School Audit Report	\$67.25
▪	Motion to Continue Hearing/Arbitration	\$25.00
▪	Appeal Award of Arbitration	\$305.00
▪	Notarial Seal Certificate	\$2.50
▪	Statement of Intention to Proceed	\$25.25

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