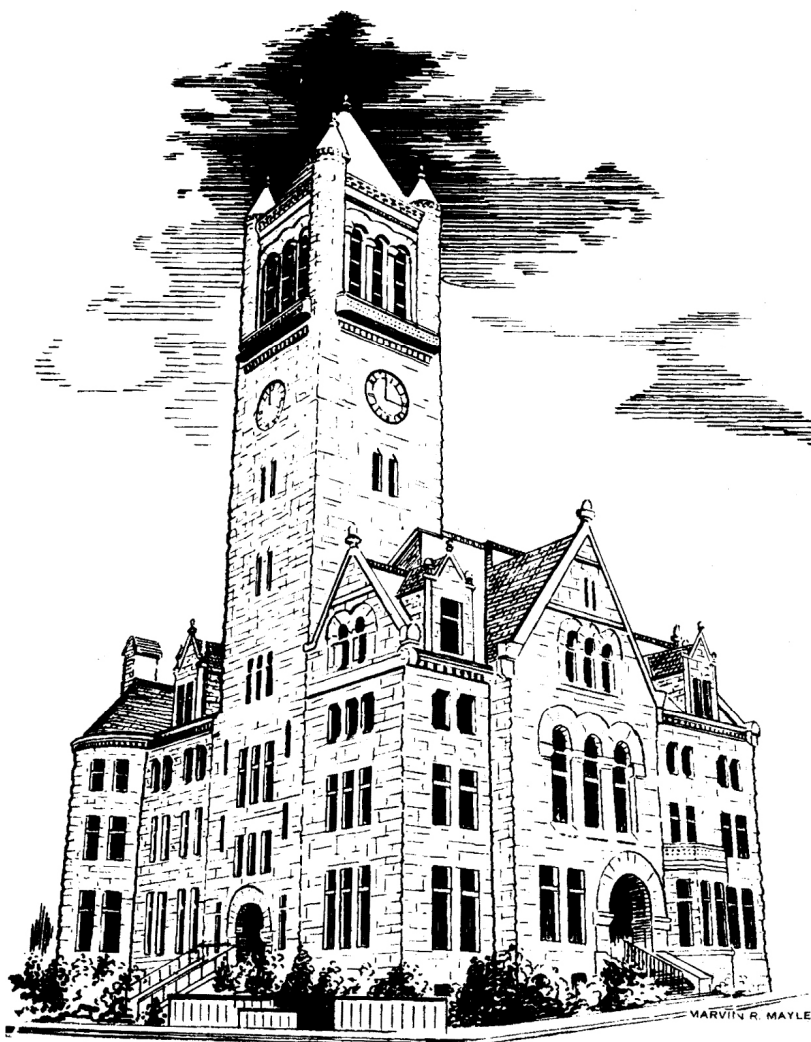


FAYETTE LEGAL JOURNAL

VOL. 88

MAY 17, 2025

NO. 20



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.

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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

VILMA S. AMBROSE, late of Washington Township, Fayette County, PA ⁽³⁾

Executor: Raymond L. Ambrose
300 Center Street
Belle Vernon, PA 15012
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

ROSA BORRIELLO, late of Washington Township, Fayette County, PA ⁽³⁾

Executrix: Teresa Kikel
c/o Goodwin Como, P.C.
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401
Attorney: Benjamin F. Goodwin

DAVID COUTS, a/k/a DAVID BERNARD COUTS, late of Dunbar Township, Fayette County, PA ⁽³⁾

Personal Representative: Sandra Absher
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

RAYMOND E. FRANKHOUSER, a/k/a RAYMOND ERIC FRANKHOUSER, late of Menallen Township, Fayette County, PA ⁽³⁾

Executor: Kevin Hager
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Anthony S. Dedola, Jr.

CHARLOTTE CAROLINE HOLT, late of South Connellsville Borough, Fayette County, PA

Personal Representative: ⁽³⁾
Jacquelyn D. Bartholomai
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

ALBERT THOMAS KAPALKO, a/k/a A. THOMAS KAPALKO, late of Fairchance, Fayette County, PA ⁽³⁾

Executrix: Martha Smith
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

JAMES A. ORR, a/k/a JAMES ALBERT ORR, late of Fayette County, PA ⁽³⁾

Executor: James R. Orr
P.O. Box 591
Belle Vernon, PA 15012
c/o Bumbaugh, George, Prather & DeDiana
10526 Old Trail Road, Suite 1
North Huntingdon, PA 15642-2031
Attorney: L. Christian DeDiana

JOSEPH P. SESTI, late of South Union Township, Fayette County, PA ⁽³⁾

Executrix: Natalie Jordan
311 East 72nd. Street, Apt. 3D
New York, NY 10021
c/o 724 Church Street
Indiana, PA 15701
Attorney: James D. Carmella

MARY SETLIFF, a/k/a MARY CATHERINE SETLIFF, late of Saltlick Township, Fayette County, PA ⁽³⁾

Executor: Guy S. Setliff
417 Kibe Road Ext.
Acme, PA 15610
c/o KING Legal Group
114 North Maple Avenue
Greensburg, PA 15601
Attorney: Robert King

GENE SWANEY, late of Hopwood, Fayette County, PA ⁽³⁾

Executor: Alan Swaney
18023 Collins Street
Encino, California 91316

Second Publication

DANIEL PERRY GUMMO, a/k/a DANIEL P. GUMMO, late of Bullskin Township, Fayette County, PA (2)

Administratrix: Diana Lynn Gummo
2428 Route 981
Mt. Pleasant, PA 15666
c/o Suite 310 Keystone Commons
35 West Pittsburgh Street
Greensburg, PA 15601
Attorney: Henry Lee Moore

DOLORES MILLER, late of Saltlick Township, Fayette County, PA (2)

Executor: Gary W. Miller
P.O. Box 226
Indian Hean, PA 15446
c/o 139 East Union Street
Somerset, PA 15501
Attorney: Megan Will

FLORENCE M. PRINKEY, a/k/a FLORENCE MADELINE PRINKEY, late of Springfield Township, Fayette County, PA (2)

Personal Representative:
Luella Jane Hawk
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Robert A. Gordon

WILLIAM JOSEPH SELLONG, a/k/a WILLIAM J. SELLONG, late of North Union Township, Fayette County, PA (2)

Personal Representative:
William John Sellong
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

First Publication

ELAINE H. BECK, a/k/a ELAINE BECK, late of Redstone Township, Fayette County, PA

Executrix: Catherine Lynne Kitta (1)
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

LINDA L. COLLINS, a/k/a LINDA LEE COLLINS, late of Belle Vernon Borough, Fayette County, PA (1)

Executor: Mark A. Jurik
932 Scenery Drive
Elizabeth, PA 15037
c/o 300 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Richard C. Mudrick

JOSEPH T. JOSEPH, a/k/a JOE T. JOSEPH, late of South Union Township, Fayette County, PA (1)

Personal Representatives: Harry V. Joseph and Rose Ann Joseph
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Jame T. Davis

NANCY MARTIN, a/k/a NANCY L. MARTIN, a/k/a NANCY LOU MARTIN, late of Jefferson Township, Fayette County, PA (1)

Administrator: Scott Martin
625 Cemetery Road
Perryopolis, PA 15473
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

ROBERT L. MILLER, a/k/a ROBERT LEE MILLER, late of Springfield Township, Fayette County, PA (1)

Personal Representative:
Karen L. Nicholson
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

RAYMOND MURPHY, a/k/a RAYMOND G. MURPHY, III, late of Connellsville, Fayette County, PA (1)

Administrator: Casey R. Murphy
363 Mount Joy Road
Mount Pleasant, PA 15666
c/o Snyder & Snyder Attorneys at Law PLLC
17 North Diamond Street
Mount Pleasant, PA 15666
Attorney: Marvin Snyder

CYNTHIA LOU PRAH, late of Uniontown, Fayette County, PA (1)

Administratrix: Franchessa Prah
47 Vernon Street
Uniontown, PA 15401
c/o Newcomer Law Offices
4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Ewing D. Newcomer

LINDA MARIE ROHLAND, a/k/a LINDA M. ROHLAND, late of North Union Township, Fayette County, PA (1)

Executrix: Sandra K. Kovacs
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Anthony S. Dedola, Jr.

LILLIAN R. THOMAS, a/k/a LILLIAN RAE THOMAS, late of South Union Township, Fayette County, PA (1)

Co-Executrix: Cynthia Floris
Co-Executor: Joseph D. Floris
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

LEGAL NOTICES

NOTICE TO ABSENT DEFENDANTS STATE
OF PENNSYLVANIA TO:
KYLE ZACCAGNI AND MAYA ZACCAGNI

PLEASE BE ADVISED THAT A FORECLOSURE ACTION IS PENDING in which FEIN, SUCH, KAHN & SHEPARD, is plaintiff's attorneys, whose address is 7660 Imperial Way, Suite 121, Allentown, PA 18195, telephone number #(610) 395-3535, in which NEW AMERICAN FUNDING, LLC FKA BROKER SOLUTIONS, INC., DBA NEW AMERICAN FUNDING is Plaintiff and KYLE ZACCAGNI AND MAYA ZACCAGNI, are defendants, pending in the Court of Common Pleas of Fayette County, Pennsylvania and bearing Docket No. 750 of 2024 G.D.

This action was instituted for the purpose of (1) foreclosing a mortgage dated May 29, 2020 made by KYLE ZACCAGNI AND MAYA ZACCAGNI as mortgagors. Said Mortgage was recorded in the Office of the Recorder of the FAYETTE County Clerk/ Register, on June 3, 2020, at Instrument No. 202000004836, which mortgage was duly assigned to the Plaintiff named above, who is the present holder of said Mortgage. and (2) to recover possession of, and concerns premises commonly known as 112 NEW BEAVER CREEK RD, MARKLEYSBURG, PA 15459, Parcel Number 16-11-0056.

NOTICE

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. 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 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, 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.

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YOU, KYLE ZACCAGNI AND MAYA ZACCAGNI are made party defendant(s) to this foreclosure action because you the mortgagors and may be liable for any deficiency and for any lien, claim, or interest you may have in, to or against the mortgaged premises by reason of the Mortgage made by you, KYLE ZACCAGNI AND MAYA ZACCAGNI, as set forth above.

Upon request, a copy of the Complaint, will be supplied to you for particularity.

Dated: April 1, 2025

BY THE COURT
Linda R. Cordaro, Judge

SHERIFF'S SALE

Date of Sale: July 17, 2025

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 July 17, 2025, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realauction on-line registration process at <https://fayette.pa.realforeclose.com> to participate in the auction.

All bidders must place a 10% deposit equal to the successful bid for each property purchased to Realauction via wire transfer or ACH per Realauction requirements. Upon the auction's close, buyer shall have 10 business days to pay the remaining balance to the Fayette County Sheriff's Office via cashier's check. No cash will be accepted. Failure to comply with the Conditions of Sale, shall result in a default and the down payment shall be forfeited by the successful bidder and applied to the costs and judgments. The schedule of distribution will be filed no later than 30 days after the sale of real property. If no petition has been filed to set aside the sale or objections to the distribution are filed within 10 days of filing the distribution, the Sheriff will prepare and record a deed transferring the property to the successful bidder.

(1 of 3)

James Custer
Sheriff of Fayette County

Brock & Scott, PLLC

No. 1733 of 2020 G.D.

No. 82 of 2024 E.D.

**U.S. BANK NATIONAL ASSOCIATION,
AS TRUSTEE FOR BNC MORTGAGE
LOAN TRUST 2007-2 MORTGAGE
PASS-THROUGH CERTIFICATES,
SERIES 2007-2**

v.

JOHN ALBERT CLAY; JILLIAN N. CLAY

By virtue of a Writ of Execution No. 1733 of 2020 GN, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BNC MORTGAGE LOAN TRUST 2007-2 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-2 v. JOHN ALBERT CLAY; JILLIAN N. CLAY, owner(s) of property situate in the PERRY TOWNSHIP, FAYETTE County, Pennsylvania, being 46 MEMORIAL DRIVE, PERRYOPOLIS, PA 15473

Tax ID No. 27-10-0071

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$106,673.71

ANNE N. JOHN
ATTORNEY AT LAW

No. 2015 of 2025 G.D.

No. 113 of 2025 E.D.

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

vs.

**ESTATE OF LISA BETH LOGAN,
Deceased; JOSHUA LOGAN, in his capacity
as Heir of LISA BETH LOGAN, deceased;
AND ALL KNOWN AND UNKNOWN
HEIRS, DEVISEES, REPRESENTATIVES,
SUCCESSORS, and ASSIGNS, and ALL
PERSONS, FIRMS OR ASSOCIATIONS
CLAIMING ANY RIGHT, TITLE OR
INTEREST FROM OR UNDER LISA BETH
LOGAN, DECEASED,**

Defendants.

ALL that certain piece, parcel or tract of land containing 0.8316 acres and situate in Menallen Township Fayette County, Pennsylvania.

FOR PRIOR TITLE see Record Book 3189, page 2409.

HAVING erected thereon a dwelling house known locally as 104 N. Mill Street, New Salem, PA 15468.

BEING Fayette County Tax Assessment Map No.: 22-09-0102.

ROBERTSON, ANSCHUTZ, SCHNEID,
CRANE & PARTNERS, PLLC
133 GAITHER DRIVE, SUITE F
MT. LAUREL, NJ 08054
855-255-6906

No. 949 of 2023 G.D.

No. 100 of 2025 E.D.

**U.S. BANK TRUST NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY BUT SOLELY AS OWNER
TRUSTEE FOR RCAF ACQUISITION
TRUST,**

Plaintiff

v.

**VICKIE FISHER A/K/A VICKIE L.
FISHER**

Defendant(s)

ALL THOSE CERTAIN LOTS OR
PIECES OF GROUND SITUATE IN DUNBAR
TOWNSHIP, FAYETTE COUNTY,
PENNSYLVANIA:

BEING KNOWN AS: 748 SKYLARK DR
CONNELLSVILLE, PA 15425

BEING PARCEL NUMBER: 09-11-0304
IMPROVEMENTS: RESIDENTIAL
PROPERTY

No. 1636 of 2024 G.D.

No. 101 of 2025 E.D.

**F.N.B. PROPERTIES COMPANY, INC.,
Plaintiff,**

vs.

**BRIAN L. FLETCHER AND CARA
CARDINE-FLETCHER, A/K/A CARA RAE
CARDINE,
Defendants.**

ALL THAT CERTAIN PIECE, PARCEL
OR TRACT OF LAND BEING SITUATE AND
LAYING IN THE TOWNSHIP OF
REDSTONE, COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA,
AS MORE FULLY DESCRIBED IN A
CERTAIN DEED DATED JANUARY 30, 2001
FROM ANTHONY CARDINE AND IDA
MARIE CARDINE, HUSBAND AND WIFE,
TO CARA RAE CARDINE, AND RECORDED

IN THE OFFICE OF THE RECORDER OF DEEDS OF FAYETTE COUNTY, PA ON JANUARY 31, 2001 IN DEED BOOK VOLUME 2671, PAGE 321.

IMPROVEMENT THEREON: A RESIDENTIAL DWELLING
BEING COMMONLY KNOWN AS 2007 SECOND STREET, CARDALE, PA 15420.
BEING KNOWN AND DESIGNATED AS TAX PARCEL NO.: 30-27-0022

No. 860 of 2024 G.D.
No. 76 of 2025 E.D.

Flagstar Bank, FSB
Plaintiff,
vs.
Allison R. Gruhalla
Defendants

ALL THOSE TWO CERTAIN LOTS OF LAND SITUATE IN DUNBAR TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA, BEING LOTS NOS. 20 AND 21 IN PLAN OF LOTS LAID OUT FOR GEORGE B. SOVERNS BY THOMAS M. ZIMMERMAN AND RECORDED IN PLAN BOOK NO. 1, PAGE 2-1/2, SAID LOTS 20 AND 21 BEING BOUNDED AND DESCRIBED AS FOLLOWS:

LOT NO. 20: BEGINNING IN THE DIVISION LINE BETWEEN LOTS NOS. 19 AND 20, SOUTH OF FRONT STREET; THENCE SOUTH, 96.37 FEET, MORE OR LESS, TO CHESTNUT ALLEY; THENCE EAST ALONG CHESTNUT ALLEY, 50 FEET TO LINE OF LOT NO. 21; THENCE NORTH, 91.72 FEET, MORE OR LESS, TO A POINT NEAR FRONT STREET; THENCE WEST, 50.36 FEET, MORE OR LESS, TO THE PLACE OF BEGINNING.

LOT NO. 21: BEGINNING IN THE DIVISION LINE BETWEEN LOTS NOS. 20 AND 21, SOUTH OF FRONT STREET; THENCE SOUTH, 91.72 FEET, MORE OR LESS, TO CHESTNUT ALLEY; THENCE EAST ALONG CHESTNUT ALLEY, 50 FEET TO LINE OF LOT NO. 21; THENCE NORTH, 61.29 FEET TO LIBERTY ALLEY; THENCE NORTH 88 FEET, MORE OR LESS, TO A CORNER; THENCE WEST, 61.74 FEET, TO THE PLACE OF BEGINNING.

Title to said Premises vested in Allison R. Gruhalla, a single woman by Deed from Michael A. Sechrist, unmarried dated July 30, 2018, and recorded on August 14, 2018, in the Fayette County Recorder of Deeds in/at Book 3380 Page

1937.
Parcel No. 09-03-0112
BEING KNOWN AS 237 Front Street, Vanderbilt, PA 15486

ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
(855)225-6906

No. 1877 of 2024 G.D.
No. 104 of 2025 E.D.

TOWD POINT MORTGAGE TRUST 2016-2, U.S. BANK NATIONAL ASSOCIATION
AS INDENTURE TRUSTEE
Plaintiff
v.

DAVID HAWK, IN HIS CAPACITY AS
HIER OF RUSSELL H. HAWK;
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS,
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE, OR INTEREST FROM OR UNDER
RUSSELL H. HAWK
Defendant(s)

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN THE BOROUGH OF MASONTOWN, FAYETTE COUNTY, PENNSYLVANIA:
BEING KNOWN AS: 205 NORTH WATER STREET MASONTOWN, PA 15461
BEING PARCEL NUMBER: 21-07-0343
IMPROVEMENTS: RESIDENTIAL PROPERTY

No. 1611 of 2024 G.D.
No. 19 of 2025 E.D.

Mortgage Solutions Of Colorado, LLC, D.B.A
Mortgage Solutions Financial
Plaintiff,
vs.
Jon R. Hixenbaugh, AKA John R.
Hixenbaugh; Laura L. Hixenbaugh
Defendants.

ALL that certain parcel of land lying and being situate in the Borough of Smithfield, County of Fayette, and Commonwealth of Pennsylvania, known as 2 Dils Street (off Water Street), Smithfield, PA 15478 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 32-06-0188

BEING the same premises which Garett D. Zorosky, unmarried, by his attorney in fact, Joe Zorosky, by Deed dated July 31, 2015 and recorded in and for Fayette County, Pennsylvania in Deed Book 3284, Page 2334, granted and conveyed unto John R. Hixenbaugh and Laura L. Hixenbaugh, husband and wife.

STERN & EISENBERG, PC
KENYA BATES, ESQ.

No. 1101 of 2021 G.D.
No. 69 of 2025 E.D.

Interstate Intrinsic Value Fund A LLC
Plaintiff
v.

Marjorie V. Holup
Defendant(s)

SITUATE IN THE TOWNSHIP OF
NORTH UNION, FAYETTE COUNTY,
PENNSYLVANIA BEING KNOWN AS 137
BERNARD STREET, UNIONTOWN, PA
15401

PARCEL NO. 25-31-0043
IMPROVEMENTS- RESIDENTIAL
REAL ESTATE

SOLD AS THE PROPERTY OF- Marjorie
V. Holup

Brock & Scott, PLLC

No. 1970 of 2024 G.D.
No. 90 of 2025 E.D.

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE FOR POPULAR
ABS, INC., SERIES 2007-A

v.
RICKY E. KERNS

By virtue of a Writ of Execution No. 1970
of 2024, DEUTSCHE BANK NATIONAL
TRUST COMPANY, AS TRUSTEE FOR
POPULAR ABS, INC., SERIES 2007-A v.
RICKY E. KERNS, owner(s) of property situate
in the BULLSKIN TOWNSHIP, FAYETTE
County, Pennsylvania, being 237 EVERSON
VALLEY RD, CONNELLSVILLE, PA 15425

Tax ID No. 04240001 a/k/a 04-24-0001
Improvements thereon: RESIDENTIAL
DWELLING

Judgment Amount: \$243,307.53

Michelle L. Pierro, Esquire
mpierro@tuckerlaw.com
Tucker Arensberg, P.C.
1500 One PPG Place
Pittsburgh, PA 15222
(412) 566-1212

No. 2301 of 2024 G.D.
No. 96 of 2025 E.D.

PNC BANK, NATIONAL ASSOCIATION,
Plaintiff,

vs.

DEANNA KHAN, SOLELY IN HER
CAPACITY AS ADMINISTRATOR OF THE
ESTATE OF JACQUELINE J. SAGE,
Defendant.

ALL THE RIGHT, TITLE, INTEREST
AND CLAIM OF DEANNA KHAN, SOLELY
IN HER CAPACITY AS ADMINISTRATOR
OF THE ESTATE OF JACQUELINE J. SAGE
OF, IN AND TO:

ALL THE FOLLOWING DESCRIBED
REAL ESTATE SITUATED IN THE CITY OF
CONNELLSVILLE, COUNTY OF FAYETTE,
COMMONWEALTH OF PENNSYLVANIA.
HAVING ERECTED THEREON A
DWELLING KNOWN AND NUMBERED AS
104 W. PATTERSON AVE.,
CONNELLSVILLE, PA 15425. DEED BOOK
VOLUME 1129, PAGE 250, PARCEL
NUMBER 05-15-0184.

Property Address: 104 W. Patterson Ave,
Connellsville, PA 15425

Assessment Number: 05-15-0184
Judgment Amount:\$31,614.62

No. 2357 of 2024 G.D.
No. 88 of 2025 E.D.

UMB Bank, National Association, not in its
individual capacity, but solely as Legal Title
Trustee of PRI Title Trust II

vs.

Kathryn Kostelnik Andolino and
Joseph Andolino, Jr.

BEGINNING at an iron pin at the corner of
an unopened 20 Foot street at a line of land now
or formerly of Petain Johns Agbay, et al., which
post is South 15° 02'30" East a distance of 20.55
feet from a stone, corner of land now or
formerly of H. C. Frick Coke Company; thence
along said Petain Johns Agbay land South 15°
02' 30: East a distance of 439.90 feet to an iron
pin at line of land now or formerly of Frank and

Sophie Masterbray;

THENCE ALONE said Masterbray land South 88° 50' West a distance of 317.28 feet to an iron pin by a fence post at a line of land now or formerly of Pittsburgh Coal and Coke Co., Inc.; Thence along said Pittsburgh Coal and Coke Co., Inc. land North 9°29' West a distance of 279.00 feet to corner of land described as item second herein; thence along said item second North 88° 17' 40" East a distance of 40.00 feet and North 9° 29'; West a distance of 150.00 feet to the southern line of said 20 foot unopened street; thence along said 20 foot unopened street North 88° 17' 40" East a distance of 233.85 feet to an iron pin, the place of beginning.

CONTAINING an area of 2.75 acres as shown on a survey of Robert Allen Lohr dated March 23, 1988, a copy of which is attached hereto, incorporated by Reference Herein, and intended to be a part hereof.

SECOND: A piece of land adjoining the above-described premises on the northwest corner described as follows:

BEGINNING at an iron pin at the intersection of the southern line of the 20 foot unopened street and line of land now or formerly of Pittsburgh Coal and Coke Co., Inc.; thence along southern line of said 20 foot unopened street North 88° 17; 40: East a distance of 40 feet; thence along line of land described as item first herein South 9° 29' East a distance of 150.00 feet and South 88° 17' 40" West a distance of 40.00 feet to line of LAND now or formerly of Pittsburgh Coal and Coke Co., Inc., thence along said Pittsburgh Coal and Coke Co., Inc. land North 9° 29' West a distance of 150.00 feet to an iron pin, the place of beginning.

CONTAINING an area of 0.14 acres as shown on the survey of Robert Allen Lohr dated March 23, 1988.

TOGETHER with the same rights which have been exercised by the grantors herein for the use of a 10 foot driveway which extends from the northeast corner of the property herein conveyed to a 50 foot street along the courses and distances shown on the attached survey of Robert Allen Lohr dated March 23, 1988, a copy of which is attached hereto, incorporated by reference herein and intended to be a part hereof, grantors and predecessors in title have used said driveway for a period in excess of Twenty One (21) Years as the sole means of access to the property herein conveyed.

Property commonly known as 1047 Cinder Rd., Dunbar, PA 15431

Tax Parcel No. 09-24-0294

TITLE TO SAID PREMISES IS VESTED

in Joseph V. Andolino, Jr., a single man, and Kathryn A. Kostelnik, a single woman, a single woman, by deed from Robert E. Decara and Audrey J. Decara, husband and wife, dated March 30, 1988, recorded March 31, 1988 in the Fayette County Clerk's/Register's Office in Deed Book 403, Page 260.

Sold as the Property of Joseph V. Andolino, Jr. and Kathryn A. Kostelnik

1325 Franklin Avenue, Suite 160
Garden City, NY 11530

1628 John F. Kennedy Boulevard, Suite 1810
Philadelphia, PA 19103
(212) 471-5100

No. 135 of 2024 G.D.
No. 105 of 2025 E.D.

U.S. Bank Trust Company, National Association, as Trustee, as successor-in-interest to U.S. Bank National Association, not in its individual capacity but solely as indenture trustee, for the holders of the CIM Trust 2021-R2, Mortgage-Backed-Notes, Series 2021-R2

v.

Cecil W. Lee as Administrator of the Estate of Robert Edward Lee Sr. A/K/A Robert Edward Lee

By virtue of Writ of Execution No. 105 of 2025 E.D., U.S. Bank Trust Company, National Association, as Trustee, as successor-in-interest to U.S. Bank National Association, not in its individual capacity but solely as indenture trustee, for the holders of the CIM Trust 2021-R2, Mortgage-Backed-Notes, Series 2021-R2 v Cecil W. Lee as Administrator of the Estate of Robert Edward Lee Sr. A/K/A Robert Edward Lee

Docket Number: 135 2024 GD

Property to be sold is situated in the borough/township of Franklin, County of Fayette and State of Pennsylvania.

Commonly known as: 125 Hurst Road, Smock, PA 15480

Parcel Number: 13-08-0088

Improvements thereon of the residential dwelling or lot (if applicable):

Judgment Amount: \$70,037.32

No. 1544 of 2024 G.D.
No. 368 of 2024 E.D.

KeyBank, NA
Plaintiff,
vs.

Sharon D. Mehalik, AKA Sharon Mehalik;
Derrick E. Miller
Defendants.

ALL that certain parcel of land lying and being situate in the Township of Menallen, County of Fayette, and Commonwealth of Pennsylvania, known as 12 South Mill Street, New Salem, PA 15468 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 22-15-0047

BEING the same premises which Secretary of Housing and Urban Development, by Deed dated July 2, 2018 and recorded in and for Fayette County, Pennsylvania in Deed Book 3377, Page 930, granted and conveyed unto Derrick E. Miller and Sharon D. Mehalik.

No. 2733 of 2024 G.D.
No. 102 of 2025 E.D.

FIRST NATIONAL BANK OF
PENNSYLVANIA,
Plaintiff,
vs.

WARREN OSBORNE,
Defendant.

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND BEING SITUATE AND LAYING IN THE TOWNSHIP OF MENALLEN, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN A CERTAIN DEED DATED APRIL 22, 2005 FROM DOLORES A. OSBORNE, UNMARRIED, TO WARREN OSBORNE, UNMARRIED, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF FAYETTE COUNTY, PA ON APRIL 28, 2005, IN DEED BOOK VOLUME 2943, PAGE 1005. IMPROVEMENT THEREON: A residential dwelling being known and numbered 1078 New Salem Road, New Salem, PA 15468.

TAX PARCEL NUMBER: 22-13-0055.

Property seized and taken in Execution as the property of WARREN OSBORNE.

McCABE, WEISBERG & CONWAY,
LLC
1420 Walnut Street, Suite 1501
Philadelphia, PA 19102
(215) 790-1010

No. 571 of 2024 G.D.
No. 86 of 2025 E.D.

Bank of America, N.A.
Plaintiff
v.

Margaret A. Parrill
Defendant

FIRST:

ALL that certain piece or parcel of land, situate in the Borough of South Connellsville (formerly Township of Connellsville), County of Fayette and State of Pennsylvania, known and designated as Lot No. 35, in plan of lots as laid out by Mark Gemas March 1, 1889, and revised by F.E. Markell, November 12, 1897, and recorded in the recorder's office for Fayette County, Pennsylvania, in plan book no. 1, page 123, described as follows:

COMMENCING at a comer of Lot 34 and Vine Street, in said plan, and extending along said Vine Street a distance of 40 feet to Lot No. 36, thence back and parallel with line of Lot No. 36 a distance of 120 feet to a 20 foot alley, thence along the alley, a distance of 40 feet to Lot No. 34, thence along line of Lot No. 34 and parallel with the same, a distance of 120 feet to Vine Street, the place of beginning.

SECOND:

ALL those two (2) certain lots of land situate in the Borough of South Connellsville (formerly township of Connellsville), County of Fayette and State of Pennsylvania, described as follows, to wit: being lots numbered 36 and 37 in plan of lots laid out by Mark Gemas and revised by Frank E. Markell, in the Township, County and State aforesaid, said plan being recorded in the recorder's office for the County and State aforesaid, in Plan Book Volume 1, Page 123, bounded as follows:

LOT NO. 36 beginning at comer of Vine Street and Lot No. 35 and extending along Vine Street a distance of 40 feet to Lot No. 37, in said Plan, thence back along line of Lot No. 37 a distance of 111.4 feet to a point on line of Lot No. 37, thence along lot no. 37 a distance of 10.3 feet to an alley, thence along said alley a distance of 34 feet to Lot No. 36 aforesaid thence along Lot No. 35 a distance of 120 feet to Vine Street, the place of beginning.

LOT NO. 37, beginning at a comer of Lot

No. 36 in said Plan and Vine Street and extending along said Vine Street a distance of 74.9 feet to an alley, thence along said alley a distance of 134.27 feet to line of Lot No. 36, thence back along Lot No. 36, 11 4.4 feet to Vine Street, the place of beginning.

All that certain piece or parcel or Tract of land situate in the Borough of South Connellsville, Fayette County, Pennsylvania, and being known as 224 Vine Street, South Connellsville, Pennsylvania 15425.

Tax Parcel Number: 33-04-003 I

Title vesting in in Margaret A. Parrill by deed from Jeni M. Trevitt, Administratrix et al of the Estate of Marie Trevitt, Deceased, late of South Connellsville, Fayette County, Pennsylvania and Jeni Trevitt, Executrix of the Estate of Ann Trevitt, a/k/a Anne Trevitt, Deceased, late of South Connellsville, Fayette County, Pennsylvania, dated August 14, 2006 and recorded August 23, 2006 in Instrument Number 200600012539.

No. 125 of 2025 G.D.
No. 111 of 2025 E.D.

**JPMorgan Chase Bank, National Association
PLAINTIFF
VS.**

**Rob J. Powell and Mallary E. Powell
DEFENDANTS**

ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE BOROUGH OF MASONTOWN, COUNTY OF FAYETTE, COMMONWEALTH OF PENNSYLVANIA, BEING KNOWN AND DESIGNATED AS FOLLOWS:

COMMONLY KNOWN AS: 119 Cumberland Avenue, Masontown, PA 15461
TAX PARCEL NO. 21030133

STERN & EISENBERG, PC
MATTHEW C. FALLINGS, ESQ.

No. 2566 of 2023 G.D.
No. 68 of 2025 E.D.

**U.S. Bank N.A., in its capacity as Trustee for
CSFB Home Equity Pass-Through
Certificates, Series 2005-FIX1 Trust, CSFB
Home Equity Pass- Through Certificates,
Series 2005-FIX1
Plaintiff**

**v.
The Unknown Heirs of Dorothy Lee Turosik,
deceased
Defendant(s)**

SITUATE IN BROWNSVILLE,
FAYETTE COUNTY, PENNSYLVANIA,
BOROUGH OF BROWNSVILLE BEING
KNOWN AS 1250 SECOND STREET,
BROWNSVILLE, PA 15417-1553

PARCEL NO. 02070094
IMPROVEMENTS- RESIDENTIAL
REAL ESTATE
SOLD AS THE PROPERTY OF-The
Unknown Heirs of Dorothy Lee Turosik,
deceased

No. 1289 of 2023 G.D.
No. 91 of 2025 E.D.

**Lakeview Loan Servicing, LLC
PLAINTIFF
VS.**

**Unknown Heirs, Successors, Assigns and All
Persons, Firms or Associations Claiming
Right, Title or Interest from or under Charles
M. Livingston, deceased and Chelsea
Livingston Known Heir of Charles M.
Livingston, deceased and Cassidy Livingston,
Known Heir of Charles M. Livingston,
deceased and Charles Livingston, Jr., Known
Heir of Charles M. Livingston, deceased
DEFENDANTS**

ALL the following described real estate lying and being in the City of Connellsville, County of Fayette and Commonwealth of Pennsylvania, being known as Lot No. 15 in Block 3 in the Davidson and Newmyer Addition to the Borough of Connellsville, and being more particularly bounded and described as follows:

BEING known as Tax Map No. 05-16-0052

Property Address: 1330 South Pittsburgh Street, Connellsville, PA 15425

COMMONLY KNOWN AS: 1330 South Pittsburgh Street, Connellsville, PA 15425

TAX PARCEL NO. 05-16-0052

Robertson, Anschutz, Schneid, Crane &
Partners, PLLC
133 Gaither Drive, Suite F
Mount Laurel, NJ 08054
(855) 225-6906

No. 2627 of 2024 G.D.
No. 106 of 2025 E.D.

**DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS TRUSTEE, IN TRUST FOR
THE REGISTERED HOLDERS OF
MORGAN STANLEY ABS CAPITAL I INC.
TRUST 2005-HE2, MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES 2005-
HE2,**

Plaintiff

v.

**ROBIN G. VILLI, IN HER CAPACITY AS
ADMINISTRATRIX OF THE ESTATE OF
KATHLEEN G. SHROPSHIRE**

Defendant(s)

ALL THOSE CERTAIN LOTS OR
PIECES OF GROUND SITUATE TN
TOWNSHIP OF BULLSKIN, FAYETTE
COUNTY, COMMONWEALTH OF
PENNSYLVANIA:

BEING KNOWN AS: 238 HORSE SHOE
BEND ROAD ACME, PA 15610

BEING PARCEL NUMBER: 04-14-0177
IMPROVEMENTS: RESIDENTIAL
PROPERTY

No. 1271 of 2023 G.D.
No. 107 of 2025 E.D.

**Mortgage Research Center, LLC d/b/a
Veterans United Home Loans, a Missouri
Limited Liability Corporation**

PLAINTIFF

VS.

**Terrance Zachary Wilson and Alexis Danielle
Englehardt**

DEFENDANTS

PARCEL ONE (Tax Parcel Number: 25-30
-0020):

ALL THAT CERTAIN lot of land situated
in the Township of North Union, County of
Fayette and Commonwealth of Pennsylvania,
being the Southerly comer of Lot No. 30 in the
Evans Manor Plan of Lots, Section "F" as
recorded September 4, 1923, in the Recorder of
Deeds-Office of Fayette County, Pennsylvania,
in Plan Book Volume 4, Page 186.

SAID lot fronting on the Northeastern side
of Edison Street, and being Ninety (90) feet in
width thereof and preserving the same width,
running back between parallel straight lines for a
distance of Two Hundred Fifty (250) feet to the
remaining part of Lot No. 30.

It is distinctly understood that the part of
Lot No. 30 which is conveyed is the front part of
the Southeastern One-half of Lot No. 30 lying
next to Lot No. 31 in said plan, and is bordered
on the Northwest by One-half of said Lot No.
30, which was conveyed to James Alfred Byers
by deed dated July 12, 1954, bounded on the
Northeast by the remaining part of Lot No. 30,
on the Southeast by Lot No. 31, and on the
Southwest by Edison Street, Upon which is
erected a dwelling house.

EXCEPTING AND RESERVING,
however, a right of way Fifteen (15) feet wide,
along the entire Southeast line of said lot, as set
forth in deed of T. Benjamin Byers and MaDora
Byers, his wife, to David Jay Byers, on record in
Deed Book Volume 813, page 217.

PARCEL TWO (Tax Parcel Number: 25-
30-0020-01):

ALL THAT CERTAIN piece or parcel of
ground situated in the Township of North Union,
County of Fayette and Commonwealth of
Pennsylvania, being the combined Three (3)
parcels of found as contained in those deeds
recorded in the Recorder of Deeds Office of
Fayette County, Pennsylvania, in Deed Book
Volume 950, page 500, Deed Book Volume 813,
page 214, and Deed Book Volume 906, page
724.

BEGINNING at a point being corner
common to property now or formerly of Eugene
H. Byers and Pamela T. Byers, said point being
located on the Northeasterly side of Edison
Street and being a comer of part of the
Northwestern half of Lot No. 30 in the Evans
Manor Plan of Lots, Section "F", as recorded
September 4, 1923 in the Recorder of Deeds
Office of Fayette County, Pennsylvania, in Plan
Book Volume 4, Page 160;

THENCE from said place of beginning
along said Edison Street, a distance of 90 feet to
a point; thence along Lot No. 29 in the above
referenced plan, a distance of 562.50 feet to a
point; thence along the rear of the above
described Lot No. 30 a distance of 180 feet to a
point being comer common to Lot No. 31 in the
above referenced Evans Manor Plan; thence
along the dividing line between Lot Nos. 30 and
31, a distance of 312.50 feet to a point, being
comer common to the property now or formerly
owned by Eugene H. Byers and Pamela T.
Byers; thence a distance of 90 feet, to a point;

thence by a line parallel to the boundaries of the within described Lot No. 30 Two-hundred Fifty (250) feet to the place of beginning.

TOGETHER with such rights and SUBJECT to any exceptions, restrictions, reservations, and conditions as exist by virtue of prior recorded instruments, deeds, or conveyances.

Parcel ID: 25-30-0020 and 25-30-002001

Property Address: 246 Edison Street & Edison Street, Uniontown, PA 15401

BEING the same premises which John E. Rose, Sr., Administrator of the Estate of Donna Elaine Rose, a/k/a Donna E. Rose, by deed dated May 18, 2020 and recorded June 16, 2020 at Book 3438, Page 10 in the Office of the Recorder of Deeds of Fayette County, PA, granted and conveyed unto Terrance Zachary Wilson and Alexis Danielle Engelhardt, husband and wife, in fee.

ALSO BEING the same premises which Terrance Zachary Wilson and Alexis Danielle Engelhardt by deed dated February 2, 2022 and recorded February 17, 2022 at Book 3503, Page 1254 in the Office of the Recorder of Deeds of Fayette County, PA, granted and conveyed unto Terrance Zachary Wilson, in fee.

COMMONLY KNOWN AS: 246 Edison Street, Uniontown, PA 15401

TAX PARCEL NO. 25-30-0020, 25-30-002001

*** END SHERIFF'S SALE ***

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

Monday, June 2, 2025, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2622-1118	JOHN V. SHINSKY, SR.	Jill Michaloski, Administratrix

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

Monday, June 16, 2025, at 9:30 A.M.

in Courtroom No. 1 of the **Honorable President Judge Steve P. Leskinen** or his chambers, Second 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 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

Monday, June 2, 2025, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2623-0753	JAMES F. DAUGHERTY	Kathy Walker, Executrix

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

Monday, June 16, 2025, at 9:30 A.M.

in Courtroom No. 5 of the **Honorable Judge Joseph M. George, Jr.** or his chambers, Third 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.

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

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JUDICIAL OPINION

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

COMMONWEALTH OF	:
PENNSYLVANIA,	:
v.	:
MICHAEL W. HOWARD, JR.,	: NO. 2051 of 2023
Appellant.	: Honorable Mark M. Mehalov

ATTORNEYS

Mr. Michael A. Aubele, Esquire, District Attorney, For the Commonwealth
Mr. Travis Rhodes, Esquire, Private Attorney, For the Defendant

OPINION AND ORDER

MEHALOV, J.

April 3rd, 2025

Before the Court is the Appeal of the Commonwealth in the above-referenced matter. A Criminal Complaint was filed against Defendant on September 9th, 2023 with a charge of Possession of a Firearm with Manufacturer Number Altered {1} and related offenses. Defendant was initially represented by the Office of the Public Defender. Attorney Rhodes was retained as private counsel subsequently. On October 4th, 2024, by and through his newly obtained private counsel, Defendant filed an Omnibus Pre-Trial Motion before this Court. A Hearing was held on the same on October 30th, 2024. After consideration, we denied the Omnibus Pre-Trial Motion. On November 20th, 2024, Defendant filed a Motion to Dismiss based on Rule 600. Defendant alleged that his case expired on or about November 4th, 2024. A hearing was held on December 11th, 2024. After careful review, we granted the Rule 600 Motion dismissing the charges against Defendant with Prejudice. The Commonwealth filed a Motion for reconsideration which was denied. Subsequently, the Commonwealth filed an appeal with the Pennsylvania Superior Court. This Opinion is in support of the verdict of the jury.

ISSUES RAISED

The Commonwealth filed the following Statement of Errors Complained of on Appeal:

1. Did the trial court err in concluding that the Commonwealth failed to exercise due diligence in prosecuting the case against Defendant pursuant to Pennsylvania Rule of Criminal Procedure 600 when the trial court issues a Statement in Lieu of Opinion and Order denying Defendant's Omnibus Pre- Trial Motion one (1) business day prior to the start of the county's preceding "criminal court week" and four (4) days prior to the expiration of said case; and the Commonwealth had been prepared to call the matter for trial at the time said Omnibus Pre-trail Motion was filed?

{1} 18 Pa. C.S. § 6110.2 §§ A

2. Did the trial court err in concluding that the Commonwealth failed to exercise due diligence in prosecuting the case against Defendant pursuant to Pennsylvania Rule of Criminal Procedure 600 when the delay should have been attributable to the trial court due to its issuance of the Statement in Lieu of Opinion and Order one (1) business day prior to the start of the county's "criminal court week," giving the Commonwealth an unreasonable period of time in which to subpoena witnesses and prepare the matter for trial?
3. Did the trial court abuse its discretion in concluding that the Commonwealth failed to exercise due diligence in prosecuting the case against Defendant pursuant to Pennsylvania Rule of Criminal Procedure 600 when the Commonwealth demonstrated that it put forth a reasonable effort in prosecuting the criminal matter, and that the delay was attributable to Defendant's filing of his Omnibus Pre-trial Motion well outside of the time period required by Pennsylvania Rule of Criminal Procedure 579 and without good cause?
4. Did the trial court abuse its discretion in concluding that the Commonwealth's claim that it was unable to subpoena and secure witnesses in time for trial had been "badly asserted" when that assertion was reasonable in light of numerous factors, including the late filing of Defendant's Omnibus Pretrial Motion; the timing of the trial court's Order denying Defendant's Omnibus Pre-trial Motion; and the trial procedures established in Fayette County?
5. In the alternative to Issue 4, did the trial court err in subsequently denying the Commonwealth's Motion for Reconsideration of its Statement in Lieu of Opinion and Order when the trial court acknowledged that "had [testimony regarding the availability of witnesses] been offered, [the] Court may have been inclined to find that the Commonwealth exercised due diligence" but then refused to allow the Commonwealth to supplement the record with said testimony?

DISCUSSION

The Commonwealth raises five (5) issues which all make a variation on the claim that the Court abused its discretion in granting the Motion to Dismiss brought by Defendant under Pa. R.C.P. 600. Pursuant to Pennsylvania Rule of Criminal Procedure 600 (A)(2)(a), "trial in a court case in which a written complaint is filed against the defendant shall commence within 365 days from the date on which the complaint is filed." *Id.* In the case at hand, this Court heard arguments on the Omnibus Pre-Trial Motion of Defendant on October 30th, 2024. After thoughtful consideration, we denied the same in its entirety the following day, October 31st, 2024. The order denying the Motion was filed one (1) business day prior to commencement of the November Criminal trial term, which began on November 4th, 2024. According to testimony, the Commonwealth received notice of the denial in the afternoon of November 1st, 2024. The trial coordinator for the Commonwealth notified defense counsel that this matter would appear on the November Criminal Trial list.

The Commonwealth asserts that the trial court abused its discretion. We look to our Pennsylvania Supreme Court for guidance. In *Commonwealth v. Bryant*, 67 A.3d 716, 728 (Pa. 2013), the Court states that "...[a]n abuse of discretion is not merely an error of

judgment." See *Van Dine v. Gyuriska*, 713 A.2d 1104, 1105 (Pa. 1998). It requires misapplication of the law, or a conclusion which is manifestly unreasonable, partial, prejudicial, or contrary to the facts of the record. *Van Dine*, 713 A.2d at 1105.

In the instant case, the Commonwealth argued that they were unduly prejudiced by the short notice prior to the start of the trial term which prevented the Commonwealth from being able to subpoena and secure the attendance and testimony of its witnesses for trial. The vast majority of, if not all, the necessary Commonwealth witnesses were Pennsylvania State Troopers and should have been accessible to the Commonwealth. If nothing else, the Commonwealth should have at least been able to contact the Pennsylvania State Police Barracks to ascertain the availability of witnesses, even with short notice. However, the Commonwealth has failed to present any evidence to show that reasonable efforts were made to contact witnesses for availability for trial. Had such testimony been offered, it may have inclined this Court to find that the Commonwealth exercised due diligence.

Additionally, the Commonwealth failed to seek and secure a Continuance on its behalf and establish on the record that it could not secure the attendance and testimony of witnesses to call this case for trial by the expiration date pursuant to Rule 600. Instead, it appears from the record that the Commonwealth just neglected to call the case during the November Criminal Trial term in spite of knowledge that the trial expired on November 4th, 2024.

WHEREFORE, it is respectfully submitted that Appeal of the Commonwealth is without merit and should be denied.

BY THE COURT:
MARK M. MEHALOV, JUDGE

ATTEST:
Clerk of Courts

