

# FAYETTE LEGAL JOURNAL

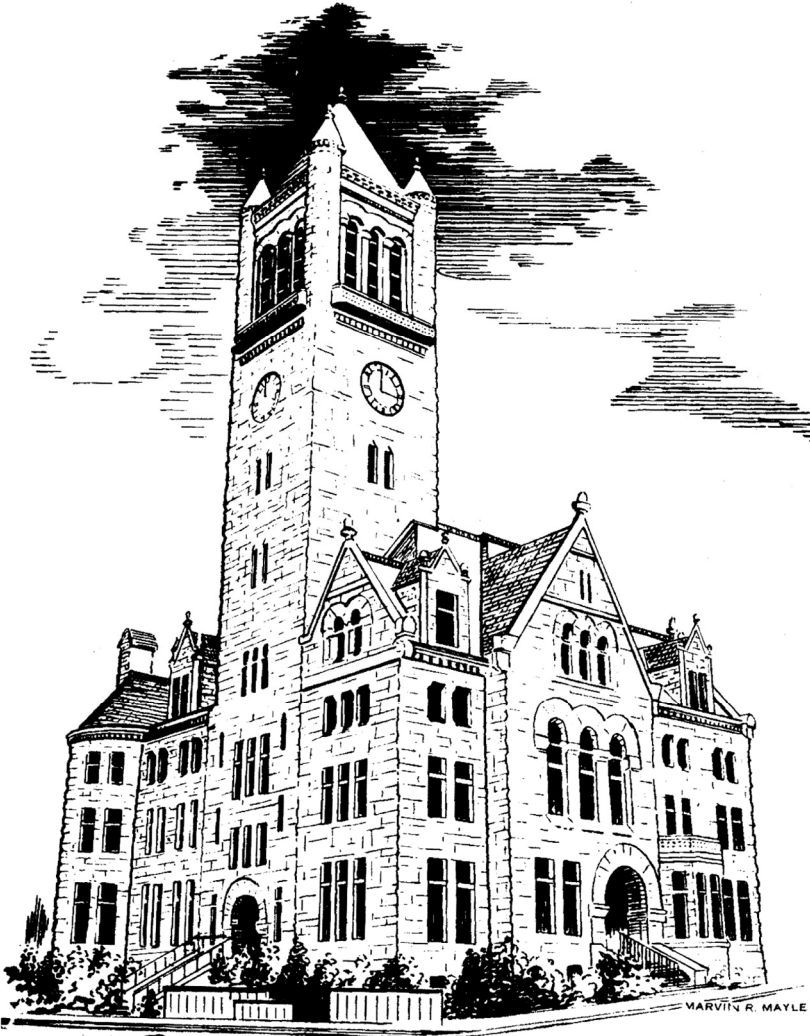
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VOL. 85

JULY 30, 2022

NO. 31

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## 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](http://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

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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

**ROBERT KENNEY, a/k/a ROBERT L. KENNEY, a/k/a ROBERT LEE KENNEY**, late of Nicholson Township, Fayette County, PA  
*Executrix:* Roberta A. Botti (3)  
 c/o Kopas Law Office  
 556 Morgantown Road  
 Uniontown, PA 15401  
*Attorney:* John Kopas

**MARIE D. HAGNER, a/k/a MARIE DOLORES HAGNER**, late of Dunbar Township, Fayette County, PA (3)  
*Personal Representative:* Mary Lou Grim  
 c/o Watson Mundorff, LLP  
 720 Vanderbilt Road  
 Connellsville, PA 15425  
*Attorney:* Timothy J. Witt

### Second Publication

**IDA RUTH ANDERSON**, late of Normalville, Fayette County, PA (2)  
*Executrix:* Donna Bigham  
 c/o Casini & Geibig, LLC  
 815B Memorial Boulevard  
 Connellsville, PA 15425  
*Attorney:* Jennifer M. Casini

**RODNEY T. BANKS**, late of Uniontown, Fayette County, PA (2)  
*Executrix:* Carole Robbins  
 c/o Adams Law Offices, PC  
 55 East Church Street, Suite 101  
 Uniontown, PA 15401  
*Attorney:* Jason Adams

**TINA LEE COLDREN**, late of Springfield Township, Fayette County, PA (2)  
*Administratrix:* Helen Stillwagon  
 c/o 312 2nd. Avenue  
 Carnegie, PA 15106  
*Attorney:* Philip H. Rubenstein

**MARIE LOCKE**, late of Redstone Township, Fayette County, PA (2)  
*Executor:* Daniel Locke  
 c/o Adams Law Offices, P.C.  
 55 East Church Street, Suite 101  
 Uniontown, PA 15401  
*Attorney:* Jason Adams

**ANNA ROSE MUZIKA**, late of South Union Township, Fayette County, PA (2)  
*Executors:* Theodore Muzika and Rose Marie Muzika  
 c/o John & John  
 96 East Main Street  
 Uniontown, PA 15041  
*Attorney:* Anne N. John

**DOMINICK D. RITZ**, late of Uniontown, Fayette County, PA (2)  
*Executrix:* Katherine M. Fetsko  
 c/o Proden & O'Brien  
 99 East Main Street  
 Uniontown, PA 15401  
*Attorney:* Wendy L. O'Brien

**DOMINICA R. WONTROBA, a/k/a DOMINICA ROSE WONTROBA**, late of Uniontown, Fayette County, PA (2)  
*Executor:* Mark A. Wontroba  
 c/o Radcliffe Law, LLC  
 648 Morgantown Road, Suite B  
 Uniontown, PA 15401  
*Attorney:* William M. Radcliffe

**MARTHA LOUISE WOODS, a/k/a MARTHA L. WOODS**, late of Redstone Township, Fayette County, PA (2)  
*Personal Representative:*  
 Bernadine S. Hixon  
 94 Splash Drive  
 Falling Waters, WV 23419  
 c/o 12 Fernwood Avenue  
 Pittsburgh, PA 15228  
*Attorney:* Lorraine Smith

## First Publication

**DONALD F. BRUENING, a/k/a DONALD  
FREDERIC BRUENING**, late of  
Connellsville, Fayette County, PA (1)

*Executor:* Lee D. Cornell  
c/o Casini & Geibig, LLC  
815B Memorial Boulevard  
Connellsville, PA 15425  
*Attorney:* Jennifer M. Casini

**FRED P. CAROMANO**, late of Uniontown,  
Fayette County, PA (1)

*Administrator:* Fred J. Caromano  
c/o Adams Law Offices, PC  
55 East Church Street, Suite 101  
Uniontown, PA 15401  
*Attorney:* Jason Adams

**FRANCIS J. FERENCAK**, late of  
Connellsville, Fayette County, PA (1)

*Executor:* Deborah A. Ferencak  
407 Amity Drive  
Connellsville, PA 15425  
c/o 310 Grant Street, Suite 1109  
Pittsburgh, PA 15219  
*Attorney:* Rosalie P. Wisotzki

**EARL E. HARTMAN**, late of South  
Connellsville, Fayette County, PA (1)

*Personal Representative:* Sherry L. Grote  
c/o 208 South Arch Street, Suite 2  
Connellsville, PA 15425  
*Attorney:* Richard Husband

**DANIEL F. MCDONOUGH**, late of Dunbar,  
Fayette County, PA (1)

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

**KENNETH R. MYERS, a/k/a KENNETH  
RAY MYERS**, late of Bullskin Township,  
Fayette County, PA (1)

*Personal Representative:* David Myers  
c/o Watson Mundorff, LLP  
720 Vanderbilt Road  
Connellsville, PA 15425  
*Attorney:* Robert A. Gordon

**MARY FRANCES RYNOSKY**, late of  
Washington Township, Fayette County, PA (1)

*Executrix:* Brenda S. Kennedy  
924 Alice Street  
Belle Vernon, PA 15012  
c/o 823 Broad Avenue  
Belle Vernon, PA 15012  
*Attorney:* Mark E. Ramsier

**JANET A. PHELAN, a/k/a JANET ANN  
PHELAN**, late of North Union Township,  
Fayette County, PA (1)

*Executrix:* Erin M. Hall  
11 Cecil Drive  
Dunbar, PA 15431  
c/o David K. Lucas & Associates, PLLC  
140 South Main Street, Suite 301  
Greensburg, PA 15601  
*Attorney:* David K. Lucas

**OLIVER B. WEST, JR.**, late of Dawson  
Borough, Fayette County, PA (1)

*Personal Representative:*  
Amanda M. Puskar  
c/o Watson Mundorff, LLP  
720 Vanderbilt Road  
Connellsville, PA 15425  
*Attorney:* Timothy J. Witt

## LEGAL NOTICES

### ASSUMED NAME NOTICE

NOTICE IS HEREBY GIVEN that an application for registration of the assumed name **Penn Highlands Connellsville** for the conduct of business in Fayette County, Pennsylvania, with the principal place of business being 401 East Murphy Avenue, Connellsville, PA 15426 was made to the Department of State of Pennsylvania at Harrisburg, Pennsylvania, on the 1st day of April 2022, pursuant to 54 Pa.C.S. §311. The name of the entity owning or interested in the said business is Highlands Hospital.

McNEES WALLACE & NURICK LLC  
100 Pine Street  
P.O. Box 1166  
Harrisburg, PA 17108-1166

Please take notice that PNC Bank, National Association, Trustee of the Brittany Dawn Rosenberg Irrevocable Trust u/a/d August 13, 2002, has caused to be filed with the Fayette County Orphans' Court at No. 2022-01187 a petition seeking to involuntarily transfer ownership of the following vehicle: 2015 Chrysler TWC Station Wagon, VIN 2C4RC1BGXFR572478, Title Number 748535082, presently titled in the name of Monica Johnson. Should you claim an interest in the said vehicle and have an objection to its involuntary transfer to PNC Bank, National Association, you should contact the court as soon as possible. A hearing has been scheduled for Monday, August 29, 2022, at 10:30 a.m. in Courtroom 4 of the Fayette County Courthouse. You have until that date to file a response to the Petition with notice to Petitioner and/or otherwise appear at the hearing. Failure to lodge an objection may result in the transfer of ownership of the vehicle to PNC Bank, National Association.

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IN THE UNITED STATES  
BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF  
PENNSYLVANIA

IN RE:

Gina M. Cellurale,  
Debtor.

Gina M. Cellurale,  
Movant,

vs.

FAYETTE COUNTY TAX CLAIM BUREAU,  
CITY OF UNIONTOWN, UNIONTOWN  
AREA SCHOOL DISTRICT, AND INFIRST  
BANK, MARVIN E. KNIERIEM, BUYER,  
Respondents.

Bankruptcy Case No. 21-21553 CMB  
Chapter 13

Document No.: \_\_\_\_\_

Responses due by: July 17, 2022

Hearing Date & Time: August 23, 2022 @ 10:00 a.m.

**NOTICE OF ZOOM HEARING ON  
MOTION TO SELL REAL ESTATE, FREE  
AND CLEAR OF ALL MORTGAGES,  
LIENS, AND ENCUMBRANCES**

**TO: ALL CREDITORS AND ALL PARTIES  
IN INTEREST**

**NOTICE IS HEREBY GIVEN THAT:**

The DEBTOR, Gina M. Cellurale, has filed a motion for public sale of her real property known as 25 Ben Lomond Street, Uniontown, Fayette County, PA. The property consists of a 3 unit apartment building on .18 acres, Property ID No. 38-06-0179. Debtor is seeking approval of the real estate sales transaction to the purchaser, Marvin E. Knieriem for an agreed price of \$80,000.00. A true and correct copy of the Agreement of Sale is attached to the Motion filed in this case as Exhibit "A."

A Zoom Video Conference Hearing will be held on August 23, 2022, at 10:00 a.m. before Judge Carlota M. Böhm via the Zoom Video Conference Application ("Zoom"). 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 For questions regarding the connection, contact Judge Bohm's Chambers at 412-644-4328. All attorneys and Parties may only appear by Zoom and must comply with Chief Judge Bohm's Zoom Procedures, which can be found on the Court's website at <https://www.pawb.uscourts.gov/sites/default/files/pdfs/cmb-proc-videohrg.pdf>. Under the current COVID-19 circumstances, the general public may appear telephonically if unable to do so via the Internet. When the need to appear telephonically arises, members of the general public should immediately contact Judge Bohm's Chambers to make telephonic arrangements. Only ten minutes is being provided on the calendar. No witnesses will be heard. If an evidentiary hearing is required, it will be scheduled by the Court for a later date, at which time higher offers will be considered and objections to said sale will be heard.

Date of Notice: July 1, 2022 Clerk, U.S. Bankruptcy Court

Arrangements for inspection prior to said sale hearing may be made with:

Daniel R. White  
Attorney for the Debtor  
PA ID NO. 78718  
P.O. Box 2123  
Uniontown, PA 15401  
724-439-9200

**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 July 7, 2022, to conduct a business in Fayette County, Pennsylvania, under the assumed or fictitious name of Rejuveneyes by Janice with the principal place of business at 705 Bute Road, Uniontown, PA 15401. The name or names and addresses of persons owning and interested are: Country Cosmetics LLC, 705 Bute Road, Uniontown, PA 15401.

Gary Frankhouser  
Davis and Davis  
107 East Main Street  
Uniontown, PA 15401

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IN THE COURT OF COMMON PLEAS OF  
FAYETTE COUNTY, PENNSYLVANIA  
CIVIL ACTION  
No.1025 of 2022 GD  
JUDGE VERNON

**Scott S. Martin and Janel G. Martin,  
husband and wife, and David C. Balsega and  
Michele M. Balsega, husband and wife,  
Plaintiffs,**

**vs.**

**Luther Burchinal, a/k/a L.W. Burchinal,  
and Emma Burchinal, husband and wife, and  
Joseph G. Burchinal and Sarah Elizabeth  
Burchinal, husband and wife, their heirs,  
successors and assigns,  
Defendants.**

TO THE ABOVE NAMED DEFENDANTS,  
THEIR HEIRS, SUCCESSORS AND  
ASSIGNS:

On June 13, 2022, Plaintiffs filed the above action to declare that they are the sole owners of certain real estate Smithfield Borough, Fayette County, Pennsylvania, being a strip of land 50 feet wide and 227.7 feet long on Liberty Street located between the houses of Plaintiffs. There is no Fayette County Parcel Identifier number for this land.. Plaintiffs’ interest was acquired by adverse possession over a period of at least 22 years.

It appears from the chain of title that you may have an interest in this property. Plaintiffs have asked that the Court declare that you, the

Defendants, be forever barred from asserting any right, lien, title or interest in the property. Unless you defend this action, Plaintiffs will take a judgment by default.

**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 Plaintiffs. You may lose the 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 Lawyer Referral Service**  
Pennsylvania Bar Association  
100 South Street  
Harrisburg, PA 17108  
Telephone: **800-932-0311**

Gary N. Altman  
Attorney for the Plaintiffs  
206 Derrick Avenue  
Uniontown, PA 15401  
724-438-0910

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**Trust Estate Notice**

The information below is a non-probate estate. All assets of the decedent pass to beneficiaries by means of a revocable trust. The trustee of the trust is advertising in the same manner as an estate is advertised.

Deceased: Mary Ann Kocan  
Late of: 662 Morgantown Road,  
Uniontown, PA 15401  
Died: June 18, 2022

Trustee: Laurie B. Kocan  
Address: 1103 Riverfront Drive,  
Pittsburgh, PA 15238

Attorney: Rosalie P. Wisotzki  
310 Grant Street, Suite 1109  
Pittsburgh, PA 15219  
412-697-4499

## SHERIFF'S SALE

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 September 22, 2022 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. 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. (3 of 3)

James Custer  
Sheriff of Fayette County

Stephen M. Elek, Esquire

No. 2492 of 2017, G.D.  
No. 122 of 2022, E.D.

**STONE & COMPANY,**

**Plaintiff**

**vs**

**RONALD G. CHAPMAN d/b/a  
CHAPMAN CONSTRUCTION,  
Defendant**

ALL that certain tract or parcel of land situate in Georges Township, Fayette County, Pennsylvania, comprised of the two adjoining parcels shown on the print survey recorded in Deed Book Volume 1130, page 329, more particularly bounded and described as follows:

BEGINNING at a point on the southern side of Sheldon Avenue at the northernmost corner of land now or formerly of Ernest R. Shanabarger, et ux., being the parcel of land conveyed to them by deed dated December 14, 1944, of record in the Recorder's Office of Fayette County in Deed Book Volume 595, page 334; thence from said beginning point, along said Shanabarger land, South 23 degrees 11 minutes West, 148.96 feet to a point at corner of land now formerly of Harry Ream, et ux.; thence along said Ream land, North 60 degrees 20 minutes West, 142.87 feet to a point at corner of a strip of lands now or formerly of Norval C. Cunningham, et ux.; thence along said Cunningham land, North 29 degrees 40 minutes East, 150 feet to a point on the southern side of Sheldon Avenue; thence along the southern side of Sheldon Avenue, South 60 degrees 20 minutes East, 65 feet to a point; thence along the same, South 58 degrees 27 minutes 50 seconds East, 61.08 feet to the place of beginning, containing 0.461 of an acre, according to a survey made by Fayette Engineering Co., in July, 1972, a print of which is recorded as aforesaid.

THE See Deed Book Volume 3177 page 1052

PROPERTY TAX MAP NO.: 14-31-0042

Stephen M. Elek, Esquire

No. 2492 of 2017, G.D.  
No. 123 of 2022, E.D.

**STONE & COMPANY,**

**Plaintiff**

**vs**

**RONALD G. CHAPMAN d/b/a  
CHAPMAN CONSTRUCTION,**

**Defendant**

ALL that certain lot of land situate in South Union Township, Fayette County, Pennsylvania, being bounded and described as follows:

BEGINNING at a point in line of public road corner of land hereby conveyed and lands now or formerly of Glessner P. Miles, et ux.; thence along dividing line between land hereby conveyed and other land now or formerly of Miles, South 33 degrees 57 minutes 20 seconds West a distance of 95.29 feet to a point; corner of land hereby conveyed and other land now or formerly of Miles; thence from said point North 54 degrees 44 minutes 40 seconds West a distance of 21.10 feet to a point corner in same; thence by same South 42 degrees 00 minutes West a distance of 37 feet to a point in dividing line of land hereby conveyed and other land now or formerly of Miles; thence by line of land hereby conveyed and other land now or formerly of Miles, South 54 degrees 44 minutes 40 seconds East a distance of 21.10 feet to a point corner of land hereby conveyed and other land now or formerly of Miles; thence from said point along dividing line between land hereby conveyed and other land now or formerly of Miles, South 42 degrees 00 minutes West a distance of 246.5'3 feet more or less to a point in line of land now or formerly of Miles and land now or formerly of Mike Brozovich; thence from said point along line of land hereby conveyed and land now or formerly of Brozovich, North 64 degrees 32 minutes 30 seconds West a distance of 58.31 feet to a point corner of land hereby conveyed and land now or formerly of Brozovich and Trimmel; thence from said point along land hereby conveyed and land now or formerly of Trimmel, North 42 degrees 00 minutes East a distance of 385 feet to a point in line of public road; thence from said point along line of said public road South 55 degrees 45 minutes East a distance of 43.74 feet to the place of beginning.

THE See Deed Book Volume 3177 page 1047

PROPERTY TAX MAP NO.: 34-27-0275

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

No. 2120 of 2020, G.D.  
No. 102 of 2022, E.D.

**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)**

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

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

No. 1911 of 2014, G.D.  
No. 124 of 2022, E.D.

**NewRez LLC d/b/a  
Shellpoint Mortgage Servicing  
345 St. Peter Street  
1100 Landmark Towers  
St. Paul, MN 55102  
Plaintiff**

**vs.**

**WENDY DENNISON  
JOHN G. DENNISON  
Mortgagor(s) and Record Owner(s)  
506 S Pittsburgh Street  
Connellsville, PA 15425  
Defendant(s)**

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

BEING KNOWN AS: 506 S  
PITTSBURGH STREET, CONNELLSVILLE,  
PA 15425 506 SOUTH PITTSBURGH  
STREET, CONNELLSVILLE, PA 15425



TAX PARCEL #05-07-0207  
 IMPROVEMENTS: A RESIDENTIAL  
 DWELLING  
 SOLD AS THE PROPERTY OF: WENDY  
 DENNISON AND JOHN G. DENNISON

Tax ID No. 22-02-0037  
 Improvements thereon: RESIDENTIAL  
 DWELLING  
 Judgment Amount: \$73,148.77

ANNE N. JOHN  
 ATTORNEY AT LAW

No. 411 of 2022, G.D.  
 No. 132 of 2022, E.D.

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

**Plaintiff**  
 vs.

**ESTATE OF MARY R. FIKE, Deceased;  
 BRADLEY T. FIKE and KRISTIN L. FIKE,  
 Co-Executors, BRADLEY T. FIKE and  
 KRISTIN L. FIKE, in  
 their capacities as HEIRS of the ESTATE OF  
 MARY R. FIKE, Deceased,  
 Defendants.**

ALL those certain parcels or tracts of land  
 situate in the First Ward of the City of  
 Uniontown, County of Fayette, Commonwealth  
 of Pennsylvania.

FOR PRIOR TITLE see Record Book  
 3261, page 711.

HAVING erected thereon a dwelling house  
 known locally as 125 Ben Lomond Street,  
 Uniontown, PA 15401.

BEING Fayette County Tax Assessment  
 Map No.: 38-06-0158.

Brock & Scott, PLLC

No. 2452 of 2019, G.D.  
 No. 116 of 2022, E.D.

**FREEDOM MORTGAGE CORPORATION  
 V.  
 DAVID R. HOLLAND A/K/A DAVID  
 HOLLAND; STEPHANIE N. SEESE**

By virtue of a Writ of Execution No. 2452  
 of 2019 GD

FREEDOM MORTGAGE  
 CORPORATION V. DAVID R. HOLLAND A/  
 K/A DAVID HOLLAND; STEPHANIE N.  
 SEESE owner(s) of property situate in the  
 MENALLEN TOWNSHIP, FAYETTE County,  
 Pennsylvania, being 743 OLD ROUTE 51  
 ROAD, SMOCK, PA 15480

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

No. 272 of 2022, G.D.  
 No. 104 of 2022, E.D.

**ATLANTICA, LLC  
 3611 South Harbor Boulevard, #100  
 Santa Ana, CA 92704**

**Plaintiff**  
 vs.

**TIMOTHY J. LIPSCOMB  
 DENISE N. LIPSCOMB  
 Mortgagor(s) and Record Owner(s)  
 18 Grant Street  
 New Salem, PA 15468  
 Defendant(s)**

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

BEING KNOWN AS: 18 GRANT  
 STREET, NEW SALEM, PA 15468

TAX PARCEL #22-16-0060  
 IMPROVEMENTS: A RESIDENTIAL  
 DWELLING

SOLD AS THE PROPERTY OF:  
 TIMOTHY J. LIPSCOMB AND DENISE N.  
 LIPSCOMB

No. 750 of 2022, G.D.  
 No. 125 of 2022, E.D.

**PENNSYLVANIA HOUSING FINANCE  
 AGENCY,**

**PLAINTIFF**  
**VS.**

**RANDY W. MILNE,  
 DEFENDANT**

ALL that lot of ground and buildings  
 thereon Brownsville Borough, Fayette County,  
 Pennsylvania, being approximately 180 x 30.50;  
 HAYING THEREON ERECTED DWELLING  
 KNOWN AND NUMBERED AS: 316  
 CHURCH STREET, BROWNSVILLE, PA  
 15417.

TAX PARCEL # 02-06-0401

Fayette County Instrument No. 2011-00011791  
TO BE SOLD AS THE PROPERTY OF  
RANDY W. MILNE.

BASSI BRADLEY M  
111 FALLOWFIELD AVE  
CHARLEROI, PA 15022  
Phone: (724) 483-5502

No. 2250 of 2021, G.D.  
No. 27 of 2022, E.D.

**LEONARD FOUCH,**  
**Plaintiff,**  
**-vs-**  
**JESSICA LYNN OLSZEWSKI,**  
**Defendant.**

ALL that certain lot of land in the Borough of Fayette City, Fayette County, Commonwealth of Pennsylvania, being one- half of Lot No. 28 of the Original Plan of the Borough of Fayette City, having tax parcel no. 12-03-0277 and known as 241 Second Street, Fayette City, PA 15438.

No. 265 of 2022, G.D.  
No. 87 of 2022, E.D.

**MidFirst Bank**  
**Plaintiff,**  
**vs.**  
**Rosemarie Rankin**  
**Defendant.**

ALL that certain parcel of land lying and being situate in the City of Uniontown, County of Fayette, and Commonwealth of Pennsylvania, known as 25 Wilson Avenue, Uniontown, PA 15401 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 38-12-0420

BEING the same premises which Anne S. Ruby, widow, by Deed dated August 25, 1980 and recorded in and for Fayette County, Pennsylvania in Deed Book 1276, Page 633, granted and conveyed unto Robert E. Rankin and Rosemarie Rankin, his wife. Robert E. Rankin departed this world and his interest passed to Rosemarie Rankin by operation of law.

McCABE, WEISBERG & CONWAY, LLC  
123 South Broad Street, Suite 1400  
Philadelphia, PA 19109

No. 1528 of 2022, G.D.  
No. 114 of 2022, E.D.

**PennyMac Loan Services, LLC.,**  
**Plaintiff,**  
**v.**  
**Justin J. Salsgiver, and**  
**Brittany N. Salsgiver,**  
**Defendants.**

TO: ALL PARTIES IN INTEREST AND CLAIMANTS

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

OWNERS: Justin J. Salsgiver and Brittany N. Salsgiver

PROPERTY: 382 Walnut Hill Road, Uniontown, PA 15401

IMPROVEMENTS: Residential Dwelling  
JUDGMENT AMOUNT: \$194,482.81

The above-captioned property is scheduled to be sold pursuant to the judgment of the court caption above at the Sheriff's Sale on September 22, 2022 at 2:00PM at a public on-line auction conducted by Real Foreclose, <https://fayette.pa.realforeclose.com>. Our records indicate that you may hold a mortgage or judgments and liens on, and/or other interests in the property which will be extinguished by the sale. You may wish to attend the sale to protect your interests.

A schedule of distribution will be filed by the Sheriff on a date specified by the Sheriff not later than thirty (30) days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within ten (10) days after the filing of the schedule.

This letter may be an attempt to collect a debt and any information obtained will be used for that purpose.

If you have any questions regarding the type of lien or the effect of the Sheriff's Sale upon your lien, we urge you to CONTACT YOUR OWN ATTORNEY as WE ARE NOT PERMITTED TO GIVE YOU LEGAL ADVICE

PINCUS LAW GROUP, PLLC  
 By: Alicia Sandoval (311874)  
 2929 Arch Street, Suite 1700  
 Philadelphia, PA 19104  
 Telephone: 484-575-2201  
 Facsimile: 516-279-6990  
 E-mail: asandoval@pincuslaw.com

No. 1352 of 2021, G.D.  
 No. 101 of 2022, E.D.

**THE BANK OF NEW YORK MELLON  
 FKA THE BANK OF NEW YORK AS  
 TRUSTEE FOR THE CERTIFICATE  
 HOLDERS OF CWABS, INC., ASSET  
 BACKED CERTIFICATES, SERIES 2005-  
 SD1**

**Plaintiff,**  
**v.**

**DEBORAH J. SIMPSON, EXECUTOR FOR  
 THE ESTATE OF VIRGINIA JO DOLFI  
 A/K/A VIRGINIA DOLFI, DECEASED**

**Defendants.**

ALL THAT CERTAIN lot or piece of  
 ground situate in Redstone Township, County of  
 Fayette and Commonwealth of Pennsylvania,  
 recorded in said county Recorder's Office in  
 Plan Book 2477, at page 366.  
 ADDRESS: 474 BRAZNELL CONCRETE  
 ROAD, GRINDSTONE, PA 15442  
 TAX PARCEL 30-02-0016

No. 2756 of 2019, G.D.  
 No. 117 of 2022, E.D.

**PNC Bank, National Association**  
**Plaintiff,**

**vs.**

**Sandy F. Snyder, AKA Sandra F. Snyder**  
**Defendant.**

ALL that certain parcel of land lying and  
 being situate in the Township of Bullskin,  
 County of Fayette, and Commonwealth of  
 Pennsylvania, known as 506 East End Road  
 Extension, AKA 506 East End Road,  
 Connellsville, PA 15425 having erected thereon  
 a dwelling house.

Being known and designated as Tax ID  
 No.: 04-36-0151

BEING the same premises which James E.  
 King and Mary Ann King, his wife, by Deed  
 dated September 13, 2001 and recorded in and  
 for Fayette County, Pennsylvania in Deed Book  
 2827, Page 1690, granted and conveyed unto  
 Sandy F. Snyder, as to a fee simple interest, and  
 James E. King and Mary Ann King, as to a life  
 estate interest.

McCABE, WEISBERG & CONWAY, LLC  
 123 South Broad Street, Suite 1400  
 Philadelphia, PA 19109

No. 220 of 2022, G.D.  
 No. 115 of 2022, E.D.

**AmeriHome Mortgage Company, LLC**  
**Plaintiff**  
**v.**  
**Shane E. Teets**  
**Defendant**

ALL THAT CERTAIN PIECE OR  
 PARCEL OR TRACT OF LAND SITUATE IN  
 THE CITY OF CONNELLSVILLE, FAYETTE  
 COUNTY, PENNSYLVANIA, AND BEING  
 KNOWN AS 1219 CHESTNUT STREET,  
 CONNELLSVILLE, PENNSYLVANIA 15425.

BEING KNOWN AS: 1219 CHESTNUT  
 STREET, CONNELLSVILLE,  
 PENNSYLVANIA 15425

TITLE VESTING IN SHANE E. TEETS  
 BY DEED FROM DANIEL S. HOUGH AND  
 MELISSA HOUGH, HUSBAND AND WIFE,  
 DATED MARCH 27, 2019 AND RECORDED  
 APRIL 3, 2019 INDEED BOOK3398, PAGE  
 1395.

TAX PARCEL NUMBER: 05130021

**\*\* END SHERIFF'S SALE \*\***

## **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  
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA,	:	
	:	
	:	
vs.	:	
	:	
MALAYSHA TAYLOR,	:	No. 1173 of 2021
Defendant.	:	Honorable Nancy D. Vernon

**OPINION AND ORDER**

VERNON, J. June 17, 2022

Before the Court is the Omnibus Pretrial Motion filed by Defendant Malaysha Taylor in the nature of a Petition for Writ of Habeas Corpus. At the time set for hearing, the Commonwealth admitted into evidence the record of the preliminary hearing from May 18, 2021, and no further evidence was presented to this Court.

**FACTS**

Defendant is charged with two counts each of Manufacture, Delivery or Possession with Intent to Manufacture or Deliver – 35 Pa.C.S.A. §780-113(A)(30); Conspiracy – Manufacture, Delivery or Possession with Intent to Manufacture or Deliver – 18 Pa.C.S.A. §903; Intentional Possession Controlled Substance – 35 Pa.C.S.A. §780-113(A)(16); Conspiracy – Intentional Possession Controlled Substance – 18 Pa.C.S.A. §903; one count each of Use/Possession of Drug Paraphernalia – 35 Pa.C.S.A. §780-113(A)(32); Conspiracy – Use/Possession of Drug Paraphernalia – 18 Pa.C.S.A. §903; Criminal Use of Communication Facility – 18 Pa.C.S.A. §7512(A); Conspiracy – Criminal Use of Communication Facility – 18 Pa.C.S.A. §903; and two counts of Criminal Attempt – Contraband/Controlled Substance – 18 Pa.C.S.A. §901(A).

At the preliminary hearing, Joseph Barnes testified that on April 9, 2020, he was working at the Fayette County Prison as a Security Lieutenant investigated drug activity in the jail. N.T., 5/18/2021, at 3-5. An inmate was taken to the hospital and used a restroom at the hospital wherein drugs were found in the restroom after the inmate exited. Id. at 6. Deputy Warden Barnes testified that inmates at the Fayette County Prison can make calls and send messages through an app on an iPad to people outside of the jail. Id. at 7. The Prison staff are able to see what inmate sent the message, who received it, what time it was sent, and what time it was read. Id. at 8. The message history of inmate Cody Dennis was investigated and then provided to Uniontown City Police Officer Holland. Id. at 8-9.

Under cross-examination, Deputy Warden Barnes explained that the iPad takes a

picture of the inmate when he or she logs in to send messages. *Id.* at 9. Barnes testified that the inmate who was taken to the hospital was named Adam Morgan and he was transferred to the hospital for chest pains. *Id.* at 9-10. The drugs were found in the ceiling above the toilet at the hospital. *Id.* at 10.

Uniontown City Police Officer Jamie Holland testified that he investigated a blue latex glove containing forty suboxone and suspected marijuana wrapped in toilet paper found in a bathroom, that had been used by inmate Adam Morgan, in the Emergency Room of Uniontown Hospital on April 9, 2020. *Id.* at 11-13. The substances were analyzed and found to be marijuana and buprenorphine. *Id.* at 13-14.

The police obtained surveillance video from the hospital showing the Emergency Room hallway with a view of the bathroom. *Id.* Officer Holland testified that an employee entered the bathroom at 1339 hours, shut the door, and stayed inside until 1344.42 hours. *Id.* at 15. The officer also observed a patient hooked up to an IV, three EMS workers who used the garbage can but did not shut the bathroom door, and another employee who cleaned the bathroom but did not shut the door either. *Id.* at 15. Officer Holland identified Defendant Malaysha Taylor as the hospital employee who entered the bathroom outside of the Emergency Room. *Id.*

Officer Holland obtained a search warrant for Defendant's cell phone. *Id.* at 20. In reviewing her cell phone, Officer Holland testified that several people referred to Defendant by the nickname "Lay." *Id.* at 21. Over hearsay objection by the Defendant, Officer Holland testified that upon reviewing the jail text messages, "on April 8, 2020, at 12:50 there was a message sent from Ms. Saunders to Mr. Dennis which read Lay is working in the ER today so it worked out good. But she is going to text me when she does it." *Id.*

Over further hearsay and speculation objections, Officer Holland testified that a phone conversation took place at 17:55 hours on April 8, 2020 "with Mr. Dennis asking what she tell you. The female responds let me see if she messaged me. She aint hit me yet. Dennis responds she know what to do. Female responds yea I told her. Dennis responds why she acting so slow. The female responds I don't know. They probably busy. She is working in the ER. Probably a whole bunch of fucking nonsense going on. Dennis responds alright yo, as long as she gets it done. Tell her to let you know before seven so I know what to do. Female responds okay. Dennis responds you explain how to do it. Female yea. Dennis alright." *Id.* at 26. A second phone conversation occurred with "Dennis calling and saying did you talk to her. Female no. Dennis tell her when she gets the chance to try and get it back but if it is not there tell her good look anyway. Female says okay. Dennis responds alright." *Id.* A third conversation through text messages occurred where Ms. Saunders asked Dennis you want me to pay her from this money in Cash App. Dennis replies back I don't care. What she say she wanted. And then it said, he responded she said she doesn't know what she wants lol." *Id.* at 26-27. The time of the second phone conversation was not put into evidence but in argument was stated to have occurred five hours later.

The Commonwealth admitted a photograph of the ambulance bay doorway leading to the Emergency Room at Uniontown Hospital showing a female, identified as Defendant, carrying a purse in her left hand, standing right next to the restroom that is in ques-

tion. *Id.* at 27. Officer Holland testified that staff at the hospital told him that they use an employee lounge for people to keep purses and use the restroom since the restroom in question is available to patients. *Id.* at 28.

Under cross-examination, Officer Holland testified that he only watched twenty-four hours of surveillance video prior to the incident and that he did not know the last time the bathroom had been searched prior to the drugs being found. *Id.* at 28. Officer Holland confirmed that Defendant provided her cell phone to him, that Officer Holland retrieved all information from the phone via a “dump”, and that he did not find any communication between Shataya Saunders and Defendant. *Id.* at 29. Officer Holland testified that inmate Adam Morgan never received the drugs in question because a guard went into the restroom with him. *Id.* Officer Holland admitted that one EMS who used the restroom had shut the door. *Id.* at 30.

## DISCUSSION

To sustain a habeas corpus petition, the Commonwealth must prove that the evidence received at the preliminary hearing presented sufficient probable cause to believe that the Defendant committed the offense for which she is charged.

The quantity and quality of evidence presented there ‘should be such that if presented at trial in court, and accepted as true, the judge would be warranted in allowing the case to go to the jury.’ The Commonwealth’s burden at a preliminary hearing is to establish at least *prima facie* that a crime has been committed and that the accused is the one who committed it. This means that at a preliminary hearing, the Commonwealth must show the presence of every element necessary to constitute each offense charged and the defendant’s complicity in each offense. Proof beyond a reasonable doubt is not required, nor is the criterion to show that proof beyond a reasonable doubt is possible if the matter is returned for trial. However, proof, which would justify a trial judge submitting the case to the jury at the trial of the case, is required. Inferences reasonably drawn from the evidence of record which would support a verdict of guilty are to be given effect, and the evidence must be read in the light most favorable to the Commonwealth’s case. Prosecutorial suspicion and conjecture are not evidence and are unacceptable as evidence.

*Commonwealth v. Snyder*, 483 A.2d 933, 935 (Pa. Super. 1984).

Section (a)(30) of the Controlled Substance, Drug, Device and Cosmetic Act prohibits the manufacture, delivery, or possession of a controlled substance by an unregistered or unlicensed person and Section (a)(16) prohibits knowingly or intentionally possessing a controlled substance. See, 35 P.S. § 780-113(a)(30) and (a)(16). Section (a)(32) prohibits the use of, or possession with intent to use, drug paraphernalia. See, 35 P.S. § 780-113(a)(32).

With regard to Criminal Use of a Communication Facility, it is alleged that Defendant “did use her cell phone to set up a drug delivery to the Uniontown Hospital.” As to Criminal Attempt – Contraband/Controlled Substance, the Commonwealth alleges Defendant did deliver suboxone and marijuana to the Uniontown Hospital knowing these items were to be smuggled into the Fayette County Prison. As to all of these charges,

the Commonwealth alleges Defendant did so in conspiracy with Shataya Saunders or Cody Dennis.

The mens rea required to be proven for the charges is knowingly or intentionally possessing a controlled substance, namely marijuana and suboxone, and drug paraphernalia. The General Assembly has provided a default culpability provision in Section 302 (c) of the Crimes Code that is to be applied to determine the appropriate element of culpability: when the culpability sufficient to establish a material element of an offense is not prescribed by law, such element is established if a person acts intentionally, knowingly or recklessly with respect thereto.

An examination of the evidence presented establishes that Defendant was an employee of Uniontown Hospital stationed to work in the Emergency Room on April 8, 2020, that she entered a restroom in the hallway outside of the Emergency Room that is generally used by patients, that she shut the door to the restroom, and that she remained inside for approximately five minutes.

A Fayette County Prison inmate was transferred to Uniontown Hospital for chest pains and used the same restroom. Following the inmate leaving the restroom and a search of the restroom, a glove was found to contain suboxone and marijuana in the ceiling of the bathroom.

Fayette County Prison text messages from Shataya Saunders to another inmate Cody Dennis revealed one mention of a nickname “Lay” stating: “Lay is working in the ER today so it worked out good. But she is going to text me when she does it.” Subsequent telephone conversations and text messages between Saunders and the inmate establish Saunders telling the inmate that “she aint hit me yet” and “she is working in the ER” and inmate Dennis directing Saunders to “tell her when she gets the chance to try and get it back but if it is not there tell her good luck anyway.” The “she” in these messages is not named or otherwise identified.

The Commonwealth’s case against Defendant is based solely on circumstantial evidence. “The Commonwealth may meet its burden of proving every element beyond a reasonable doubt through wholly circumstantial evidence.” *Commonwealth v. Sullivan*, 864 A.2d 1246, 1249 (Pa. Super. 2004). A caveat, though, that a conviction sustained by circumstantial evidence may not be based on mere suspicion or conjecture. *Commonwealth v. Hardcastle*, 546 A.2d 1101 (Pa. 1988).

The Commonwealth has failed to establish that Defendant possessed or possessed with intent to deliver the suboxone and marijuana found in the Uniontown Hospital’s bathroom ceiling. The Uniontown City Police’s review of Defendant entering and exiting a bathroom revealed nothing to show Defendant took the drugs into that restroom or placed them in the ceiling. The Commonwealth presented no evidence as to the age of the drugs or a timeframe prior to the within incident that the bathroom had been searched or cleaned in the ceiling. Put simply, the Commonwealth cannot connect these drugs to this Defendant let alone establish that she knowingly or intentionally possessed the drugs found in the hospital bathroom. The evidence, as presented at the preliminary hearing, would require a jury to speculate or conjecture in order to tie the drugs to Defendant.



The Commonwealth also failed to present evidence of a conspiracy between Shataya Saunders or Cody Dennis. Absent one use of the name “Lay”, the conversations between Saunders and inmate Dennis do not identify a person to whom they are referring. Of significance, a police search retrieving the contents of Defendant’s phone revealed no communications between Defendant and Saunders or Defendant and inmate Dennis. The Commonwealth has not proven that Defendant even knew Shataya Saunders or Cody Dennis.

Finding the Commonwealth has failed to establish a prima facie case, the Court must dismiss the pending charges. WHEREFORE, we will enter the following Order.

ORDER

AND NOW, this 17th day of June, 2022, upon consideration of the Omnibus Pretrial Motion filed by Defendant Malaysha Taylor, the record, and after hearing, it is hereby ORDERED and DECREED that the Motion is GRANTED and the within charges are DISMISSED in accordance with the foregoing Opinion.

BY THE COURT:  
NANCY D. VERNON, JUDGE

ATTEST:  
Clerk of Courts



## LUNCH & LEARN SERIES

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

- Date: **Wednesday, July 20th from 12:00 p.m. to 1:00 p.m.**
- Location: Courtroom No. 3 of the Fayette County Courthouse
- Discussion topics: **Pro bono and low bono needs and opportunities**
- Presenter: **Brian V. Gorman, Esquire -**  
Southwestern Pennsylvania Legal Aid

### CLE Credit

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

#### Members of the FCBA

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

#### Attorneys admitted to practice in Pennsylvania after January 1, 2017

- 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 email to [cindy@fcbar.org](mailto:cindy@fcbar.org) on or before Monday, July 18th.

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& ASSOCIATES

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