## Public Notice Appointment of New Magistrate Judge in the United States District Court for the Eastern District of Pennsylvania

The Judicial Conference of the United States has authorized the appointment of a full-time United States magistrate judge for the Eastern District of Pennsylvania at Philadelphia. The appointee may be required to preside at court sessions to be held at Reading, Philadelphia, Allentown, and Easton. The essential function of courts is to dispense justice. An important component of this function is the creation and maintenance of diversity in the court system. A community's belief that a court dispenses justice is heightened when the court reflects the community's diversity.

The duties of the position are demanding and wide-ranging, and will include, among others: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters, settlement proceedings, and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants. The basic authority of a United States magistrate judge is specified in 28 U.S.C. § 636.

To be qualified for appointment an applicant must:

- Be, and have been for at least five years, a member in good standing of the bar of the highest court of a state, the District of Columbia, the Commonwealth of Puerto Rico, the Territory of Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States, and have been engaged in the active practice of law for a period of at least five years;
- Be competent to perform all the duties of the office; be of good moral character; be emotionally stable and mature; be committed to equal justice under the law; be in good health; be patient and courteous; and be capable of deliberation and decisiveness:
- 3. Be less than seventy years old; and
- 4. Not be related to a judge of the district court.

A merit selection panel composed of attorneys and other members of the community will review all applicants and recommend to the district judges in confidence the five persons it considers best qualified. The court will make the appointment following an FBI full-field investigation and an IRS tax check of the applicant selected by the court for

#### LANCASTER LAW REVIEW

appointment. The individual selected must comply with the financial disclosure requirements pursuant to the Ethics in Government Act of 1978, Pub. L. No. 95-521, 90 Stat. 1824 (1978) (codified at 5 U.S.C. app. 4 §§ 101-111) as implemented by the Judicial Conference of the United States. An affirmative effort will be made to give due consideration to all qualified applicants without regard to race, color, age (40 and over), gender, religion, national origin, or disability. The current annual salary of the position is \$223,836.00. The term of office is eight (8) years.

The application is available on the court's web site at <a href="https://www.paed.uscourts.gov/">https://www.paed.uscourts.gov/</a> Only applicants may submit applications and applications must be received by Thursday, November 7, 2024.

All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the merit selection panel and the judges of the district court. The panel's deliberations will remain confidential.

Applications must be submitted by email to <u>Paed Apply@paed.uscourts.gov</u> with the subject line **"Magistrate Judge Application."** An /s/ or e-signature on the application will be accepted.

Please note this vacancy was previously posted on October 25,2023 and filled by Mary Kay Costello. The vacancy has been created again due to the fact that Judge Costello has been commissioned to serve as a United States District Judge. Those persons who previously submitted applications and wish to re-apply *need not* complete a new application. Rather, it is sufficient to send an email to <a href="Paed apply@paed.uscourts.gov">Paed apply@paed.uscourts.gov</a> indicating an intent to be considered for the current opening. Supplemental information may be forwarded to the above email. But only if it is new information that was not previously submitted.

Applications will only be accepted by email. Applications sent by mail will not be considered. Due to the overwhelming number of applications expected, applicants should not contact the court regarding the status of their application.

#### $Court\ of\ Common\ Pleas\ of\ Lancaster\ County$

#### Juvenile

In the Interest of J.F., a minor Juvenile

The Court finds no error in the exclusion of testimony under the Rape Shield Law and concluded that the Commonwealth provided sufficient evidence to support a burglary conviction. The Rape Shield Law's procedural requirements were correctly enforced, and the evidence demonstrated Appellant's specific intent to commit a crime, satisfying the elements of burglary under 18 Pa. C.S.A. § 3502.

Opinion. In the Interest of J.F., a minor – No. 807-2023, No. 880-2023, No. 881-2023, No. 896-2023

Diana Kelleher, Esquire for the Defendent Janie Swinehart, Esquire for the Commonwealth

#### 1925(a) OPINION

OPINION BY BROWN, J., April 17, 2024. The Court enters this Opinion upon J.F. ("Appellant") filing a Notice of Appeal on March 18, 2024, and the Statement of Errors Complained of On Appeal in the above docketed cases filed April 12, 2024.

#### BACKGROUND

Docket No. JV-807-2023 was initiated on October 16, 2023, following allegations of Burglary<sup>1</sup> and Stalking - Repeatedly Commit Acts to Cause Fear <sup>2</sup> against Appellant. The delinquency petition in this matter was filed on October 30, 2024. Additionally, Docket No. JV-880-2023 commenced on November 29, 2023, with accusations of Stalking - Repeatedly Commit Acts to Cause Fear<sup>3</sup> and Harassment - Follow in Public Place.<sup>4</sup> The petition alleging delinquency was filed on December 1, 2023. Docket No. JV-881-2023 also commenced on November 29, 2023, which involved allegations of Indirect Criminal Contempt: Arrest for Violation of Order.<sup>5</sup> Finally, Docket No. JV-896-2023 commenced on December 5, 2023, with serious allegations including Rape Threat of Forcible Compulsion,<sup>6</sup> Involuntary Servitude – Extortion,<sup>7</sup> Sexual Assault,<sup>8</sup> Stalking – Repeatedly Commit Acts To Cause Fear,<sup>9</sup> and Sexual Extortion. 10 The delinquency petition for this case was filed on December 7, 2023. On January 12, 2024, the Commonwealth filed an amended delinquency petition under Docket No. JV-896-2023 to add charges of Photographing, Videotaping, Depicting on Computer or Filming Child Sexual Acts, 11 Dissemination of Photographs, Videotapes, Computer Depictions, or Films of Child Sexual Acts, 12 Child Por-

<sup>1 18</sup> Pa. C.S.A. § 3502(a)(1)(i) 2 18 Pa. C.S.A. § 2709.1(a)(1) 3 18 Pa. C.S.A. § 2709.1(a)(1) 4 18 Pa. C.S.A. § 2709.a)(2) 5 23 Pa. C.S.A. § 113(a) 6 18 Pa. C.S.A. § 3121(a)(2) 7 18 Pa. C.S.A. § 3012(b)(7) 8 18 Pa. C.S.A. § 3124.1 9 18 Pa. C.S.A. § 3709.1(a)(2) 10 18 Pa. C.S.A. § 3133(a)(2) 11 18 Pa. C.S.A. § 6312(b)(2) 12 18 Pa. C.S.A. § 6312(c)

nography, 13 Criminal Use of Communication Facility, 14 and Promoting Prostitution.<sup>15</sup>

On January 18, 2024, January 25, 2024, and January 26, 2024, this Court held an Adjudicatory Hearing on all of Appellant's juvenile dockets. The Court held that the Commonwealth proved that Appellant committed all delinquent acts outlined in the various delinquency petitions beyond a reasonable doubt, except for the Promoting Prostitution charge. On January 26, 2024, this Court entered an Adjudicatory Order finding that Appellant committed the juvenile delinquent acts outlined in the delinquency petitions. On February 15, 2024, this Court entered a Dispositional Order, finding that Appellant needs treatment and rehabilitation and placed him in a group home.

On March 18, 2024, Appellant filed a Notice of Appeal to the Superior Court of Pennsylvania to appeal the Court's Dispositional Order entered on February 15, 2024. On April 12, 2024, Appellant filed the Statement of Errors complained of On Appeal ("Statement of Errors"). In the Statement of Errors, Appellant raised the two following issues: 1) the Court erred by excluding testimony under the Rape Shield Law at 18 Pa. C.S.A. § 3104; and 2) the evidence presented by the Commonwealth was insufficient to prove that Appellant committed a burglary pursuant to 18 Pa. C.S.A. § 3502. See Statement of Errors at ¶¶ 1-2.

#### DISCUSSION

#### A. Rape Shield Law

Appellant claims he should have been able to testify about consensual acts between the victim and Appellant during their prior romantic relationship. This type of testimony is controlled by the Rape Shield Statute, which provides:

- (a) General rule. Evidence of specific instances of the alleged victim's past sexual conduct, past sexual victimization, allegations of past sexual victimization, opinion evidence of the alleged victim's past sexual conduct, and reputation evidence of the alleged victim's past sexual conduct shall not be admissible in prosecutions of any offense listed in subsection (c) except evidence of the alleged victim's past sexual conduct with the defendant where consent of the alleged victim is at issue and such evidence is otherwise admissible pursuant to the rules of evidence.
- (b) Evidentiary proceedings. A defendant who proposes to offer evidence of the alleged victim's past sexual conduct, past sexual victimization, allegations of past sexual victimization, opinion evidence of the alleged victim's past sexual conduct and reputation evidence of the alleged victim's past sexual conduct pursuant to subsection (a) shall file a written motion and offer of proof at the time of trial. If, at the time of

<sup>13 18</sup> Pa. C.S.A. § 6312(d) 14 18 Pa. C.S.A. § 7512(a) 15 18 Pa. C.S.A. § 5902(b)(1)

trial, the court determines that the motion and offer of proof are sufficient on their faces, the court shall order an in camera hearing and shall make findings on the record as to the relevance and admissibility of the proposed evidence pursuant to the standards set forth in subsection (a).

18 Pa.C.S.A. § 3104 (emphasis added).

"The purpose of the Rape Shield Law is to prevent a trial from shifting its focus from the culpability of the accused toward the virtue and chastity of the victim." *Com. v. Allburn*, 721 A.2d 363, 366 (Pa. Super. 1998). "The Rape Shield Law is intended to exclude irrelevant and abusive inquiries regarding prior sexual conduct of sexual assault complainants." *Com. v. Burns*, 988 A.2d 684, 689 (Pa. Super. 2009) (internal citations omitted).

Appellant contends that testimony regarding previous consensual actions between Appellant and the victim is an exception to the rape shield law because the testimony is relevant to consent. *See Statement of Errors* at ¶ 1. Appellant further contends that the "Commonwealth opened the door to [the testimony] when the victim testified on direct examination about a prior consensual incident between [the victim and Appellant] that occurred at school." *Id.* 

The Superior Court has "repeatedly stated that a defendant who desires to introduce evidence of the victim's prior sexual conduct must file a written motion and make a specific offer of proof prior to trial." *Burns*, 988 A.2d at 689. (internal citations omitted). The compulsory language, "shall," in the Rape Shield Law indicates the legislature's intent that a motion and offer of proof be provided at the time of trial for the evidence to be used. Here, Appellant did not file any motion to introduce evidence of the victim's past sexual conduct or provide an offer of proof. Assuming, *arguendo*, an exception to the Rape Shield Law applies Appellant must still file a written motion and offer of proof at the time of trial, as required by 18 Pa. C.S.A. § 3401(b).

Furthermore, it is not clear that the Commonwealth "opened the door" for Appellant to introduce testimony of prior consensual sexual acts. Assuming, *arguendo*, even if the Commonwealth "opened the door" to the evidence, a motion and offer of proof would need to be provided at the time of trial to introduce evidence of prior consensual sexual acts between Appellant and the victim. *See Id.* A party "opening the door" does not waive the procedural requirements outlined in 18 Pa. C.S.A. § 3401(b). Therefore, since Appellant failed to file a motion and provide an offer of proof at the time of trial, testimony regarding the victim's prior consensual sexual acts with Appellant in a past relationship was correctly excluded from evidence.

#### B. Burglary

The second issue raised by Appellant is that the Commonwealth was insufficient to prove that Appellant committed a burglary pursuant to 18 Pa. C.S.A. § 3502 because the evidence was insufficient that Appellant entered the home with the intent to commit a crime. See Statement

of Errors at ¶ 2. 18 Pa. C.S.A. § 3502, reads in pertinent part:

(a) Offense defined. A person commits the offense of burglary if, with the intent to commit a crime therein, the person:

(1)(i) enters a building or occupied structure, or separately secured or occupied portion thereof, that is adapted for overnight accommodations in which at the time of the offense any person is present and the person commits, attempts or threatens to commit a bodily injury crime therein[.]

18 Pa. C.S.A. § 3502(a)(1)(i). Therefore, in order to sustain the finding of delinquency for the Burglary charge, the Commonwealth must prove beyond a reasonable doubt that: 1) Appellant entered the victim's home; 2) Appellant intended to commit a crime in the victim's home; 3) the victim was present at the time of the offense; and 4) Appellant attempted or threatened to commit a bodily injury crime while in the victim's home. *See Id.* There is no dispute that the victim was present at the time of the offense.

#### i. Appellant's Unprivileged Entry of the Home

The burglary took place on October 16, 2023. The victim testified that Appellant entered the home and came up to her room. Appellant awoke the victim, the victim proceeded to scream which woke her parents, and Appellant ran out of the house to his home around a mile away. The police were called and spoke to Appellant at his home. The officer on scene testified that he was wearing a sweatshirt with the word "Jazz" emblazed on the front and that his sneakers were wet and covered in grass. This is the same sweatshirt that the victim testified she saw Appellant wearing when she awoke to him in his room. In a video of Appellant at school, Appellant can be seen wearing the same sweatshirt. Appellant does not deny that he was in the victim's house on the night of October 16, 2023. However, Appellant contends that the victim willingly allowed Appellant into the house. The victim denied that she allowed Appellant into the home.

Appellant was lawfully at the victim's house before. Appellant testified that he was in the room with the side door on multiple occasions but denied that knew whether the door was usually locked. The victim asserted that she did not invite Appellant over that night and that she had no contact with the victim at that time. The victim indicated that the relationship between herself and Appellant was over. The victim further testified that Appellant would know that the door is not always locked because he was over many times while they were dating. The Court found that the victim's testimony to be significantly more credible than Appellant's testimony. Based on the testimony, it is beyond a reasonable doubt that Appellant entered the home without the consent of the victim.

#### ii. Appellant's Intent in the Home

Burglary is a crime of specific intent. See Com. v. Kennedy, 453 A.2d

927, 929 (Pa. Super. 1982). "Specific intent as to the crime of burglary may be inferred from the circumstances surrounding entry of the accused." Id. at 929 (internal citations omitted). The Court may "infer that Appellant intended a criminal purpose based upon the totality of the circumstances." Com. v. Alston, 651 A.2d 1092, 1095 (Pa. 1994). "[I]n order to secure a conviction for burglary, the Commonwealth is not required to allege or prove what particular crime Appellant intended to commit" after entering the private residence. Id. However, when the Commonwealth specifies in the information or indictment the crime Appellant intended to commit, the Commonwealth must prove the requisite intent to commit the underlying crime to prove burglary. See Com. v. Brown, 886 A.2d 256, 260 (Pa. Super. 2005). Here, in the delinquency petition for Docket No. JV-807-2023, it is expressly stated that Appellant "did enter an occupied structure [...] with the intention of stalking an ex-girlfriend." Appellant was also charged with Stalking under the same docket.

18 Pa. C.S.A. § 2709.1, reads in pertinent part:

(a) Offense defined. A person commits the crime of stalking when the person either:

(1) engages in a course of conduct or repeatedly commits acts toward another person, including following the person without proper authority, under circumstances which demonstrate either an intent to place such other person in reasonable fear of bodily injury or to cause substantial emotional distress to such other person[.]

18 Pa. C.S.A. § 2709.1(a)(1). Therefore, to satisfy the intent element of the Burglary charge, the Commonwealth had to prove that Appellant intended to place the victim in reasonable fear of bodily injury or to cause substantial emotional distress. *See Id.* Such a showing would also prove that Appellant attempted or threatened to commit a bodily injury crime while in the victim's home. *See supra*; *See* 18 Pa. C.S.A. § 3502(a)(1)(i).

In this case, the Commonwealth proved beyond a reasonable doubt that Appellant entered the home with the intention to stalk the victim. Prior to the burglary on October 16, 2024, Appellant forcibly raped on multiple occasions through sexual extortion. Appellant does not dispute that in the Statement of Errors. The victim indicated that she did not wish to see Appellant, and that she tried to stop all contact with him. Immediately following the burglary on October 16, 2023, the victim obtained a Protection from Abuse Order to ensure that Appellant would not have further contact with her. The victim expressed to Appellant that she did not wish to see him anymore. It is clear that by coming to the victim's house uninvited, after committing a series of rapes against the victim via sexual extortion, that Appellant intended to cause bodily injury or at the very least, to cause the victim severe emotional distress.

#### CONCLUSION

For the foregoing reasons, the Court correctly excluded evidence of the victim's prior consensual encounters with Appellant under the Rape Shield Law, the Commonwealth presented sufficient evidence to prove that Appellant committed a burglary pursuant to 18 Pa. C.S.A. § 3502. Therefore, the Court's Dispositional Order dated February 15, 2024, should be affirmed.

DATE: April 17, 2024 BY THE COURT:

LEONARD G. BROWN, III, JUDGE

#### **ESTATE AND TRUST NOTICES**

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

#### FIRST PUBLICATION

#### Blevins, Lynn H., dec'd.

Late of Christiana Borough.
Administrator: Randall

Administrator: Randall L. Blevins c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster. PA 17602.

Attorney: Jeffrey P. Ouellet, Esquire.

#### Buck, Barbara A., dec'd.

Late of Clay Township.

Executrix: Jane M. Balistreri c/o A. Anthony Kilkuskie, 117A West Main Street, Ephrata, PA 17522.

Attorney: A. Anthony Kilkuskie, 117A West Main Street, Ephrata, PA 17522.

#### Clark, Robert J., dec'd.

Late of Salisbury Township. Executor: Richard C. Martin c/o Jeffrey C. Goss, Esquire, 480 New Holland Avenue, Suite 6205, Lancaster, PA 17602.

Attorneys: Brubaker Connaughton Goss & Lucarelli LLC.

#### Dougherty, John F., dec'd.

Late of New Holland Borough. Executrix: Leslie D. Solomon, 4244 Linthicum Road, Dayton, MD, 21036.

Attorney: None.

#### Eshleman, Patricia B., dec'd.

Late of West Lampeter Township.

Executor: Doreen E. Hershey c/o Law Office of Shawn Pierson, 105 East Oregon Road, Lititz, PA 17543.

Attorney: Shawn M. Pierson, Esq.

#### Feiler, Lois L., dec'd.

Late of Lancaster.

Executor: Jerry Brown c/o Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

Attorney: Christopher R. Grab, Esquire.

#### Harper, Bertha D., dec'd.

Late of Rapho Township.

Co-Executors: Ronald P. Harper, Jr. & Timothy L. Harper c/o James N. Clymer, Esq., 408 West Chestnut Street, Lancaster, PA 17603.

Attorney: Clymer Musser & Sarno, PC.

#### Herbert, Linda G., dec'd.

Late of East Cocalico Township. Administrator: John Herbert c/o Gardner and Stevens, P.C., 109 West Main Street, Ephrata, PA 17522.

Attorney: Kurt A. Gardner.

#### Hess, Dorothy M., dec'd.

Late of West Donegal Township. Executor: Sharon J. Hostetter c/o Ann L. Martin, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

#### Kemery, D. Lorraine, dec'd.

Late of Manheim Township.

Executor: Barry J. Kemery c/o James N. Clymer, Esq., 408 West Chestnut Street, Lancaster, PA 17603.

Attorneys: Clymer Musser & Sarno, PC.

#### Lancaster, Henry T., dec'd.

Late of Elizabethtown Borough. Administrator: Donna L. Kellett c/o Attorneys Patrick J. Schaeffer, Esquire; Laura E. Bayer, Esquire, Trinity Law, 1681 Kenneth Road, Building 2, York, PA 17408.

Attorneys: Patrick J. Schaeffer, Esquire; Laura E. Bayer, Esquire.

## Linehan, Ethel a/k/a Ethel Mary Linehan, dec'd.

Late of West Lampeter Township.

Co-Executors: Barbara Tritt, Elizabeth Bulat c/o Ream Carr Markey & Woloshin, LLP, 119 East Market Street, York, PA 17401.

Attorney: Andrew F. Kagen, Esquire.

# McClune, Kenneth R., dec'd. Late of Little Britain Township. Executrix: Kelly L. Groff c/o Brian J. Honness, Esquire, McNees Wallace & Nurrick LLC, 570

Lausch Lane, Suite 200, Lancaster, PA 17601.

Attorney: McNees Wallace & Nurrick LLC.

#### Messner, Barton W., dec'd.

Late of East Earl Township.

Administrator: Jere L. Messner c/o E. Richard Young, Jr., Esq., 1248 W. Main St., Ephrata, PA 17522.

Attorney: E. Richard Young, Jr., Esq.

#### Mohney, Julia K., dec'd.

Late of East Lampeter Township.

Executor: Hillary Hoyes c/o May Herr & Grosh, LLP, 234 North Duke Street, Lancaster, PA 17602.

Attorney: Matthew A. Grosh.

#### Rooney, Frances G., dec'd.

Late of Denver Borough.

Executor: Patrick D. Rooney c/o Gardner and Stevens, P.C., 109 West Main Street, Ephrata, PA 17522.

Attorney: John C. Stevens.

#### Witmer, Brenda L., dec'd.

Late of Lancaster.

Executors: Karen L. Hartman, Mark R. Witmer c/o Lindsay Casadei, Esq., Byler & Winkle, P.C., 363 West Roseville Road, Lancaster, PA 17601.

Attorney: Lindsay Casadei, Esq.

#### Yochum, Melinda S., dec'd.

Late of Akron Borough.

Executor: Diane K. Myers c/o Pyfer, Reese, Straub, Gray & Farhat, P.C., 128 N. Lime Street, Lancaster. PA 17602.

Attorneys: Pyfer, Reese, Straub, Gray & Farhat, P.C.

#### SECOND PUBLICATION

#### Barnes, Iris Dee, dec'd.

Late of Lancaster.

Executor: Thomas Frauman c/o Legacy Law, PLLC., 147 W. Airport Road, Suite 300, Lititz, PA 17543.

Attorney: Katelyn M. Haldeman, Esq.

#### Botchoff, Alexander, dec'd.

Late of Lititz Borough.

Executor: Natashia Tabler, 5331 Tay Ct., Melbourne Beach, FL 32951.

Attorney: None.

## Botham, Ruby a/k/a Ruby J. C. Botham a/k/a Ruby J. Botham, dec'd.

Late of Strasburg Borough. Executor: Robert T. Marshall c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.

Attorney: Jeffrey P. Ouellet, Esquire.

## Charles, J. Clayton a/k/a John Clayton Charles, dec'd.

Late of Manor Township. Co-Executors: John Charles, Thomas Charles c/o Angelo J. Fiorentino, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

#### Ebersol, Elam M., dec'd.

Late of Rapho Township.

Administrator: Eli P. Ebersol, Lena K. Ebersol c/o Glick, Goodley, Deibler & Fanning, LLP, 131 W. Main Street, New Holland, PA 17557.

Attorney: Ashley A. Glick, Esq.,

Glick, Goodley, Deibler & Fanning, LLP.

#### Eshleman, Martin H., dec'd.

Late of Martic Township.

Executor: Linda A. Zimmerman c/o Pyfer, Reese, Straub, Gray & Farhat, P.C., 128 N. Lime Street, Lancaster, PA 17602.

Attorneys: Pyfer, Reese, Straub, Gray & Farhat, P.C.

#### Herman, Karen J., dec'd.

Late of Brecknock Township.

Executrix: Amanda E. Bughman c/o Patrick J. Schaeffer, Esquire, Laura E. Bayer, Esquire, Trinity Law, 1681 Kenneth Road, Building 2, York, PA 17408.

Attorneys: Patrick J. Schaeffer, Esquire, Laura E. Bayer, Esquire.

#### Jones, R. Jean, dec'd.

Late of Manor Township.

Executor: Michael B. Jones c/o Michael B. Jones, Esquire, 2131 Brodhead Road, Aliquippa, PA 15001.

Attorney: Michael B. Jones.

#### Kerek, Dennis Clarence, dec'd.

Late of Manheim Township.

Co-Executors: Karen K. Napolitan, Susan Jennifer Vastola c/o Douglas A. Smith, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

#### Knight, Susan G., dec'd.

Late of Penn Township.

Executor: Jerry G. Snyder c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorneys: Young and Young.

## **Madenford, Augusta S.**, dec'd. Late of Lititz Borough.

Executor: Edward H. Madenford c/o Lawrence F. Hinnenkamp, Attorney at Law, 316 East Orange Street, Lancaster, PA 17602-2963.

Attorney: Lawrence F. Hinnen-kamp.

## Nixdorf, Joan M. a/k/a Joan Mary Nixdorf, dec'd.

Late of Manheim Township. Executor: Terry L. Nixdorf, 1001 East Oregon Road, Lititz, PA 17543.

Attorney: None.

## Olson, Jennifer A. a/k/a Jennifer Anne Olson, dec'd.

Late of Manor Township.

Executor: Marc V. Olson c/o 135 North George Street, Suite 225, York, PA 17401.

Attorney: Charles J. Long, Esquire.

#### Reno, Patricia A., dec'd.

Late of Caernarvon Township. Executrix: Brenda L. Bowers c/o Angelo J. Fiorentino, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

#### Rhodes, Frank P., Sr., dec'd.

Late of Manheim Township. Executrix: Sandra R. Simmons c/o Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372.

Attorney: William T. Keen, Esq., Keen Keen & Good, LLC.

#### Rowe, Robert L. a/k/a Robert L.

#### Rowe, Sr., dec'd.

Late of Lancaster Township.

Executor: Donna L. Kramer c/o Pyfer, Reese, Straub, Gray & Farhat, P.C., 128 N. Lime Street, Lancaster, PA 17602. Attorneys: Pyfer, Reese, Straub,

Attorneys: Pyfer, Reese, Straub, Gray & Farhat, P.C.

#### Roth, Vincent J., dec'd.

Late of Manheim Township. Executor: Dennis R. Sitler, 112 Red Fox Lane, Lititz, PA 17543. Attorney: None.

#### Shaubach, Helene A., dec'd.

Late of East Hempfield Township.

Executor: Craig A. Shaubach c/o 327 Locust Street, Columbia, PA 17512.

Attorney: John F. Markel, Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

## Tell, William a/k/a William Tell, Jr., dec'd.

Late of East Hempfield Township.

Executor: Patrick J. Conlin c/o Blakinger Thomas, PC, 28 Penn Square, Lancaster, PA 17603. Attorneys: Blakinger Thomas, PC.

## Wagner, Jean S. a/k/a Jean Wagner, dec'd.

Late of Ephrata Township. Co-Executors: Carol J. Bair, Wende A. Nagy c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.

Attorney: Jeffrey P. Ouellet, Esquire.

#### Warfel, Albert L., dec'd.

Late of Providence Township.

Administrators: Joshua L. Warfel, Leda E. Warfel c/o Paterson Law LLC, 2819 J Willow Street Pike N, Willow Street, PA 17584.

Attorney: Kim Carter Paterson.

#### THIRD PUBLICATION

#### Easterday, Colleen A., dec'd.

Late of Terre Hill Borough.

Executor: Brandon McFadden c/o May Herr & Grosh, LLP, 234 North Duke Street, Lancaster, PA 17602.

Attorney: Bradley A. Zuke.

#### Gendy, Brittany M., dec'd.

Late of Lancaster.

Executor: William Gendy c/o Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

Attorney: Christopher R. Grab, Esquire

## Grill, Melvin R., Jr. a/k/a Melvin R. Grill, dec'd.

Late of West Lampeter Township.

Executrix: Debra J. Decaro c/o Law Offices of Mark L. Blevins, Esquire, 701 Penn Grant Road, Lancaster, PA 17602.

Attorney: Mark L. Blevins, Esquire.

## Hartranft, Linda C. a/k/a Linda Carol Hartranft, dec'd.

Late of Manheim Township. Executor: Timothy R. Hartranft c/o Good Law Firm, 132 West Main Street, New Holland, PA 17557.

Attorneys: Good Law Firm.

#### **Larmie, Carol J.**, dec'd. Late of West Lampeter Town-

ship.

Co-Administrators: Valerie W. Boos, Carla L. Savidge c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602. Attorney: Jeffrey P. Ouellet, Esquire.

#### Lehman, Ernest E., Sr., dec'd.

Late of Lancaster Township.

Executor: Christine A. Meckley c/o Scott Allen Mitchell, Esq., Saxton & Stump, LLC, 280 Granite Run Dr., Ste. 300, Lancaster, PA 17601.

Attorney: Saxton & Stump, LLC.

#### Leisey, Evelyn J., dec'd.

Late of Denver Borough.

Executor: Alan L. Leisey c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorneys: Young and Young.

#### Michael, Geraldine A., dec'd.

Late of Upper Leacock Township.

Executor: Denise L. Lefever c/o Glick, Goodley, Deibler & Fanning, LLP, 131 W. Main Street, New Holland, PA 17557.

Attorney: Patrick A. Deibler, Esq., Glick, Goodley, Deibler & Fanning, LLP.

#### Miller, Maida E., dec'd.

Late of East Drumore Township. Executor: James S. Fogarty c/o James N. Clymer, Esq., 408 West Chestnut Street, Lancaster, PA 17603.

Attorneys: Clymer Musser & Sarno, PC.

#### Roberts, Kelly K., dec'd.

Late of Providence Township. Executrix: Cherie A. Maguire c/o Nikolaus & Hohenadel, LLP, 303 West Fourth Street, Quarryville, PA 17566.

Attorney: John C. Hohenadel, Esquire.

### Whiteford, Linda A. a/k/a Linda A. Fansler. dec'd.

Late of Mount Joy Borough. Co-Executors: Mary L. Blake, Robert W. Whiteford, 139 Equine Drive, Marietta, PA 17547.

Attorney: None.

#### Yanni, Beth A. a/k/a Beth Anne Yanni, dec'd.

Late of Rapho Township.

Executor: Michael J. Yanni c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorneys: Young and Young.

#### ARTICLES OF DISSOLUTION

Please be advised that **BRIGHT START ACADEMY, INC.**, a Pennsylvania corporation, at 909 Shreiner Avenue, Lancaster, PA 17603, is in the process of winding up its affairs and dissolving. Jeffrey P. Ouellet, Esq. APPEL, YOST & ZEE LLP Attorneys

0-4

NOTICE IS HEREBY GIVEN by **J & G Craig, LLC**, a Pennsylvania limited liability company with a registered address of c/o Russell, Krafft & Gruber, LLP, 930 Red Rose Court, Lancaster, Pennsylvania 17601, which is now engaged in winding up and settling the affairs of said company. The company will be filing a Certificate of Dissolution with the Com-

monwealth of Pennsylvania so that its limited liability company existence shall be ended by the issuance of a Certificate of Termination by the Department of State under the provisions of the Pennsylvania Uniform Limited Liability Company Act of 2016, as amended.

RKG Law, Attorneys Nichole M. Baer, Esquire 101 North Pointe Boulevard Suite 202 Lancaster, PA 17601

0-4

NOTICE IS HEREBY GIVEN by J & G Craig Family Limited Partnership, a Pennsylvania limited partnership with a registered address of c/o Russell, Krafft & Gruber, LLP, 930 Red Rose Court, Suite 300, Lancaster, Pennsylvania 17601, which is now engaged in winding up and settling the affairs of said partnership. The partnership will be filing a Certificate of Termination with the Commonwealth of Pennsylvania so that its limited partnership existence shall be ended under the provisions of the Pennsylvania Uniform Limited Partnership Act of 2016, as amended. RKG Law. Attornevs

RKG Law, Attorneys Nichole M. Baer, Esquire 101 North Pointe Boulevard Suite 202 Lancaster, PA 17601

0-4

#### **CHANGE OF NAME NOTICES**

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Lancaster County, Pennsylvania seeking to change the name of Gabriela Ethel Rivera to Gabriela Ethel Houghton. A hearing on the Petition will be held on November 25, 2024 at 2:45 p.m. in Courtroom No. 10 at the Lancaster County Courthouse, 50 North Duke Street, Lancaster, Pennsylvania at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

O-4

Court of Common Pleas
No: CI-24-04102

IN RE: NAME CHANGE OF HALEY JADE UNGER

NOTICE IS HEREBY GIVEN that on June 12, 2024 the Petition of Haley Jade Unger was filed in the above Court praying for a Decree to change the name of Haley Jade Unger to Hannah Grace Lantz.

The Court has fixed the 14<sup>th</sup> day of November, 2024, at 3:15 p.m. in Courtroom No.4 of the Lancaster County Courthouse, 50 North Duke Street, Lancaster, Pennsylvania, for a hearing of said Petition, when and where all persons interested may appear and show cause, if any, why said Petition should not be granted.

JOHN C. STEVENS, ESQUIRE

O-4, 11

#### CORPORATE NOTICES

Registration Of Foreign Corporation: NOTICE IS HEREBY GIVEN **Pretorian Labs, LLC** filed Articles of Foreign Registration on 09/13/2024 under the Pennsylvania BCL of 1988. Principal office is 7650 Hub Pkwy, Valley View, OH 44125. Commercial registered office provider is Harbor

Business Compliance Corporation, Lancaster, PA.

O-4

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on September 16, 2024 for:

#### SAUDER ACRES, LLC

The said entity has been organized under the provisions of the Pennsylvania Limited Liability Company Law of 1994 of the Commonwealth of Pennsylvania, as amended.

O-4

#### NOTICE OF UPSET TAX SALE

ATTENTION ALL KNOWN AND UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, LEGAL REPRESENTATIVES OR CLAIMANTS OF WHATSOEVER KIND OF THE FOLLOWING DECEASED OWNERS AND PROPERTIES:

- a. Ella Lewis (DOD 5/21/2023); tax parcel no.
   380-81550-0-0000; located at 340 Peach Bottom Road, Beach Bottom, PA 17563;
- b. William F. Rosskob (DOD 7/10/2024); tax parcel no. 336-69028-0-0000; located at 1202 Grofftown Road, Lancaster, PA 17602;
- c. William F. Rosskob (DOD 7/10/2024); tax parcel no. 339-14123-0-0000; located at 720 North Queen Street, Lancaster, PA 17603;
- d. Faith O. Evans a/k/a Faith Paddock (DOD 3/2/2019) tax parcel no. 390-65970-0-0000; located at 313 Bracken Drive, Lancaster,

PA 17601;

- e. Elwood R. Buckwalter (DOD 7/10/2020); tax parcel no. 420-14399-0-0000; located at 608 E. Front Street, Marietta, PA 17547;
- f. Harry E. Harman (DOD 4/12/2019); tax parcel no. 430-04981-0-0000; located at 90 Hilldale Road, Pequea, PA 17565
- g. Frank J. VanBlargan (DOD 4/10/2023) and June I. VanBlargan (DOD 8/20/2019); parcel no. 540-63076-0-0000; located at Red Rose Dr. B-B LT 31, Rapho Township, Pennsylvania

STATUTORY WARNING

ABOVE REFERENCED PROPERTIES ARE ABOUT TO BE SOLD WITHOUT YOUR CONSENT FOR DELINQUENT REAL ESTATE TAXES. EACH PROPERTY MAY BE SOLD FOR A SMALL FRAC-TION OF ITS FAIR MARKET VAL-IF YOU HAVE ANY OUES-TIONS AS TO WHAT YOU MUST DO IN ORDER TO SAVE THE PROPERTY FROM BEING SOLD, PLEASE CALL YOUR ATTOR-NEY, THE TAX CLAIM BUREAU AT (79717) 299-8233, OR THE COUNTY LAWYER REFERRAL SERVICE AT (717) 393-0737.

NOTICE IS HEREBY GIVEN that the Lancaster County Tax Claim Bureau will hold a Continued Upset Tax Sale of the above referenced properties virtually on November 18, 2024 from 9:00 a.m. to 3:00 p.m. at

https://www.govdeals.com/ lctcb2024ContinuedUpsetTax-Sale

to obtain the delinquent real estate taxes, costs and expenses

on each property due the various taxing districts. The sale of any property may, at the option of the Bureau, be stayed if any heir, successor, assignee, legal representative or creditor of the above referenced owners, on or before the date of the sale enters into a written agreement with the Bureau to pay 25% of the amount due on all tax claims plus interest to date and agreeing therein to pay the balance of said claims, interest and costs thereon in not more than three installments (the last installment to include all costs) all within one year of the date of said written agreement, in the manner provided by the Real Estate Tax Sale Law.

BY: The Lancaster County Tax Claim Bureau

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#### **SUITS ENTERED**

Defendant's name appears first in capitals, followed by plaintiff's name, number and plaintiff's or appellant's attorney.

September 18, 2024 to September 24, 2024

BETZ, MICHAEL; Nancy Glick; 06733; Justice

CLARK, LYSBETH W; Bruce L Clark; 06701

DAVID & SONS AUTO SALES; Bartram J. Epright; 06785; Wolman

FCA US LLC; Lorraine E Petrizzo; 06672; Chamberlin

GAMMACHE, LUKE, STOUDT-GAMMACHE, HEATH-ER; North Pointe Surgery Center LP; 06796; Frankel

GASKINS, JAMES N, LEVEN-TRY, REBECCA; Citadel Federal Credit Union; 06722; Dougherty GLASSEY, MELANIE, BOTTNER, FRANCIS, BOTTNER, BRIAN P; Towd Point Mortgage Trust 2015-5; 06799; Riloff

HAUGHTON, ALICIA; Credit Acceptance Corporation; 06657; Morris

KEYSTONE HEMP GROWERS LLC, STONE HEAD NATION, LAN-CO PREMIUM, FISHER, SAMUEL; Professional Business Supplies INC; 06694; Holey

KING, ALICIA; New Mayfair Associates LP; 06719; Brannan

KNAPP ESQ, JOSHUA JAMES; David Carpenter; 06764

LAPP, AARON; State Farm Mutual Automobile Insurance Company; 06727; Allen

MILBURN, MALIK J, UNIQUE CAB LLC; ERIE INSURANCE EX-CHANGE; 06697; Weisberg

MORRIS, JOSEPH ALLEN, MORRIS, JOSEPH E; Solanco School District; 06765; Leininger MULL, VERONICA; Anabette Velez; 06735; Justice

PHAGAN, TIMOTHEY M; Mercedes L Rentas; 06679; Rankin PYFER REESE STRAUB GRAY & FARHAT PC; Bruce L Clark; 06702

RIVERA, LUIS M; Pennsylvania State Employees Credit Union; 06793; Urban

SCHRAUD, ERIC, GENHYDRO INC; Commonwealth of Pennsylvania; 06805; Van Wagtendonk

SIMONTON, DEMETRIE A, GORE, ALICIA CAITLIN; Citadel Federal Credit Union; 06716; Dougherty

SMILE SCIENCES LLC; Listrak Inc; 06667; McClure

TAYLOR, RONALD; Loan Asset Issuer II LLC; 06677; Flink UPMC CARLISLE, UPMC; C.S.; 06770; Deangelo, Mongeluzzi WALTON, MEGAN M, BULETT, ROBERT T; Delmar Gentry; 06670; Kennett

WEISS, CARRIE A; Solanco School District; 06774; Leininger WHITE, RODNEY, GEISWITE, WENDY; Red Cedar Lane Homes LLC; 06766