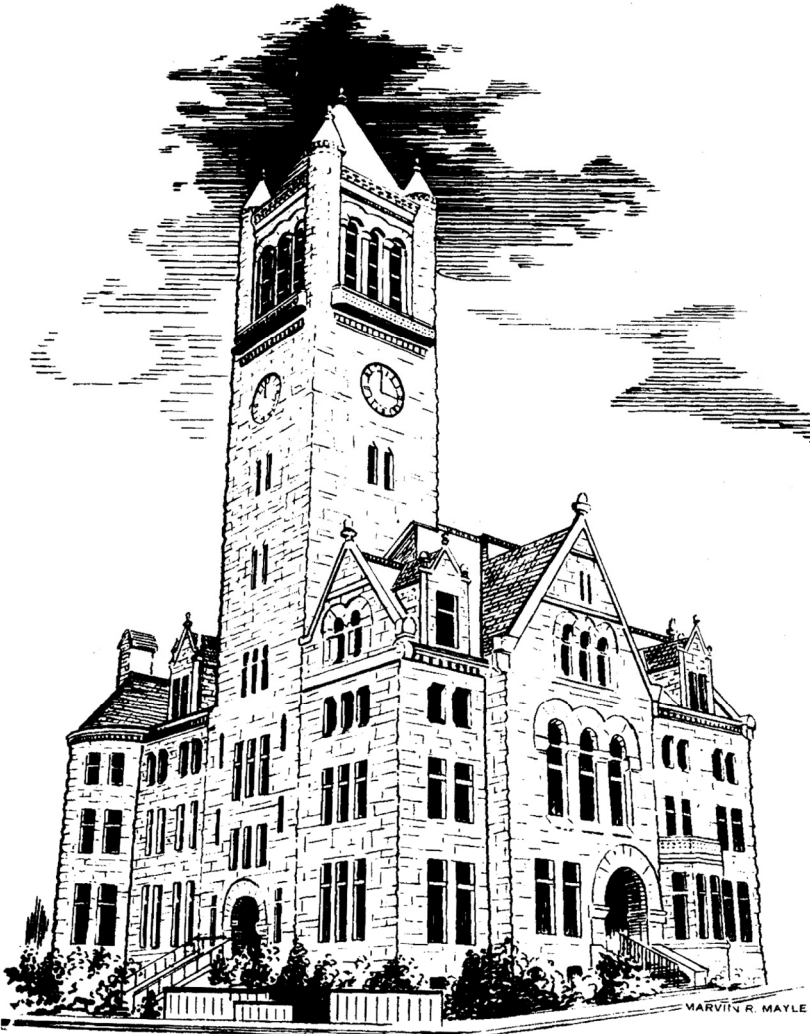


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FAYETTE LEGAL JOURNAL

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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

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ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

Third Publication

DARLA J. BELSICK, late of Washington Township, Fayette County, PA (3)

Executor: Darrin B. Belsick
1219 Fayette Avenue
Belle Vernon, PA 15012
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

ALLEN GEORGE FERENS, late of Saltlick Township, Fayette County, PA (3)

Administratrix: Beverly A. Braverman
c/o Ament Law Group, P.C.
3950 William Penn Highway, Suite 5
Murrysville, PA 15668
Attorney: John W. Ament

LINDA MARIETTA, a/k/a LINDA CAROL MARIETTA, late of Masontown Borough, Fayette County, PA (3)

Executrix: Karlyn Ramsay Dankle
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James Higinbotham

MARY CAROLYN NOVAK, late of Newell Borough, Fayette County, PA (3)

Personal Representative:
William Ronald Novak
509 Brashear Street
Brownsville, PA 15417
c/o Mitchell Law Office
P.O. Box 310
902 First Street
Hiller, PA 15444
Attorney: Herbert G. Mitchell, Jr.

WILLIAM NOVAK, JR., late of Newell Borough, Fayette County, PA (3)

Personal Representative:
William Ronald Novak
509 Brashear Street
Brownsville, PA 15417
c/o Mitchell Law Office
P.O. Box 310
902 First Street
Hiller, PA 15444
Attorney: Herbert G. Mitchell, Jr.

MARY J. PAOLI, a/k/a MARY PAOLI, late of Springhill Township, Fayette County, PA (3)

Executor: Brad Paoli
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

WILLIAM PAULL, III, a/k/a WILLIAM PAULL, late of North Union Township, Fayette County, PA (3)

Personal Representative: Daniel Paull, Jr.
c/o George & George
92 East Main Street
Uniontown, PA 15401
Attorney: Joseph M. George, Sr.

EDWARD POLITO, a/k/a EDWARD J. POLITO, SR., a/k/a EDWARD JOHN POLITO, SR., late of North Union Township, Fayette County, PA (3)

Executrix: Deborah A. Allen
c/o Higinbotham Law Office
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James Higinbotham

ROBERT RAFTER, late of Uniontown, Fayette County, PA (3)

Executrix: Frances Rafter
P.O. Box 209
Smock, PA 15480
c/o 92 East Main Street, Suite 24
Uniontown, PA 15401
Attorney: Michelle Kelley

Second Publication

FREDERICK P. GNUS, late of Luzerne Township, Fayette County, PA (2)
Executor: Michael J. Garofalo, Esquire
 c/o Davis & Davis
 107 East Main Street
 Uniontown, PA 15401
Attorney: James T. Davis

HELEN PEARL HAINES, a/k/a HELEN R. HAINES, late of Bullskin Township, Fayette County, PA (2)
Co-Executors: Roger D. Haines and Amy R. Wingrove
 c/o 815A Memorial Boulevard
 Connellsville, PA 15425
Attorney: Margaret Z. House

DOLORES HOMINSKY, a/k/a DOLORES J. HOMINSKY, a/k/a DOLORES JEAN HOMINSKY, late of Connellsville Township, Fayette County, PA (2)
Executrix: Cheryl Cesario
 1104 Dogwood Drive
 Connellsville, PA 15425
 c/o Tremba, Kinney, Greiner & Kerr
 1310 Morrell Avenue, Suite C
 Connellsville, PA 15425
Attorney: John Greiner

LOUISE MCFADDEN, a/k/a CARRIE LOUISE MCFADDEN, late of South Union Township, Fayette County, PA (2)
Executrix: Julie E. Scarborough
 54 Cheswold Boulevard, Apt. 405
 Newark, Delaware 19713
 c/o John M. Ranker & Associates, P.C.
 140 South Main Street, Suite 301
 Greensburg, PA 15601
Attorney: John M. Ranker

EMMA REAGGLE, late of Uniontown, Fayette County, PA (2)
Administrator: Gregory H. Reaggle
 136 Varndell Street
 Uniontown, PA 15401
 c/o 22 Bierer Avenue
 Uniontown, PA 15401
Attorney: Mary Lenora Hajduk

SYLVIA MARIE VOLEK, late of German Township, Fayette County, PA (2)
Executor: David Ronald Fedor
 c/o Monaghan & Monaghan, L.L.P.
 57 East Main Street
 Uniontown, PA 15401
Attorney: Gary D. Monaghan

First Publication

EARLENE BATIS, a/k/a EARLENE E. BATIS, late of Georges Township, Fayette County, PA (1)
Administrator: Thomas B. Broadwater
 c/o 39 Francis Street
 Uniontown, PA 15401
Attorney: Jack R. Heneks

KATHRYN BURWINKLE, late of North Union Township, Fayette County, PA (1)
Executor: Raymond E. Bobick
 c/o P.O. Box 953
 Uniontown, PA 15401
Attorney: Ricardo J. Cicconi

ROBERT CLIFTON COWLES, late of Henry Clay Township, Fayette County, PA (1)
Administratrix: Deborah Lucille Harriman,
 a/k/a Deborah Cowles Harriman
 c/o Davis & Davis
 107 East Main Street
 Uniontown, PA 15401
Attorney: James T. Davis

THELMA JOAN GOLDEN, late of Georges Township, Fayette County, PA (1)
Executrix: Heather Reagan
 c/o Adams Law Offices, PC
 55 East Church Street, Suite 101
 Uniontown, PA 15401
Attorney: Jason Adams

WILLIAM HABERER, a/k/a WILLIAM STEPHEN HABERER, late of Masontown, Fayette County, PA (1)
Executrix: Sharon Kirchner
 c/o Kopas Law Office
 556 Morgantown Road
 Uniontown, PA 15401
Attorney: John Kopas

ROSEMARIE K. MCFALL, a/k/a ROSE MCFALL, a/k/a ROSEMARIE MCFALL,
late of Fayette County, PA ⁽¹⁾
Executor: Ronald McFall, Jr.
P.O. Box 313
Newell, PA 15466

JOHN M. REDSHAW, late of Menallen Township, Fayette County, PA ⁽¹⁾
Administratrix: Brittany N. Higinbotham
c/o DeHaas Law, LLC
51 East South Street
Uniontown, PA 15401
Attorney: Ernest P. DeHaas, III

JULIE SHAW, late of Connellsville, Fayette County, PA ⁽¹⁾
Administrator: Thomas A. Nelson
265 Vanderbilt Road
Connellsville, PA 15425
c/o Snyder and Snyder Law, PLLC
17 North Diamond Street
Mt. Pleasant, PA 15666
Attorney: Marvin Snyder

PATRICIA WARD, late of South Connellsville, Fayette County, PA ⁽¹⁾
Executor: Mark Ward
c/o 815A Memorial Boulevard
Connellsville, PA 15425
Attorney: Margaret Z. House

DANIEL YELLETS, a/k/a DANIEL ALEXANDER YELLETS, late of Dunbar Township, Fayette County, PA ⁽¹⁾
Administrator: John David Yellets
126 Water Street
Rices Landing, PA 15357
c/o Logan & Gatten Law Offices
54 North Richhill Street
Waynesburg, PA 15370
Attorney: Lukas B. Gatten

LEGAL NOTICES

NOTICE

Notice is hereby given that the Certificate of Organization has been approved and filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on January 19, 2023, for a limited liability company known as 211 G LLC.

Said limited liability company has been organized under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The purpose or purposes of the limited liability company is/are: real estate and any other lawful purpose related thereto for which the corporation may be organized under the Business Corporation Law.

DAVIS & DAVIS
BY: Gary J. Frankhouser, Esquire
107 East Main Street
Uniontown, PA 15401

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CASE # 225 OF 2023, G.D.
JUDGE GEORGE

IN RE: CHANGE OF NAME OF WILLIAM
EDWARD ZEILER, JR. TO WILLIAM
EDWARD ZEILER III

NOTICE

Notice is hereby given that on the 23rd day of February, 2023, the Petition of William Edward Zeiler, Jr. was filed in the Fayette County Court of Common Pleas at No. 225 of 2023, G.D. seeking to change the name of Petitioner from William Edward Zeiler, Jr. to William Edward Zeiler III. The Court has fixed April 14th, 2023 at 11:00 a.m. in Courtroom Number 5 in the Fayette County Courthouse, 61 East Main Street, Uniontown, Pennsylvania 15401 as the date for the hearing of the Petition. All persons interested in the proposed change of name may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

John A. Kopas III
556 Morgantown Road
Uniontown, PA 15401
(724) 437-1111

NOTICE OF CERTIFICATE OF ORGANIZATION - LIMITED LIABILITY COMPANY

Notice is hereby given that Certificate of Organization was filed and approved with the Department of State of the Commonwealth of Pennsylvania for a limited liability company formed under the Limited Liability Company Law of 1994 on the 25th day of January, 2023. The name of the company is **J.K. Services and Sales, LLC**.

Submitted by:
Margaret Zylka House, Esq.
815A Memorial Boulevard
Connellsville PA 15425
724-628-4955

NOTICE

Notice is hereby given that a Certificate of Organization has been approved and filed with the Department of State for the Commonwealth of Pennsylvania in Harrisburg, Pennsylvania on January 11, 2023 for a Limited Liability Company known as Lambie Holdings, L.L.C.

Said Limited Liability Company has been organized under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The purpose and purposes of the Limited Liability Company are real estate rentals and any or all lawful purposes related thereto, for which a limited liability company may be organized under the Business Corporation Law, as amended.

Donald McCue Law Firm, P.C.
813 Blackstone Road
Connellsville, PA 15425

NOTICE

Notice is hereby given that a Certificate of Organization has been approved and filed with the Department of State for the Commonwealth of Pennsylvania in Harrisburg, Pennsylvania on January 11, 2023 for a Limited Liability Company known as Spray way, L.L.C.

Said Limited Liability Company has been organized under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The purpose and purposes of the Limited Liability Company are Power wash trucks &

various pieces of equipment & all activities legally permitted under PA LLC Regulations & Statutes and any or all lawful purposes related thereto, for which a limited liability company may be organized under the Business Corporation Law, as amended.

Donald McCue Law Firm, P.C.
813 Blackstone Road
Connellsville, PA 15425

**Notice of Revocable Trust Pursuant to 20 Pa. C.S. § 7755(c)
The Francis Family Trust U/A dated 5/4/2000**

Notice is hereby given of the administration of THE FRANCIS FAMILY TRUST, DATED MAY 4, 2000. Charles G. Francis, settlor of the trust, of Bullskin Township, County of Fayette and Commonwealth of Pennsylvania, died on November 8, 2022. All persons indebted to the said decedent are requested to make payment to the undersigned without delay, and all persons having claims or demands against said trust are requested to make known the same.

Daniel W. Francis & Philip L. Francis,
Successor Co-Trustees
c/o WATSONMUNDORFF, LLP
720 Vanderbilt Road
Connellsville, PA 15425-6218
Phone:724-626-8882

WATSON MUNDORFF, LLP

(2 of 3)

NOTICE IS HEREBY GIVEN that Articles of Incorporation-Nonprofit have been filed with the Dept. of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania for the purposes of obtaining a Certificate of Incorporation of a proposed nonprofit corporation to be organized under the provisions of the PA Nonprofit Corporation Law of 1988. The name of the corporation is: **SAINT GEORGE MARONITE CATHOLIC CHURCH, INC.** The Articles of Incorporation were filed on January 13, 2023.

ALEXANDER J. KARAM, JR., ESQUIRE
ALEXANDER J. KARAM, JR., P.C.
675 Walnut Street
Easton, PA 18042

CIVIL ACTION
 COURT OF COMMON PLEAS
 FAYETTE COUNTY, PA
 CIVIL ACTION-LAW
 NO. 2022-01436
 NOTICE OF ACTION IN
 MORTGAGE FORECLOSURE

AT A REDUCED FEE OR NO FEE.

Pennsylvania Lawyer Referral Service
 Pennsylvania Bar Association
 100 South Street
 P.O. Box 186 Harrisburg PA, 17108
 800-692-7375

AMERIHOM MORTGAGE COMPANY,
 LLC, Plaintiff

v.

STEVEN MEYOKOVICH; AMANDA
 MEYOKOVICH, Defendants

To: AMANDA MEYOKOVICH
 Defendant(s), 131 HUTCHINSON ST
 UNIONTOWN, PA 15401; P.O. BOX 308,
 ULEDI, PA 15484-0308

Robertson, Anschutz, Schneid, Crane &
 Partners, PLLC

A Florida professional limited liability company
 ATTORNEYS FOR PLAINTIFF

Jonathan M. Etkowicz, Esq. ID No. 208786

133 Gaither Drive, Suite F

Mt. Laurel, NJ 08054

855-225-6906

COMPLAINT IN MORTGAGE
 FORECLOSURE

You are hereby notified that Plaintiff, AMERIHOM MORTGAGE COMPANY, LLC, has filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of FAYETTE County, PA docketed to No. 2022-01436, seeking to foreclose the mortgage secured on your property located, 131 HUTCHINSON ST UNIONTOWN, PA 15401.

NOTICE

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in this notice you must take action within twenty (20) days after the Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so, the case may proceed without you, and a judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS 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 THE INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS

SHERIFF'S SALE

Date of Sale: May 18, 2023

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday May 18, 2023, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realaucaution 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 Realaucaution via wire transfer or ACH per Realaucaution 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

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

No. 2333 of 2022 GD
No. 23 of 2023 ED

AMERIHOM MORTGAGE COMPANY, LLC

**425 Phillips Blvd
Ewing, NJ 08618
Plaintiff**

vs.

**JEFFREY D. ALLAMON JR
Mortgagor(s) and Record Owner(s)
508 High Street
Brownsville, PA 15417
Defendant(s)**

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

BEING KNOWN AS: 508 HIGH STREET, BROWNSVILLE, PA 15417

TAX PARCEL #02-10-0055

IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: JEFFREY D. ALLAMON JR

ATTORNEY: KML LAW GROUP, P.C.

No. 2084 of 2022 GD
No. 22 of 2023 ED

PENNSYLVANIA HOUSING FINANCE AGENCY,

PLAINTIFF

vs.

**ANTHONY D. BROWN,
DEFENDANT**

ALL that lot of land in the City of Connellsville, Fayette County, Pennsylvania, being approximately 50 x 158.7, and also being half of Lot No. 44 and three-fourths of Lot No. 45, Ashman and Torrence Addition to the Borough of New Haven (now City of Connellsville). HAVING THEREON ERECTED DWELLING KNOWN AND NUMBERED AS: 125 N. 6TH STREET, CONNELLSVILLE, PA 15425.

TAX PARCEL #: 05-06-0556

Fayette Deed Book 1990, page 86

TO BE SOLD AS THE PROPERTY OF

ANTHONY D. BROWN UNDER FAYETTE COUNTY, PA JUDGMENT NO. 2084 OF 2022 GD.

ANNE N. JOHN, Esq.
ATTORNEY AT LAW

No. 2148 of 2022 GD
No. 42 of 2023 ED

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

vs.

MARK W. DECARLO, SR., a/k/a MARK W. DECARLO and MARY F. DECARLO, n/k/a MARY F. WILSON,

Defendants and Real Owners.

ALL that certain tract of land situate in Menallen Township, Fayette County, Pennsylvania, more particularly bounded and described as follows.

UPON WHICH is erected a ranch dwelling known and designated as 7401 National Pike, Uniontown, Fayette County, Pennsylvania. FOR PRIOR title see Record Book 957 page 255.

Assessment Map No.: 22-17-0017.

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

No. 1249 of 2022 GD
No. 19 of 2023 ED

**FREEDOM MORTGAGE CORPORATION
10500 Kincaid Drive
Fishers, IN 46037-9764**

Plaintiff

vs.

**RICHARD C. DILL
Mortgagor(s) and Record Owner(s)
90 Chalk Hill
Ohiopyle Road Ohiopyle, PA 15470
Defendant(s)**

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

BEING KNOWN AS: 90 CHALK HILL OHIOPYLE ROAD, OHIOPYLE, PA 15470

TAX PARCEL #42-05-0050
IMPROVEMENTS: A RESIDENTIAL DWELLING
SOLD AS THE PROPERTY OF:
RICHARD C. DILL
ATTORNEY: KML LAW GROUP, P.C.

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

No. 2331 of 2022 GD
No. 28 of 2023 ED

**LAKEVIEW LOAN SERVICING, LLC
C/O Nationstar Mortgage LLC dba Mr. Cooper**

**8950 Cypress Waters Boulevard
Coppell, TX 75019**

Plaintiff

vs.

**TRACY L. DILLINGER aka TRACY L. WILSON, as Administratrix of the Estate of KELLY A. MOORE and as Administratrix of the Estate of SARAH I. MOORE AKA SARAH IONA MOORE, Deceased
GARY W. MOORE as Administrator of the Estate of**

**KELLY A. MOORE, Deceased
3315 Old McClellandtown Road
McClellandtown, PA 15458**

Defendant(s)

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

BEING KNOWN AS: 3315 OLD MCCLELLANTOWN ROAD, MCCLELLANTOWN, PA 15458

TAX PARCEL #15-22-0049
IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: TRACY L. DILLINGER aka TRACY L. WILSON, as Administratrix of the Estate of KELLY A. MOORE and as Administratrix of the Estate of SARAH I. MOORE AKA SARAH IONA MOORE, Deceased AND GARY W. MOORE as Administrator of the Estate of KELLY A. MOORE, Deceased

ATTORNEY: KML LAW GROUP, P.C.

Richard M. Squire & Associates, LLC
 By: M. Troy Freedman, Esquire
 ID. No. 85165
 One Jenkintown Station, Suite 104
 115 West Avenue
 Jenkintown, PA 19046
 Telephone: 215-886-8790
 Attorneys for Plaintiff
 Telephone: 215-886-8790
 Fax: 215-886-8791

No. 1765 of 2022 GD
 No. 39 of 2023 ED

**Wilmington Savings Fund Society, FSB, d/b/a
 Christiana Trust as Trustee for PNPMS
 Trust III**

PLAINTIFF

v.

**Lois Jean Grimes
 DEFENDANT**

TAX PARCEL NO.: 34-35-0029 & 34-35-0032

PROPERTY ADDRESS: 208 5th Street, Brownfield, PA 15416

IMPROVEMENTS: Single Family Dwelling

SEIZED AND TAKEN in execution as the property of Lois Jean Grimes

ALL that certain lot of land situate in South Union Township, Fayette County, Pennsylvania, upon which is erected one-half of a double frame house, known as House 130-131, in the Plan of Lots laid out by Louis Kamensky and Geza Lux, a plot of which plan is recorded in the Office of the Recorder of Deeds of Fayette County, Pennsylvania, in Plan Book Volume 7 at page 153. The house herein conveyed being designated on said plot as House 131 and the lot upon which said house is erected is more particularly described as follows:

BEGINNING at a point in the center line of Fourth Street, corner with other land of Sophia Lux, the beginning point is located, South 31° 18' West, a distance of 187.11 feet from the intersection of the center line of said Fourth Street and the center line of the Brownfield Road; thence from said point of beginning, along a line of other land of Sophia Lux, North 59° 19' West, a distance of 130.26 feet to a point corner in the center line of Fifth Street with lot upon which is erected House No. 130-131; thence in the center line of Fifth Street, south 31° 18' West, a distance of 45.56 feet to a point; thence through said lot by a line passing through the center line of the partition wall on which House No. 130-131 is erected, South 59°

01 35" West, a distance of 130.25 feet to a point in-the center line of Fourth Street; thence in the center line of Fourth Street, North 31° 18' East, a distance of 45.88 feet to the point of beginning.

UPON which is erected House No. 131 of the Village of Brownfield.

THIS CONVEYANCE is expressly made under and subject to sewer line assessments and tap-in fees which are or might be imposed by the South Union Township Sewage Authority and grantees agree to accept responsibility for payment of the same.

UNDER AND SUBJECT to the first mortgage held by Sophia Lux to John Janosick and Elizabeth Janosick, his wife, and Edward Janosick, their son, of South Union Township, Fayette County, Pennsylvania, and recorded in the Office of the Recorder of Deeds of Fayette County, Pennsylvania, in Mortgage Book. Volume 532 at page 78 dated April 27, 1973.

UNDER AND SUBJECT to all exceptions, reservations, easements, restrictions, limitations, rights of way for streets, alleys, etc. as are set forth in prior instruments of record.

UNDER AND SUBJECT to right of support for party wall erected between House No. 130 and 131 and together with the right of support in and to said party wall from the owner of adjoining House NO. 130.

Parcel No. 34-35-0029 & 34-35-0032

Being the same premises that Hazel M. Cramer, an unmarried widow, by deed dated 3/31/1981 and recorded 4/1/1981 in the office of the Recorder of Deeds in the County of Fayette, Commonwealth of Pennsylvania in Book 1285, Page 817, granted and conveyed to Lois Jean Grimes and James Albert Grimes, her husband

James Albert Grimes departed this life on January 2, 2012

NOTICE: THIS DOCUMENT MAY NOT SELL, CONVEY, TRANSFER, INCLUDE OR INSURE THE TITLE TO THE COAL AND RIGHTS OF SUPPORT UNDERNEATH THE SURFACE LAND DESCRIBED OR REFERRED TO HEREIN, AND THE OWNER OR OWNERS OF SUCH COAL MAY HAVE THE COMPLETE LEGAL RIGHT TO REMOVE ALL OF SUCH COAL AND IN THAT CONNECTION, DAMAGE MAY RESULT TO THE SURFACE OF THE LAND AND ANY HOUSE, BUILDING OR OTHER STRUCTURE ON OR IN SUCH LAND, THE INCLUSION OF THIS NOTICE DOES NOT ENLARGE, RESTRICT OR MODIFY ANY LEGAL RIGHTS OR ESTATES OTHERWISE CREATED, TRANSFERRED, EXCEPTED OR RESERVED BY THIS INSTRUMENT.

DWALDMANLAW, P.C.,
 ATTORNEY FOR PLAINTIFF
 BY: JENNIE C. SHNAYDER, ESQUIRE-
 ID #315213
 4900 CARLISLE PIKE, #182
 MECHANICSBURG, PA 17050
 TELEPHONE: (844) 899-4162
 FACSIMILE: (844) 882-4703

No. 2000 of 2017 GD
 No. 291 of 2022 ED

ANTHIUM, LLC
PLAINTIFF

v.

LENORA S. HARFORD
THOMAS E. WINGARD, IN HIS
CAPACITY AS HEIR OF WILMA JEAN
WINGARD, DECEASED
TAMMY M. LYNCH, IN HER CAPACITY
AS HEIR OF WILMA JEAN WINGARD,
DECEASED
RICHARD A. WINGARD, IN HIS
CAPACITY AS HEIR OF WILMA JEAN
WINGARD, DECEASED
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS,
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
WILMA JEAN WINGARD, DECEASED
DEFENDANTS

All That Certain lot of land situate in
 Luzerne Township, Fayette County,
 Commonwealth of Pennsylvania.

TAX PARCEL# 19-32-0017

PROPERTY ADDRESS: 636 Palmer Adah
 Road, Adah, PA 15410

ANNE N. JOHN Esq.
 ATTORNEY AT LAW

No. 404 of 2022 GD
 No. 91 of 2022 ED

FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION OF GREENE COUNTY, a

corporation,
Plaintiff

vs.

TONYA M. HIXON,
Defendant

ALL that certain lot or parcel of land
 situated and lying in the Borough of Smithfield,
 Fayette County, Pennsylvania, CONTAINING
 six thousand (6,000) square feet, more or less.

FOR prior title see Record Book 2759,
 page 199.

Tax Parcel No.: 32-06-0033

Upon which is erected an aluminum/vinyl
 dwelling known as 5 Moser Way, Smithfield,
 PA 15478.

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

No. 143 of 2022 GD
 No. 37 of 2023 ED

ROCKET MORTGAGE, LLC F/K/A
QUICKEN LOANS, LLC F/K/A QUICKEN
LOANS INC.

635 Woodward Avenue
Detroit, MI 48226

Plaintiff

vs.

KALEENA KAY KENNEDY, as
Administratrix of the Estate of Joseph F.
Kennedy, Jr.

1350 Paradise Avenue
Belle Vernon, PA 15012

Defendant(s)

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

BEING KNOWN AS: 1350 PARADISE
 AVENUE, BELLE VERNON, PA 15012

TAX PARCEL #41-11-0003 AND 41-12-
 0027

IMPROVEMENTS: A RESIDENTIAL
 DWELLING

SOLD AS THE PROPERTY OF:
 KALEENA KAY KENNEDY, as
 Administratrix of the Estate of Joseph F.
 Kennedy, Jr.

ATTORNEY: KML LAW GROUP, P.C.

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

No. 1366 of 2022 GD
No. 15 of 2023 ED

**1900 CAPITAL TRUST II, BY US BANK
TRUST NATIONAL ASSOCIATION, NOT
IN ITS INDIVIDUAL CAPACITY BUT
SOLELY AS CERTIFICATE TRUSTEE**

**75 Beattie Place
Suite 300
Greenville, SC 29601**

**Plaintiff
vs.**

**RICHARD MILAN
Mortgagor(s) and Record Owner(s)
742 Herbert Fairbank Road
New Salem, PA 15468**

Defendant(s)

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

BEING KNOWN AS: 742 HERBERT
FAIRBANK ROAD, NEW SALEM, PA 15468
TAX PARCEL #30360012

IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
RICHARD MILAN

ATTORNEY: KML LAW GROUP, P.C.

No. 2186 of 2022 GD
No. 20 of 2023 ED

Nationstar Mortgage LLC

**Plaintiff,
vs.**

**Jeffrey S. Primus
Defendant.**

ALL that certain parcel of land lying
and being situate in the City of Connellsville,
County of Fayette, and Commonwealth of
Pennsylvania, known as 607 South 12th Street,
Connellsville, PA 15425 having erected thereon
a dwelling house.

Being known and designated as Tax ID
No.: 05140044

BEING the same premises which Jeffrey S.
Primus, by Deed dated March 25, 2006 and
recorded in and for Fayette County,
Pennsylvania in Deed Book 2984, Page 2161,

granted and conveyed unto Jeffrey S. Primus
and Tammy L. Primus, his wife.

No. 2075 of 2022 GD
No. 292 of 2022 ED

**PNC Bank, National Association
Plaintiff,
vs.**

**Sandra Sohyda; Edward J. Sohyda
Defendants.**

ALL that certain parcel of land lying
and being situate in the City of Uniontown, County
of Fayette, and Commonwealth of Pennsylvania,
known as 55 East Berkeley Street, Uniontown,
PA 15401 having erected thereon a dwelling
house.

Being known and designated as Tax ID
No.: 38-12-0166

BEING the same premises which Gabriel
Brothers, Inc. a West Virginia Corporation, by
Deed dated October 30, 1975 and recorded in
and for Fayette County, Pennsylvania in Deed
Book 1189, Page 422, granted and conveyed
unto Edward J. Sohyda and Sandra Sohyda, his
wife.

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

No. 2066 of 2022 GD
No. 33 of 2023 ED

**PNC BANK, NATIONAL ASSOCIATION
S/B/M NATIONAL CITY BANK OF
PENNSYLVANIA**

**3232 Newmark Drive
Miamisburg, OH 45342
Plaintiff**

vs.

**MICHELLE J. SPARKS as Administratrix of
the Estate of STEPHEN M. SPARKS,
Deceased**

**21 South Oak Street
Fairchance, PA 15436
Defendant(s)**

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

BEING KNOWN AS: 21 SOUTH OAK
STREET, FAIRCHANCE, PA 15436

TAX PARCEL#11-06-0051
 IMPROVEMENTS: A RESIDENTIAL
 DWELLING
 SOLD AS THE PROPERTY OF:
 MICHELLE J. SPARKS as Administratrix of
 the Estate of STEPHEN M. SPARKS, Deceased
 ATTORNEY: KML LAW GROUP, P.C.

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

No. 1776 of 2022 GD
 No. 29 of 2023 ED

Kirkland Financial LLC
(Plaintiff)
 vs.
Veerasammy Perumal, AnnaLisa, LLC and
The United States of America
(Defendants)

By virtue of Writ of Execution No. 2022-01776

Kirkland Financial LLC (Plaintiff) vs.
 Veerasammy Perumal, AnnaLisa, LLC and The
 United States of America (Defendants)
 Property Address 414 Perry Road,
 Perryopolis, PA 15473
 Parcel I.D. No. 17-08-0088
 Improvements thereon consist of a
 commercial dwelling. Judgment Amount:
 \$215,762.98

*** END OF SHERIFF'S SALE ****


DiBella Weinheimer
 Geer McAllister Best Coco Lloyd Whalen



Holly Whalen ◊ Amy Coco ◊ Bethann Lloyd

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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 DIVISION

COMMONWEALTH OF PENNSYLVANIA	:	
	:	
v.	:	
	:	
HAYLEY RENAE WILTROUT,	:	No. 707 of 2022
Defendant.	:	Honorable Linda R. Cordaro

OPINION

CORDARO, J. January 10, 2023

SUMMARY

Currently before this Court is the Defendant's Omnibus Pretrial Motion for suppression of evidence and writ of habeas. Both the motor vehicle recording (MVR) and transcript of the preliminary hearing were admitted into evidence at the December 9, 2022 hearing. For the following reasons, Defendant's Motion is granted.

BACKGROUND

The following facts were established via the preliminary hearing {1} and MVR evidence. On August 26, 2021, Trooper Grant Rukat was with another trooper, in full uniform, operating a marked patrol vehicle during the 2200 - 0600 hour shift. He conducted a traffic stop on a Honda CRV in Connellsville Township, Fayette County because the issuing jurisdiction on the license plate of the vehicle was covered and the registered owner (the Defendant) was suspended.

Upon executing the stop, Trooper Rukat approached the driver's side to speak with the Defendant, while his partner approached the passenger side. Trooper Rukat informed the Defendant the reason for the stop was the suspension. and obscured plate. The trooper asked for the Defendant's identification, and where she was headed. The Defendant responded that she was going to drop off food for her friend, then going straight home. Trooper Rukat asked for her "insurance, which she provided. While examining her documents, the trooper asked if there was anything illegal in the vehicle that he "needed to be worried about," which the Defendant denied. Both troopers then returned to the patrol vehicle.

{1} The Defendant did not appear at the preliminary hearing: At the hearing, the affiant, Trooper Grant Rukat, did not testify but did swear under oath that everything in the criminal complaint and affidavit of probable cause was true and accurate. The facts as in the affidavit are incorporated here.

On returning to the driver's side of the Defendant's vehicle, Trooper Rukat asked the Defendant to exit the vehicle so he could show her the license plate frame. He asked if she had any weapons on her, which she denied. She followed him to the rear of her vehicle, where they discussed the frame. The trooper then asked about her relationship to the passenger, and the Defendant stated that the two worked together. The trooper reminded her that she was not supposed to be driving.

The trooper then asked if she was all right, since she was "shaking a lot." The Defendant replied that her workday had been stressful, and she knew she was driving with a suspended license. The trooper then said he "had to ask" if there were any illegal drugs in the vehicle. The Defendant denied this, and the trooper listed several types of illegal drugs, one after the other, each of which she denied. He asked her if there were any illegal guns in the vehicle, which she denied. He asked her if there were any large amounts of money, which she denied. The trooper asked the Defendant if he could search the vehicle, and she said, "Yeah."

Trooper Rukat directed her to stand at the front of the patrol vehicle. He then went to the passenger, who was still inside the vehicle, and asked him if the two worked together. The passenger said they did not. The trooper then asked the passenger to exit the vehicle, patted him down, and asked both individuals if there was anything in the vehicle that could poke or stick him. Both denied that there was any such thing. Trooper Rukat searched the vehicle while his partner remained with the Defendant and the passenger.

After approximately eight minutes of searching, the trooper approached the Defendant, handcuffed her, and informed both individuals that they were being detained because he had found needles in the Defendant's purse. He asked the Defendant why she had claimed she and the passenger worked together, and she responded that the passenger had assisted her with one of her patients.

According to the affidavit of probable cause, the search ultimately yielded an orange pill later identified as buprenorphine, three (3) buprenorphine and naloxone sublingual strips, eight (8) glassine stamp bags marked "Dirty Harry" containing, suspected heroin residue, one (1) white glassine stamp bag marked "Mike Tyson" containing suspected heroin residue, and two (2) syringes.

LEGAL PRINCIPLES

The exclusionary rule functions as a "judicially created remedy designed to safeguard Fourth Amendment rights generally through its deterrent effect..." United States v. Leon, 468 U.S. 897, 906 (1984) (quoting United States v. Calandra, 414 U.S. 338,348 (1974)). The purpose of this "exclusionary rule" is to discourage law enforcement officers from constitutionally violative conduct by suppressing evidence obtained by unconstitutional means. Commonwealth v. Santiago, 160 A.3d 814, 827-28 (Pa. Super. Ct. 2017).

A warrantless search is deemed to be unreasonable, subject to specific exceptions, including consent to the search. Commonwealth v. Strickler, 757 A2d 884, 888 (Pa. 2000). If the underlying encounter is lawful, then the voluntariness of the consent be-

comes the exclusive focus. *Id.* at 888-89. The Commonwealth must establish that the consent was "the product of an essentially free and unconstrained choice ... under the totality of the circumstances." *Id.* at 901.

A petition for a writ of habeas is "the proper means for testing a pre-trial finding that the Commonwealth has sufficient evidence to establish a prima facie case" against a defendant. *Commonwealth v. Scott*, 578 A.2d 933, 936 (Pa. Super. Ct. 1990). A pre-trial petition writ of habeas corpus is similar in its purpose to a preliminary hearing in that it seeks to prevent unlawful detention for a crime which was never committed, or for a crime for which there is no evidence of the accused's connection. *Id.* at 937. Accordingly, to establish its prima facie case, the Commonwealth must present evidence as to each material element of the crimes charged and establish sufficient probable cause that the accused is the person who committed the offenses. *Commonwealth v. McBride*, 595 A.2d 589, 591 (Pa. 1991).

DISCUSSION

The Defendant does not challenge the legality of the initial stop. She argues at Count I of the Motion that her consent to a search was not voluntary and therefore the search was invalid and the fruits of the search should be suppressed. She further argues at Count II that if the evidence procured from that invalid search is indeed suppressed; the Commonwealth cannot sustain its burden to present a prima facie case for the charge of possession under 35 Pa.C.S.A. § 780-113(a)(16) and possession of paraphernalia under 35 Pa.C.S.A § 780-113(a)(32).

Here, Defendant's consent to a search was not the product of a "free and unconstrained choice" in the totality of circumstances. The analysis of voluntariness of consent should include: (1) establishing whether the accused was seized at the time of the request; and (2) whether the accused had knowledge of the right to refuse consent, taking into account factors such as maturity, sophistication, and mental/emotional state. *Strickler*, 757 A.2d at 901. Other factors to consider are those as analyzed in *Commonwealth v. Acosta*, including: (1) a prior, lawful detention; (2) withholding of documentation; (3) the presence of other officers and marked police cars with flashing lights in close proximity; (4) the absence of an express endpoint to the detention. 815 A2d 1078, 1085 (Pa. Super. Ct. 2003). In *Acosta*, the defendant's consent to a vehicle search was found not to be the product of a free choice because of these coercive factors. *Id.* at 1087.

Here, there are several factors that weigh in favor of the claim that the Defendant's consent was not voluntary: (1) the trooper withheld the Defendant's documentation, so she could not have been free to leave; (2) the traffic stop was conducted at night, with the patrol vehicle lights activated throughout the encounter; (3) the trooper transitioned immediately from admonishing the Defendant about driving with a suspended license into questioning her about other criminal activity; (4) the trooper did not advise her that she had the right to refuse consent; and (5) the trooper did not indicate in any way that the traffic stop had concluded. The facts here are somewhat distinguishable from *Acosta* in that here there was one (1) patrol vehicle and an equal ratio of citizens to law enforcement officers while in *Acosta* there were three (3) police vehicles and three (3) officers to the unaccompanied *Acosta*. However, this does not outweigh the other fac-

tors. The Commonwealth has not shown that the Defendant's consent was from her own unconstrained choice in the totality of circumstances. Count I of the Motion is therefore granted and any evidence obtained from the search shall be suppressed.

Since the evidence obtained from the search is suppressed because the Defendant's consent was not voluntary, the Commonwealth is not able to show a prima facie case of possession of a controlled substance or paraphernalia. Count II of the Motion is therefore granted and Counts 1 and 2 of the Information under 35 Pa.C.S.A. § 780-113(a)(16) and (a)(35) are dismissed.

Furthermore, although the Defendant does not dispute the legality of the stop itself, the facts indicate that the initial traffic stop was extended in length and scope without reasonable suspicion of a crime.

Under 75 Pa.C.S.A. § 6308(b) a police officer may stop a vehicle on reasonable suspicion of a violation "for the purpose of checking the vehicle's registration, proof of financial responsibility, vehicle identification number or engine number or the driver's license, or to secure such other information as the officer may reasonably believe to be necessary to enforce the provisions of this title." An officer is permitted to inquire into matters unrelated to the justification for the traffic stop, and this will not convert the encounter into "something other than a lawful seizure, so long as those inquiries do not measurably extend the duration of the stop." *Arizona v. Johnson*, 555 U.S. 323, 333 (2009) (emphasis added).

In *Commonwealth v. Lopez*, the officer executing the traffic stop concluded that the defendant's documentation was in order and explained the traffic violation to the defendant. 609 A.2d 177, 262 (Pa. Super. Ct. 1992). However, rather than terminate the encounter, the officer instead withheld the defendant's documents and based on his "policeman's intuition," continued to pose questions to the defendant before asking if he could look inside his vehicle. *Id.* The defendant gave consent and even signed a consent form. *Id.* at 256. However, the court found that, "[n]o objective circumstances suggested that [the defendant] ... had committed any crime more serious" than the traffic violation for which the officer initiated the stop, and it concluded that the defendant's consent was "tainted" by the illegality of the detention. *Id.* at 262. The defendant's consent in *Lopez* did not justify the search, despite the Commonwealth's claim that the search was thereby "legitimized." *Id.* (citing *Florida v. Royer*, 460 U.S. 491 (1983)).

Here, the purpose of the traffic stop was to resolve the issues of the Defendant's suspension and license plate frame. Therefore, the trooper was authorized under 75 Pa.C.S.A. § 6308(b) to perform checks on the Defendant's information and then to take relevant and appropriate action.. Although the circumstances here are distinguishable from those in *Lopez* in that here the Defendant's documentation was not all in order, the trooper still withheld her documents beyond the time in which the stop could have been resolved. The affidavit of probable cause, to which the trooper attested under oath, articulated no facts supporting a reasonable suspicion of criminal activity, nor are such facts evident in the MVR footage. The validity of the traffic stop ended when the trooper was able to resolve the reasons for the stop, and a detention beyond this in time or scope lacked constitutional basis.

ORDER

AND NOW, this 10th day of January, 2023, in consideration of Defendant's Omnibus Pretrial Motion, after a hearing on the Motion and consideration of the MVR footage and preliminary hearing transcript admitted into evidence, it is ORDERED and DIRECTED that the Motion is GRANTED.

Counts 1 and 2 of the Information are hereby DISMISSED.

BY THE COURT:
Linda R. Cordaro, Judge

ATTEST:
Clerk of Courts

January 10, 2023

The Pennsylvania Legal Aid Network (PLAN) is celebrating its 50th anniversary at its Excellence Awards & Golden Gala Celebration on Tuesday, March 21, 2023 at the Harrisburg Hilton Hotel. Your attendance or support is welcome – Southwestern Pennsylvania Legal Aid is a member of PLAN, the statewide legal aid leader. Tickets, advertisements, and sponsorship packages can be purchased here: <https://www.biddingforgood.com/auction/auctionhome.action?vhost=palegalaid>.

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