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IN THIS ISSUE

IN RE: ESTATE OF LEONARD J. MARTIN, SR.,
DECEASED

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**NOTICE BY THE ADAMS COUNTY
CLERK OF COURTS**

NOTICE IS HEREBY GIVEN to all heirs, legatees and other persons concerned that the following account with statements of proposed distribution filed therewith have been filed in the Office of Adams County Clerk of Courts and will be presented to the Court of Common Pleas of Adams County-Orphans' Court, Gettysburg, Pennsylvania, for confirmation of accounts entering decrees of distribution on 02/12/2021 at 8:30 a.m.

STEWART—Orphans' Court Action Number – 63 of October term 1963 (OC-115-2020). Trust Under Deed of Dr. Henry Stewart, known as Salome M. Stewart Memorial Fund, 2nd Partial Account, Petition for Adjudication/Statement of Proposed Distribution, Estate of HENRY STEWART, late of Adams County, Pennsylvania.

LEBO—Orphans' Court Action Number OC-18-2017. Petition for Adjudication/Statement of Proposed Distribution of Amy Lebo, Estate of MICHAEL ALAN LEBO, late of Adams County, Pennsylvania.

SCHMIDT—Orphans' Court Action Number OC-122-2020. First and Final Account of Thelma Steiger, Executrix of Estate of EILEEN M SCHMIDT, late of Liberty Township, Adams County, Pennsylvania.

WAGNER—Orphans' Court Action Number OC-129-2020. First and Final Account of Robin Wagner Birkner, Estate of HENRY JOSEPH WAGNER, late of Adams County, Pennsylvania.

Kelly A. Lawver
Clerk of Courts

1/29 & 2/5

INCORPORATION NOTICE

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Pennsylvania Department of State, Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, on January 4, 2021, for the purpose of obtaining a Certificate of Incorporation of a non-profit corporation under the Pennsylvania Nonprofit Corporation Law of 1988. The name of the corporation is the ACDTF TRAINING ASSOCIATION. The registered business office is: 117 Baltimore Street, Room 301, Gettysburg, PA 17325.

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CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that on January 25, 2021, a petition for name change was filed in the Court of Common Pleas of Adams County, Pennsylvania requesting a decree to change the name of Petitioner Alexander Aberg Telson to Alexander Martin Telson.

The Court has affixed March 12th at 10:30 am in Courtroom No. 4, Third Floor of the Adams County Courthouse as the time and place for the hearing of said petition, when and where all persons interested may appear and show cause, if any they have, why the Petition should not be granted.

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IN RE: ESTATE OF LEONARD J. MARTIN, SR., DECEASED

1. Advertisements of the Grant of Letters to the Co-Executrixes were run in the Adams County Legal Journal on February 22, 2019, March 1, 2019 and March 8, 2019. Advertisements of the Grant of Letters to the Co-Executrixes were run in the Gettysburg Times on February 18, 2019, February 25, 2019 and March 4, 2019.

2. Respondent did not file her Notice of Claim pursuant to 20 Pa. C.S. §3532 until August 25, 2020, more than seventeen months after the first complete advertisement of the Grant of Letters.

3. Petitioner argues that Respondent's Notice of Claim was not timely filed because such claim was known to Respondent and such claim was not made within one year after the first complete advertisement of the Grant of Letters.

4. Respondent does not contest the application of 20 Pa.C.S. §3532 but instead claims she was unaware of the statutory requirements and relied on counsel for the Estate to inform her of all statutory requirements. Her failure to know the statutory requirements and her reliance on Estate counsel do not excuse the requirements to file a claim within one year under 20 Pa. C.S. §3532(b)(1). Therefore, the filing of such claim was untimely.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY, PENNSYLVANIA, ORPHANS COURT, OC-36-2020, IN RE: ESTATE OF LEONARD J. MARTIN, SR., DECEASED

Mark A. Mateya, Esq., Attorney for Petitioner Leonard J. Martin, Jr.
Heather Entwistle Roberts, Esq., Attorney for Respondent Judy West
Brian J. Murren, Esq., Attorney for Beverly A. Martin-Gross
Wagner, J., January 8, 2021

OPINION

Before this Court for disposition is Leonard J. Martin, Jr.'s (hereinafter "Petitioner") Motion to Refuse Notice of Claim Filed by Co-Executrix Judy West Against the Estate of Leonard J. Martin, Sr. as Untimely Filed. For the reasons set forth herein, Petitioner's Motion is granted and Judy West's (hereinafter "Respondent") Notice of Claim, filed August 25, 2020, is hereby dismissed.

BACKGROUND

Leonard J. Martin, Sr. ("Decedent") died on January 20, 2019 with his last principal residence at 1871 Herrs Ridge Road, Gettysburg, Adams County, Pennsylvania 17325. The Decedent died testate leaving his Last Will and Testament ("will"), dated January 10, 2019. The Decedent's will was admitted to probate on January 29, 2019, and the Adams County Register of Wills granted Letters Testamentary to the Decedent's daughter, Beverly A. Martin-Gross

and the Respondent as Co-Executrixes. The Decedent is survived by three children, Petitioner, daughter Rebecca M. Martin and daughter Beverly A. Martin-Gross. In pertinent part, the second article of the will directs that the residue and remainder of the estate be distributed evenly between the Decedent's children, Petitioner, Rebecca M. Martin and Beverly A. Martin-Gross.

Advertisements of the Grant of Letters to the Co-Executrixes were run in the Adams County Legal Journal on February 22, 2019, March 1, 2019 and March 8, 2019. Advertisements of the Grant of Letters to the Co-Executrixes were run in the Gettysburg Times on February 18, 2019, February 25, 2019 and March 4, 2019.

On or about October 3, 2019 the Estate filed its Pennsylvania inheritance tax return with the Pennsylvania Department of Revenue. The inheritance tax return was signed by Respondent and Schedule J of the inheritance tax return designated the beneficiaries as Petitioner, Rebecca M. Martin and Beverly A. Martin-Gross, with each receiving a share of 33.33% of the estate.

On August 25, 2020 Respondent filed Notice of Claim against the Estate pursuant to 20 Pa. C.S. §3532. On November 19, 2020 Petitioner filed Motion to Refuse Notice of Claim Filed by Co-Executrix Judy West Against the Estate of Leonard J. Martin, Sr. as Untimely Filed and brief in support of such motion. On December 10, 2020 Respondent timely filed Answer to Motion to Refuse Notice of Claim by Co-Executrix Judy West Against the Estate of Leonard J. Martin, Sr.

This Court treats Petitioner's Motion to Refuse Notice of Claim Filed by Co-Executrix Judy West Against the Estate of Leonard J. Martin, Sr. as Untimely Filed as a preliminary objection to Respondent's Notice of Claim in accordance with Pennsylvania Orphans' Court Rules, Rule 3.9. Petitioner challenges Respondent's Notice of Claim as untimely filed in accordance with 20 Pa. C.S. §3532(b)(1).

LEGAL STANDARD

Preliminary objections are limited to the grounds listed in Pa.O.C. Rule 3.9. It is well established that in ruling on preliminary objections, this Court must accept as true all well-pleaded allegations of material fact as well as all inferences reasonably deductible from

those facts. *Ballroom, LLC v. Commonwealth*, 984 A.2d 582, 586 (Pa. Commw. Ct. 2009). Preliminary Objections will be sustained where the case is clear and free from doubt. *Rambo v. Greene*, 906 A.2d 1232, 1235 (Pa. Super. 2006).

DISCUSSION

Petitioner argues that Respondent's Notice of Claim was not timely filed because such claim was known to Respondent and such claim was not made within one year after the first complete advertisement of the Grant of Letters.

Under 20 Pa.C.S. §3532, a claimant must make a claim known to the estate within one year after the first complete advertisement of the grant of letters. The completion of the advertisement of the Grant of Letters occurred on March 8, 2019. Respondent did not file her Notice of Claim pursuant to 20 Pa.C.S. §3532 until August 25, 2020, more than seventeen months after the first complete advertisement of the Grant of Letters. As Co-Executrix of the Estate, Judy West was aware of the dates of the Grant of Letters. Further, Respondent does not contest the application of 20 Pa.C.S. §3532 but instead claims she was unaware of the statutory requirements and relied on counsel for the Estate to inform her of all statutory requirements. Her failure to know the statutory requirements and her reliance on Estate counsel do not excuse the requirements to file a claim within one year under 20 Pa.C.S. §3532(b)(1). Therefore, the filing of such claim was untimely.

Because the filing of Respondent's claim was untimely, Petitioner's Motion to Refuse Notice of Claim Filed by Co-Executrix Judy West Against the Estate of Leonard J. Martin, Sr. as Untimely Filed is granted. Accordingly, the attached Order is entered.

ORDER OF COURT

AND NOW, this 7th day January, 2021, in consideration of Petitioner's Motion to Refuse Notice of Claim Filed by Co-Executrix Judy West Against the Estate of Leonard J. Martin, Sr. as Untimely Filed, and for the reasons set forth in the attached opinion, such motion is granted. Respondent's Notice of Claim, filed August 25, 2020 is hereby dismissed.

ESTATE 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. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF JANE L. ASPER, DEC'D**

Late of Huntingdon Township, Adams County, Pennsylvania

Co-Executors: JoNetta L. Moore a/k/a JoNetta L. Asper, 1149 Cranberry Road, Gardners, PA 17324; Jack C. Asper II, 1125 Cranberry Road, Gardners, PA 17324

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

ESTATE OF IMOGENE M. BARBOUR, DEC'D

Late of Menallen Township, Adams County, Pennsylvania

Executors: Larry E. Barbour, 130 Longview Boulevard, Gettysburg, PA 17325; Barry L. Barbour, 1326 Biglerville Road, Gettysburg, PA 17325; Randy G. Barbour, 4367 Carlisle Road, Gardners, PA 17324

Attorney: Puhl & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF GLORIA N. MIKE, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Joseph Mike, 11003 Vineyard Drive, North East, Pennsylvania 16428

Attorney: Arthur J. Becker, Jr., Esq., Becker Law Group, P.C., 529 Carlisle Street, Hanover, PA 17331

ESTATE OF CAROL J. WERLEY, DEC'D

Late of the Borough of Bonneauville, Adams County, Pennsylvania

Executor: Michael R. Harvey, c/o Stephen T. Elinski, Esq., Salvo Rogers Elinski & Scullin, 510 E. Township Line Road, Suite 150, Blue Bell, PA 19422

Attorney: Stephen T. Elinski, Esq., Salvo Rogers Elinski & Scullin, 510 E. Township Line Road, Suite 150, Blue Bell, PA 19422

SECOND PUBLICATION**ESTATE OF KATHERINE L. AMBROSE, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Co-Executrices: Carolyn D. Wagaman, 110 Spring Creek Circle, Gettysburg, PA 17325; Kathy Ambrose Foster, 20257 Ordinary Place, Ashburn, VA 20147

Attorney: Bernard A. Yannetti, Jr., Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

ESTATE OF JOHN ROBERT GRADY, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Co-Executors: Dale Kenneth Smith, 4021 North Second Street, Harrisburg, PA 17110; Bernard A. Yannetti, Jr., 994 Knoxlyn Road, Gettysburg, PA 17325

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, 126 Baltimore Street, Gettysburg, PA 17325

ESTATE OF JEANNE MARIE McNAMARA a/k/a JEANNE M. McNAMARA, DEC'D

Late of the Borough of Fairfield, Adams County, Pennsylvania

Executor: Maria Nunez Henry, c/o R. Thomas Murphy, Esq., R. Thomas Murphy & Associates, P.C., 2005 East Main Street, Waynesboro, PA 17268

Attorney: R. Thomas Murphy, Esq., R. Thomas Murphy & Associates, P.C., 2005 East Main Street, Waynesboro, PA 17268

ESTATE OF EDITH M. MIELE, DEC'D

Late of the Borough of McSherrystown, Adams County, Pennsylvania

Madlyn Cathcart, 80 Main Street, Apt. A31, McSherrystown, PA 17344

Attorney: John J. Murphy III, Esq., Patrono & Murphy, LLC, 28 West Middle Street, Gettysburg, PA 17325

ESTATE OF JOANN M. MUSSELMAN, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Richard J. Musselman, 7634, Route 235, Thompsontown, PA 17094

ESTATE OF JOHN KENYON WEITZEL a/k/a JOHN K. WEITZEL, DEC'D

Late of the Borough of Gettysburg, Adams County, Pennsylvania

Executor: Douglas N. Weitzel, 1108 Futurity Street, Frederick, MD 21702

Attorney: Robert L. McQuaide, Esq., Barley Snyder, Suite 101, 123 Baltimore Street, Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF ALBERT R. BOLLINGER, DEC'D**

Late of Butler Township, Adams County, Pennsylvania

Executrix: Ilda Ramirez, 15 West Point Road, Aspers, PA 17304

Attorney: John A. Wolfe, Esq., Wolfe, Rice & Quinn, LLC, 47 West High Street, Gettysburg, PA 17325

ESTATE OF LUCILLE J. BROWN, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executrix: Marian M. Cadden, c/o Jennifer M. Stetter, Esq., Barley Snyder, LLP, 14 Center Square, Hanover, PA 17331

Attorney: Jennifer M. Stetter, Esq., Barley Snyder, LLP, 14 Center Square, Hanover, PA 17331

ESTATE OF FRANCIS I. HALL, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executor: Daniel F. Hall, 2384 Buchanan Valley Road, Orrtanna, PA 17353

Attorney: Robert E. Campbell, Esq., Salzmann Hughes, P.C., 112 Baltimore Street, Gettysburg, PA 17325

ESTATE OF JANET BETH HOLLENSHADE, DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Michele Christine Watson, c/o Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

Attorney: Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

ESTATE OF VIOLA L. LEGORE, DEC'D

Late of the Borough of Bonneauville, Adams County, Pennsylvania

Executor: Robert A. Legore, 561 Benders Church Road, Biglerville, PA 17307

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

THIRD PUBLICATION CONTINUED

ESTATE OF LEWIS P. MILLER, DEC'D

Late of Latimore Township, Adams County, Pennsylvania

Executor: Ruthanna T. Miller, c/o Wm. D. Schrack III, Esq., Benn Law Firm, 124 West Harrisburg Street, Dillsburg, PA 17019-1268

Attorney: Wm. D. Schrack III, Esq., Benn Law Firm, 124 West Harrisburg Street, Dillsburg, PA 17019-1268

ESTATE OF EDNA R. SHOWERS, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Executrix: Kim A. McDannell a/k/a Kimberly A. Guise, 172 Gordon Avenue, Gettysburg, PA 17325

Attorney: Robert E. Campbell, Esq., Salzmann Hughes, P.C., 112 Baltimore Street, Gettysburg, PA 17325



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