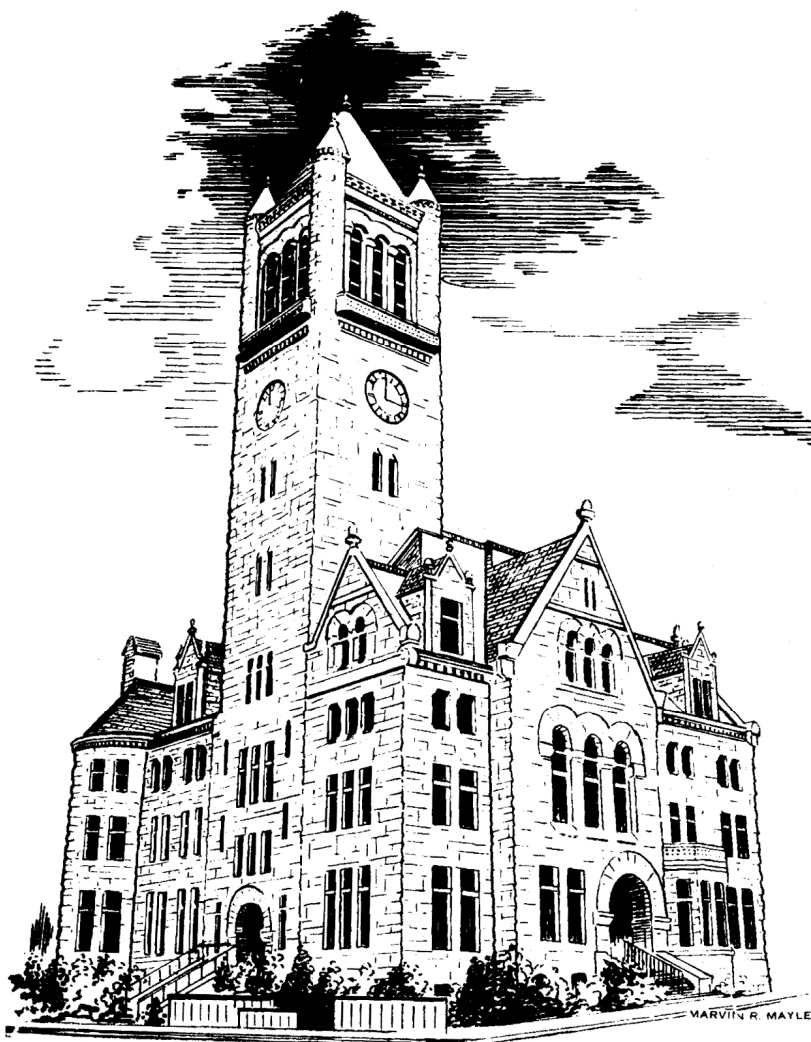


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ESTATE NOTICES

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

ELLA MARIE DAVIS, late of Fayette City, Fayette County, PA (3)

Executor: Michael A. Davis
602 Manor Drive
Washington, PA 15301
c/o Richard C. Mudrick Attorney at Law
300 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Richard C. Mudrick

CARMELITA GALIE, late of Redstone Township, Fayette County, PA (3)

Executor: Francis W. Kittridge, Jr.
c/o GRB Law
2100 Georgetown Drive
Suite 300
Sewickley, PA 15143-8782
Attorney: Wendy D. Heleen

**HOWARD ROSS GEORGE, a/k/a
HOWARD R. GEORGE**, late of North Union Township, Fayette County, PA (3)

Executrix: Patricia Diane Guziak a/k/a
Patricia D. Guziak
120 Cemetery Road
Lemont Furnace, PA 15456
c/o 3401 N. Front Street
P.O. Box 5950
Harrisburg, PA 17110-0950
Attorney: Jennifer M. Merx

PAULA JEAN SILVIS, late of Fairchance Borough, Fayette County, PA (3)

Administrator: Henry L. Ford
c/o Davis & Davis Attorneys at Law
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

KATHERINE SEPKOVIC, late of Connellsville, Fayette County, PA (3)

Administrator: Daniel Sepkovic
c/o Casini & Geibig, LLC
815B Memorial Boulevard
Connellsville, PA 15425
Attorney: Jennifer M. Casini

Second Publication

JOHN EDWARD BELL, a/k/a JOHN E. BELL, late of Dunbar, Fayette County, PA (2)

Executrix: Paula N. Bell
c/o Proden & O'Brien
99 E. Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

JESSIE ELAINE CUMBERLAND a/k/a J. ELAINE CUMBERLAND, late of Vanderbilt, Fayette County, PA (2)

Executrix: Wendy Sue Davis
c/o Casini & Geibig, LLC
815B Memorial Boulevard
Connellsville, PA 15425
Attorney: Jennifer Casini

ALBERT FORCINA, late of New Salem, Fayette County, PA (2)

Executor: Albert Junior Forcina
c/o 45 East Main Street, Suite 400
Uniontown, PA 15401
Attorney: Charles C. Gentile

PATRICK EUGENE KENNEY, JR., late of Dunbar Township, Fayette County, PA (2)

Executrix: Pamela J. Heller
321 Ironbite Drive
Tarrs, PA 15688
Attorney: Ewing D. Newcomer

DAVID MILLER a/k/a DAVID WILLIAM MILLER, late of South Union Township, Fayette County, PA (2)

Executrix: Wendy L. Rozgony
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

NORA KAY PECCON, late of Uniontown,
Fayette County, PA (2)

Executor: Christopher A. Peccon
c/o 603 Stanwix Street, Suite 1679
Pittsburgh, PA 15222
Attorney: John W. Giltinan

DAVID MICHAEL RABATIN, late of Perry
Township, Fayette County, PA (2)

Executor: David M. Rabatin, II
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

JAMES RUBY a/k/a JAMES CYRIL RUBY,
late of South Connellsville, Fayette County, PA

Administratrixes: Deborah Hixson and
Jamie Bulls
c/o Casini & Geibig, LLC
815B Memorial Boulevard
Connellsville, PA 15425
Attorney: Jennifer Casini (2)

MANIE STRICKLIN, late of Wickhaven,
Fayette County, PA (2)

Executor: Kevin Stricklin
c/o Bononi & Company PC
20 N. Pennsylvania Avenue
Greensburg, PA 15601
Attorney: Eric Bononi

MARTHA MARVA, late of Georges
Township, Fayette County, PA (1)

Administrator: Richard J. Marva, Jr.
c/o Monaghan & Monaghan, L.L.P.
57 East Main Street
Uniontown, PA 15401
Attorney: Gary D. Monaghan

MAGDALENE P. SWARTZ, late of South
Union Township, Fayette County, PA (1)

Executrix: Denise Zagata
c/o Goodwin Como, P.C.
108 N. Beeson Blvd., Suite 400
Uniontown, PA 15401
Attorney: Gerious T. George

EDELTRAUD MARIE VISOCKY, late of
Uniontown, Fayette County, PA (1)

Personal Representative:
Stephen Visocky, III
c/o Law Office of Tyler C. Shultz
92 East Main Street, Suite LL-2
Uniontown, PA 15401
Attorney: Tyler C. Shultz

LEGAL NOTICES

*** NO LEGAL NOTICES ***

First Publication

JENNIFER BONGIORNO, late of
Washington Township, Fayette County, PA (1)

Administrator: Claudia J. Stewart
c/o Post Office Box 1
401 Sixth Street
Charleroi, PA 15022
Attorney: Alan Benyak

WILLIAM LESTER, late of Jefferson
Township, Fayette County, PA (1)

Executor: Michael Sveda, II
c/o Peacock Keller, LLP
95 W. Beau Street, Suite 600
Washington, PA 15301
Attorney: Timothy Berggren

Registers’ Notice

Notice by JEFFREY L. REDMAN, Register of Wills and
Ex-Officio Clerk of the Orphans’ Court Division of the Court of Common Pleas

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans’ Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans’ Court Division of Fayette County on

Monday, November 3, 2025, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Representative</u>
2624-0227	VERONICA HANYO	John L. Musial, Executor

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

Monday, November 17, 2025, at 9:30 A.M.

in Courtroom No. 5 of the **Honorable Judge Joseph M. George, Jr.** or his chambers, Third Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JEFFREY L. REDMAN
Register of Wills and Ex-Officio Clerk of the Orphans’ Court Division (2 of 2)

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JUDICIAL OPINION**IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION**

IN RE: PETITION FOR RECOUNT OF :
THE DEMOCRATIC PRIMARY ELECTION :
OF MAY 20, 2025 FOR SUPERVISOR OF : No. 1332 of 2025, G.D.
HENRY CLAY TOWNSHIP : Judge Joseph M. George, Jr.

OPINION AND ORDER

GEORGE, J.

July 7, 2025

Before the Court is a matter that originated with a Petition for Recount of the Democratic Primary Election held on May 20, 2025 for Supervisor of Henry Clay Township filed on June 9, 2025. On June 13, 2025, the Court authorized a recount.

On June 18, 2025, the Fayette County Election Bureau filed a Report of Recount. The Director of Elections indicated that "several ballots were discovered containing write-in votes for the above candidates without the write-in oval filled in on the ballot." The instructions on the ballot provide that "to vote for a person whose name is not on the ballot, write the person's name legibly in the blank space and fill in the oval."

On June 23, 2025, Petitioners filed a response and objection to the report relying on the authority set forth in *Shambaugh v. Bickhart*, 845 A.2d 793 (Pa. 2004).

On July 3, 2025, the Court held a hearing on the objection. The parties stipulated that there was no fraud in the count or recount and the parties also stipulated to the admission of six ballots (identified as Joint Exhibit A, 1-6). Two of the ballots cast had a write-in vote for Steve Humbert, but the corresponding oval was not filled in. The remaining four ballots each cast a write-in vote for Jesse Bates. These four voters also did not fill in the oval next to the area where the candidate's name was written.

This Opinion is in support of our Order which will direct the Election Bureau to count the votes where the Court believes the voter intent expressed on the challenged ballots is unmistakably clear.

DISCUSSION

Under Pennsylvania law, "Election laws will be strictly enforced to prevent fraud, but ordinarily will be construed liberally in favor of the right to vote." *Appeal of James*, 105 A.2d 64, 65 (Pa. 1954).

In *Rinaldi v. Ferrett*, 941 A.2d 73 (Pa.Cmwlt.2007), when confronted with a similar issue, the Commonwealth Court heavily relied on the Supreme Court case of *Shambaugh v. Bickhart*, 845 A.2d 793 (Pa. 2004). Though the Court did not reach the merits, it addressed the "longstanding and overriding policy" that says that absent fraud, election laws should be construed liberally "so that minor irregularities in casting a vote result in striking that vote only if there exists compelling reason." *Id.* at p. 80. In the instance of votes lacking a fully blackened oval, the Court held, "[W]here voter intent is clear and there is no sign of fraud, we concluded that, absent an express statutory prohibition, the rationale favoring liberal construction would allow counting of the ballots despite the lack of a fully blackened oval. Therefore, had we reached the merits, we would have affirmed."

In a previous matter where the identical issue was raised,{1} this Court was guided by the following authority:

The power to throw out a ballot for minor irregularities, like the power to throw out the entire poll of an election district for irregularities, must be exercised very sparingly and with the idea in mind that either an individual voter or a group of voters are not to be disfranchised at an election except for compelling reasons.

*** 'The purpose in holding elections is to register the actual expression of the electorate's will' and that 'computing judges' should endeavor 'to see what was the true result,' There should be the same reluctance to throw out a single ballot as there is to throw out an entire district poll, for sometimes an election hinges on one vote.

Appeal of James, 377 Pa. 405, 409-410, 105 A.2d 64, 66 (quoting Appeal of Gallagher, 351 Pa. 451, 454-455, 41 A.2d 630,632 (1945)).

Applying these same principles here, the Court believes that the voter intent expressed on the challenged ballots is unmistakably clear, there has been a stipulation of no fraud and the failure to check a box on the ballot or fill in an oval is a minor irregularity, not a compelling reason to throw out said ballot.

As our Supreme Court has observed, "[m]arking a ballot in voting is a matter not of precision engineering but of an unmistakable registration of the voter's will in substantial conformity to statutory requirements." Appeal of James, 377 Pa. at 408, 105 A.2d at 65 (quoting Appeal of Gallagher, 351 Pa. at 456, 41 A.2d at 632). Not to count these votes would give too much weight to a technicality against which our Supreme Court warned in Appeal of James.

Wherefore, we will enter the following order that affirms the actual expression of the will of the electorate:

ORDER

AND NOW, this 7th day of July, 2025, in accordance with the foregoing opinion, the Election Bureau is DIRECTED to correct, compute and certify the votes in accordance with the intent of the voter as follows:

1. The two ballots identified in Joint Exhibit A, 1 and 2 with a write-in vote for Steve Humbert, without the corresponding oval filled in by the voter, shall be COUNTED as two votes for Steve Humbert; and
2. The four ballots identified in Joint Exhibit A, 3, 4, 5, and 6 with a write-in vote for Jesse Bates, without the corresponding oval filled in by the voter, shall be four votes COUNTED for Jesse Bates.

BY THE COURT:
JOSEPH M. GEORGE, JR., JUDGE

ATTEST:
PROTHONOTARY

{1} In Re: Recount of Ballots/German Township Supervisor, 2464 of 2017, G.D. (Fayette County)