

# FAYETTE LEGAL JOURNAL

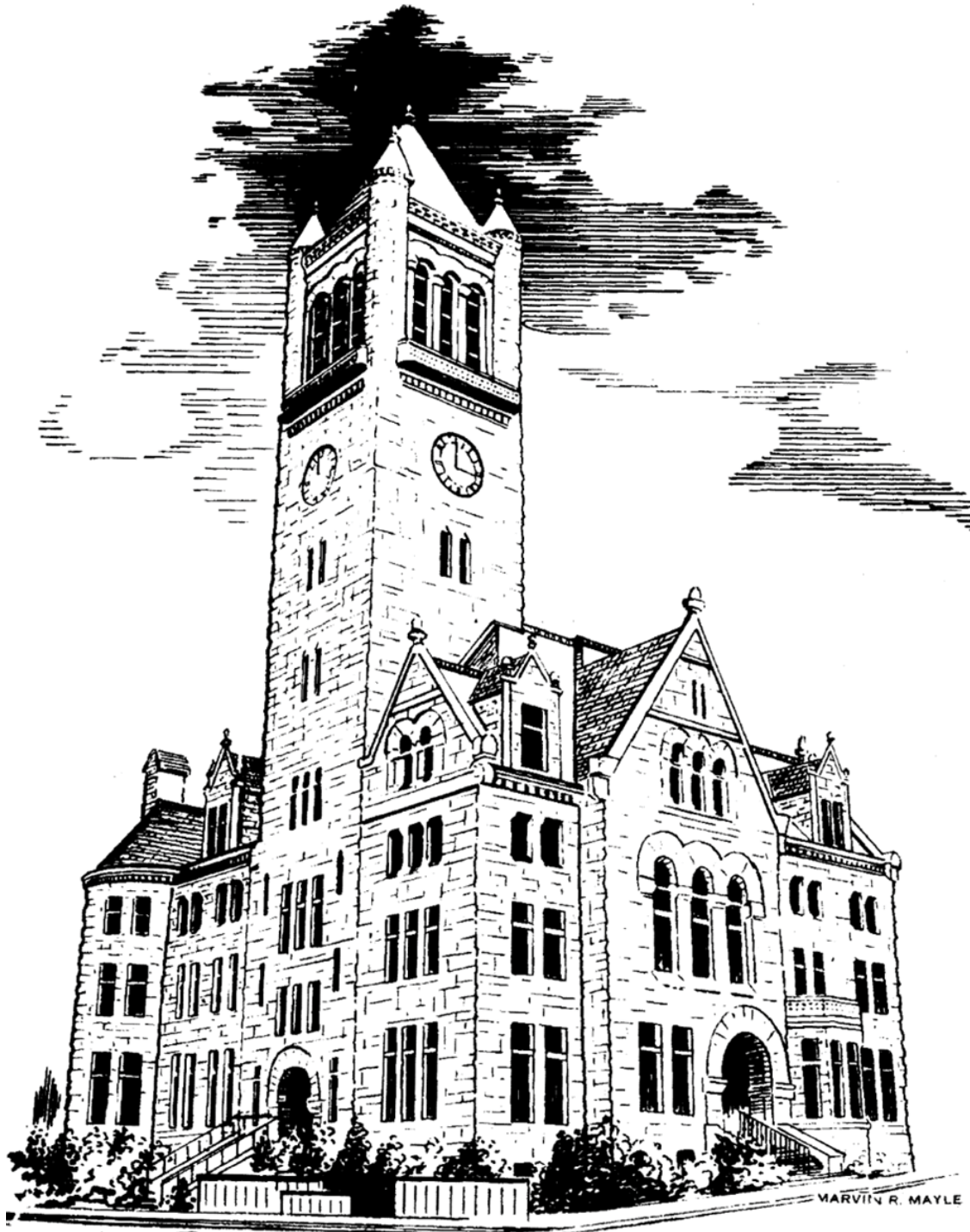
---

VOL. 89

OCTOBER 10, 2026

NO. 41

---



**FAYETTE LEGAL JOURNAL**

The FAYETTE LEGAL JOURNAL is published weekly by the Fayette County Bar Association, 45 East Main Street, Suite 100, Uniontown, Pennsylvania 15401, 724-437-7994. Legal advertisements should be submitted online at [www.fcbar.org](http://www.fcbar.org) no later than 12:00 noon on Friday for publication the following Saturday. No date of publication is promised, however. Legal notices are published exactly as submitted by the advertiser. Copyright 2001 Fayette County Bar Association. All rights reserved.

**Co-Editors:** Garnet L. Gordon and Melinda Deal Dellarose

*Cover Design by Marvin R. Mayle, 207 Lick Hollow Road, Hopwood, PA*

**FAYETTE COUNTY BAR ASSOCIATION  
Board of Directors**

**President:** Michelle L. Kelley  
**President Elect:** Jeffrey S. Proden  
**Vice-President:** Melinda D. Dellarose  
**Secretary:** Anne N. John  
**Treasurer:** Rachel A. Clark  
**Past President:** Sheryl R. Heid  
**Executive Director:** Garnet L. Gordon

**Directors**  
Michael A. Aubele  
Jennifer M. Casini  
Sarah E. Connelly  
James E. Higinbotham, Jr.  
Sean M. Lementowski  
Daniel D. Taylor

**ETHICS HOTLINE**

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.

Call (800) 932-0311, ext. 2214.

**LAWYERS CONCERNED  
FOR LAWYERS**

Our assistance is confidential,  
non-judgmental, safe, and effective.

To talk to a lawyer today, call:  
1-888-999-1941  
717-541-4360

---

**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**

---

**JOZEF BANIOWSKI**, late of  
Masontown Borough, Fayette County, PA  
*Executor:* Jerry Baniowski  
c/o Newcomer Law Office  
4 North Beeson Boulevard  
Uniontown, PA 15401  
*Attorney:* Ewing D. Newcomer

---

**LORIE ANN HERCIK, a/k/a LORIE A. HERCIK**, late of Hopwood, North Union Township, Fayette County, PA  
*Administrator:* Alec D. Hercik  
c/o Higinbotham Law Offices  
68 South Beeson Boulevard  
Uniontown, PA 15401  
*Attorney:* James E. Higinbotham, Jr.

---

**CHARLES HIGBEE**, late of Dawson, Fayette County, PA  
*Administratrix:* Jessica Higbee  
c/o 92 East Main Street, Suite 24  
Uniontown, PA 15401  
*Attorney:* Michelle Kelley

---

**RONALD MARASKY**, late of South Union Township, Fayette County, PA  
*Personal Representative:*  
Jeffrey P. Jordon  
c/o 76 East Main Street  
Uniontown, PA 15401  
*Attorney:* Douglas S. Sholtis

---

**TONI Y. REAGAN, a/k/a TONI YVONNE REAGAN**, late of German Township, Fayette County, PA  
*Executrix:* Jordyn M. Reagan  
c/o Webster & Webster  
51 East South Street  
Uniontown, PA 15401

---

---

**Second Publication**

---

**BETTY B. HUSBAND**, late of the Borough of Dawson, Fayette County, PA  
*Personal Representative:*  
Richard A. Husband  
c/o Richard A. Husband Esquire LLC  
208 South Arch Street, Suite 2  
Connellsville, PA 15425  
*Attorney:* Richard A. Husband

---

**ROBERT MINER**, late of Connellsville, Fayette County, PA  
*Executor:* Michael Miner  
c/o Goodwin Como, P.C.  
92 East Main Street, Suite 1  
Uniontown, PA 15401  
*Attorney:* Amanda Como

---

**BETTY ROHLF, a/k/a BETTY FRANGOS ROHLF, a/k/a BETTY F. ROHLF**, late of Uniontown, Fayette County, PA  
*Executrix:* Barabra Jane Rohlf  
c/o Ventresca & Ventresca, LLP  
5500 Brooktree Road, Suite 101  
Wexford, PA 15090  
*Attorney:* Kenneth M. Ventresca

---

## First Publication

**GLENN EUGENE CRITCHFIELD, a/k/a GLENN E. CRITCHFIELD, a/k/a GLENN CRITCHFIELD**, late of Saltlick Township, Fayette County, PA

*Administrator:* Brian E. Critchfield  
c/o Rafferty Legal, PLLC  
1600 Lincoln Avenue  
Latrobe, PA 15650  
*Attorney:* Jessica L. Rafferty

**BARBARA LEE GALLAGHER a/k/a BARBARA L. GALLAGHER**, late of Dunbar Township, Fayette County, PA

*Co-Executors:* Mary Franko and Matthew Corvin  
c/o Goodwin Como, P.C.  
92 E. Main Street, Suite 1  
Uniontown, PA 15401  
*Attorney:* Benjamin F. Goodwin

**RONALD MEADE**, late of Connellsville, Fayette County, PA

*Executrix:* Pelar Octavia Meade-Taylor  
215 N 10th Street  
Connellsville, PA 15425-2414

**DIANE MONACO, a/k/a DIANE E. MONACO**, late of Springfield Township, Fayette County, PA

*Executor:* Tina Bartholomai  
c/o 1714 4th Street  
Connellsville, PA 15425

**THOMAS E. PASTERICK a/k/a THOMAS EDWARD PASTERICK**, late of Perry Township, Fayette County, PA

*Executrix:* Beatriz Ortiz-Pasterick  
c/o Beisler Law Office  
41 Robbins Station Road  
North Huntingdon, PA 15642  
*Attorney:* Daniel Beisler

**RAYMOND D. TISSUE**, late of Uniontown, Fayette County, PA

*Personal Representative:*  
John R. Thomas  
c/o The Law Office of Tyler C. Shultz  
92 East Main Street  
Suite LL-2  
Uniontown, PA 15401  
*Attorney:* Tyler C. Shultz

**GEORGIA N. SLEZAK**, late of Connellsville, Fayette County, PA

*Executor:* Eric Slezak  
c/o 414 Morrison Drive  
Pittsburgh, PA 15216  
*Attorney:* James K. Wood

## LEGAL NOTICES

### NOTICE OF EMINENT DOMAIN/CONDEMNATION VIEW AND HEARING

IN THE COURT OF COMMON PLEAS OF  
FAYETTE COUNTY, PENNSYLVANIA  
CIVIL DIVISION  
2043 of 2021, G. D.

IN RE: CONDEMNATION BY THE  
BOROUGH OF NEWELL OF  
PROPERTIES LOCATED IN THE  
BOROUGH OF NEWELL, FAYETTE  
COUNTY, PENNSYLVANIA,

Condemnor,  
vs.

THE HEIRS OF LUCIUS (aka LUCIS) A.  
MARCHAND,  
Condemnees.

Notice is hereby given pursuant to 26 Pa.C.S. Section 505 that a Board of View Hearing shall be held on November 12th, 2026, at 9:00 am, at the Law Office of John A. Kopas, III, Esquire located at 556 Morgantown Road, Uniontown, Fayette County, Pennsylvania 15401. A Declaration of taking was filed on November 5, 2021, at the above captioned case and inspection may be made at the Prothonotary's Office of Fayette County, Pennsylvania which shows the Plans of the parcels listed below subject to the condemnation. Inspection may also

be made at the Office of Newell Borough at 412 Second Street, Newell, Pennsylvania 15466. Should any interested parties in the land subject to the Eminent Domain/Condemnation Petition filed at the above captioned number concerning real estate located in Newell Borough, Fayette County, Pennsylvania, and identified by Fayette County Tax Parcel Id Nos. 23040060, 23040101, and 23040102 desire to pursue their interest therein or the proceeds of the value thereof, you will be required to attend and participate in said Board of View Hearing. The property in question was owned of record by virtue of the prior deed to LUCIUS A. MARCHAND dated September 28th, 1892. The said LUCIUS A. MARCHAND is believed to have died on or about November 2nd, 1919. This Notice is being provided so that any and all heirs, successors, or assigns of the said LUCIUS A. MARCHAND may attend and be heard in the above proceeding. The purpose of the condemnation is to acquire fee simple ownership by Newell Borough for a walking trail.

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

---

IN THE COURT OF COMMON PLEAS OF  
FAYETTE COUNTY, PENNSYLVANIA  
CIVIL COURT DIVISION  
Civil Docket No. 1758 OF 2026, GD  
Judge Mark Mehalov

FRED POUNDS,  
PLAINTIFF

v.

ETHEL K. SCHROYER, and her  
personal representatives, heirs,  
successors and assigns,  
DEFENDANTS

**NOTICE of LEGAL ACTION AND  
NOTICE to DEFEND**

To: Defendants -- You have been sued in court to quiet title and to extinguish all of your right, title and interest in and to an approx. 1.03 acre parcel of real estate

located in Springhill Township, Fayette County, Pennsylvania, Tax Parcel No. 36-23-0013, more particularly described in the deed from Elizabeth R. Schroyer, single, to Ethel K. Schroyer, dated June 20, 1924, recorded in the Fayette County Recorder of Deeds Office at Deed Book 430, Page 118, and in the deed from the Fayette County Tax Claim Bureau to Fred Pounds dated December 1, 2025 and recorded in Record Book 3630, Page 76. Plaintiffs is asking the Court to declare that the Plaintiff is the true and lawful owner of the said real estate. If you wish to defend against the claims set forth in the Complaint filed at the above docket number, you must take action within twenty (20) days, 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 claim or relief requested by the Plaintiffs. 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, TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ON AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

**PENNSYLVANIA LAWYER  
REFERRAL SERVICE  
Pennsylvania Bar Association  
100 South Street.  
P.O. 186  
Harrisburg, PA 17108  
1-8008692-7375**

Sepic Law  
892 Vanderbilt Rd.  
Connellsville, PA 15425  
Counsel for Plaintiff

---

Notice is hereby given that Fagan Hopwood Tavern, LLC, a Pennsylvania limited liability company with its registered office located at 116 Dorthea Avenue, McClellandtown, PA 15458, is now engaged in winding up and settling the affairs of the company. The company filed the Certificate of Termination with the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, so that its corporate existence shall be ended by issuance of a Certificate of Dissolution by the Department of State under the provisions of the Business Corporation Law of 1988 (as amended). Proden, O'Brien & Lementowski: Sean M. Lementowski, Esquire, 99 East Main Street, Uniontown, PA 15401.

---

## **WARMAN ABSTRACT & RESEARCH LLC**

**JOHN F. WARMAN**

**518 Madison Drive**

**Smithfield, PA 15478**

**724-322-6529**

**johnfranciswarman@gmail.com**

**COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE**

**A DECADE OF EXPERIENCE   E&O INSURED   WILL TRAVEL   ACCEPTING NEW CLIENTS**

**JUDICIAL OPINION****IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION**

COMMONWEALTH OF PENNSYLVANIA :  
Plaintiff, :  
v. :  
PAUL APPLEBY :  
Defendant. : No. 2202 of 2025

**OPINION**

Linda R. Cordaro, J.

September 21, 2026

Currently before this Court is Defendant's Omnibus Pretrial ("OPT") Motion for suppression of a traffic stop and habeas corpus. The Defendant is charged with driving under the influence, disregarding traffic lanes, and obstructing license plate {1}. At the OPT hearing held on September 3, 2026, the Court heard testimony from Trooper Nathaniel Medvit and briefly heard from the Defendant for purpose of authenticating the photo offered to the Court. The Motor Vehicle Recording ("MVR") from Trooper Medvit's patrol vehicle, Trooper Medvit's body camera video, and a photo of Defendant's license plate were offered to this Court as evidence. The Defendant argues that there was no legitimate reason for a traffic stop to be initiated. The Court agrees. For the following reasons, the Defendant's OPT Motion is hereby GRANTED.

**BACKGROUND**

On June 22, 2025, Trooper Nathaniel Medvit of the Pennsylvania State Police was in his patrol vehicle, around 11:25 p.m., when he observed a vehicle fail to maintain its lane of traffic. Trooper Medvit also observed that the vehicle had an obstructed license plate due to the plate's paint peeling away. Trooper Medvit initiated a traffic stop, and upon approaching the Defendant, who was driving the vehicle, the trooper smelled an odor of alcohol. Trooper Medvit informed the Defendant that his license plate was peeling, and the trooper advised the Defendant that he could go online and order a new plate. Upon speaking further with the Defendant, Trooper Medvit was informed that the Defendant had been pulled over just a few weeks prior, and that the Defendant was headed home from the Blue Moon bar in Uniontown. Defendant stated that he had consumed four Yuengling beers while at the bar. Trooper Medvit testified that the Defendant's speech was slurred throughout the course of this interaction. The Defendant stepped out the vehicle, and Trooper Medvit performed standardized field sobriety tests ("SFSTs"). Trooper Medvit had the Defendant perform a preliminary breath test, and the Defendant blew a 0.167. After being read a DL-26 form, the Defendant refused blood testing. Trooper Medvit then drove the Defendant's vehicle back to the Defendant's residence, while another trooper drove Defendant home in a patrol vehicle.

**DISCUSSION**

The Defendant argues that there was no probable cause or reasonable suspicion to initiate a traffic stop because the license plate was not obstructed. Further, the Defendant contends that Trooper Medvit did not inform him that the Defendant had also failed to stay in his lane of traffic.

---

{1} 75 Pa. C.S.A. § 3802(a)(1); 75 Pa. C.S.A. § 3309(1); 75 Pa. C.S.A. § 1332(b)(3)

“In order for a traffic stop to be justified, a police officer must have probable cause to believe that a violation of the Vehicle Code or regulations has taken place. The officer must be able to articulate specific facts possessed by him at the time of the questioned stop, which would provide probable cause to believe that the vehicle or the driver was in some violation of some provision of the Vehicle Code.” *Commonwealth v. Cahill*, 324 A.3d 516,523 (Pa. Super. 2024) (quoting *Commonwealth v. Lindblom*, 854 A.2d 604,607 (Pa. Super. 2004).

In the MVR footage offered to the Court, there is not a clear incident in which the Defendant’s vehicle failed to maintain its lane of travel. At timestamp 0:45 of the MVR footage, it appears that Defendant may have taken the turn in the road too tight while navigating a curve, but it does not appear that the Defendant went into the opposite lane of traffic. Additionally, Trooper Medvit did not activate his patrol vehicle lights until timestamp 1:15 of the MVR, which was 30 seconds after the turn.

As to the license plate, in both the MVR and the body camera footage, the license plate is completely legible. Trooper Medvit testified that, pursuant to 75 Pa. C.S.A. § 1332(b), the Defendant’s license plate could not be read as well from a “reasonable distance” at night since the paint has reflectors in it, and the Defendant’s paint was peeling off. However, the paint on the letters and numbers on the plate was completely intact. In the MVR footage, at timestamp 1:25, the license plate can be read once the glare from the lights stopped. Additionally, the license plate is legible on Trooper Medvit’s body camera, starting at timestamp 2:38. The Court is not persuaded that the paint peeling on the base of the license plate was sufficient justification to initiate a traffic stop for an obstructed plate. Even from the video footage, which often does not have the clearest camera quality, especially at nighttime such as here, the Court can readily observe that the license plate reads at “KMB 0990.”

The Defendant also argues that if the traffic stop is unconstitutional, the Court must dismiss the charges because the Commonwealth cannot establish a *prima facie* case. The Court finds that the traffic stop was unconstitutional, and for that reason, the Court grants the Defendant’s habeas corpus petition.

For these reasons, the Defendant’s OPT Motion is GRANTED for the suppression of the traffic stop and habeas corpus.

#### ORDER

AND NOW, this 21st day of September, 2026, in consideration of Defendant’s Omnibus Pretrial Motion, and for the reasons set forth in this Court’s Opinion, the Defendant’s Motion is hereby GRANTED as to an unconstitutional traffic stop and for habeas corpus.

All charges shall be DISMISSED.

BY THE COURT:  
Linda R. Cordaro, Judge

ATTEST:  
Clerk of Courts

**BENCH BAR CONFERENCE**

Bench Bar Conference  
Wednesday, October 14, 2026  
The Historic Summit Inn

## AGENDA

8:30 - Meet the Sponsors & Breakfast Buffet

9:00 - 12:15 - Conference Seminars (2.0 Substantive and 1.0 Ethics CLE Credits)

**Witchcraft Trials**

Mark W. Podvia, Esquire - Emeritus Faculty, The Pennsylvania State University

**Fall into Pro Bono**

Judy Hale, Esquire, MPA - PBA Director of Pro Bono Services and  
Meghann E. Mikluscak-Hewitt, Esquire - Summit Legal Aid PAI & Pro Bono Director

**Guardianship Updates**

Honorable Joseph M. George, Jr. - Fayette County Court of Common Pleas

12:30 - Lunch Buffet

## Fees to Attend

FCBA members - \$85

Non-members of the FCBA - \$135

Attorneys admitted to practice in Pennsylvania after January 1, 2021 - \$50

RSVP due Friday, October 2nd to  
724-437-7994 or [admin@fcbar.org](mailto:admin@fcbar.org)  
Many thanks to our sponsors:





