



Chester County Law Reporter

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(USPS 102-900)

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Commonwealth vs. Rosa

Suppression – Search – Arrest – Constructive entry – Protective Sweep

1. Once a motion to suppress evidence has been filed, it is the Commonwealth's burden to prove, by a preponderance of the evidence, that the challenged evidence was not obtained in violation of the defendant's rights.
2. In a private home, searches and seizures without a warrant are presumptively unreasonable.
3. Absent probable cause and exigent circumstances, the entry of a home without a warrant is prohibited under the Fourth Amendment.
4. A seizure occurs when an officer, by means of physical force or show of authority, has in some way restrained the liberty of a citizen.
5. A person has been seized within the meaning of the Fourth Amendment if, in view of all the circumstances surrounding the incident, a reasonable person would have believed that he was not free to leave.
6. Without a warrant, police are required to show that exigent circumstances exist.
7. In determining whether exigent circumstances exist, a number of factors must be considered. Among the factors to be considered are: (a) the gravity of the offense, (b) whether the suspect is reasonably believed to be armed, (c) whether there is above and beyond a clear showing of probable cause, (d) whether there is strong reason to believe that the suspect is within the premises being entered, (e) whether there is a likelihood that the suspect will escape if not swiftly apprehended, (f) whether the entry was peaceable, (g) the time of the entry, i.e., whether it was made at night, (h) whether there is hot pursuit of a fleeing felon, (i) a likelihood that evidence will be destroyed if police take the time to obtain a warrant, and (j) a danger to police or other persons inside or outside the dwelling. These factors are to be balanced against one another in determining whether a warrantless intrusion was justified.
8. Police bear a heavy burden when attempting to demonstrate an urgent need that might justify warrantless searches or arrests.
9. Where an offense being investigated by police is a minor one, a balancing of the foregoing factors should be weighted against finding that exigent circumstances exist.
10. When law enforcement officers surround a residence, the persons inside are ordered to evacuate the house, and upon evacuation, the individuals are handcuffed, an arrest has undoubtedly occurred.
11. A protective sweep search is a quick and limited search of the premises, incident to an arrest, conducted to ensure the safety of the arresting officer. Its scope extends only to a visual inspection of those places that may harbor a person who may constitute a danger to the officer.
12. As an incident to an arrest officers can, as a precautionary matter and without probable cause or reasonable suspicion, look in closets and other spaces immediately adjoining the place of arrest from which an attack could be immedi-

ately launched. Beyond that, however, there must be articulable facts which, taken together with the rational inferences from those facts, would warrant a reasonably prudent officer in believing that the area to be swept harbors an individual posing a danger to those on the arrest scene.

13. Absent exigent circumstances, warrantless seizures of persons in their homes violate the Fourth Amendment, whether the conduct describes an arrest or an investigatory detention.
14. A search warrant is not required where a person with the proper authority unequivocally and specifically consents to the search. The burden to prove such consent, however, rests upon the Commonwealth.
15. In determining whether consent is an independent act of free will, three factors are relevant to the inquiry: the temporal proximity of the detention and the consent, any intervening circumstances, and, particularly, the purpose and flagrancy of the officer's unlawful conduct.
16. State troopers were dispatched to assist local officers concerning the apprehension of two men operating ATVs. An officer observed an ATV be driven into the garage of a home. A trooper organized the surrounding of the home by police and, by loud speaker, directed the occupants to vacate the home. Defendant and others vacated the home. Defendant and another man were handcuffed, placed in separate police vehicles, and told they were not under arrest. Upon request, defendant gave consent to search the home, but defendant had not been advised he was free to decline such consent. A trooper entered the home, smelled burnt marijuana and observed drug paraphernalia. Only after searching the entire home, did the trooper obtain a warrant to effectuate a lawful search. Under the circumstances of this case, the police conduct amounted to "constructive entry" and the Court concluded the arrests occurred inside the home. The Court determined the police conducted the equivalent of an in-house warrantless arrest and noted police cannot use the protective sweep doctrine to justify an unreasonable search predicated upon an unreasonable seizure. The Court further concluded an arrest occurred, rather than an investigative detention; therefore, the police were required to have secured a warrant unless there were exigent circumstances. The Court found exigent circumstances did not exist in this case and therefore regarded the entry by police into defendant's home as improper. The arrest that preceded defendant's consent to search was unlawful, and defendant's consent, even if voluntarily given, did not justify the otherwise illegal search unless the Commonwealth demonstrated that Defendant's consent was an independent act of free will and not the product of the illegal detention. The record does not establish the necessary break in the sequence of events that would isolate Defendant's consent from the prior coercive interaction. Accordingly, the Court found that defendant's consent was the product of his illegal arrest and not an independent act of free will. As defendant's consent was invalid, the fruits of the search, e.g. testimony, video recordings, photographs, physical evidence, physical suppressible evidence, and documentary evidence,

[68 Ches. Co. Rep. **Commonwealth vs. Rosa**

must be suppressed. Further, the discovery of an occupant's identity and any subsequent statements he made to the PSP were derivative of the initial illegal arrest. The Court *Held* the motion to suppress was granted and the charges against Defendant were dismissed.

R.E.M.

C.C.P., Chester County, Pennsylvania, Criminal Action # 3278-2019; Commonwealth of Pennsylvania vs. John Lewis Rosa

Ryan Borchik for the Commonwealth

John Pavloff for the Defendant

Sommer, J., June 18, 2020:-

[Editor's note: Charges nolle prosequi by the Commonwealth on July 23, 2020.]

COMMONWEALTH OF PENNSYLVANIA	:	IN THE COURT OF COMMON
	:	PLEAS CHESTER COUNTY,
	:	PENNSYLVANIA
VS.	:	
	:	NO. CR-0003278-2019
	:	
JOHN LEWIS ROSA	:	CRIMINAL ACTION

ORDER

AND NOW, this 18th day of June, 2020, upon review and consideration of Defendant John L. Rosa’s Motion for the Suppression of Evidence, and a hearing held before the undersigned on June 11, 2020, said Motion is **GRANTED**.¹

It is hereby ORDERED that the following evidence is SUPPRESSED and shall not be introduced at the time of trial:

1. Any and all testimony, video recordings, physical evidence and documentary evidence tending to prove that Defendant resided at the property located at 245 Oaks Road, Oxford, Pennsylvania on April 14, 2019 and was present in the property at approximately 12:59 p.m.

2. Any and all testimony, photographs, video recordings, physical evidence and documentary evidence tending to prove that Ryan Keller resided at the property located at 245 Oaks Road, Oxford, Pennsylvania on April 14, 2019 and was present in the property at approximately 12:59 p.m.

3. Any and all testimony by Corporal James T. Wisniewski and Trooper Eric Auffant of the Pennsylvania State Police (“PSP”) tending to prove that there was an odor of marijuana in or at the property located at 245 Oaks Road, Oxford, Pennsylvania on April 14, 2019.

4. Any and all testimony, photographs, video recordings, physical evidence and documentary evidence tending to prove that on April 14, 2019 the items of personal property identified by Exhibit A of Defendant’s motion (“Physical Suppressible Evidence”) were in or at the property located at 245 Oaks Road, Oxford, Pennsylvania.

5. Any and all testimony by Ryan Keller which tends to prove the Defendant’s guilt of all or any of the charges in this case.

It is further ORDERED that all charges against Defendant in the above-captioned case are hereby DISMISSED.

BY THE COURT:

/s/ Jeffrey R. Sommer J.

¹ Defendant has filed a pre-trial motion in which he seeks to suppress the following evidence: (1) all testimony, video recordings, physical evidence and documentary evidence tending to prove that

Defendant resided at the property located at 245 Oaks Road, Oxford, Pennsylvania (East Nottingham Township) (hereinafter referred to as “the House”) on April 14, 2019 and was present in the House at approximately 12:59 p.m.; (2) all testimony, photographs, video recordings, physical evidence and documentary evidence tending to prove that Ryan Keller resided in the House on April 14, 2019 and was present in the House at approximately 12:59 p.m.; (3) all testimony by Corporal James T. Wisniewski and Trooper Eric Auffant of the Pennsylvania State Police (“PSP”) tending to prove that there was an odor of marijuana in the House on April 14, 2019; (4) all testimony, photographs, video recordings, physical evidence and documentary evidence tending to prove that on April 14, 2019 the items of personal property identified by Exhibit A of Defendant’s motion (hereinafter referred to as “Physical Suppressible Evidence”) were in the House; and (5) all testimony by Mr. Keller which tends to prove Defendant’s guilt of all or any of the charges in this case.

The undersigned held a suppression hearing on June 11, 2020 at which time the following relevant facts were established. On April 14, 2019, Corporal Wisniewski was dispatched to East Nottingham Township to assist the Oxford Police Department with the apprehension of two men operating all-terrain vehicles (“ATVs”). Oxford Borough Police Officer Scott Richards, while in pursuit of the men, observed one of the ATVs pull into the garage of the House. However, while attempting to gain access to the garage, Officer Richards injured himself and required assistance. Upon arrival, Corporal Wisniewski ordered two officers to cover the rear of the House while he pulled around to the front. Over his vehicle’s loud speaker, he directed the occupants of the House to vacate. The House occupants, including Defendant, Mr. Keller, Dania Marie Rodriguez and her infant son, did, in fact, exit the property. Both Defendant and Mr. Keller were immediately handcuffed and placed into separate police vehicles, but advised by Corporal Wisniewski that they were not under arrest. Corporal Wisniewski asked for Defendant’s consent to search the House, which Defendant gave; however, Corporal Wisniewski did not advise Defendant that he was free to decline his consent to the search. Corporal Wisniewski subsequently opened the garage and entered the House through the mud room. He testified that, immediately upon entry, he smelled burnt marijuana and observed drug paraphernalia. Only after searching the entire house did Corporal Wisniewski obtain a warrant to effectuate a lawful search.

We note that “[o]nce a motion to suppress evidence has been filed, it is the Commonwealth’s burden to prove, by a preponderance of the evidence, that the challenged evidence was not obtained in violation of the defendant’s rights.” *Commonwealth v. Wallace*, 615 Pa. 395, 42 A.3d 1040, 1047–1048 (Pa. Super. 2012) (en banc); see also Pa.R.Crim.P. 581(H).

In a private home, “searches and seizures without a warrant are presumptively unreasonable....” *Arizona v. Hicks*, 480 U.S. 321, 327, 107 S.Ct. 1149, 1153, 94 L.Ed.2d 347, 355 (1987). Absent probable cause and exigent circumstances, the entry of a home without a warrant is prohibited under the Fourth Amendment. *Payton v. New York*, 445 U.S. 573, 583–90, 100 S.Ct. 1371, 1378–82, 63 L.Ed.2d 639, 648–53 (1980).

The point at which an arrest occurs has been the subject of much judicial debate. In *Terry v. Ohio*, 392 U.S. 1, 19 n. 16, 88 S.Ct. 1868, 1879 n. 16, 20 L.Ed.2d 889 (1968), the Supreme Court defined a seizure as “when the officer, by means of physical force or show of authority, has in some way restrained the liberty of a citizen....” Later, in *I.N.S. v. Delgado*, 466 U.S. 210, 215, 104 S.Ct. 1758, 1762, 80 L.Ed.2d 247 (1984), the Court explained that a person has been seized within the meaning of the Fourth Amendment “if, in view of all the circumstances surrounding the incident, a reasonable person would have believed that he was not free to leave.” (internal quotations omitted). The Supreme Court in *California v. Hodari D.*, 499 U.S. 621, 626, 111 S.Ct. 1547, 1551, 113 L.Ed.2d 690 (1991) explained that “[a]n arrest requires either physical force ... or, where that is absent, submission to the assertion of authority.” (emphasis in original). When police actions do not show an unambiguous intent to restrain or when an individual’s submission takes the form of passive acquiescence, the test for telling when a seizure occurs is whether, in light of all the surrounding circumstances, a reasonable person would have believed he was not free to leave. E.g., *United States v. Mendenhall*, 446 U.S. 544, 554, 100 S.Ct. 1870, 64 L.Ed.2d 497 (1980) (principal opinion). Without a warrant, police are required to show that exigent circumstances exist.

In determining whether exigent circumstances exist, a number of factors must be considered. As stated in *Commonwealth v. Wagner*, 486 Pa. 548, 557, 406 A.2d 1026, 1031 (1979),

Among the factors to be considered are: (1) the gravity of the offense, (2) whether the suspect is reasonably believed to be armed, (3) whether there is above and beyond a clear showing of probable cause, (4) whether there

is strong reason to believe that the suspect is within the premises being entered, (5) whether there is a likelihood that the suspect will escape if not swiftly apprehended, (6) whether the entry was peaceable, and (7) the time of the entry, i.e., whether it was made at night. These factors are to be balanced against one another in determining whether the warrantless intrusion was justified.

Accord *Commonwealth v. Williams*, 483 Pa. 293, 298–99, 396 A.2d 1177, 1179–80 (1978), cert. denied, 446 U.S. 912, 100 S.Ct. 1843, 64 L.Ed.2d 266 (1980). The court may also take other factors into account, such as whether there is hot pursuit of a fleeing felon, a likelihood that evidence will be destroyed if police take the time to obtain a warrant, or a danger to police or other persons inside or outside the dwelling. See *Minnesota v. Olson*, 495 U.S. 91, 100, 110 S.Ct. 1684, 1690, 109 L.Ed.2d 85, 95 (1990). Nevertheless, “police bear a heavy burden when attempting to demonstrate an urgent need that might justify warrantless searches or arrests.” *Welsh v. Wisconsin*, 466 U.S. 740, 749–50, 104 S.Ct. 2091, 2097, 80 L.Ed.2d 732, 743 (1984).

Where an offense being investigated by police is a minor one, a balancing of the foregoing factors should be weighted against finding that exigent circumstances exist. *Welsh v. Wisconsin*, 466 U.S. at 750–53, 104 S.Ct. at 2098–99, 80 L.Ed.2d at 743–45 (1984). See also *Commonwealth v. Williams*, 483 Pa. at 298, 396 A.2d at 1179 (where no grave offense is involved, particularly a crime of violence, the justification for proceeding without a warrant is more likely absent). Hence, the Commonwealth would be hard pressed to justify a warrantless home arrest that would not be unreasonable when the underlying offense is very minor. The sanctity of the home must be preserved.

We now turn to the applicable law. Under any of the tests set forth above to determine whether an arrest has taken place, when law enforcement officers surround a residence, the persons inside are ordered to evacuate the house, and upon evacuation, the individuals are handcuffed, an arrest has undoubtedly occurred. These are the facts established above. Here, there was a clear assertion of authority, if not a show of force. No reasonable person would have believed that he was free to remain in the house or free to leave, particularly when handcuffed. Under such circumstances, the police conduct amounted to “constructive entry” and we conclude that the arrests of Defendant and Mr. Keller occurred inside the House. See *United States v. Al-Azzawy*, 784 F.2d 890, 893 (9th Cir.1985) (arrest occurred in the home when police surrounded the residence and ordered the person out with a bullhorn), cert. denied, 476 U.S. 1144, 106 S.Ct. 2255, 90 L.Ed.2d 700 (1986); *United States v. Maez*, 872 F.2d 1444, 1450 (10th Cir.1989) (where SWAT team surrounded trailer with rifles pointed and ordered suspect to exit, arrest occurred in home despite lack of physical entry); see also, *United States v. Patterson*, 648 F.2d 625, 632 (9th Cir.1981) (“Whether an arrest has occurred ‘depends on all of the surrounding circumstances, including the extent that freedom of movement is curtailed and the degree and type of force or authority used to effectuate the stop.’ ... The question is whether, under all of the circumstances, ‘a reasonable person would conclude he was under arrest.’”).

The Commonwealth has argued that the evacuation order issued by Corporal Wisniewski was justified as a “protective sweep,” which allows for limited searches to ensure the safety of the arresting officers. The “protective sweep” doctrine provides no independent basis to validate the search. A protective sweep search is a quick and limited search of the premises, incident to an arrest, conducted to ensure the safety of the arresting officer. Its scope extends only to a visual inspection of those places that may harbor a person, who may constitute a danger to the officer. *Commonwealth v. Taylor*, 565 Pa. 140, 149, 771 A.2d 1261, 1267 (2001). In *Maryland v. Buie*, the United States Supreme Court set forth two levels of protective sweeps. 494 U.S. 325, 334, 110 S.Ct. 1093 (1990). The two levels are defined thus:

[A]s an incident to the arrest the officers could, as a precautionary matter and without probable cause or reasonable suspicion, look in closets and other spaces immediately adjoining the place of arrest from which an attack could be immediately launched. Beyond that, however, we hold that there must be articulable facts which, taken together with the rational inferences from those facts, would warrant a reasonably prudent officer in believing that the area to be swept harbors an individual posing a danger to those on the arrest scene.

Id. Applying the law to the facts here, it is clear that an evacuation order is simply not the same as performing a protective sweep incident to a lawful arrest. As described above, based upon the circumstances present here, the law enforcement officers conducted the equivalent of an in-house warrantless arrest. One cannot use the protective sweep doctrine to justify an unreasonable search predicated upon an unreasonable seizure.

Based on the discussion set forth above, we have concluded that this was an arrest rather than an investigative detention. Therefore, the police were required to have secured a warrant unless there were exigent circumstances. See *Payton*, 445 U.S. at 590, 100 S.Ct. at 1382. However, even were this to be considered an investigative detention, such distinction is legally irrelevant because, like a full-blown arrest, an investigatory detention is a seizure that is subject to Fourth Amendment scrutiny. *Terry*, 392 U.S. at 16–17, 88 S.Ct. at 1877. The Supreme Court’s holding in *Payton* that warrantless seizures of persons in their homes violate the Fourth Amendment, absent exigent circumstances, applies whether the conduct above describes an arrest or an investigatory detention. *Payton*, 445 U.S. at 590, 100 S.Ct. at 1382.

In determining whether exigent circumstances existed here, we find that they did not and we regard the entry by police into Defendant’s home as improper. Clearly, the police were not in active pursuit of a suspect. One individual had been observed parking the ATV in the garage and entering the House. Nor was there a danger to police or other persons that would have necessitated an immediate entry. There was no reason to believe that Defendant or Mr. Keller were armed or that any evidence of the crime was going to be spoiled. An ATV is simply not the kind of evidence than can be easily or readily destroyed. Moreover, the underlying offenses were minor and not at all violent.

Having concluded that an in-house arrest of a defendant, without a warrant and without exigent circumstances, is an unreasonable seizure under the Fourth Amendment to the United States Constitution and Article 1, Section 8 of the Pennsylvania Constitution, we now must consider whether Defendant’s consent to search his home was tainted as “fruit of the poisonous tree.” It is well-settled that “[a] search warrant is not required ... where a person with the proper authority unequivocally and specifically consents to the search.” *Commonwealth v. Reid*, 571 Pa. 1, 811 A.2d 530, 544 (2002) (citing *Florida v. Jimeno*, 500 U.S. 248, 250–51, 111 S.Ct. 1801, 114 L.Ed.2d 297 (1991)) (footnote omitted). The burden to prove such consent, however, rests upon the Commonwealth. The arrest that preceded Defendant’s consent to search was unlawful, and Defendant’s consent, even if voluntarily given, does not justify the otherwise illegal search unless the Commonwealth can demonstrate that Defendant’s consent was an “independent act of free will” and not “the product of the illegal detention.” *Florida v. Royer*, 460 U.S. 491, 501, 103 S.Ct. 1319, 1326, 75 L.Ed.2d 229 (1983). See generally *Commonwealth v. Strickler*, 563 Pa. 47, n. 4, 757 A.2d 884, 889 n. 4. In determining whether such consent is an independent act of free will, the Supreme Court of the United States has outlined three factors relevant to the inquiry: the temporal proximity of the detention and the consent, any intervening circumstances, and, particularly, the purpose and flagrancy of the officer’s unlawful conduct. *Brown v. Illinois*, 422 U.S. 590, 603-04, 95 S.Ct. 2254, 2261-62 (1975).

Here, the record does not establish the necessary break in the sequence of events that would isolate Defendant’s consent from the prior coercive interaction. The arrest and consent occurred at nearly the same time. There were no intervening circumstances. Corporal Wisniewski’s conduct was not particularly flagrant; however, it is concerning that Defendant was advised he was not under arrest and then placed in handcuffs when there was no apparent threat of violence or flight. Finally, the Constitution does not require proof of knowledge of a right to refuse a search, but any such knowledge (or lack thereof) is highly relevant to the determination that there was voluntary consent. *Mendenhall*, 446 U.S. at 558–59, 100 S.Ct. at 1879. Based upon these considerations, we find that Defendant’s consent was the product of his illegal arrest and not an independent act of free will.

Corporal Wisniewski only obtained a subsequent search warrant based upon his having smelled the odor of marijuana upon illegally entering the House, his observation and seizure of the Physical Suppressible Evidence, and the statements of Mr. Keller. As Defendant’s consent was invalid, the fruits of the search, e.g. testimony, video recordings, photographs, physical evidence, including the Physical Suppressible Evidence, and documentary evidence, must be suppressed.

Finally, we turn to Defendant’s argument that the identity of Ryan Keller and any evidence obtained therefrom, including testimony and physical evidence, must be suppressed as fruit of the poisonous tree. Defendant argues that the identity of Mr. Keller was only obtained as the result of Corporal Wisniewski’s illegal evacuation order, which was akin to an in-home arrest. Based upon the above con

iderations and applicable law, we agree. The discovery of Mr. Keller’s identity and any subsequent statements he made to the PSP were derivative of the initial illegal arrest. Because the charges against Defendant are hereby dismissed, there is no need to engage in an analysis of whether to exclude Mr. Keller’s testimony at trial.

As a result of the foregoing analysis, we conclude that the arrest of Defendant and search of the House constitute an unreasonable search and seizure in violation of the Pennsylvania and United States Constitutions and that any evidence obtained as the fruits of same must be suppressed.

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

LAW NO. 2020-07781-NC

NOTICE IS HEREBY GIVEN that the name change petition of Helen Louise Langille was filed in the above-named court and will be heard on January 25, 2021 at 9:30 AM, in Courtroom 11 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: October 21, 2020

Name to be changed from: Helen Louise Langille to: H. Louise Langille.

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

LAW NO. 2020-06638-NC

NOTICE IS HEREBY GIVEN that the name change petition of Kaitlyn Mary Larkin was filed in the above-named court and will be heard on November 30, 2020, at 9:30 AM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: August, 31, 2020

Name to be changed from: Kaitlyn Mary Larkin to: Ashton James Larkin

Any person interested may appear and show cause, if any they have, why the prayer of the said petition-

er should not be granted.

Erica Briant, Esq., Attorney for the Petitioner
625 Swede Street, Norristown, PA 19401

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

LAW NO. 2020-07838-NC

NOTICE IS HEREBY GIVEN that the name change petition of Maximus Steele Panchisin was filed in the above-named court and will be heard on Monday, January 25, 2021 at 9:30 AM, in Courtroom 11 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Friday, October 23, 2020
Name to be changed from: Maximus Steele Panchisin to: Maximus Steele Stevenson-Panchisin

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

LAW NO. 2020-07444-NC

NOTICE IS HEREBY GIVEN that the name change petition of Apostolos Christos Grivas was filed in the above-named court and will be heard on Monday, January 18, 2021 at 9:00 AM, in Courtroom 4 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Tuesday, October 6, 2020
Name to be changed from: Apostolos Christos Grivas to: Christopher Apostolos Grivas

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

Christopher P. Flannery, Esq., Attorney for the Petitioner

Law Office of Christopher P. Flannery, PC
4 Hillman Drive Suite 104
Chadds Ford, Pennsylvania 19317

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

LAW NO. 2020-06309-NC

NOTICE IS HEREBY GIVEN that the name change petition of Rebecca Ann Kucharik was filed in the above-named court and will be heard on Monday, November 30, 2020 at 9:30 AM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Friday, August 28, 2020

Name to be changed from: Rebecca Ann Kucharik to: Daniel James Kucharik

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CORPORATION NOTICE

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation were filed with and approved by the Department of State of the Commonwealth of Pennsylvania on the October 7, 2020, for **It Means No Worries Travel Inc.** in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988. The purpose or purposes for which it was organized are: Travel Agency
James D. Scheffey, Esquire, Solicitor
Yergey-Daylor-Allebach-Scheffey-Picardi
1129 E. High St., PO Box 776
Pottstown, PA 19464-0776

ESTATE NOTICE

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

AMWAY, Harry C., late of Honey Brook Township. Catherine L. Martin, 275 Jacobs Road, Narvon, PA 17555, Executrix. ALAN J. JARVIS, Esquire, 101 Birch Drive, Downingtown, PA 19335, atty.

BOOK, Dorothy G., late of Honey Brook. Norma Sharrer, 3525 Norwood Avenue, Downingtown, PA 19335, Executor. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

BOYD, Jessie D., late of East Pikeland Township. Branimir A. Boyd, Jr. and Taylor R. Boyd, care of MICHAEL C. McBRATNIE, Esquire, P.O. Box 673, Exton, PA 19341, Executors. MICHAEL C. McBRATNIE, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

COCHRAN, Linda L., late of West Fallowfield Township. Adrienne Blackerby, care of LINDA KLING, Esquire, 131 W. Main Street, New Holland, PA 17557, Executor. LINDA KLING, Esquire, Kling & Deibler, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

FORIS, Anthony, late of Kennett Square. Catharine M. Foris, care of CAREN L. SYDNOR, Esquire, 724 Yorklyn Road, Suite 100, Hockessin, DE 19707, Personal Representative. CAREN L. SYDNOR, Esquire, Crossland Heinle & Bryde, LLC, 724 Yorklyn Road, Suite 100, Hockessin, DE 19707, atty.

GANDER, Hazel C., late of Penn Township. Frederick W. Gander, Jr., care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larimore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

GAREY, Frances E., late of Phoenixville Borough. Jean Marie McClintock, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P. O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P. O. Box 289, Phoenixville, PA 19460, atty.

HARMAN, Wenonah C., late of Kennett Square. Neil W. Head, Esquire, 218 West Miner Street West Chester, PA 19382, Executor. NEIL W. HEAD, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street West Chester, PA 19382, atty.

HARSH, Donald Burnell, late of Willistown. Stephanie Sposato, 343 Drummers Ln., Phoenixville, PA 19460, Executrix.

HENDRICKSON, JR., Lawrence S., late of Landenberg. Susan H. Aiken, care of RYAN G. BORCHIK, Esquire, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, Executor. RYAN G. BORCHIK, Esquire, Perna & Abracht, LLC, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, atty.

HUDSON, Carl Robin, late of Tredyffrin Township. Joanne I. Hudson, care of DAVID V. BOGDAN, Esquire, 100 S. Broad St., Ste. 1520, Philadelphia, PA 19110, Executrix. DAVID V. BOGDAN, Esquire, 100 S. Broad St., Ste. 1520, Philadelphia, PA 19110, atty.

McCAULEY, JR., Russell, late of Penn Township. Gregg L. McCauley, care of ANITA M. D'AMICO, Esquire, 204 N. Union Street, Kennett Square, PA 19348, Executor. ANITA M. D'AMICO, Esquire, D'Amico Law, PC, 204 N. Union Street, Kennett Square, PA 19348, atty.

McFADDEN, John P., a/k/a Jack McFadden, late of East Bradford Township. Yvonne McFadden, care of TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, Executor. TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, atty.

NULL, Estelle H., late of Oxford Borough. Samuel J. Null and Michael G. Null, care of L. PETER TEMPLE, Esquire, P.O. Box 384 Kennett Square, PA 19348, Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384 Kennett Square, PA 19348, atty.

O'DONNELL, Timothy Charles, a/k/a Timothy C. O'Donnell, late of Uwchlan Township. Margaret E. Sinclair, care of CHRISTOPHER M. BROWN, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executrix. CHRISTOPHER M. BROWN, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, Media, PA 19063, atty.

OTT, Beverly, late of Phoenixville. Ray H. Ott, Jr., care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

PACH, Alice Levine, a/k/a Alice Pach, late of Downingtown. Thomas M. Quinn, P.O. Box 656, Unionville, PA 19375, Executor. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

PETAS, Agnes, a/k/a Agnes G. Petas, late of West Whiteland Township. Jesse R. Petas, 1551 Montvale Circle, West Chester, PA 19380, Executor. MICHAEL J. HAWLEY, Esquire, Lyons Dougherty, LLC, 6 Ponds Edge Dr., Ste. 1, Chadds Ford, PA 19317, atty.

POWELL, Elsiemae C., late of West Chester. Neil W. Head, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. NEIL W. HEAD, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

SCOTT, Jeffrey J., late of West Fallowfield Township. Margaret A. Daniel, care of STEPHEN J. OLSEN, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Administrator. STEPHEN J. OLSEN, Esquire, Gawthrop Green-

wood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

SHUMARD, Anne C., late of Caln Township. Richard L. Shumard, care of KEVIN HOLLERAN, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. KEVIN HOLLERAN, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

SNOW, Leland, late of Upper Oxford Township. Timothy L. Snow, care of CLARE MILLINER, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executor. CLARE MILLINER, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

SOTO, Iris M., late of Kennett Square. ISABEL M. SOTO, care of EDWARD M. FOLEY, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executrix. EDWARD M. FOLEY, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

WRAY, Dona, late of Cochranville. Diane Devereaux, 418 Wrigley Blvd, Cochranville, PA 19330, Executrix. KEVIN J. RYAN, Esquire, Ryan Morton & Imms LLC, 220 West Gay Street, West Chester, PA 19380, atty.

2nd Publication

BAXTER, Richard A., late of Pennsbury Township. L. Peter Temple, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

BECHLER, JR., Francis J., late of West Chester Township. Robert McCoy, III, care of TERESA A. MILLER, Esquire, 8 West Front Street, Media, PA 19063, Executor. TERESA A. MILLER, Esquire, 8 West Front Street, Media, PA 19063, atty.

CAMPBELL, Melissa D., late of West Bradford Township. Allyn F. DeLong, care of DENISE M. ANTONELLI, Esquire, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. DENISE M. ANTONELLI, Esquire, Gawthrop Greenwood, PC, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

COOPER, Twila, late of Exton. Kevin Cooper, 1414 W. Woodbank Way, West Chester, PA 19380, Executor.

FREDERICK, Anna Virginia Haraczka, a/k/a Anna Frederick, late of East Vincent Township. Joseph B. Frederick, care of JILL M. SCHEIDT, Es-

quire, 1100 Berkshire Blvd., Suite 201 Wyomissing, PA 19610, Executor. JILL M. SCHEIDT, Esquire, Masano Bradley, 1100 Berkshire Blvd., Suite 201 Wyomissing, PA 19610, atty.

GUTZENDANNER, Charles, late of Caln Township. Catherine McClatchy, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. ANDREW H. DOHAN, Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Road, Malvern, PA 19355-3049, atty.

KIRK, JR., Thomas Joseph, late of East Goshen Township. Thomas Joseph Kirk, III, care of STEPHEN D. POTTS, Esquire, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, Executor. STEPHEN D. POTTS, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, atty.

MILLER, Mary Cynthia M., late of Kailua-Kona, Hawaii. Daniel C. Miller, 45 Ridgefield Road, Warwick, NY 10990, Administrator.

MOFFETT-GUICE, Sarah Frances, late of West Bradford Township. Sondra R. Moore, care of JESSICA R. GRATER, Esquire, 400 Creekside Drive, Suite 409, Pottstown, PA 19464, Executrix. JESSICA R. GRATER, Esquire, Monastra & Grater, LLC, 400 Creekside Drive, Suite 409, Pottstown, PA 19464, atty.

PERILLO, Dexter A., late of West Chester. Owen V. Perillo, 26 Green Meadow Loop, Santa Fe, NM 87506, Administrator.

RITTENHOUSE, Sally, a/k/a Sarah Rittenhouse, late of Tredyffrin Township. Michael J. Rittenhouse, care of MICHAEL C. McBRATNIE, Esquire, P.O. Box 673, Exton, PA 19341, Executor. MICHAEL C. McBRATNIE, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

SPARANO, Thomas G., late of East Pikeland Township. Ruth Weeks, care of MARK A. GIAMPIETRO, Esquire, P.O. Box 267, Phoenixville, PA 19460-0267, Executrix. MARK A. GIAMPIETRO, Esquire, P.O. Box 267, Phoenixville, PA 19460-0267, atty.

SPOTT, Herbert A., late of East Goshen Township. Patricia A. Hodges, 8810 Walther Blvd., #1102, Parkville, MD 21234, Executrix. ROBERT M. FIRKSER, Esquire, Del Sordo and Firkser, 333 W. Baltimore Ave., Media, PA 19063, atty.

ST. GEORGES, Joseph F., a/k/a Joseph F. de St. Georges, late of East Nantmeal Township. Patricia McIlvain St. Georges, 164 Finney Rd., Glenmoore, PA 19343, & Aimee St. Georges, P.O. Box 487, Lagunitas, CA 94938, Executrices. LOUIS N. TETI, Es-

quire, MacElree Harvey, LTD., 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, atty.

STRUCKMEYER, Lee A., a/k/a Lee Struckmeyer, late of West Goshen Township. Matthew H. Struckmeyer, care of CARRIE A. S. KENNEDY, Esquire, 171 W. Lancaster Ave., Paoli, PA 19301-1775, Executor. CARRIE A. S. KENNEDY, Esquire, Connor, Weber & Oberlies, 171 W. Lancaster Ave., Paoli, PA 19301-1775, atty.

STRUNK, Rance M., late of East Conventry. Darlene M. Strunk, care of KENT E. CONWAY, Esquire, 3245 Ridge Pike, Eagleville, PA 19403, Executrix. KENT E. CONWAY, Esquire, Conway Schadler, 3245 Ridge Pike, Eagleville, PA 19403, atty.

TOTH, Marian D., late of East Marlborough Township. Dolores Troiani, Esquire and Gabriella Toth, care of H. MICHAEL COHEN, Esquire, 144 West Market Street, West Chester, PA 19382, Executrices. H. MICHAEL COHEN, Esquire, Lachall, Cohen & Sagnor, 144 West Market Street, West Chester, PA 19382, atty.

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ALLEN, Donna M., late of Kennett Township. Mary Jo Tucker, care of NANCY W. PINE, Esquire, 104 S. Church St., West Chester, PA 19382, Administratrix. NANCY W. PINE, Esquire, Pine & Pine, LLP, 104 S. Church St., West Chester, PA 19382, atty.

ALSTON, Willie Lenzie, a/k/a Willie L. Alston, late of Valley Township. Jalynn S. Richards, care of JOHN F. McKENNA, Esquire, 17 W. Miner St., West Chester, PA 19382, Administratrix. JOHN F. McKENNA, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

AUER, Charles William, late of West Chester. Claudia Silverang, 1650 Buckingham Drive, Malvern, PA 19355, Executrix. GEORGE F. NAGLE, Esquire, Nagle Law, LLC, 150 N. Radnor-Chester Road, Suite F200, Radnor, PA 19087, atty.

BERTSCH, Hortense Rita, late of Tredyffrin Township. David J Bertsch, 8 Sycamore Dr, Malvern, PA 19355 & William J Bertsch, 1025 Howard St, Port Townsend, WA 98368, Executors.

BIEHL, Florence R., late of East Coventry Township. Brooke Biehl, care of TOM MOHR, Esquire, 301 W. Market Street West Chester, PA 19382, Executor. TOM MOHR, Esquire, Tom Mohr Law Office, PC, 301 W. Market Street West Chester, PA 19382, atty.

EBERT, Anne M., a/k/a Anne Maureen Ebert, late of Phoenixville Borough. Kristen A. DuFault and Keith T. Traynor, care of RUSSELL J. RESSLER, Esquire, 30 Valley Stream Parkway, Malvern, PA

19355, Executors. RUSSELL J. RESSLER, Esquire, Stradley Ronon Stevens & Young, LLP, 30 Valley Stream Parkway, Malvern, PA 19355, atty.

GUNNETT, Cheryl L., late of Spring City Borough. Carol A. Gunnnett, care of CAROLYN MARCHESANI, Esquire, PO Box 444, Pottstown, PA 19464, Executor. CAROLYN MARCHESANI, Esquire, Wolf, Baldwin & Associates, P.C., PO Box 444, Pottstown, PA 19464, atty.

HENRY, Paul Ray, a/k/a Paul R. Henry, late of East Coventry Township. Thomas P. Henry, care of CARLA TRONGONE, Esquire, 333 N. Broad St., Lansdale, PA 19446, Executor. CARLA TRONGONE, Esquire, The Law Offices of Carla Trongone, 333 N. Broad St., Lansdale, PA 19446, atty.

KELLY, Dorothy Jane, late of West Goshen Township. Elizabeth Margaret Kelly, care of JENNIFER FELD, Esquire, 790 E. Market St., Ste. 250, West Chester, PA 19382, Executrix. JENNIFER FELD, Esquire, Colliton Elder Law Associates, 790 E. Market St., Ste. 250, West Chester, PA 19382, atty.

KILPATRICK JR., Charles E., late of Avondale. everly Bove, 119 E. Sherry Lane, Avondale, PA 19311, Executrix. WILLIAM E. HOWELL III, Esquire, Law Office of WEH, 110 E. State St., Suite 1, Kennett Square, PA 19348, atty.

LOONEY, JR., Franklin S., late of Pocopson Township. Michael F. Looney, 110 Gibson Ave, Wilmington, DE 19803, Executor.

MAYER, Elizabeth M., late of Phoenixville Borough. Karen L. Merriman, 2661 Charlestown Road, Phoenixville, PA 19460, Executrix.

McINTYRE, Daniel R. Lee, a/k/a Daniel R. McIntyre, late of Uwchlan Township. Elizabeth L. McIntyre, care of JENNIFER FELD, Esquire, 790 E. Market St., Ste. 250, West Chester, PA 19382, Executrix. JENNIFER FELD, Esquire, Colliton Elder Law Associates, 790 E. Market St., Ste. 250, West Chester, PA 19382, atty.

NEHER, Mary Rose, late of Phoenixville Borough. Kathryn A. Shillenn, 1803 Mr. Peck's Place, Phoenixville, PA 19460, Executrix. ELIZABETH D. LUBKER, Esquire, Joseph A. Ryan & Associates, LLC, 390 Waterloo Blvd, Ste. 210, Exton, PA 19341, atty.

NUSSBAUMER, Joachim H., late of East Goshen Township. Jeanne Scribner, 51 South Diamond Shore Lane, Sequim, WA 98382, Administrator. COURTNEY A. WIGGINS, Esquire, Clarion Law, LLC, PO Box 3169, West Chester, PA 19381, atty.

POWERS, Mary P., late of West Caln Township. Amy Powers, Executor.

RITCHIE, Marguerite T., late of Phoenixville. Mary Beth Rudesyle, 359 Manor Circle, Harleysville, PA 19438, Executor. DONALD J. GIMPEL, Esquire, 27 Nutt Road, Phoenixville, PA 19460, atty.

RYBERG, Theresa Veronica, a/k/a Theresa V. Ryberg, late of Pottstown. Karen L. Ryberg, care of WILLIAM ADAIR BONNER, Esquire, 40 Blossom Hill Road, Glen Mills, PA 19342, Administrator. WILLIAM ADAIR BONNER, Esquire, William Adair Bonner Law Office, 40 Blossom Hill Road, Glen Mills, PA 19342, atty.

SCHWARTZ, Jeannine, late of Exton. Paul Veirs, care of ALBERT M. SARDELLA, Esquire, 1240 East Lincoln Highway, Coatesville, PA 19320-3544, Executor. ALBERT M. SARDELLA, Esquire, Law Offices Albert M. Sardella, 1240 East Lincoln Highway, Coatesville, PA 19320-3544, atty.

SENSENICH, John F., late of Tredyffrin Township. Shawn Lawn, care of JILL S. GARABEDIAN, Esquire, 61 Cassatt Ave., Berwyn, PA 19312, Executrix. JILL S. GARABEDIAN, Esquire, Wade, Goldstein, Landau & Abruzzo, P.C., 61 Cassatt Ave., Berwyn, PA 19312, atty.

TIGUE, Joseph A., late of East Bradford Township. Beatrice Tigue Duffy, 903 Tigue Rd., West Chester, PA 19380, Executrix. MAUREEN A. OSTIEN, Esquire, Joseph A. Ryan & Associates, LLC, 390 Waterloo Blvd., Ste. 210, Exton, PA 19341, atty.

VEGSO, Emma M., late of Malvern Borough. David S. Vegso and Richard M. Vegso, care of RICHARD C. PARKER, Esquire, 175 Strafford Ave., Ste. 230, Wayne, PA 19087, Executors. RICHARD C. PARKER, Esquire, Miles & Parker, LLP, 175 Strafford Ave., Ste. 230, Wayne, PA 19087, atty.

WATKINS, Kathryn W., late of Oxford. Joseph L. Watkins, care of EDWARD M. FOLEY, Esquire, 213 E. State Street, Kennett Square, PA 19348, Executor. EDWARD M. FOLEY, Esquire, Brutscher Foley Milliner Land & Kelly, LLP, 213 E. State Street, Kennett Square, PA 19348, atty.

1st Publication of 3

Trust Notice

**THE GERALDINE B, PROCTOR REVOCABLE LIVING TRUST,
DATED MAY 29, 2001**

GERALDINE B. PROCTOR, Deceased, late of Valley Township, Chester County, PA This Trust is in existence and all persons having claims or demands against said Trust or decedent are requested to make known the same and all persons indebted to the Trust or the decedent are directed to make payment without delay to **PATRICE L. PROCTOR, FIRST SUCCESSOR TRUSTEE**, 205 West 3 Avenue, Coatesville, PA 19320, or to her Attorney: Alan J. Jarvis, Esquire
101 Birch Drive
Downingtown, PA 19335
610-384-1151

2nd Publication of 3

TRUST NOTICE

THE AMY F. ARRIGO REVOCABLE TRUST U/A DATED 2/4/1997, AS AMENDED

AMY F. ARRIGO, Deceased

Late of Pocopson Township, Chester County, PA This Trust is in existence and all persons having claims or demands against said Trust or decedent are requested to make known the same and all persons indebted to the decedent to make payment without delay to **STEPHEN A. ARRIGO, TRUSTEE**, c/o Guy F. Matthews, Esq., 300 W. State St., Ste. 300, Media, PA 19063,

Or to his Attorney:

GUY F. MATTHEWS
ECKELL, SPARKS, LEVY, AUERBACH, MONTE,
SLOANE, MATTHEWS, AUSLANDER, P.C.
300 W. State St., Ste. 300
Media, PA 19063

Sheriff Sale of Real Estate

By virtue of the within mentioned writs directed to Sheriff Fredda L. Maddox, the herein-described real estate will be sold at public sale in the Chester County Justice Center at 201 W Market Street, 3rd Floor, Room 3300, West Chester, Pennsylvania, as announced on **Thursday, November 19th, 2020 at 11AM.**

Notice is given to all parties in interest and claimants that the Sheriff will file with the Prothonotary and in the Sheriff's Office, both located in the Chester County Justice Center, 201 W Market Street, West Chester, Pennsylvania, Schedules of Distribution on **Monday, December 21st, 2020.** Distribution will be made in accordance with the Schedules unless exceptions are filed in the Sheriff's Office within ten (10) days thereafter.

N.B. Ten percent (10%) of the purchase money must be paid at the time and place of sale. **Payment must be paid in cash, certified check or money order made payable to the purchaser or "Sheriff of Chester County". The balance must be made payable to "Sheriff of Chester County". within twenty-one (21) days from the date of sale by 4PM.**

FREDDA L. MADDOX, SHERIFF

2nd Publication

SALE NO. 20-11-345

Writ of Execution No. 2017-08433

DEBT \$17,904.50

ALL THAT CERTAIN lot or piece of ground, with the hereditaments and appurtenances thereon, SITUATE in the Township of West Caln, County of Chester and State of Pennsylvania, bounded and described according to a

Subdivision of land for Harry A. Siter, made by DeArmit & Hayes, Engineers and Surveyors, Coatesville, PA., dated April 29, 1963, as follows, to wit:

BEGINNING at a point of the North-easterly side of T-427, which point is measured the 2 following courses and distances from a point of curve on the Southeasterly side of T-364: (1) on an arc of a circle curving to the left, having a radius of 24.29 feet, the arc distance of 54.81 feet to a point of reverse curve; and (2) on the line curving to the right, having a radius of 194.51 feet, the arc distance of 112.82 feet to the point and place of beginning; thence extending from said beginning point, North 16 degrees 49 minutes East, 197.11 feet to a point; thence extending South 68 degrees 24 minutes 25 seconds East; 139.14 feet to a point; thence extending South 21 degrees 35 minutes 35 seconds West, 201.33 feet to a point in the North-easterly side of T-427, aforesaid; thence extending along the same and 2 following courses and distances; (1) North 65 degrees 15 minutes West, 95.97 feet to a point of curve and (2) on a line curving to the left, having a radius of 194.51 feet the arc distance of 26.93 feet to the first mentioned point and place of beginning.

BEING Lot #5 as shown on said Plan
BEING UPI NO. 28-5-55

BEING the same premises which Robert A. Erling, Sheriff of the County of Chester by Deed dated December 6, 1996 and recorded December 6, 1996 at West Chester, Pennsylvania in the Office of the Recorder of Deeds as Chester County Record Book 4115 page 1420, granted and conveyed unto Thomas C. Reynolds, in fee.

PLAINTIFF: West Caln Township

VS

DEFENDANT: **Thomas C. Reynolds**

SALE ADDRESS: 283 Coffroath Road (311 Coffroath Road) Coatesville, PA 19320
PLANTIFF ATTORNEY: **JONATHAN R. LONG 610-436-4400**

SALE NO. 20-11-346

Writ of Execution No. 2018-12911

DEBT \$6,543.51

ALL THAT CERTAIN messuage and lot or piece of ground, hereditaments and appurtenances, Situate in the Village of Pomeroy, Township of Sadsbury, County of Chester and State of Pennsylvania, bounded and described as follows:

BEGINNING at a point where the East line of a public alley intersects the Northern line of Middle Street; thence along the Eastern line of said alley, North 1 degree East 150 feet to a corner of the Church property; thence along the Southern line of the Church property, North 89 degrees East 24.6 feet to a corner, thence along land now or late of Albert M. Suckle, South 1 degree West 150 feet to the North line of Middle Street; thence along the North line of Middle Street, South 89 degrees West 24.6 feet to the place of beginning. The East line of the above conveyed property passes through the middle of the partition between the house herein conveyed and that adjoining to the East.

BEING the same premises which Charles D. Wert and Saretta R. Wert, husband and wife, by Indenture bearing date the 28th day of April 1989,

and recorded in the Office for the Recording of Deeds, in and for the County of Chester, aforesaid, in Deed Book 1525, page 360, granted and conveyed unto Bruce D. Potter and Cheryl M. Potter, husband and wife, in fee.

UNDER AND SUBJECT, however, to the right of the owners of the two lots adjoining on the East to the use of the pump and its water located in this property.

Tax Parcel: 37-4L-23

PLAINTIFF: Sadsbury Township

VS

DEFENDANT: **Bruce Potter & Cheryl M. Potter**

SALE ADDRESS: 7 Middle Street, Parkesburg, PA 19365

PLANTIFF ATTORNEY: **LAMB McERLANE 610-701-3260**

SALE NO. 20-11-347

Writ of Execution No. 2017-09612

DEBT \$140,835.99

PROPERTY SITUATE IN THE BOROUGH OF MALVERN

TAX PARCEL #02-02-0081

SOLD AS THE PROPERTY OF: **ELIGIO BONELLI**

IMPROVEMENTS thereon: Residential Dwelling

PLAINTIFF: U.S. Bank Trust National Association, as Trustee of the Chalet Series IV Trust

VS

DEFENDANT: **Eligio Bonelli**

SALE ADDRESS: 13 Landmark Drive, Malvern, PA19355

PLANTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

SALE NO. 20-11-348

Writ of Execution No. 2020-01854

DEBT \$40,143.95

ALL THAT CERTAIN tract of land of improved ground with buildings erected thereon situate on the north side of Shadyside Road (T-309) northeast of its intersection with Forge Road in East Nottingham Township, County of Chester, Commonwealth of Pennsylvania according to a survey by Concord Land Planners and Surveyors, Oxford, PA being Plan Number 8861 dated August 21, 1988 and described as follows:

BEGINNING at a point in the centerline of Shadyside Road (T-309) marking the southwest corner of this and the southeast corner of land of Alvin R. Johnson; thence leaving said centerline of Shadyside Road and along said land of Alvin R. Johnson (1)North 15 degrees 43 minutes 45 seconds West crossing over a 1 inch diameter iron pin found 8.34 feet from center line of Shadyside Road, a total distance of 281.55 feet to a ¾ inch diameter by 12 inch tall iron pin found marking the northwest corner of this, the northeast corner of said land of Alvin R. Johnson and set in the line of land of J. Albert Featherman; thence along said land of Featherman (2) North 46 degrees 36 minutes 21 seconds East 108.31 feet to an iron pin set marking the northeast corner of this and the northwest corner of land of Joseph D. and Ruth A. Furches; thence along said land of Furches (3) South 16 degrees 41 minutes 00 seconds East crossing over a 1 inch diameter iron pin found 15.32 feet from aforementioned center line of Shadyside Road, a total distance of 331.69 feet to a point in said center line of Shadyside Road marking the southeast corner of this and the southwest corner of said land of Furches; thence along said center line of Shadyside

Road (4) South 74 degrees 10 minutes 00 seconds West 101.45 feet to the point and place of beginning.

CONTAINING 30,327 square feet

BEING Chester County Tax Parcel 69-5-30

BEING the same premises which Yvonne R. Johnson by Deed dated December 29, 1988 and recorded in Chester County, in Record Book 1405 page 263 conveyed unto Becky J. Andriole, her heirs and assigns.

PLAINTIFF: McCormick 112, LLC
VS

DEFENDANT: **Emma J. Stewart A/K/A E. Jean Stewart Blount**

SALE ADDRESS: 1020 a/k/a 1702 Shadyside Road, East Nottingham Township (Oxford), PA 19363

PLANTIFF ATTORNEY: **BRIAN J. SCHAFFER 610-994-1137**

SALE NO. 20-11-349

Writ of Execution No. 2019-07650

DEBT \$802,375.92

Property situate in Uwchlan Township, Exton, PA 19341

UPI No. 33-4-69.1B

IMPROVEMENTS thereon: Residential Dwelling

PLAINTIFF: U.S. Bank National Association, not individually but solely as Trustee for the BlueWater Investment Trust 2018-1

VS

DEFENDANT: **Gregory G. Truskey & Diane M. Truskey**

SALE ADDRESS: 106 Steeplewood Drive, Exton, PA 19341

PLANTIFF ATTORNEY: **STERN & EISENBERG 215-572-8111**

PA, recorded in Chester County as Plan No. 7365, as follows:

SALE NO. 20-11-350

Writ of Execution No. 2017-11729

DEBT \$173,787.81

ALL THAT CERTAIN parcel of land situate in the Township of West Caln, County of Chester and Commonwealth of Pennsylvania, more particularly bounded and described as follows:

Tax Parcel # 28-4-1

PLAINTIFF: MTGLQ Investors, LP

VS

DEFENDANT: **Hugh McLennan a/k/a Hugh McLennan III & Claire M. McLennan**

SALE ADDRESS: 1501 W. Kings Highway, Gap, PA 17527

PLANTIFF ATTORNEY: **RICHARD M. SQUIRE & ASSOCIATES, LLC 215-886-8790**

Beginning at a point on the east right of way line of Caln Mortonville Road a corner of Lot No. 1; thence leaving said right of way line along Lot No. 1, South 79 degrees 23 minutes 21 seconds East, 220 feet to a point in line of land remaining of grantor herein; thence along land remaining of grantor herein, South 10 degrees 36 minutes 39 seconds West, 200 feet to a point; thence continuing along land remaining of grantor herein, North 79 degrees 23 minutes 21 seconds West, 220 feet to a point in the aforesaid east right of way line of Caln Mortonville Road; thence along the same, North 10 degrees 36 minutes 39 seconds East, 200 feet to the first mentioned point and place of beginning.

Containing 1.010 acres of land be the same more or less.

BEING THE SAME PROPERTY CONVEYED TO ROBERT M. BARNHART AND KAREN A. BARNHART WHO ACQUIRED TITLE BY VIRTUE OF A DEED FROM R. CRAIG JENKINS AND SHIRLEY M. JENKINS, HIS WIFE, DATED MARCH 15, 1991, RECORDED MARCH 20, 1991, AT DOCUMENT ID 012015, AND RECORDED IN BOOK 2344, PAGE 295, OFFICE IF THE RECORDER OF DEEDS, CHESTER COUNTY, PENNSYLVANIA.

PARCEL NO.: 47-06-0054.020

PLAINTIFF: U.S. Bank Trust National Association, not in its individual capacity but solely as Owner Trustee for VRMTG Asset Trust

VS

DEFENDANT: **Karen A. Barnhart, AKA Karen Barnhart & Robert M. Barnhart, AKA Robert Barnhart**

SALE ADDRESS: Lot 2 Caln Road, AKA 960 South Caln Road, Coatesville, AKA East Fallowfield, PA 19320

SALE NO. 20-11-351

Writ of Execution No. 2018-06642

DEBT \$98,317.22

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE TOWNSHIP OF EAST FALLOWFIELD, COUNTY OF CHESTER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS FOLLOWS, TO WIT:

All that certain tract of land, situate in the Township of East Fallowfield, County of Chester, Commonwealth of Pennsylvania, bounded and described according to a plan dated December 8, 1986, revised July 22, 1987, by Berger and Hayes, Inc., Consulting Engineers and Surveyors, Thorndale,

PLANTIFF ATTORNEY: MANLEY DEAS KOCHALSKI LLC 614-220-5611

SALE NO. 20-11-352

Writ of Execution No. 2019-12510

DEBT \$2,142.45

ALL THAT CERTAIN lot or piece of ground, Situate in Uwchlan Township, Chester County, Pennsylvania described according to a Final Subdivision Plan Phase IV, V and VI for Rondda Sheet NO. 4-A prepared by Robert F. Harach and Associates, Inc. Consulting Engineers dated December 5th, 1978 and last revised September 15th, 1979 and recorded in Chester County as Plan No. 2529 known as 234 Towyn Court.

Tax Parcel No. 33-5E-154

PLAINTIFF: Rhondda Homeowners Association

VS

DEFENDANT: **Lisa A. Shoats**

SALE ADDRESS: 234 Towyn Court, Exton, PA 19341

PLANTIFF ATTORNEY: **STEVEN L. SUGARMAN & ASSOCIATES 610-889-0700**

SALE NO. 20-11-353

Writ of Execution No. 2018-00284

DEBT \$94,043.43

ALL THAT CERTAIN Western half of a double brick and frame house and frame stable and a piece of land thereunto belonging, SITUATE on the North side of Ridge Avenue in the Borough of Spring City, County of Chester and State of Pennsylvania, being Lot No. 86 on a plan of lots laid out by William P.

Snyder, known as the Emery Addition to Spring

City, which plot remains in the Recorder's Office in Chester County in Deed Book T-10, Page 72

Tax Parcel # 14-1-7

PLAINTIFF: Deutsche Bank National Trust Company, as Indenture Trustee, for New Century Home Equity Loan Trust 2005-1

VS

DEFENDANT: **Kari Newman**

SALE ADDRESS: 411 Ridge Avenue, Spring City, PA 19475

PLANTIFF ATTORNEY: **RICHARD M. SQUIRE & ASSOCIATES, LLC 215-886-8790**

SALE NO. 20-11-354

Writ of Execution No. 2020-03146

DEBT \$99,645.93

PROPERTY SITUATE IN VALLEY TOWNSHIP

TAX PARCEL # 38-5C-74

IMPROVEMENTS thereon: Residential Dwelling

PLAINTIFF: Deutsche Bank National Trust Company, as Indenture Trustee, for New Century Home Equity Loan Trust 2005-2

VS

DEFENDANT: **Nazario Tapia & Rosa Tapia**

SALE ADDRESS: 918 Charles Street, Coatesville, PA 19320

PLANTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**