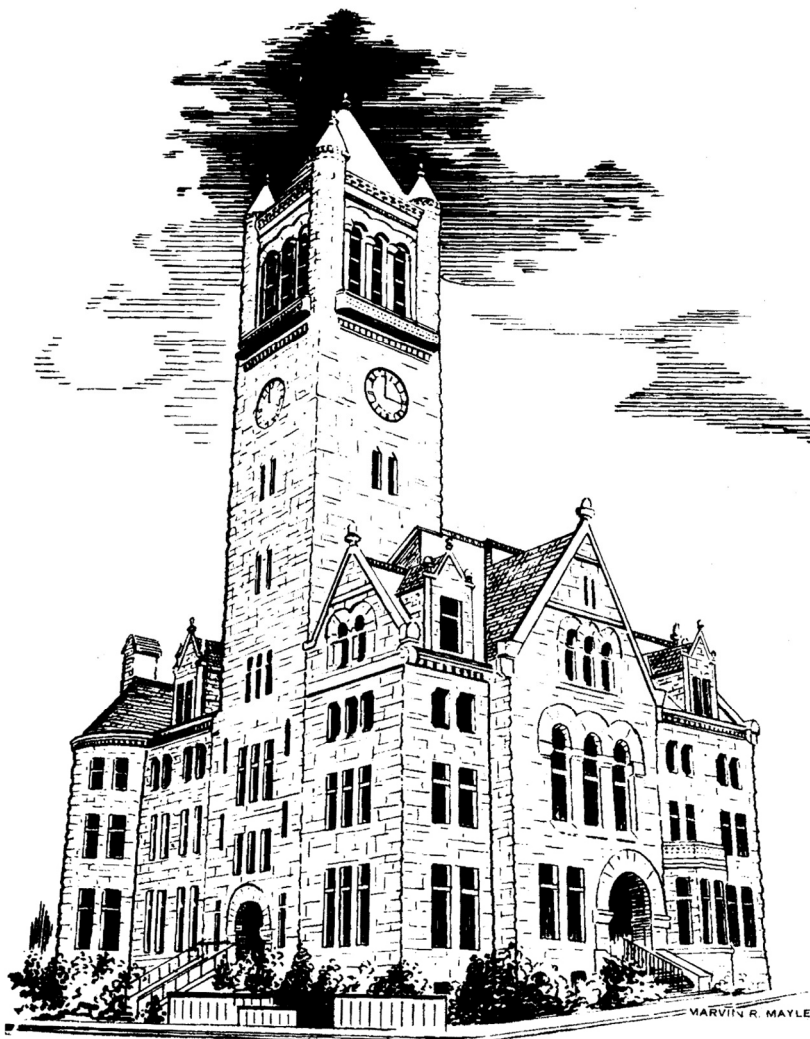


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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding the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

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ESTATE NOTICES

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

Third Publication

GERALDINE A. HEFT, late of Point Marion, Fayette County, PA (3)

Executrix: Gretchen Heft

c/o 11 Pittsburgh Street
Uniontown, PA 15401

Attorney: Thomas W. Shaffer

REGINA A. PEDRO, late of Menallen Township, Fayette County, PA (3)

Personal Representative:

Jennifer Pedro Wingrove
c/o P.O. Box 953

Uniontown, PA 15401

Attorney: Ricardo J. Cicconi

VAUGHN A. WESTON, late of Uniontown, Fayette County, PA (3)

Administratrix: Kelley Cook

c/o Proden & O'Brien
99 East Main Street

Uniontown, PA 15401

Attorney: Sean M. Lementowski

Second Publication

NEIL R. BUTLER, SR., late of Dunbar Township, Fayette County, PA (2)

Administratrix: Brittany Reigh Butler

c/o 208 South Arch Street, Suite 2
Connellsville, PA 15425

Attorney: Richard A. Husband

JOHN CLARKE FOX, SR., late of Connellsville, Fayette County, PA (2)

Administrator: John C. Fox, II

c/o 208 South Arch Street, Suite 2
Connellsville, PA 15425

Attorney: Richard A. Husband

LISA BETH CURRY, late of Bullskin, Fayette County, PA (2)

Executor: George O. Curry

c/o 815A Memorial Boulevard
Connellsville, PA 15425

Attorney: Margaret Z. House

LAWREN R. DUNN, a/k/a LAWREN H. DUNN, late of Hopwood, North Union Township, Fayette County, PA (2)

Executrix: Mary E. Coon

c/o Radcliffe Martin Law, L.L.C.
648 Morgantown Road, Suite B
Uniontown, PA 15401

Attorney: William M. Radcliffe

WILLARD R. JONES, late of Washington Township, Fayette County, PA (2)

Executrix: Dianne Carol Jones

1145 Connellsville Road
Fayette City, PA 15438

c/o 823 Broad Avenue
Belle Vernon, PA 15012

Attorney: Mark E. Ramsier

JOSEPH R. RYGIEL, JR., late of Perryopolis Borough, Fayette County, PA (2)

Executor: Stanley A. Rygiel

P.O. Box 278

Fayette City, PA 15438

GEORGE J. STINER, JR., late of Redstone, Fayette County, PA (2)

Administratrix: Helen R. Stiner

c/o Davis & Davis

107 East Main Street

Uniontown, PA 15401

Attorney: James T. Davis

ELVA K. WEIR, late of Bullskin Township, Fayette County, PA (2)

Personal Representative: Brenda E. Quinn

c/o 208 South Arch Street

Connellsville, PA 15425

Attorney: Richard A. Husband

First Publication

JOANNE DOMER, late of Connellsville,
Fayette County, PA (1)
Personal Representative: James Domer
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Robert A. Gordon

MARLENE T. SCARRY, late of Connellsville,
Fayette County, PA (1)
Personal Representative: Sean Scarry
c/o 208 South Arch Street, Suite 2
Connellsville, PA 15425
Attorney: Richard A. Husband

GAYLE ANN TRIMBLE, a/k/a GAYLE A. TRIMBLE, late of South Union Township,
Fayette County, PA (1)
Personal Representative: Karen L. Trimble
and Barbara J. Rockwell
276 Hopwood-Fairchance Road
Uniontown, PA 15401
c/o Newcomer Law Offices
4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Ewing D. Newcomer

GARY WEASENFORTH, a/k/a GARY LEE WEASENFORTH, late of Uniontown, Fayette
County, PA (1)
Administratrix: Doris Weasenforth
c/o Kopas Law Office
556 Morgantown Road
Uniontown, PA 15401
Attorney: John A. Kopas, III

ROGER TERRANCE YOUNG, JR., late of
Point Marion, Fayette County, PA (1)
Personal Representatives: Chelsea Ray
Young and Roger T. Young, III
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
No. 427 of 2023, G.D.
Honorable Judge Linda Cordaro
JURY TRIAL DEMANDED

KILEY BRYNER,
Plaintiff,
vs.
SAMANTHA SNYDER and UNIONTOWN
NEWSPAPERS, INC. t/d/b/a THE HERALD
STANDARD, jointly and severally,
Defendants.

NOTICE

If you wish to defend the civil complaint filed against you personally in the above-captioned matter for injuries sustained by the Plaintiff as a direct and proximate negligence, carelessness and recklessness by you in the operation of a 2013 blue Chevy SPK in causing an accident on or about November 15, 2022, on Bute Road, Fayette County, Pennsylvania, You must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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

BY: Benjamin F. Goodwin, Esquire
Goodwin Como, P.C.
108 N. Beeson Blvd. Suite 400
Uniontown, PA 15401
724-438-1616

LEGAL NOTICE

IN THE COURT OF COMMON PLEAS OF
 FAYETTE COUNTY, PENNSYLVANIA NO.
 2106 OF 2023, G.D.

PHYLLIS CARR,
 PLAINTIFF,
 vs.
 MAY NICHOLSON AUBREY, her heirs and
 assigns,
 DEFENDANTS.

NOTICE TO DEFEND

TO: MAY NICHOLSON AUBREY, her heirs
 and assigns,:

You have been named as Defendants in an action to Quiet Title filed by the above Plaintiffs against you wherein the Plaintiffs allege that they have acquired all of the interest in and to the surface, coal, oil and gas, mining, drilling and appurtenant rights of the following parcel of property unless otherwise of record in previous deeds:

All that certain lot of land situate in the village of New Geneva, Nicholson Township, Fayette County, Pennsylvania, bounded and described as follows:

BEGINNING at a stone, thence along the County Road, South 88 ¾ West, 5.4 perches to a post; thence North 75° West, 10.2 perches to Pleasant Street; thence along same, South 15 ¼ West, 14.8 perches to a post; thence by land of now or formerly of J.M. Wolsey, South 77 ½ East, 12.9 perches to a stone; thence by land now or formerly of the Powell Heirs, North 24¼ East, 16 perches to a stone, the place of Beginning.

Containing 1 ¼ acres and 7 perches, strict measure.

FAYETTE COUNTY TAX
 ASSESSMENT MAP NO. 24-17-0003

SUBJECT to all Rights of Ways, Exceptions, Reservations and prior conveyances as excepted and reserved or conveyed in this or prior conveyances of record, and excepting all prior conveyances of real estate as the same are recorded, Description obtained from Deed Book Volume 482, Page 175, recorded in the Recorder of Deeds Office of Fayette County, Pennsylvania.

You are hereby notified to plead to the Complaint in this case, of which the above is a

brief summary, within twenty (20) days from this date. If you wish to defend, you must enter a written appearance personally or by an attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED OR NO FEE.

Pennsylvania Lawyer Referral Service
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 100 South Street
 PO Box 186
 Harrisburg, PA 17108
 Phone 1-800-692-7375

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION
NO. 68 ADOPT 2023

ABOUT AGENCIES THAT MAY OFFER
LEGAL SERVICES TO ELIGIBLE PERSONS
AT A REDUCED FEE OR NO FEE.

IN RE: ADOPTION OF
HAYDEN CARTWRIGHT

PENNSYLVANIA LAWYER
REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
PO BOX 186
HARRISBURG, PA 17108
(800) 692-7375

NOTICE

TO: Cisco Newell (Alleged Father)
Unknown (Unknown Father)

A petition has been filed asking the Court to put an end to all rights you have to your child, Hayden Cartwright. The last name of the mother is Cartwright. The child was born on 7/25/22, of the male gender, at Ruby Memorial Hospital, Morgantown, WV. The court has set a hearing to consider ending your rights to your child. That hearing will be held in Courtroom No. 4 of the Fayette County Courthouse, Uniontown, Fayette County, Pennsylvania, on **Thursday, December 14, 2023 at 1:30 p.m.** Your presence is required at the hearing. You should contact Fayette County Children and Youth Services or their counsel Ewing D. Newcomer, Esq., to obtain a copy of the petition prior to the hearing. You are warned that even if you fail to appear at the scheduled hearing the hearing will go on without you and your rights to your child may be ended by the court without your being there.

Your rights may also be subject to termination pursuant to subsection (d) if you fail to file wither an acknowledgement of paternity or claim of paternity pursuant to Section 5103 (relating to acknowledgment and claim of paternity), and fail to either appear at the hearing for the purpose of objecting to the termination of your rights or file a written objection to such termination with the court prior to the hearing.

YOU HAVE A RIGHT TO BE REPRESENTED AT THE HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION

SHERIFF'S SALE

Date of Sale: January 18, 2024

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday January 18, 2024, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realauction on-line registration process at <https://fayette.pa.realforeclose.com> to participate in the auction.

All bidders must place a 10% deposit equal to the successful bid for each property purchased to Realauction via wire transfer or ACH per Realauction requirements. Upon the auction's close, buyer shall have 10 business days to pay the remaining balance to the Fayette County Sheriff's Office via cashier's check. No cash will be accepted. Failure to comply with the Conditions of Sale, shall result in a default and the down payment shall be forfeited by the successful bidder and applied to the costs and judgments. The schedule of distribution will be filed no later than 30 days after the sale of real property. If no petition has been filed to set aside the sale or objections to the distribution are filed within 10 days of filing the distribution, the Sheriff will prepare and record a deed transferring the property to the successful bidder.

(2 of 3)

James Custer
 Sheriff of Fayette County

No. 314 of 2021 GD
 No. 252 of 2023 ED

INFIRST BANK, formerly, INDIANA FIRST SAVINGS BANK,
Plaintiff,
 v.
GINA MARIE CELLURALE,
Defendant.

ALL that certain piece or parcel of land situate in the City of Uniontown, formerly the Borough of Uniontown, Fayette County, Pennsylvania:

Known as 246 W. Main Street, Uniontown, PA 1540,

Parcel No. 38-06-0111, and being more fully described in Deed recorded in RBV 33343, Page 857.

Richard M. Squire & Associates, LLC
 One Jenkintown Station, Suite 104
 115 West Avenue
 Jenkintown, PA 19046

No. 493 of 2023 GD
 No. 232 of 2023 ED

Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS
Trust III
PLAINTIFF
 v.
Mildred D. Danko
DEFENDANT

TAX PARCEL NO.: 19-29-14
 PROPERTY ADDRESS: 617 Hill Street, Tower Hill, PA 15475
 IMPROVEMENTS: Single Family Dwelling

SEIZED AND TAKEN in execution as the property of Mildred D. Danko

ALL that undivided one-half interest in and to all that certain piece or parcel of land situate in Luzern Township, Fayette County, Pennsylvania, being Lot. No. 607 in a certain Plan of Lots known as the Tower Hill No. 2 Plan of Lots, recorded in the Recorder's Office of Payette County, Pennsylvania, in Plan Book Vol. 6, page 56, having a frontage of 48.63 feet on Spruce Street and extending back at right angles thereto and maintaining the same width, a distance of approximately 59.00 feet to a 10.00 foot alley, and having erected thereon a frame dwelling house.

Parcel No. 19-29-14

Being the same premises that George A. Danko and Eloise Danko, his wife, by deed dated 10/10/1979 and recorded 10/10/1979 in the office of the Recorder of Deeds in the County of Fayette, Commonwealth of Pennsylvania in Book 1262, Page 236 granted and conveyed to Mildred D. Danko

No. 1484 of 2023 GD
No. 256 of 2023 ED

New American Funding, LLC
PLAINTIFF
vs.
Dale E. Davis, III
DEFENDANT

ALL THAT CERTAIN PIECE OR PARCEL OF LAND SITUATE IN SOUTH UNION TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

ASSESSOR'S PARCEL NO: 34-38-0099
Being known as 139 Pine Knob Road, Hopwood, PA 15445
BEING THE SAME PREMISES which Dale Davis, II Administrator of the Estate of Elizabeth A. Johnson, by Deed dated August 15, 2016 and recorded August 16, 2016 in the Office of the Recorder of Deeds in and for the County of Fayette, Pennsylvania in Book 3316, 1860, Instrument No. 201600008684 granted and conveyed unto Dale Davis, III in fee.

No. 1126 of 2023 GD
No. 244 of 2023 ED

PNC Bank, National Association
Plaintiff,
vs.
Charles T. Green, as Executor of the Estate of Ronald J. Malone
Defendant.

ALL that certain parcel of land lying and being situate in the Township of Connellsville, County of Fayette, and Commonwealth of Pennsylvania, known as 520 East Francis Avenue, Connellsville, PA 15425 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 05-02-0006, 06-05-0110
BEING the same premises which James N. Sample, a single man, by Deed dated May 6, 1981 and recorded in and for Fayette County,

Pennsylvania in Deed Book 1287, Page 589, granted and conveyed unto Ronald J. Malone and Carol A. Malone, husband and wife.

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532

No. 591 of 2023 GD
No. 245 of 2023 ED

VAK CAPITAL TRUST I
8180 East Kaiser Blvd
Anaheim Hills, CA 92808
Plaintiff,
vs.
DEBRA GRIEST
REX GRIEST
Mortgagor(s) and Record Owner(s)
552 Fifth Avenue
Brownsville, PA 15417
Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN BROWNSVILLE TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.
BEING KNOWN AS: 552 FIFTH AVENUE, BROWNSVILLE, PA 15417
TAX PARCEL #03-02-0029
IMPROVEMENTS: A RESIDENTIAL DWELLING
SOLD AS THE PROPERTY OF: DEBRA GRIEST AND REX GRIEST
ATTORNEY: KML LAW GROUP, P.C.

No. 1436 of 2023 GD
No. 231 of 2023 ED

PENNSYLVANIA HOUSING FINANCE
AGENCY,
PLAINTIFF
VS.
LESSLIE E. HALL,
DEFENDANT

ALL that certain lot of ground German Township, Fayette County, Pennsylvania, being approximately 146 x 49 x 144 x 49. HAVING THEREON ERECTED A TWO-STORY, SINGLE-FAMILY DWELLING KNOWN AND NUMBERED AS: 224 HILL STREET, NEW SALEM, PA 15468.
TAX PARCEL# 15-17-0074
Instrument No. 2010-00001313

No. 2392 of 2022 GD
 No. 225 of 2023 ED

**KeyBank, NA, s/b/m First Niagara Bank, NA
 Plaintiff,**
vs.
**Tabitha A. Johnson Settle, as Believed Heir
 and/or Administrator of the Estate of Cathy
 A. Johnson; Unknown Heirs and/or
 Administrators of the Estate of Cathy A.
 Johnson (if any)
 Defendants.**

ALL that certain parcel of land lying and being situate in the Township of North Union, County of Fayette, and Commonwealth of Pennsylvania, known as 172 Bute Road, Uniontown, PA 15401 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 25-17-0127

BEING the same premises which Edward Daniel Snyder and Charlene Snyder, his wife, by Deed dated March 30, 1984 and recorded in and for Fayette County, Pennsylvania in Deed Book 1335, Page 1055, granted and conveyed unto Patrick A. Johnson and Cathy A. Johnson, his wife.

No. 2112 of 2010 GD
 No. 1083 of 2019 GD
 No. 254 of 2023 ED

**FAIRPORT ASSET MANAGEMENT, LLC
 Plaintiff,**
vs.
**CHRISTY KING a/k/a CHRISTY A. KING,
 Defendant.**

ALL that tract of land situate Perry Township, Fayette County, Pennsylvania, known as 133 Cemetery Road, Vanderbilt, Pennsylvania 15486 having erected thereon a dwelling house.

PARCEL BEING KNOWN AND DESIGNATED AS TAX MAP 27-16-0085-010

BEING the same premises which CMF Industries, Inc., by their Deed Dated December 31, 1987 and recorded in the Recorder's Office of Fayette County on January 25, 1988 in Deed Book Volume 381, Page 114, granted and conveyed unto Christy A. King, the grantor herein.

KML LAW GROUP, P.C.
 Suite 5000
 701 Market Street
 Philadelphia, PA 19106-1532

No. 1651 of 2021 GD
 No. 255 of 2023 ED

**ROCKET MORTGAGE, LLC F/K/A
 QUICKEN LOANS, LLC F/K/A QUICKEN
 LOANS INC.
 1050 Woodward Avenue
 Detroit, MI 48226-1906
 Plaintiff**

vs.
**MICHAEL KING
 Mortgageor(s) and Record Owner(s)
 1736 Georges Fairchance Road
 Smithfield, PA 15478
 Defendant(s)**

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

BEING KNOWN AS: 1736 GEORGES FAIRCHANCE ROAD, SMITHFIELD, PA 15478

TAX PARCEL #14-40-0100
 IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF:
 MICHAEL KING

ATTORNEY: KML LAW GROUP, P.C.

No. 845 of 2023 GD
 No. 238 of 2023 ED

**Carrington Mortgage Services LLC
 PLAINTIFF**
vs.

**Michael Ozorowski, known Heir of Eileen
 Todd, deceased
 Debbie Halbritter, known Heir of Eileen
 Todd, deceased
 Diane Todd, known Heir of Eileen Todd,
 deceased and Unknown Heirs, Successors,
 Assigns and All Persons, Firms or
 Associations Claiming Right, Title or Interest
 from or under Eileen Todd, deceased
 DEFENDANTS**

ALL OF HER ONE-HALF (1/2) INTEREST IN THAT CERTAIN PIECE, PARCEL OR LOT OF LAND SITUATE IN THE CITY OF CONNELLSVILLE, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BOUNDED AND

DESCRIBED AS FOLLOWS:

BEGINNING AT A STAKE, NORTH 81 DEGREES 06 MINUTES EAST, A DISTANCE OF 59.95 FEET FROM THE INTERSECTION OF THE EAST LINE OF SOUTH PROSPECT STREET AND THE SOUTH LINE OF EAST FAIRVIEW AVENUE; THENCE BY THE SOUTH LINE OF EAST FAIRVIEW AVENUE, NORTH 81 DEGREES 06 MINUTES EAST, A DISTANCE OF 34.75 FEET TO THE INTERSECTION OF EAST FAIRVIEW AVENUE AND A NINE FOOT ALLEY; THENCE BY THE WEST LINE OF SAID ALLEY, SOUTH 9 DEGREES 19 MINUTES EAST, A DISTANCE OF 81.39 FEET TO A FENCE POST; THENCE ALONG LOT NOW OR FORMERLY OF I.V. RUSH AND A HEDGE FENCE, SOUTH 79 DEGREES 56 MINUTES WEST, A DISTANCE OF 30.16 FEET TO A STAKE; THENCE ALONG LAND OF WHICH THIS WAS FORMERLY A PART, THE FOLLOWING THREE COURSES AND DISTANCES: NORTH 9 DEGREES 02 MINUTES WEST, 32.25 FEET TO A STAKE; SOUTH 81 DEGREES 06 MINUTES WEST, 5.0 FEET TO A STAKE; AND NORTH 9 DEGREES 02 MINUTES WEST, 49.75 FEET TO THE PLACE OF BEGINNING; BEING PART OF LOTS NOS. 24 AND 32 IN THE ZACHARIAH CONNELL PLAN OF LOTS.

EXCEPTING AND RESERVING ALL GRANTS, RESERVATIONS, CONVEYANCES OR LEASES OF COAL, GAS, OIL OR MINERAL RIGHTS WITH THE PRIVILEGES TO MINE THE SAME AS CONTAINED IN PRIOR INSTRUMENTS OF RECORD.

UNDER AND SUBJECT TO ALL EXCEPTIONS, RESERVATIONS, EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY CONTAINED IN PRIOR INSTRUMENTS OF RECORD.

No. 1503 of 2023 GD
 No. 247 of 2023 ED

SOMERSET TRUST COMPANY

v.

George Spencer, Executor of the Estate of Clifford G. Bowers a/k/a Clifford Bowers, deceased

All the real property described in the Writ of Execution the following of which is a summary.

SOMERSET TRUST COMPANY v. George Spencer, Executor of the Estate of Clifford G. Bowers a/k/a Clifford Bowers, deceased

Docket Number: 1503 of 2023 GD

Property of: Clifford G. Bowers a/k/a Clifford Bowers

Located in: TOWNSHIP OF WHARTON, FAYETTE COUNTY

Street Address: 2216 DINNER BELL FIVE FORKS ROAD, FARMINGTON, FAYETTE COUNTY, PENNSYLVANIA 15437.

Brief Description of Property: Residential, Single-Family home

Improvements thereon: RESIDENTIAL DWELLING

Record book Volume: 2096, Page 88

Tax Assessment Number(s): MAP NO.: 42-28-0009

STERN & EISENBERG, PC
 1581 MAIN STREET, SUITE 200
 WARRINGTON, PENNSYLVANIA 18976

No. 546 of 2023 GD
 No. 250 of 2023 ED

Mortgage Assets Management, LLC,
Plaintiff,

v.

The Unknown Heirs of William K. McGill A/K/A William McGill, deceased
Defendant(s)

RE: PREMISES: 105 Raineytown Road, Dawson, PA 15428

DEAR SHERIFF: SHOULD PLAINTIFF BE SUCCESSFUL BIDDER, TITLE WILL BE VESTED IN: Mortgage Assets Management, LLC

No. 1005 of 2023 GD
 No. 253 of 2023 ED

Carrington Mortgage Services LLC
PLAINTIFF
 vs.
Danielle Tobusto, known Heir of Clinton D. Anderson, deceased
Renetta Anderson, known Heir of Clinton D. Anderson, deceased
Janeen Anderson Houck, known Heir of Clinton D. Anderson, deceased
Unknown Heirs, Successors, Assigns and All Persons, Finns or Associations Claiming Right, Title or Interest from or under Clinton D. Anderson, deceased
DEFENDANTS

ALL that certain lot or parcel of land situated in the Village of Revers, South Union Township, Fayette County, Pennsylvania, more particularly bounded and described as follows:
 COMMONLY KNOWN AS: 114 Ball Street, Uledi, PA 15484
 TAX PARCEL NO. 34-08-0035

No. 1005 of 2023 GD
 No. 253 of 2023 ED

PENNYMAC LOAN SERVICES, LLC
Plaintiff
 vs.
Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Interest from or under Carl E. Johnson, Sr., Deceased
Margretta Austin, solely in her capacity as heir of Carl E. Johnson, Sr., Deceased
Carl Johnson, Jr., solely in his capacity as heir of Carl E. Johnson, Sr., Deceased
Makka Johnson, solely in his capacity as heir of Carl E. Johnson, Sr., Deceased
Clayton Johnson, solely in his capacity as heir of Carl E. Johnson, Sr. Deceased
Corey Johnson, solely in his capacity as heir of Carl E. Johnson, Sr. Deceased
Christa Johnson, solely in his capacity as heir of Carl E. Johnson, Sr. Deceased
Defendant(s)

ALL THAT CERTAIN
 BEING THE SAME PREMISES which
 CHRISTOPHER PIWOWAR AKA

CHRISTOPHER PIWOWAR, SR. AND PATRICIA A. GALIE, HUSBAND AND WIFE, by Deed dated JUNE 30, 2015 and recorded in the Office of the Recorder of Deeds of Fayette County on JULY 2, 2015 in Deed Book Volume 3281 , Page 1579, Instrument No. 20150000694 7 granted and conveyed unto Carl E. Johnson. Sr.

Upon information and belief Carl E. Johnson, Sr. Departed this life on January 24, 2021.

BEING known as 139 Old Furnace Road, Hopwood, Pennsylvania 15445
 PARCEL #34-27-0125

*** END SHERIFF'S SALE ***

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, December 4, 2023, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2622-0170	DAVID WHORIC, deceased	David Christian Whoric, Executor

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

Monday, December 18, 2023, at 9:30 A.M.

in Courtroom No. 1 of the **Honorable President Judge Steve P. Leskinen** or his chambers, Second 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.

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, December 4, 2023, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2622-1103	CLARENCE F. ROBINSON, deceased	Peter Robinson, Executor
2621-1273	CHARLES S. BROWNFIELD, deceased	Ann LeReche, Executrix
2619-0307	DARIUS EVANS, deceased	Gabriella E. Locke, Administratrix

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

Monday, December 18, 2023, 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.

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JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA
MISCELLANEOUS DOCKET

IN RE: CORONER'S INQUEST, :
JULIE ANN MOORE, DECEASED : No. 280 MD 2023
: Honorable Linda R. Cordaro
OPINION

Linda R. Cordaro, J.

October 24, 2023

SUMMARY

Appellant, the Fayette County Coroner, appeals from this Court's August 11, 2023 order quashing three (3) subpoenas issued by the Fayette County Coroner's Office. On August 2, 2023, counsel for White Water Adventures, Inc. (Petitioner) filed the petition to quash. The petition was presented to this Court on August 9, 2023, and this Court granted the petition on August 11, 2023. This timely appeal followed.

BACKGROUND

According to Petitioner's exhibits, on or about October 31, 2022, Petitioner received correspondence from the Fayette County Coroner's Office. (Exhibit B) The correspondence reads, in relevant part and verbatim:

Request: Your attendance at a group discussion in the office of the Coroner in the basement of the old post office / Federal building on Peter Street Uniontown (10:30 - 12:30-2 hour max) before December 31,2022 **to review safety issues and concerns and a CHECKLIST (enclosed) of points of special interest and attention** for a proposed Coroner Inquest Review at a later date (just after Easter) Wed, April 12th, Thurs. April 13th and Friday a.m. April 14th. At this meeting, your attendance and any (your selection) of one or more raft experienced staff, as well as (if available) your company legal counsel. [sic] (emphasis added)

As part of the same exhibit, Petitioner supplied the proposed agenda for the April meeting. Petitioner also supplied a copy of an online news article dated August 14, 2022, titled "Coroner names woman who died in Ohio pyle rafting accident" (Exhibit C). According to the article, the coroner stated that the Ms. Moore's death appeared to be an accidental drowning but that an investigation to reconstruct the incident was not complete.

Nearly a year after publication of the article, on or about July 17, 2023, the Fayette County Coroner's Office issued subpoenas to three (3) of Petitioner's employees. The subpoenas directed the employees to appear at a coroner's inquest on August 23-25, 2023 in order to provide testimony related to the death of Julie Ann Moore. (Exhibit A)

The petition to quash was made on the grounds that the purpose of the coroner's inquest was not to ascertain the cause and manner of death {1} or to determine if someone should be held criminally liable and, since the purpose of the inquest did not fall within the coroner's permitted scope of inquiry as granted under statute, the subpoenas should be quashed.

ISSUES ON APPEAL

Appellant raises three (3) issues in the Concise Statement:

1. Whether the Court erred as a matter of law in granting a Motion to Quash Subpoenas issued by the Fayette County Coroner's Office to Ryan Ayers, James Greenbaum and Matthew Cusek for the purpose of appearing at a Coroner's Inquest related to the death of Julie Ann Moore?
2. Whether the Court erred in quashing said Subpoenas when the Commonwealth Court of Pennsylvania has original jurisdiction of all civil actions or proceedings filed against the Commonwealth government, including any officer thereof acting in his official capacity in accordance with 42 Pa.C.S.A. § 761(a)(1)?
3. Whether the Court erred in quashing said Subpoenas when the Coroner has the right to issue Subpoenas to obtain the attendance of an individual who may be necessary to examine as a witness at an Inquest in accordance with 16 Pa. Stat. § 1227-B(2)?

STANDARD OF REVIEW

In questions of statutory interpretation, the appellate standard of review is *de novo*, and the scope of review is plenary. *Metropolitan Edison Company v. City of Reading*, 162 A.3d 414 (Pa. 2017).

DISCUSSION

As to the first and third issues, the statutes under 16 P.S. § 1211-B et seq set forth the scope of the duties and powers of a coroner. First, a coroner shall investigate certain deaths for the purpose of determining whether or not an autopsy or inquest should be conducted, and the purpose of that investigation shall be to determine the cause and manner of a death and whether the death may have resulted from some criminal act. § 1218-B(a)-(b). Then, if the coroner is unable to determine the cause and manner of death after investigation, he shall perform or order an autopsy. § 1219-B(a). Finally, if the coroner is unable to determine the cause and manner of death after an autopsy, then he may conduct an inquest, which may include examination of witnesses as to the cause of death as well as whether there is any criminal responsibility. § 1219-B(b).

{1} After presentation of the motion on August 9, 2023, counsel for the parties confirmed to the Court through an off-the-record joint telephone call that the cause and manner of death indeed already had been determined an accidental drowning.

The purposes for which a coroner may issue a subpoena also are clearly stated, and these include: for a death investigation; to obtain attendance from a witness to an inquest; to compel attendance by attachment; or to compel production of certain documents. 16 P.S. § 1227-B.

Here, even if the cause and manner of Ms. Moore's death were still in question, the April 2023 meeting agenda as in Petitioner's Exhibit B proposed a far wider scope of inquiry. For example, the agenda included general topics such as (1) advisories that might improve safety and reduction of risk; (2) required review and/or assent to the pre-launch protocols by each customer-rafter before embarking; and (3) Commonwealth Parks Department informal and/or formal reviews. {2} The final point on the agenda is "Coroner follow up - forwarding advisories to the appropriate parties." The purpose of the inquest therefore was not to ascertain the cause and manner of Ms. Moore's death or to determine if there was some criminal action. {3}

Appellant's first and third issues therefore are without merit. This Court did not err as a matter of law in quashing the subpoenas when the statutory authority for a coroner to conduct an inquest and issue subpoenas is clearly limited to ascertaining the cause/manner of death or potential criminal liability and the inquest here exceeded those limits.

As to Appellant's second issue, the Commonwealth Court does have original jurisdiction of all civil actions or proceedings against the Commonwealth government, including any officer thereof, acting in his official capacity. 42 Pa.C.S.A. § 761(a)(1).

However, here, the coroner's inquest and associated subpoenas exceeded the scope of inquiry allowed by statute, and so Appellant cannot be considered as acting within his official capacity in issuing the subpoenas. Under 42 Pa.C.S.A. § 761(b)

The jurisdiction of the Commonwealth Court under subsection (a) shall be exclusive except as provided in section 721 (relating to original jurisdiction [of the Supreme Court]) and except with respect to actions or proceedings by the Commonwealth government, including any officer thereof, acting in his official capacity, where the jurisdiction of the court shall be concurrent with the several courts of common pleas.

Petitioner's principal address is in Fayette County, and therefore this Court had concurrent jurisdiction to grant the petition.

{2} The agenda listed the following as "reviews:" regular park incident/safety reviews, the internal park review of the death event, the state formal review of the death event, and state level advisories or mandates to the local park administration related to the death event.

{3} As the petition to quash posits, the lines of inquiry proposed in the agenda are related to possible civil, not criminal, liability.

CONCLUSION

Here, the coroner's inquest and the associated subpoenas purported to investigate matters that were not among the specifically enumerated duties and purposes set forth in statute. This Court therefore quashed the subpoenas, having jurisdiction to do so because Appellant was not acting within his official capacity. Therefore, it is respectfully submitted that the findings and conclusions of this Court should be AFFIRMED.

BY THE COURT:
Linda R. Cordaro, Judge

ATTEST:
Clerk of Courts

Date: October 24, 2023

ANNUAL MEMBERSHIP MEETING

The Annual General Membership meeting of the Fayette County Bar Association shall be held on **Thursday, December 14, 2023, at 12:00 pm** in Courtroom Two at the Fayette County Courthouse, 61 East Main Street, Uniontown, PA 15401. Members are invited to present topics of concern or interest to the Association.

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