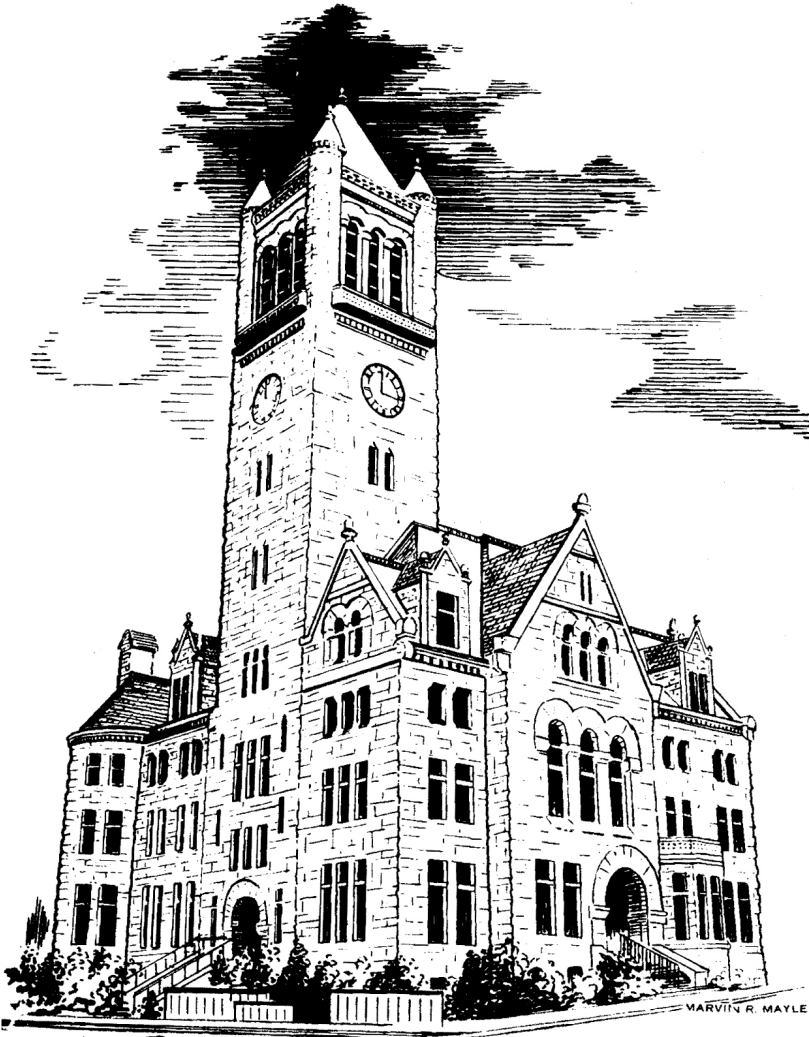


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ESTATE NOTICES

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

DANIEL K. CONTI, a/k/a DANIEL K. CONTI, SR., late of Belle Vernon, Fayette County, PA (3)

Executrix: Elaine F. Conti
415 Market Street
Belle Vernon, PA 15012
c/o Bassi, Vreeland & Associates, P.C.
P.O. Box 144
111 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Bradley M. Bassi

JAMES FARNELLA, late of Uniontown, Fayette County, PA (3)

Executrix: Tammy Boyle
c/o Higinbotham Law Offices
45 East Main Street, Suite 500
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

GEORGIA M. PETROSKY, late of South Union Township, Fayette County, PA (3)

Administrators: Edna E. Petrosky and Keith O. Petrosky
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

LINDA L. STEWART, late of Newell Borough, Fayette County, PA (3)

Administrator: Mark D. Stewart
PO Box 202
Newell, PA 15466
c/o 1747 Rostraver Road
Belle Vernon, PA 15012
Attorney: Megan A. Kerns

ANN WALLS, a/k/a KATHY WALLS, a/k/a ANN KATHERINE WALLS, a/k/a ANN K. WALLS, late of Georges Township, Fayette County, PA (3)

Executor: Judy M. Rode
c/o 556 Morgantown Road
Uniontown, PA 15401
Attorney: John A. Kopas, III

Second Publication

THOMAS J. CERVENAK, a/k/a THOMAS JOSEPH CERVENAK, late of South Union Township, Fayette County, PA (2)

Executrix: Patricia Albani
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

BARRY LEE EWART, late of McClellandtown, Fayette County, PA (2)

Personal Representative: Jamie Lynn Ewart
c/o George Port & George
92 East Main Street
Uniontown, PA 15401
Attorney: Joseph M. George

CHARLES A. HIXON, SR., late of North Union Township, Fayette County, PA (2)

Executrix: Ada M. Rockwell
c/o Radcliffe & DeHaas, LLP
2 West Main Street, Suite 700
Uniontown, PA 15401
Attorney: William M. Radcliffe

ANTONETTA J. MCKLVEEN, late of
Connellsville, Fayette County, PA (2)
Executor: Ronald G. McKlveen, Jr.
172 East Askren Street
Uniontown, PA 15401
c/o Moore Becker Smarto & Ciszek, P.C.
121 West Second Street
Greensburg, PA 15601
Attorney: Lawrence F. Becker, III

LISA MARIE OZANICK, late of North Union
Township, Fayette County, PA (2)
Administrator: Kenneth Ozanick
1336 Connellsville Road
Lemont Furnace, PA 15456
c/o 92 East Main Street
Uniontown, PA 15401
Attorney: David Kaiser

**EDWARD R. SHARKEY, a/k/a EDWARD
RICHARD SHARKEY**, late of Connellsville,
Fayette County, PA (2)
Administratrix: Diane S. Paul
c/o Molinaro Law Offices
P.O. Box 799
Connellsville, PA 15425
Attorney: Carmine V. Molinaro, Jr.

**CHARLES SPARROW, a/k/a CHARLES H.
SPARROW, JR.**, late of Franklin Township,
Fayette County, PA (2)
Executor: David C. Sparrow
c/o Higinbotham Law Offices
45 East Main Street, Suite 45
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

First Publication

JANET SUE BILL, late of Uniontown, Fayette
County, PA (1)
Executor: Richard D. Lee
c/o Zerega Law Office
212 North Gallatin Avenue
Uniontown, PA 15401
Attorney: Dianne H. Zerega

BETTY JEAN DURSO, late of Menallen
Township, Fayette County, PA (1)
Administrator: Charles Durso
c/o Dellarose Law Office
111 East Main Street
Uniontown, PA 15401
Attorney: Melinda D. Dellarose

EDWARD METZGAR, late of Connellsville,
Fayette County, PA (1)
Co-Executors: Elaine Krinock and
Joseph A. Canada, Jr.
c/o P.O. Box 760
Connellsville, PA 15425
Attorney: Carolyn W. Maricondi

LEGAL NOTICES

NOTICE

Notice is hereby given that a Certificate of Organization was filed with the Pennsylvania Department of State, on September 29, 2017, for a Limited Liability Company, organized under the Limited Liability Company Law of 1994, as from time to time amended. The name of the Company is Fayette Keys, LLC having an address of 122 Belmont Circle, Uniontown, Pennsylvania 15401.

James Higinbotham
45 East Main Street
Suite 500
Uniontown, Pennsylvania 15401

In the Court of Common Pleas of Fayette
County, Pennsylvania

Orphans' Court Division
No. 62 ADOPT 2017

**In Re: Adoption of Arielle Dawn Foster,
a minor child**

To: Unknown Father of Arielle Dawn Foster

A petition has been filed asking the Orphans' Court Division of the Court of Common Pleas of Fayette County, Pennsylvania, at No. 62 ADOPT 2017, to put an end to all rights you have to your child, Arielle Dawn Foster, born June 26, 2017 to Desiray Foster. The Court has set a hearing to consider ending your rights to your child. That hearing will be held in the Fayette County Courthouse, Uniontown, Fayette County, Pennsylvania, in Courtroom No. 1, on November 1, 2017 at 1:30 P.M. 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 present. You have a right to be represented at the hearing by a lawyer.

YOU SHOULD TAKE THIS NOTICE 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.

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4 N. Beeson Blvd.
Uniontown, PA 15401
724-437-4700

(3 of 3)

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION
NO. 51 ADOPT 2017

**IN RE: ADOPTION OF
RILYN RICHTER**

NOTICE

TO: Jamie Richter, Jason McCoy and Unknown
Father

A petition has been filed asking the Court to put an end to all rights you have to your child, Rilyn Richter. 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 21, 2017 at 02:30 p.m. 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.

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

**PENNSYLVANIA BAR ASSOCIATION 100
SOUTH STREET
PO BOX 186
HARRISBURG, PA 17108
(800) 932-0311**

NOTICE

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION
NO: 1594 OF 2017, G.D.

**IN RE: CHANGE OF NAME OF
ALEXANDER SANTINO MARRA**

NOTICE IS HEREBY GIVEN that a Petition was filed by Alexander Marra and Colleen Marra, in the above Court for a decree to a change the name of Alexander Santino Marra to Santino Alexander Marra, the court has fixed November 28, 2017 at 10:45 a.m. in Courtroom No. 1 of the Fayette County Courthouse, Uniontown, Pennsylvania, as the date, time and place for the hearing on said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

MICHELLE L. KELLEY, ESQUIRE
92 East Main Street, Suite 24
Uniontown, Pa. 15401
(724) 439-2553

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION-LAW
No. 1960 of 2017, G.D.
The Honorable Nancy D. Vernon

**IN RE: CHANGE OF NAME OF
GAIGE RAY HERMAN, a minor**

NOTICE FOR PUBLICATION

Notice is hereby given that the petition for Change of name of GAIGE RAY HERMAN, was filed on September 12, 2017. praying for a decree to change his name to GAIGE RAY CLAY. The Court has fixed Wednesday, November 1, 2017 at 11:00 A.M., in Courtroom No. 4 Fayette County Courthouse. Uniontown, Pennsylvania for hearing. All persons interested may appear and show cause, if any that they have, why the prayer of the Petition should not be granted.

Registers' Notice

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

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

Monday, November 6, 2017
at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2612-0625	ROSEMARY MONAGHAN	Sidney Dale Monaghan, Administrator

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

Monday, November 20, 2017 at 9:30 A.M.

in Court Room No. 2 of the Honorable JOHN F. WAGNER or his chambers, 2nd Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JEFFREY L. REDMAN

Register of Wills and Ex-Officio Clerk of the Orphans' Court Division (1 of 2)

JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA
CRIMINAL ACTION

COMMONWEALTH OF PENNSYLVANIA:

vs.

CHARLES FULLER,
Appellant.

:
:
:
: No. 2478 OF 2016
: Honorable Judge Joseph M. George, Jr.

ATTORNEYS AND LAW FIRMS

Christina Demarco, Esquire, Assistant District Attorney, For the Commonwealth
Robert Gordon, Esquire, Assistant Public Defender, For the Appellant

OPINION

GEORGE, J.

October 11, 2017

Following a trial by jury, the Appellant was found guilty of two counts of failure to comply with registration requirements. {1} On August 30, 2017, the Appellant was sentenced to a term of imprisonment of not less than six (6) years nor more than twelve (12) years. He filed a direct appeal to the Superior Court of Pennsylvania. This Opinion is in support of the verdict of the jury.

CONCISE ISSUES

The Appellant filed the following Statement of Errors Complained of on Appeal:

- 1. Whether the evidence was insufficient to find the Appellant guilty beyond a reasonable doubt of the criminal charges?

FACTS

Trooper Adam Janosko testified that the Appellant is subject to Megan’s Law registration requirements. (T.T. p. 57). The Appellant became subject to those requirements on December 16, 2002, when he was convicted of aggravated indecent assault. {2} (T.T. p. 57 and Exhibit 1). The Appellant is required to report his permanent address to the State Police as his permanent address changes. (T.T. p. 58). As a Tier III offender, the Appellant is required to appear at the State Police Barracks in person once every three (3) months. {3} (T.T. p. 58). The Appellant did not register an address with the State Police in the State of Ohio; Perryopolis, Pennsylvania; or Scottdale, Pennsylvania, at any time between November 30, 2015 and February 5, 2016. (T.T. p. 59). Furthermore, he did not appear in person at the State Police Barracks at any point between

{1} 18 Pa. C.S. § 4915.1. Originally, the three charges were filed under the now expired § 4915. After the jury was selected, but before opening statements were given, the Commonwealth moved to amend and the Court permitted the amendment of the criminal informations to reflect the correct section of the crimes code, § 4915.1. (T.T. pp. 7-10). Appellant was found not guilty of one of the three counts.

{2} 18 Pa.C.S. § 3125. {3} 42 Pa.C.S. § 9799.25(a)(3).

April 30, 2015 and February 5, 2016, as required of him. (T.T. p. 60). The Appellant did appear at the State Police Barracks on July 8, 2016, after charges were filed. (T.T. p. 60).

The Appellant registered the following address on November 30, 2015: 3000 South Grande Boulevard, Greensburg, Pennsylvania 15601. (T.T. pp. 58-59). He has since registered the following address as his primary address: 3001 Beaver Avenue, Pittsburgh, Pennsylvania 15233. (T.T. p. 60). The Beaver Avenue address was registered following the institution of criminal proceedings against the Appellant. (T.T. pp. 60-61).

DISCUSSION

I. Sufficiency of the Evidence

The standard of review for a challenge to the sufficiency of the evidence is to determine whether, when viewed in a light most favorable to the verdict winner, the evidence at trial and all reasonable inferences therefrom is sufficient for the trier of fact to find that each element of the crimes charged is established beyond a reasonable doubt. The Commonwealth may sustain its burden of proving every element beyond a reasonable doubt by means of wholly circumstantial evidence.

The facts and circumstances established by the Commonwealth need not preclude every possibility of innocence. Any doubt raised as to the accused's guilt is to be resolved by the fact-finder. [In this context, Courts] do not assess credibility nor . . . assign weight to any of the testimony of record. Therefore, we will not disturb the verdict unless the evidence is so weak and inconclusive that as a matter of law no probability of fact may be drawn from the combined circumstances.

Commonwealth v. Vogelsong, 90 A.3d 717, 719 (Pa. Super. 2014).

“In order to preserve a challenge to the sufficiency of the evidence on appeal, an appellant's Rule 1925(b) statement must state with specificity the element or elements upon which the appellant alleges that the evidence was insufficient.” *Commonwealth v. Garland*, 63 A.3d 339, 344 (Pa. Super. 2013) (emphasis added). See *Commonwealth v. Gibbs*, 981 A.2d 274, 281 (Pa. Super. 2009).

As the Appellant has waived his right to contest the sufficiency of the evidence, we incorporate *Garland* in place of our own analysis: “Here, as is evident, Appellant not only failed to specify which elements he was challenging in his Rule 1925(b) statement, he also failed to specify which conviction he was challenging. Thus, we find Appellant's sufficiency claim waived on this basis.” *Garland*, at 344.

Even if the Appellant had not waived his challenge to sufficiency, we find that the evidence amply supports the verdict. When a party challenges the sufficiency of the evidence, the critical inquiry on review does not require a court to ask itself whether it believes that the evidence at the trial established guilt beyond a reasonable doubt. *Commonwealth v. McCurdy*, 943 A.2d 299, 301 (Pa. Super. 2008). Instead, it must determine simply whether the evidence believed by the fact-finder was sufficient to support

the verdict. All of the evidence and any inferences drawn therefrom must be viewed in the light most favorable to the Commonwealth as the verdict winner. *Id.*, at 301-302. While it is true that the Commonwealth must prove every essential element of a crime beyond a reasonable doubt, it is well established that the Commonwealth may sustain this burden by means of wholly circumstantial evidence. *Commonwealth v. Richardson*, 357 A.2d 671, 673 (Pa. Super. 1976). The Commonwealth need not preclude every possibility of innocence or establish the Appellant's guilt to a mathematical certainty. *Commonwealth v. Williams*, 871 A.2d 254, 259 (Pa. Super. 2005).

Further, any doubts regarding an appellant's guilt may be resolved by the factfinder unless the evidence is so weak and inconclusive that no probability of fact may be drawn from the combined circumstances. The trier of fact, while passing upon the credibility of the witnesses and the weight of the evidence produced, is free to believe all, part, or none of the evidence. *Commonwealth v. Robertson-Dewar*, 829 A.2d 1207, 1211 (Pa. Super. 2003).

With the above principles in mind, we now consider whether the Commonwealth presented sufficient evidence to sustain the Appellant's convictions.

The Appellant was convicted of two counts of failure to comply with registration requirements, namely that he was "an individual who is subject to registration under 42 Pa.C.S. § 9799.13 (relating to applicability)" and he "knowingly fail[ed] to verify his address or be photographed as required under 42 Pa.C.S. § 9799.15, 9799.19, or 9799.25." 18 Pa.C.S. § 4915.1. Additionally, "an individual convicted of a Tier III sexual offense," such as aggravated indecent assault, {4} "shall appear in person at an approved registration site quarterly." 42 Pa.C.S. § 9799.25.

The testimony and evidence show that the Appellant was convicted of aggravated indecent assault on December 16, 2002. (T.T. p. 57 and Exhibit 1). Additionally, the testimony and evidence show that the Appellant had notice of the registration requirement. (T.T. p. 57).

Viewed under the aforementioned standard, the Appellant's challenge to the sufficiency of the evidence fails. A review of the record reveals that the evidence, sufficient in kind and quality, presented at trial, such that the trier of fact permissibly concluded that the Appellant committed the two offenses when he failed to report a change in address and failed to appear in person at the State Police Barracks. As such, the Appellant's sole issue is without merit.

Wherefore, it is respectfully submitted that this appeal is without merit and should be denied.

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

ATTEST:
CLERK OF COURTS

{4} See 42 Pa.C.S. § 9799.14(d)(7).

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