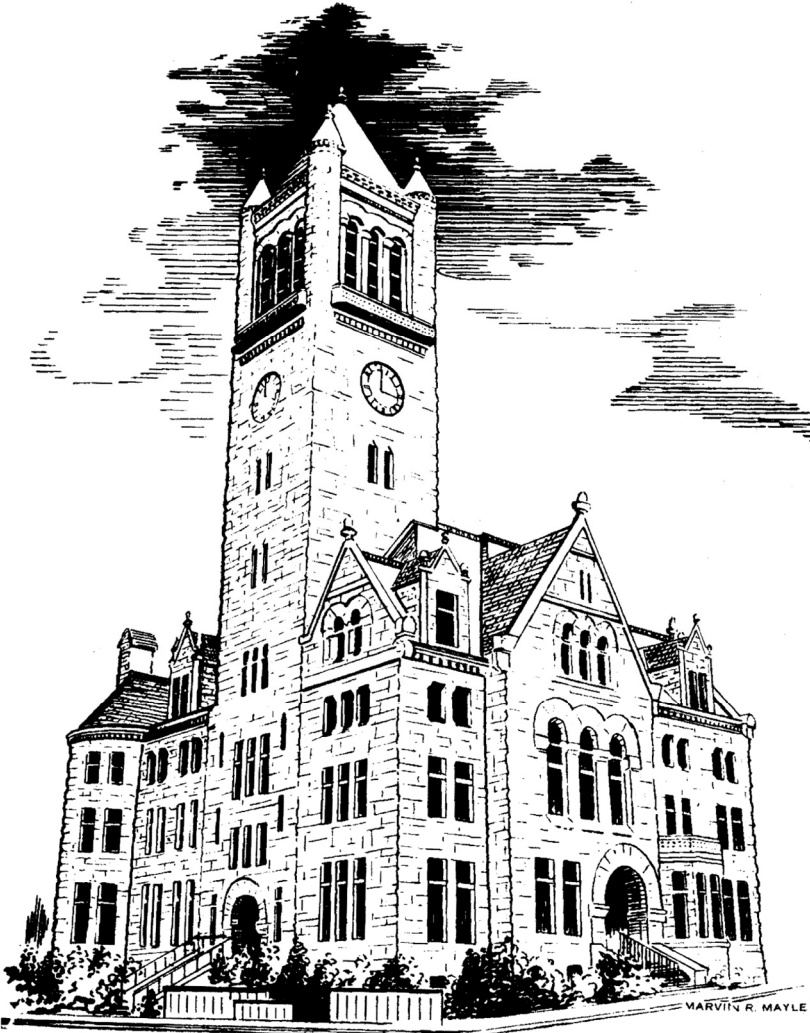


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Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay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

Third Publication

EMILY CIARAMELLA, a/k/a EMILY P. CIARAMELLA, a/k/a AMELIA CIARAMELLA, a/k/a AMELIA P. CIARAMELLA, late of Masontown, Fayette County, PA (3)

Executrix: Terri Ann Vogelsang
c/o DeHaas Law, LLC
51 East South Street
Uniontown, PA 15401
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1775 Concord Street
Uniontown, PA 15401
c/o 76 East Main Street
Uniontown, PA 15401
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BETTY L. COOPER, a/k/a BETTY LOU COOPER, late of Dunbar Township, Fayette County, PA (3)

Personal Representative:
Timothy A. Hawkins
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
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RASHAUNDA FITZGERALD, late of Uniontown, Fayette County, PA (3)

Administratrix: Meka Fitzgerald
9 Austin Street
Uniontown, PA 15401
c/o Orié & Zivic

429 4th Avenue, Suite 1901
Pittsburgh, PA 15219
Attorney: Jonathan Orié

SHERMAN FRIEND, a/k/a SHERMAN WAYNE FRIEND, a/k/a SHERMAN W. FRIEND, a/k/a WAYNE FRIEND, late of German Township, Fayette County, PA (3)

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68 South Beeson Boulevard
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SANDRA L. GIBSON, late of Uniontown, Fayette County, PA (3)

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Uniontown, PA 15401
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BETTY R. LERCH, late of Vanderbilt, Fayette County, PA (3)

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107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

CHARLES M. LOUIS, late of Uniontown, Fayette County, PA (3)

Personal Representative: Brian Shea
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GEORGE J. LOULIS, late of Washington Township, Fayette County, PA (3)

Executor: John D. Loulis
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Fayette City, PA 15438
c/o 823 Broad Avenue
Belle Vernon, PA 15012
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a/k/a Angela Marie Glover
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Executor: Michael A. Orawiec
c/o Zebley Mehalov & White, P.C.
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P.O. Box 2123
Uniontown, PA 15401
Attorney: Mark M. Mehalov

MARIE MARCELINE RENOCKS, a/k/a MARIE M. RENOCKS, late of Masontown, Fayette County, PA ⁽³⁾

Personal Representative: Carol Woolever
c/o P.O. Box 622
Smithfield, PA 15478
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MARY CHRISTINE FLYNN ROSS, a/k/a MARY C. ROSS, a/k/a CHRISTINE FLYNN, late of South Connellsville, Fayette County, PA ⁽³⁾

Personal Representative:
William Joseph Ross
c/o 208 South Arch Street, Suite 2
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CARL CALVIN TALBERT, a/k/a CARL TALBERT, late of Redstone Township, Fayette County, PA ⁽³⁾

Executor: Carl Nelson Talbert
c/o 9 Court Street
Uniontown, PA 15401
Attorney: Vincent J. Roskovensky, II

TIMOTHY DON WILTROUT, late of Upper Tyrone Township, Fayette County, PA ⁽³⁾

Administratrix: Lori L. Wilttrout
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Uniontown, PA 15401
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Second Publication

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RANDY P. CONSTABLE, late of Luzerne Township, Fayette County, PA ⁽²⁾

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c/o 51 East South Street
Uniontown, PA 15401
Attorney: Anthony S. Dedola, Jr.

ARTHUR DZIEDZICKI, a/k/a ARTHUR J. DZIEDZICKI, late of Franklin Township, Fayette County, PA ⁽²⁾

Executrix: Amy S. Zeigler
c/o Higinbotham Law Offices
68 South Beeson Boulevard
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SHIRLEY R. GOODWIN, late of Connellsville, Fayette County, PA ⁽²⁾

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c/o Molinaro Law Offices
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Connellsville, PA 15425
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Co-Executrix: Victoria L. Durany and
Denise R. Porreca
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68 South Beeson Boulevard
Uniontown, PA 15401
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**WILLIAM MENARCHECK, a/k/a
WILLIAM IGNATIUS MENARCHECK,
a/k/a WILLIAM I. MENARCHECK**, late of
Uniontown, Fayette County, PA (2)
Co-Executrix: Pamela J. Neill, a/k/a
Pamela Jo Neill and Theresa L. Wadsworth
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68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James Higinbotham

SELMA S. RUSSELL, late of Washington
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Attorney: Richard Husband

First Publication

DANA DECECCO, late of Uniontown, Fayette
County, PA (1)
Executrix: Doreen DeCecco
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800 Waterfront Drive
Pittsburgh, PA 15222
Attorney: Mark Milsop

**DOROTHY J. HILEMAN, a/k/a DOROTHY
JEAN HILEMAN**, late of South Union
Township, Fayette County, PA (1)
Executrix: Beverly Hurley
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815B Memorial Boulevard
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Attorney: Jennifer M. Casini

**EMILIO J. SETTIMI, a/k/a MILLIO JOHN
SETTIMI**, late of North Union Township,
Fayette County, PA (1)
Executrix: Donella Lucostic
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

YVONNE LOUISE VAN VERTH, late of
Springhill Township, Fayette County, PA (1)
Personal Representative:
Danielle Van Verth
c/o Davis & Davis
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Uniontown, PA 15401
Attorney: Jeremy J. Davis

**GERALDINE P. WARD, a/k/a GERALDINE
P. PACIGA**, late of Jefferson Township,
Fayette County, PA (1)
Executrix: Tracy L. Glista
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Attorney: Webster & Webster

LEGAL NOTICES

*** NO LEGAL NOTICES ***

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JUDICIAL OPINION

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

COMMONWEALTH OF	:	
PENNSYLVANIA,	:	
	:	
v.	:	
	:	
DAYLON MATTHEW MCLEE,	:	No. 210 of 2020
Defendant.	:	Honorable Steve P. Leskinen

OPINION AND ORDER

Leskinen, J.

October 25, 2021

Before the Court is the Defendant's OMNIBUS PRE-TRIAL MOTION NUNC PRO TUNC. After a careful review of the record and applicable case law, the Court hereby issues the following Opinion and Order:

Factual Background

A Hearing was held on this matter on October 12th, 2021. The Defendant's charges arise out of an incident which took place on January 13th, 2020 at the government- assisted housing apartments at the corner of Coolspring Street and Carlisle Street in Uniontown. Uniontown City Police Officer Jamie Holland testified that on January 13th, 2020 he observed the Defendant and two other men standing around a white folding picnic table "about ten feet in front of the residence" in a grassy area on the parking lot side of the apartments. Officer Holland testified that he observed an open bottle of "Hennessy" on the picnic table. Officer Holland and Narcotics Agent Wes Biricocchi attempted to conduct an investigative detention on the Defendant, but the Defendant ran and subsequently dropped a firearm. The Defendant was arrested and charged with Person Not to Possess/Use Firearms, 18 Pa. C.S.A. §6105(c)(1); Firearms Not to be Carried Without a License, 18 Pa. C.S.A. §6106(a)(1); Hindering Apprehension, 18 Pa. C.S.A. §5105(a)(4); and Resisting Arrest, 18 Pa. C.S.A. §5104.

Legal Standard

Investigative detentions must be supported by reasonable suspicion. *Com. v. Hicks*, 208 A.3d 916, 926 (2019). Reasonable suspicion exists only where the officer is able to articulate specific observations which, in conjunction with reasonable inferences derived from those observations, led him reasonably to conclude, in light of his experience, that criminal activity was afoot and that the person he stopped was involved in that activity. *Com. v. Chambers*, 55 A.3d 1208, 1215 (Pa.Super.2012).

Ordinance No. 1374, Section 2 (Codified Ordinances of the City of Uniontown, 725.03) states:

No person shall possess any glass, can or open container of alcoholic beverage on any public street, public sidewalk, public alley or public park within the City, except for persons within a motor vehicle.

Conclusions of Law

Colloquially referring to government-assisted housing as "public housing" does not abrogate the protections of the Fourth Amendment. In *Hous. Auth. of City of Pittsburgh v. Van Osdol*, the Pennsylvania Commonwealth Court ruled that residents of Section 8 housing enjoy the same expectation of privacy as residents of non-government-assisted housing, in the context of name and address records:

[A]llowing public access to the requested information would violate the housing subsidy recipients' constitutional right of privacy...

Hous. Auth. of City of Pittsburgh v. Van Osdol, 40 A.3d 209, 216 (Pa.Cmwlt. 2012).

Furthermore, the Court finds that the grassy area on the parking lot side of the government-assisted housing apartments at the corner of Coolspring Street and Carlisle Street falls neither within the public street, public sidewalk, public alley, nor public park category of Ordinance No. 1374, Section 2. The Court concludes that Officer Holland did not possess the requisite reasonable suspicion to detain the Defendant because no criminal activity was afoot.

Wherefore the Court issues the following Order:

ORDER

AND NOW, this 25th day of October, 2021, upon consideration of the Defendant's OMNIBUS PRE-TRIAL MOTION NUNC PRO TUNC, it is hereby ORDERED and DIRECTED that it is GRANTED. All evidence derived from the investigation of the open Hennessy bottle is SUPPRESSED and all charges are hereby DISMISSED.

BY THE COURT:
STEVE. P. LESKINEN, JUDGE

ATTEST:
Clerk of Courts

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