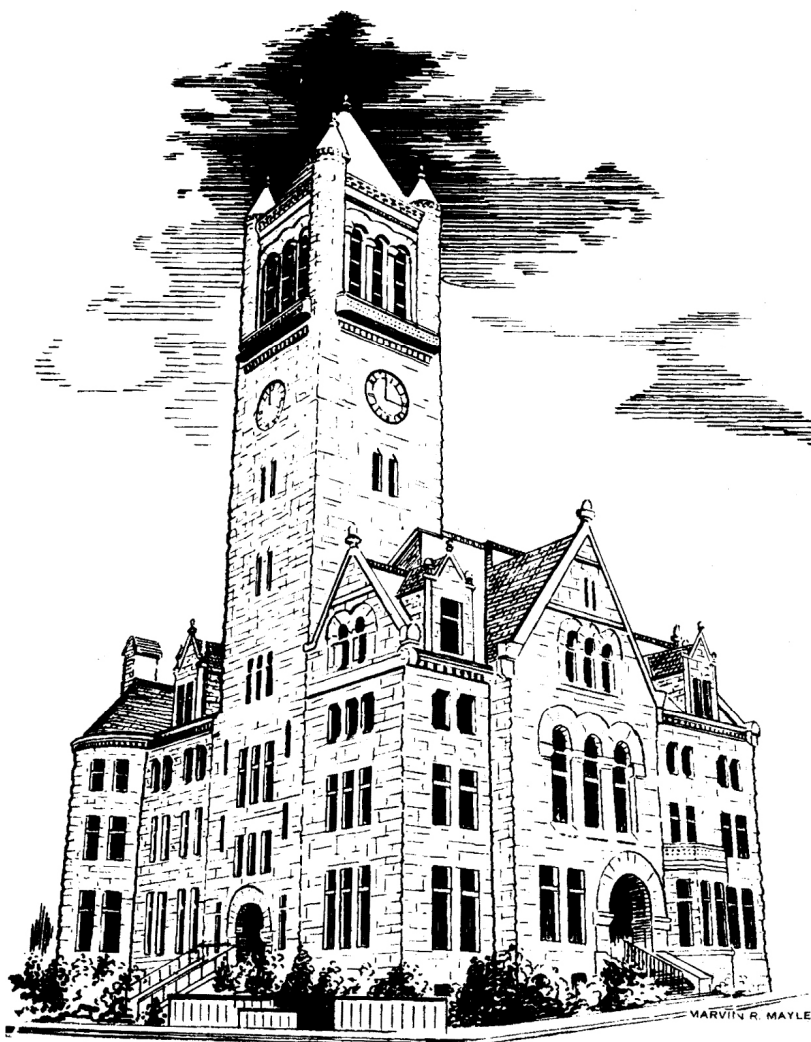


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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the 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

JACQUELYN A. BAKER, late of Dunbar Township, Fayette County, PA ⁽³⁾

Co-Executors: Terence T. Baker and Susan Ann Mohokey
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

JANET M. GORETSKY, late of Dunbar Township, Fayette County, PA ⁽³⁾

Administrator: Lawrence T. Goretsky
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

CECELIA A. KLIMKO, a/k/a CECELIA KLIMKO, late of North Union Township, Fayette County, PA ⁽³⁾

Personal Representative: David C. Klimko
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

RITA C. MORROW, a/k/a RITA MORROW, late of Belle Vernon, Fayette County, PA ⁽³⁾

Executor: Keith Allen Morrow
71 Sampson Street
Belle Vernon, PA 15012
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

AMBER WITT, a/k/a AMBER DAWN WITT, late of Henry Clay Township, Fayette County, PA ⁽¹⁾

Administratrix: Kimberly Glisan
472 Braddock Road
Markleysburg, PA 15459
c/o 986 Brodhead Road
Moon Township, PA 15108
Attorney: Michele P. Conti

Second Publication

PETER M. CASINI, a/k/a PETER CASINI, late of South Connellsville, Fayette County, PA

Executrix: Sara Hrisisce ⁽²⁾
c/o P.O. Box 760
Connellsville, PA 15425
Attorney: Carolyn W. Maricondi

CORA BELLE DENNIS, late of Wharton Township, Fayette County, PA ⁽²⁾

Executor: John W. Dennis
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

MICHAEL F. GRIMES, a/k/a MICHAEL FRANKLIN GRIMES, a/k/a MICHAEL GRIMES, late of North Union Township, Fayette County, PA ⁽²⁾

Administratrix: Kimberly A. Rabatin
c/o John & John
96 East Main Street
Uniontown, PA
Attorney: Simon B. John

RAYMOND W. PARIS, JR., a/k/a RAYMOND WILLIAM PARIS, JR., late of New Salem, Fayette County, PA ⁽²⁾

Executor: Raymond D. Paris
c/o Casini & Geibig, LLC
615 West Crawford Avenue
Connellsville, PA 15425
Attorney: Jennifer M. Casini

THOMAS A. PFARR, a/k/a THOMAS ALVIN PFARR, late of South Union Township, Fayette County, PA (2)

Executor: Thomas H. Pfarr
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

First Publication

FRED LEE PRITTS, a/k/a FRED L. PITTS, late of Lower Tyrone Township, Fayette County, PA (1)

Executrix: Wilma J. Loucks, n/k/a Wilma J. Pritts
c/o James J. Lederach, Esquire
201 North Chestnut Street
P.O. Box 342
Scottdale, PA 15683
724-887-3600
Attorney: James S. Lederach

LEROY WILSON, late of Dunbar, Fayette County, PA (1)

Administrator Eileen M. Wilson
c/o Margaret Zylka House
815 A Memorial Boulevard
Connellsville, PA 15425
Attorney: Margaret Zylka House

JERRY L. CRAMER, a/k/a JERRY LEE CRAMER, SR., late of Saltlick Township, Fayette County, PA (1)

Executrix: Laura J. Cramer
c/o Donald McCue Law Firm, P.C.
Colonial Law Building
813 Blackstone Road
Connellsville, PA 15425
Attorney: Donald J. McCue

LEGAL NOTICES

NOTICE OF ADOPTION

To: Justin Pazicni, whose last known address is:

**115 Cemetary Lane
Lemont Furnace, PA 15456**

You are hereby notified that on September 18, 2018, a Petition for Adoption of a female child born on December 22, 2004 in Fayette County, OH, and a female child born on December 30, 2005 in Fayette County, OH was filed in the Superior Court of Henry County, Georgia, Adoption No. 18-AD-0043-TP. You are hereby advised that a hearing will be held before the Superior Court of Henry County, Georgia to determine why the prayers of the Petitioner should not be granted.

All parental rights you may have with respect to the minor children will be lost and you will neither receive notice nor be entitled to object to the adoption of said children unless, within thirty (30) days from the date of the last publication of this notice, you file (1) a Petition to Legitimate the children pursuant to the Official Code of Georgia Annotated Section 19-7-22; (2) notice of the filing of such Petition to Legitimate with the Superior Court of Henry County and make known such other objections in writing as you may have; and (3) serve a copy of the Petition to Legitimate on the undersigned attorney for the Petitioner seeking to adopt said children at: The Law Offices of McGuire & Bullard, LLC, 18 Atlanta Street, Suite 200, McDonough, GA 30253. Obrézia L. Bullard Attorney for Petitioner Georgia Bar No. 975396 18 Atlanta Street, Suite 200, McDonough, GA 30253 Phone (678) 432-1100, Fax (678) 922-7740.

This 1st day of December, 2018.

Clerk of Superior Court
Henry County, Georgia

(1 of 3)

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States District Court for the Western District of Pennsylvania and to me directed, I shall expose to public sale the real property located at 801 Lawn Avenue, Connellsville, PA 15425 more particularly described in Fayette County Record Book 1764, Page 124. SAID SALE to be held in the Fayette County Courthouse, 61 East Main Street, Uniontown, PA 15401 at 10:00 a.m. prevailing, standard time, on December 13, 2018. All that certain tract of land, together with the buildings, and improvements erected thereon described as Tax Parcel No. 0514016501 recorded in Fayette County, Pennsylvania. Seized and taken in execution as the property of Robin C. King, at the suit of the United States of America, acting through the Farmers Home Administration, on behalf of United States Department of Agriculture, to be sold on Writ of Execution as Civil Action No. 2:18-CV-00844.

TERMS OF SALE: Successful bidder will pay ten percent (10%) by certified check or money order upon the property being struck down to such bidder, and the remainder of the bid within thirty (30) days from the date of the sale and in the event the bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. The successful bidder must send payment of the balance of the bid directly to the U.S. Marshal's Office c/o Sheila Blessing, 700 Grant Street, Suite 2360, Pittsburgh, PA 15219. Bidder must have deposit funds immediately available and on his person in order to bid, bidder will not be permitted to leave the sale and return with deposit funds. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Marshal's costs, fees and commissions are to be borne by seller. Michael Baughman, Acting United States Marshal. For additional information, please contact Cathy Diederich at 314-457-5514 or the USDA foreclosure website at www.resales.usda.gov.

JUDICIAL OPINION

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

COMMONWEALTH OF PENNSYLVANIA, :
 :
 :
 vs. :
 :
 :
 TERRI FREZZELL, : No. 1365 of 2018
 Defendant. : Honorable Steve P. Leskinen

OPINION AND ORDER

AND NOW, this 15th day of October 2018, upon review the Writ of Habeas Corpus in regard to Count 1, Terroristic Threats, prepared on behalf of Terri Frezzell (hereinafter Defendant), the Court HEREBY DENIES the Motion in its entirety.

BACKGROUND

On March 22, 2018, the Defendant was in SCI Fayette when she became upset with her experience while visiting her son in the LS Visiting Room. The Defendant was angry because she did not know why she had to visit her son behind a glass door and would not be able to physically interact with him.

Amy Marchewka, a corrections officer at SCI Fayette, interacted with the Defendant during her visit. The Defendant voiced her displeasure to Ms. Marchewka and Ms. Marchewka summoned her superior. Later, Ms. Marchewka laughed at a joke told by a coworker and the Defendant mocked her and said, "oh that girl thinks she's funny". Then, as the Defendant was leaving the visitation area, Ms. Marchewka testified that the Defendant said to her "Do you know me? Do you know me now because you're gonna know me?".

As the Defendant was leaving SCI Fayette, another corrections officer, Rachelle Wachob, heard the Defendant make statements to another person who was with the Defendant. The Defendant said that she "Hates it when people put on a uniform and think they are a badass" and "Wait until I see her in Wal-Mart, I will kick her ass". Ms. Wachob assumed this statement to be about Ms. Marchewka because there are very few women in uniform and Ms. Marchewka is regularly the L5 Visiting Room Officer.

Lieutenant William Zosky was also working at SCI Fayette that day and encountered the Defendant. He talked to the Defendant and asked her if there was anything wrong. She responded that "that bitch better know me and you too, motherfucker". Mr. Zosky added that during this interaction he was concerned that he may have had to physically escort the Defendant out of the prison because of her confrontational demeanor.

DISCUSSION

The crime of terroristic threats is committed when a person "communicates, either directly or indirectly, a threat to commit any crime of violence with intent to terrorize another." 18 Pa.C.S.A. § 2706(a)(1). An express or specific threat is not necessary to sustain a conviction for terroristic threats. *Commonwealth v. Reynolds*, 835 A.2d 720 (Pa.Super. 2003). Consequently, "it is unnecessary for an individual to specifically articulate the crime of violence which he or she intends to commit where the type of crime may be inferred from the nature of the statement and the context and circumstances surrounding the utterance of the statement." *Commonwealth v. Sinnott*, 976 A.2d 1184, 1187-1188 (Pa.Super. 2009).

"The harm sought to be prevented by the statute is the psychological distress that follows from an invasion of another's sense of personal security." *In re B.R.*, 732 A.2d 633, 636 (Pa.Super. 1999). Nevertheless, whether the person threatened actually believes the threat will be carried out is irrelevant, as such a factor is not an element of the offense." *Commonwealth v. Reynolds*, 835 A.2d 720, 730 (Pa.Super. 2003).

In this case, it is clear that the Defendant directly and indirectly communicated threats of violence against Ms. Marchewka. The Defendant's statement to Ms. Marchewka was an artful threat of violence. The statement did not specify the exact violent act. However, a threat could be inferred by the Defendant's behavior during her visit and her interactions with Ms. Marchewka.

Further, the Defendant made her intentions to terrorize Ms. Marchewka clear when she made two more statements heard by other prison personnel. Her statement, heard by Ms. Wachob, gives context to the type of violence she intended to threaten on Ms. Marchewka. The Defendant's statement to Mr. Zosky makes it clear that the words "better know me" could not be construed in any other manner besides a threat of violence. Therefore, the Court enters the following:

ORDER

AND NOW, this 15th day of October 2018, upon review the Writ of Habeas Corpus in regard to Count 1, Terroristic Threats, prepared on behalf of Terri Frezzell (hereinafter Defendant), the Court HEREBY DENIES the Motion in its entirety.

BY THE COURT,
STEVE P. LESKINEN, JUDGE

ATTEST:
Janice Snyder
Clerk of Courts

LUNCH & LEARN SERIES

FCBA LUNCH & LEARN SERIES

In the spirit of the holidays and “Peace on earth, goodwill to all,” the Fayette County Bar Association’s next presentation in its Lunch & Learn Series will be:

- Date: Wednesday, December 5th from 12:00 p.m. to 1:30 p.m.
- Location: Courtroom No. 1 of the Fayette County Courthouse
- Discussion topic: **CIVILITY IN THE PRACTICE OF LAW**
- Presenters: Anne N. John, President-elect of the PBA, and Judge Steve P. Leskinen

CLE Credit

1.5 hours of Ethics CLE credit for the program. The fees are as follows:

Members of the FCBA

- No charge for attendance without CLE Credit
- \$10 fee for attendance with CLE Credit

Attorneys admitted to practice in Pennsylvania after January 1, 2012

- No charge for attendance with CLE Credit

Non-members of the FCBA

- \$10 fee for attendance without CLE Credit
- \$20 fee for attendance with CLE Credit

**** All fees to be paid at the door ****

A light lunch will be provided.

REGISTER

If interested in attending, please call Cindy at the Bar office at 724-437-7994 or by email to cindy@fcbar.org on or before Monday, December 3rd.

Professional Ethics Committee of the Fayette Bar Association

ANNUAL MEMBERSHIP MEETING

The regular annual meeting of the full membership of the Fayette County Bar Association shall be held on **Wednesday, December 5, 2018, at 1:30 pm in Courtroom One, Fayette County Courthouse, 61 East Main Street, Uniontown, PA 15401.**

Committees are invited to present topics of concern or interest to the Association.

RSVP to Cindy at cindy@fcbbar.org or 724-437-7994

FCBA RELOCATION NOTICE

The Fayette County Bar Association office is being relocated to **45 East Main Street, Suite 100, Uniontown, Pennsylvania 15401**. Please update your directory to forward all correspondence and Legal Journal notices to the new address.

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