

Adams County Legal Journal

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IN THIS ISSUE

COMMONWEALTH VS. ARMSTRONG

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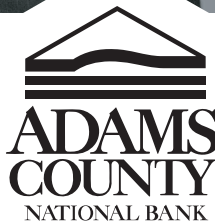
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SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-46 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution No. 10-SU-46

WELLS FARGO BANK, N.A.

vs.

RYAN M. BLACK and

JESSICA L. BLACK

190 KNOXLYN ROAD

GETTYSBURG, PA 17325-7413

Parcel No.: 09-E12-0054---000

(Acreage or street address)

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$209,323.46

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Ryan M. Black & Jessica L. Black** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1776 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 09-S-1776

ONE WEST BANK FSB

vs.

JENNIFER AZADI

1 EAST PIN OAK DRIVE

GETTYSBURG, PA 17325-7413

Parcel No.: 06-006-006E---000

(Acreage or street address)

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$131,857.72

Attorneys for Plaintiff

Udren Law Offices, P.C.

SEIZED and taken into execution as the property of **Jennifer Azadi** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-239 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 08-S-239

PHH MORTGAGE CORPORATION

vs.

ANDREW L. BOYD

85 SKYLARK TRAIL

FAIRFIELD, PA 17320-8122

Parcel No.: 43-028-0104-000

(Acreage or street address)

IMPROVEMENTS THEREON:

RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$217,254.38

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Andrew L. Boyd** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

COMMONWEALTH VS. ARMSTRONG

1. Evidence of other crimes or acts may be admitted if such evidence proves a common scheme, plan or design embracing commission of two or more crimes so related to each other that proof of one tends to prove the others. The degree of similarity is important in determining whether to admit other crimes or bad acts.

2. The importance of the intervening time period is inversely proportional to the similarity of the crimes in question.

3. To be admissible to show intent or motive, the evidence must give sufficient ground to believe that the crime currently being considered grew out of or was in any way caused by the prior set of facts and circumstances.

4. It is the Court's determination that the differences between the two incidents, the inflammatory nature of the allegations, and the 14-year time lapse preclude admission of this evidence under a common plan or scheme theory.

5. To sustain a conviction for murder, the Commonwealth must establish the element of malice. To do so, the Commonwealth must exclude self-defense beyond a reasonable doubt.

6. An inference of malice may be drawn from the fact that a deadly weapon was used on the vital part of another's body.

7. Malice and self-defense are mutually exclusive and the evidence sufficient to support an inference of malice would ordinarily bar the court from examining a claim of self-defense.

8. In light of the serious charges against Defendant and the highly prejudicial nature of the evidence the Commonwealth seeks to use, it would be inappropriate to allow this evidence to be presented to the jury, even as rebuttal.

In the Court of Common Pleas of Adams County, Pennsylvania, Criminal, No. CR-648-2008. COMMONWEALTH OF PENNSYLVANIA VS. JASON RUEBEN ARMSTRONG.

Shawn C. Wagner, Esq., for Commonwealth

Jeffery M. Cook, Esq., *pro se* Defendant

Kuhn, P.J., November 10, 2009

OPINION ON COMMONWEALTH'S MOTION FOR ADMISSION OF OTHER ACTS EVIDENCE PURSUANT TO PA. R.E. 404(B)

On August 26, 2009, the Commonwealth filed a Motion For Admission Of Other Acts Evidence Pursuant to Pa. R.E. 404(b). Hearing was held on this motion on October 29, 2009. For the reasons stated herein, said motion is denied.

BACKGROUND

Defendant has been charged with First-Degree Murder, Third-Degree Murder, Arson, Possessing Instruments of Crime, Abuse of Corpse, Tampering with or Fabricating Physical Evidence, and DUI

for an incident that allegedly occurred on the evening and early morning hours of May 27-28, 2008. It is alleged that on the night of May 27, 2008, Defendant and the victim, Andrew Scott Bosley, went camping at Ski Run Trail in Carroll Valley, Adams County, Pennsylvania. Commonwealth contends that Defendant killed Bosley by stabbing him approximately 144 times in the neck, chest, arm, and back. Furthermore, the Commonwealth avers that Defendant severed one of the victim's ears and set his body on fire.

Commonwealth argues that Defendant has "hinted" he will raise a justification defense. In support of this belief, Commonwealth points to statements Defendant allegedly made to an emergency medical technician shortly after his arrest. Commonwealth alleges that when EMT staff asked Defendant if he was in a fight, he responded:

Yea, with my buddy. I must have said something to piss him off, because he came at me with a knife so I pulled mine out. Everything was a blur and then the next thing I remember is blood being all over me and him.

Commonwealth also supports its belief based upon Defendant's Second Motion In Limine filed June 24, 2009, in which Defendant is seeking to admit evidence of Bosley's propensity for violence.

Commonwealth is seeking admission of the following alleged incidents either to prove intent, to establish a common plan, to disprove claims of self-defense, or to counter claims as to the victim's propensity for violence:

1. In May, 1994, Defendant was at a camp site in Chester County, Pennsylvania, with several other individuals when an Andru Ciosek arrived to pick them up. One of the other individuals was Ciosek's younger brother, Aaron Ciosek. In an interview with Trooper Curtis Whitmoyer of the Pennsylvania State Police and Frank Donnelly of the Adams County District Attorney's Office, Andru Ciosek claimed that when he arrived at the camp site, Defendant removed all his clothing and insisted that the others do the same. Andru Ciosek refused to comply, and Defendant allegedly struck him in the head with a log or board, which caused Ciosek to fall into a nearby camp fire and sustain serious burns. Ciosek recalled ending up in a nearby creek or river. Ciosek claimed that he

felt his life was in danger, that Defendant was a sexual opportunist who would have sex with anyone, including men, and Defendant would intimidate people when they did not comply with his demands. In a separate interview, Aaron Ciosek confirmed that Andru and Defendant became involved in a dispute, that Defendant pushed Andru into some bushes, poked Andru in the side with his fist, and pushed Andru into the campfire.

2. Aaron Ciosek also informed detectives that Defendant admitted to him that he killed two other individuals. Ciosek claimed that Defendant admitted killing Michael Devine, a sixteen-year-old high school student, in Chester County in 1991. Ciosek claims Defendant told him that he asked Devine for a cigarette and as Devine was getting one Defendant overpowered him and took him into the woods to kill him. Devine's body was found after Defendant sent an anonymous letter to police disclosing the whereabouts of the body and implicating another individual. Aaron Ciosek also told investigators that Defendant admitted to killing a man in Texas over a case of beer.
3. Commonwealth also seeks admission of a number of alleged incidents involving Defendant that occurred in State College, Centre County, Pennsylvania
 - a. On December 1, 1995, Defendant attacked his then girlfriend, Joanna Green, punching her, and attacked friends who tried to break up the fight. This incident was reported to police, but criminal charges were not filed.
 - b. On March 31, 1997, Karen Kelly, Defendant's ex-girlfriend, reported that Defendant assaulted her during the course of their relationship and indicated that he carried knives.
 - c. On April 28, 1998, it was reported that Defendant broke into another individual's apartment and during the course of the incident shouted "I'm going to kill you." Richard Hermann, the alleged victim, told police the incident was in retaliation for requests Hermann made to the Defendant that he return a radio belonging to a mutual acquaintance and stop making 1-900 calls from the

acquaintance's cell phone. Witness reported seeing Defendant carrying a four-foot-long club. No charges were filed in this incident.

- d. On January 28, 1999, Defendant's roommate reported Defendant became belligerent when he failed to clean up messes left by the dog. According to the roommate, Defendant "trashed" the apartment and hurled a beer bottle at him, hitting him in the arm.

Defendant is opposed to the admission of the other acts evidence, alleging it is prejudicial, the acts are too remote in time, identity is not an issue in this case, and if allowed in, it would open the need to investigate background.

DISCUSSION

"Evidence of other crimes, wrongs, or acts is not admissible to prove the character of a person in order to show action in conformity therewith." **Pa. R.E. 404(b)(1)**. However, "[e]vidence of other crimes, wrongs, or acts may be admitted for other purposes, such as proof of motive, opportunity, intent, preparation, plan, knowledge, identity or absence of mistake or accident." **Pa. R.E. 404(b)(2)**. Evidence proffered under subsection (b)(2) "may be admitted in a criminal case only upon a showing that the probative value of the evidence outweighs its potential for prejudice." **Pa. R.E. 403(b)(3)**. The evidence may also be admissible to impeach the credibility of a testifying defendant. *Com. v. Jackson*, 900 A.2d 936, 940 (Pa. Super. 2006).

As noted, Commonwealth contends that testimony concerning the Ciosek assault is admissible to show a common plan and to respond to Defendant's anticipated claim of self-defense. "Evidence of other crimes or acts may be admitted if such evidence proves 'a common scheme, plan or design embracing commission of two or more crimes so related to each other that proof of one tends to prove the others.'" *Com. v. Einhorn*, 911 A.2d 960, 967 (Pa. Super. 2006). The degree of similarity is important in determining whether to admit other crimes or bad acts. *Id.* "A common scheme may be relevant to establish any element of a crime, where intent may be shown through a pattern of similar acts." *Id.* The importance of the intervening time period is "inversely proportional to the similarity of the crimes in question." *Id.* (citation omitted).

In *Einhorn*, the defendant was charged with murder of his girlfriend. *Id.* at 965. The Commonwealth sought to introduce, as evidence of a common plan or scheme, evidence that defendant had assaulted his two previous girlfriends. *Id.* at 968. Defendant had made diary entries about physical assaults he had made on his girlfriends and how violence always ends his relationships. *Id.* The Court found:

These declarations exemplified Einhorn's peculiar beliefs about the necessity of ending a relationship with violence and helped establish a common scheme devised by Einhorn. All three attacks were motivated by a woman ending a relationship with Einhorn. Einhorn claimed to be in love with each of the three women, and in each case, Einhorn wrote about his violent feelings in his diary and letters. The violence became increasingly severe with each break-up: Einhorn choked his first girlfriend by the throat with his hands; struck his second girlfriend with a bottle and choked her; and ultimately administered at least six violent blows to Maddux, with a blunt instrument, resulting in Maddux's death.

We cannot find fault in the trial court's finding that the acts were similar and timely enough to establish a common scheme, a determination adequately supported by the record...The common scheme was probative of the fundamental factual issue at trial: The identification of Maddux's killer.

Id. The Court also took note that the trial court had offered a limiting instruction. *Id.* The Court's final holding was "because the evidence of prior bad acts was introduced to demonstrate a common scheme of violence, capable of supporting an inference that it was [defendant] and not some other person that killed [the victim], and because the jury was properly instructed, we find that the trial court did not abuse its discretion in allowing the admission of such testimony." *Id.*

The Court's holding in *Einhorn* can be contrasted to the Court's decision in *Com. v. Strong*, 825 A.2d 658 (Pa. Super. 2003). In *Strong*, it was alleged that in 1983 Defendant and another individual were hitchhiking and were picked up by the victim. Defendant, who

was sitting in the back of the vehicle, pulled a shotgun, rested it on the victim's shoulder and directed him to trade seats with the other hitchhiker. *Id.* at 660-61. After driving for some time, the second hitchhiker pulled the vehicle over in order to relieve himself and defendant shot the victim. *Id.* at 661. The victim's body fell into a gully, the two hitchhikers took his wallet, and defendant shot the victim a second time, causing the victim's death. *Id.*

The Commonwealth sought to introduce evidence of a common plan or scheme.

On July 4, 1969, Russel James was stopped for a traffic light at an intersection in Baltimore, Maryland. Two men, one of whom was Strong, approached him and placed a gun to his head. James was told to move over and the two assailants then got into the car, one in the driver's seat, the other in the front passenger's seat. They drove to a wooded area where James was removed from the car and relieved of his wallet. The two assailants then drove off in Jame's [sic] car. Strong was arrested in November of 1969 and convicted of robbery with a dangerous and deadly weapon and kidnap[p]ing. He was sentenced to ten (10) years in a Maryland correctional facility.

...

On July 12, 1969, Charles Graham picked up two hitchhikers in Baltimore County, Maryland. Strong was identified as one of the hitchhikers. After a period of time had passed, the assailants produced weapons, including a pistol, and told Graham to move from behind the steering wheel. They then drove to an isolated area where Graham was removed from the car. Once out of the car, Graham was robbed of his wallet, jewelry and the car. Graham was then stabbed and left for dead while Strong and his partner drove away in Graham's car. Strong was eventually apprehended, convicted of assault with intent to murder and sentenced to ten (10) years in a Maryland correctional facility. [] Graham survived his ordeal.

...

On May 27, 1975, Earnest Ocheltree was traveling Interstate 64 on his way home from Norfolk, Virginia

when he saw a hitchhiker, who turned out to be Strong. When Ocheltree approached his exit, Strong produced a weapon, a .22caliber [sic] pistol, and ordered him to continue on Interstate 64. Thereafter, Strong ordered Ocheltree off of the interstate and directed him to turn onto a dirt road. After telling Ocheltree to get out of the car, Strong robbed him of his wallet, placed tape over his mouth and tied Ocheltree to a tree. Strong then took Ocheltree's car and continued to drive east on Interstate 64. Ocheltree eventually freed himself and was able to call police. Strong was later apprehended at the Belvedere toll plaza on Interstate 95 near Richmond, Virginia. Strong had been paroled approximately one (1) year earlier from the Maryland Correctional Facility in Hagerstown. Strong was charged and convicted of robbery and received a fifteen (15) year sentence.

Id. at 665-66.

The Court held:

Here, the 1969 and 1975 crimes are distinguishable from each other and from Strock's murder. Specifically, we note that the geographical locations varied and that Strong treated each victim differently. On July 4, 1969, Strong left the victim uninjured in a wooded area. On July 12, 1969, Strong stabbed the victim and left him for dead. On May 27, 1975, Strong placed tape over the victim's mouth and tied the victim to a tree. In the instant case, Strong allegedly shot and killed the victim. These crimes are not so distinctive as a group or so nearly identical to each other to demonstrate the signature of the same perpetrator, as the Commonwealth suggests.

Id. The Court also noted that the crimes occurred 8 to 14 years prior to the killing of Strock. *Id.* at 667. The Court found that the differences in the crimes coupled with the lapse of time negated the Commonwealth's theory that all four incidents were part of a common plan or scheme. *Id.* The Court also found that the evidence had a potential for prejudice that far outweighed any probative value. *Id.*

Commonwealth alleges that the alleged Ciosek assault and Bosley's alleged murder were motivated by Defendant's anger when

his sexual advances were rejected. Andru Ciosek told investigators that Defendant wanted everyone to “get naked” and the incident occurred when Andru refused to comply. Furthermore, Andru Ciosek indicated that Defendant was a sexual opportunist. The Commonwealth contends that the murder of Bosley occurred when he rejected Defendant’s advances, and asserts that Bosley’s body was found partially naked, with his pants and underwear pulled down to his knees. Commonwealth submits that the incidents are substantially similar to establish a common scheme by Defendant to coerce men into sexual activity.

There can be no doubt that there are stark similarities between the alleged Ciosek attack and Bosley’s alleged murder. However, unlike in *Einhorn* where the common scheme evidence helped establish identity, that is not the case here. Defendant’s counsel readily admitted at hearing that identity was not an issue. Furthermore, the statement from Defendant to EMT personnel and prior testimony on the record from Defendant’s wife that Defendant and Bosley were at the camp site together that evening, eliminate the necessity of using the common scheme evidence to establish identity.

Furthermore, this evidence would not be admissible to show intent. “To be admissible to show intent or motive, the evidence must give sufficient ground to believe that the crime currently being considered grew out of or was in any way caused by the prior set of facts and circumstances.” *Com. v. Camperson*, 612 A.2d 482, 484 (Pa. Super. 1992). As the Commonwealth admits, “It is beyond question that the 2008 murder of Andrew Bosley did not grow out of, and was not caused by, the incident with Ciosek in 1994.” **Com. Motion pg. 8, fn. 4.**

In both *Einhorn* and *Strong* the evidence the Commonwealth sought to introduce came from official records or writings of the Defendant. The evidence in this matter comes from two brothers whose reliability is unknown. Furthermore, a knife was used against Bosley while some sort of board was used to injure Ciosek. Striking one in the head with a board causing him to fall into a nearby fire is not the same as stabbing someone 140 times and setting the body on fire. Statements from Andru Ciosek also indicated he was thrown into a body of water by Defendant. This did not happen to Bosley. Additionally, the Commonwealth’s assertion that the murder of

Bosley resulted from his unwillingness to engage in a sexual act with Defendant is highly speculative. There is little evidence, other than Bosley's pants being lowered, that sexual activity was attempted. It is entirely unknown how Bosley's pants ended up in that position.

It is the Court's determination that the differences between the two incidents, the inflammatory nature of the allegations, and the 14-year time lapse preclude admission of this evidence under a common plan or scheme theory. This evidence would serve little probative value compared to the prejudicial effect if introduced in the Commonwealth's case in chief. In light of the comments Defendant made to the EMT personnel, testimony on the record previously offered by Defendant's wife, and other evidence likely to be introduced by the Commonwealth, this evidence seems to serve no other purpose but to inflame the passions of the fact finder.

However, this conclusion does not end our inquiry. The Commonwealth has also sought to introduce all of the proffered evidence to challenge any justification defense raised by Defendant. To sustain a conviction for murder, the Commonwealth must establish the element of malice. *Com. v. Gelber*, 594 A.2d 672, 674, 676 (Pa. Super. 1991). To do so, the Commonwealth must exclude self-defense beyond a reasonable doubt. *Id.* Other act evidence may be admissible to rebut statements in a defendant's confession which create inferences especially favorable to him. *Id.* at 679 (citation omitted). In this matter, the statement Defendant allegedly made to EMT personnel would create an inference that Defendant was acting, at least in part, in self-defense when he allegedly attacked Bosley.

An inference of malice may be drawn from the fact that a deadly weapon was used on the vital part of another's body. *Id.* at 676. "[T]he use of a deadly instrument on a vital part of the body is sufficient to establish the specific intent to kill required for a conviction of murder." *Id.* (citations committed). *Id.* "When there is evidence from which a jury can reasonably infer malice, the Commonwealth has met its burden of proving beyond a reasonable doubt that the defendant was not acting in self-defense." *Id.* (citation omitted). The burden is also met if the Commonwealth can show that Defendant used more force than necessary to protect himself. *Id.* at 677 (citation omitted). Malice and self-defense are mutually exclusive and the evidence sufficient to support an inference of malice would

ordinarily bar the court from examining a claim of self-defense. *In the Interest of Smith*, 579 A.2d 889, 896 (Pa. Super. 1990).

In *Com. v. Mayes*, 408 A.2d 1143 (Pa. Super. 1979), Superior Court held that evidence indicating the victim died from the combined effect of 12 gunshot wounds, six of which were consistent with having been inflicted while victim was lying on floor, justified a finding of first-degree murder. The Court held that the trial court did not err in finding a specific intent to kill that was not based on any justifiable fear, reasonable or unreasonable, for the defendant's own safety. *Id.* at 1144. In *Com. v. Tilley*, 595 A.2d 575 (Pa. 1991), the Court upheld a trial court ruling refusing to give the jury a self-defense instruction because there was no reasonable basis for concluding defendant was acting in self-defense. *Id.* at 582. In that case defendant shot a police officer three times. *Id.* One of the first two shots paralyzed the officer. *Id.* The Court held that the third shot went well beyond any reasonable force the Defendant could have used to defend himself. *Id.*

The matter sub judice may be compared to the situations in *Mayes* and *Tilley*. This court recognizes that all evidence inculpatory defendant is prejudicial and it cannot be excluded to such an extent that it would make it impossible for the Commonwealth to challenge Defendant's claim of self-defense. However, the probative nature of the evidence the Commonwealth seeks to introduce is far outweighed by its prejudicial effect. It is alleged that Defendant stabbed Bosley more than 140 times on vital parts of the body with a deadly weapon. It is further alleged that Defendant set Bosley's body ablaze. The Commonwealth relies on *Com. v. Krolak*, 64 A.2d 522 (Pa. Super. 1949) to support its argument. However, all the other acts evidence admitted in that case occurred around the same time as the subject incident and were directly related to the matter at hand. The other acts the Commonwealth seeks to admit here are in no way related to this case and they happened anywhere from 10-14 years ago.

The Commonwealth has made the most serious of criminal allegations against the Defendant and has alleged he killed Bosley in a violent, brutal, and inhumane manner. Based on the evidence and facts presently before the Court, whether a justification defense would be even remotely believable is tenuous. In light of the serious charges against Defendant and the highly prejudicial nature of the

evidence the Commonwealth seeks to use, the undersigned feels it would be inappropriate to allow this evidence to be presented to the jury, even as rebuttal. It is hard to imagine, based on the facts presented, that the Commonwealth would even need this evidence to prove malice.

Accordingly, the Commonwealth's Motion is denied.

ORDER

AND NOW, this 10th day of November, 2009, in accordance with the attached Opinion, Commonwealth's Motion For Admission Of Other Acts Evidence Pursuant to Pa. R.E. 404(b) is denied.

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1949 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1949

BRANCH BANKING & TRUST
COMPANY

vs.

DAVID E. POWERS

726 FISH AND GAME ROAD
EAST BERLIN, PA 17316-9549

Parcel No.: 36.L06-13

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$120,845.64

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **David E. Powers** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 05-S-1183 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 05-S-1183

WASHINGTON MUTUAL BANK FA
vs.

CHRISTOPHER S. CARR

124 AUCTION DRIVE
YORK SPRINGS PA 17372

Parcel No.: 23-103-0010--000

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$234,778.47

Attorneys for Plaintiff

Udren Law Offices, P.C.

SEIZED and taken into execution as the property of **Christopher S. Carr** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

ADAMS COUNTY
COURT OF COMMON PLEASCIVIL ACTION/COMPLAINT IN
MORTGAGE FORECLOSURE
NUMBER 10-S-255

JPMorgan Chase Bank, National
Association

v.

David A. Clapsadl, Hope Miller a/k/a
Hope M. Miller and Edith I. Clapsadl

TO: EDITH I. CLAPSADL

PREMISES SUBJECT TO FORECLOSURE: 2315 MOUNT HOPE ROAD,
FAIRFIELD, PENNSYLVANIA 17320

NOTICE

If you wish to defend, 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 NOTICE 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 FEE OR NO FEE.

Court Administrator
Adams County Courthouse
117 Baltimore Street
Gettysburg, Pennsylvania 17325
(717) 337-9846

6/11

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-72 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-72

METLIFE HOME LOANS, A DIVISION
OF METLIFE BANK NA

vs.

CHARLES MICHAEL LAWSON
& ANGELA LAWSON

5 DANDELION TRAIL
FAIRFIELD PA 17320-8242

Parcel No.: 43-005-0030---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$332,789.21

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Charles Michael Lawson & Angela Lawson** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-2000 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-2000

BRANCH BANKING & TRUST
COMPANY

vs.

JAMES T. HAMMETT and
LACY M. HAMMETT

551 GRANT DRIVE
GETTYSBURG, PA 17325-8948

Parcel No.: 33-005-0100-000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$186,262.82

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **James T. Hammett & Lacy M. Hammett** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-106 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-106

BAC HOME LOANS SERVICING, LP
vs.

WALTER DANIEL LOGUE
& MARCI D. LOGUE

615 MIDDLE CREEK ROAD
FAIRFIELD PA 17320-9254

Parcel No.: 13-E17-0114---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$222,092.26

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Walter Daniel Logue & Marci D. Logue** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 08-S-301 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 08-S-301

NATIONAL CITY MORTGAGE,
A DIVISION OF NATIONAL CITY BANK
VS.
TIMOTHY E. MCSPARRAN &
BUFFY N. MCSPARRAN

115 KIME AVENUE
BENDERSVILLE, PA 17306

Parcel No: 3-3-46
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGEMENT AMOUNT: \$184,160.78

Attorneys for Plaintiff
Goldbeck, McCafferty & McKeever

SEIZED and taken into execution as the property of **Timothy E. McSparran & Buffy N. McSparran** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-59 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-59

BAC HOME LOANS SERVICING, L.P.
vs.
DAVID W. MONN and
ROBYN J. MONN

1389 OLD ROUTE 30
ORRTANNA, PA 17353-9617

Parcel No.: 12C10-0107--000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$164,570.28

Attorneys for Plaintiff
Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **David W. Monn & Robyn J. Monn** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1743 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1743

WELLS FARGO BANK, N.A.
vs.
DAVID W. PITTINGER

1215 HARNEY ROAD
LITTLESTOWN PA 17340-9368

Parcel No.: 30-H18-0021G---000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$360,745.96

Attorneys for Plaintiff
Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **David W. Pittinger** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/4, 11 & 18

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-8 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-8

HSBC BANK USA, NATIONAL
ASSOCIATION AS TRUSTEE FOR
DEUTSCHE ALT 2007-4
vs.

TIMOTHY RILL

29 COMMERCE STREET
NEW OXFORD, PA 17350-1704

Parcel No.: 34-005-0207-000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$119,261.58

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as
the property of **Timothy Rill** and to be
sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND
CLAIMANTS: You are notified that a
schedule of distribution will be filed by the
Sheriff in his office on July 30, 2010, and
distribution will be made in accordance
with said schedule, unless exceptions are
filed thereto within 20 days after the filing
thereof. Purchaser must settle for proper-
ty on or before filing date.

ALL claims to property must be filed
with Sheriff before sale.

As soon as the property is declared
sold to the highest bidder, 20% of the
purchase price or all of the cost,
whichever may be the higher, shall be
paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-181 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 10-S-181

HSBC BANK USA NA AS TRUSTEE
FOR DEUTSCHE ALT 2007-4
vs.

TIMOTHY RILL

33 COMMERCE STREET
NEW OXFORD PA 17350-1704

Parcel No.: 34-005-0209-000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$118,434.81

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as
the property of **Timothy Rill** and to be
sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND
CLAIMANTS: You are notified that a
schedule of distribution will be filed by the
Sheriff in his office on July 30, 2010, and
distribution will be made in accordance
with said schedule, unless exceptions are
filed thereto within 20 days after the filing
thereof. Purchaser must settle for proper-
ty on or before filing date.

ALL claims to property must be filed
with Sheriff before sale.

As soon as the property is declared
sold to the highest bidder, 20% of the
purchase price or all of the cost,
whichever may be the higher, shall be
paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-610 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-610

US BANK NA AS TRUSTEE FOR RALI
2006QS2

vs.

DORIS L. ROBINETTE

873 HANOVER PIKE
LITTLESTOWN PA 17340-9613

Parcel No.: 41-117-0066-000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$184,831.15

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as
the property of **Doris L. Robinette** and
to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND
CLAIMANTS: You are notified that a
schedule of distribution will be filed by the
Sheriff in his office on July 30, 2010, and
distribution will be made in accordance
with said schedule, unless exceptions are
filed thereto within 20 days after the filing
thereof. Purchaser must settle for proper-
ty on or before filing date.

ALL claims to property must be filed
with Sheriff before sale.

As soon as the property is declared
sold to the highest bidder, 20% of the
purchase price or all of the cost,
whichever may be the higher, shall be
paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-195 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 10-S-195

HSBC BANK USA N.A.

vs.

ROBERT M. STANHOPE, JR.
& LINDA Y. STANHOPE

395 ROCK VALLEY ROAD
ASPERS, PA 17304-9756

Parcel No.: 40-H06-0106B--000

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$192,724.51

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Robert M. Stanhope, Jr. & Linda Y. Stanhope** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-210 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 10-S-210

AURORA LOAN SERVICES, LLC

vs.

BETTY A. RUEL and PETER R. RUEL,
JR.

465 RACETRACK ROAD
ABBOTTSTOWN, PA 17301-9517

Parcel No.: 04-K11-0129-000

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$240,124.76

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Betty A. Ruel & Peter R. Ruel, Jr.** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 10-S-146 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution

No. 10-S-146

GMAC MORTGAGE, LLC

vs.

JOYCE A. TRACY

15 STARLITE DRIVE
LITTLESTOWN PA 17340-1660

Parcel No.: 27-012-0083---000

(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$131,793.08

Attorneys for Plaintiff

Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as the property of **Joyce A. Tracy** and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND CLAIMANTS: You are notified that a schedule of distribution will be filed by the Sheriff in his office on July 30, 2010, and distribution will be made in accordance with said schedule, unless exceptions are filed thereto within 20 days after the filing thereof. Purchaser must settle for property on or before filing date.

ALL claims to property must be filed with Sheriff before sale.

As soon as the property is declared sold to the highest bidder, 20% of the purchase price or all of the cost, whichever may be the higher, shall be paid forthwith to the Sheriff.

6/11, 18 & 25

ESTATE NOTICES

NOTICE IS HEREBY GIVEN that in the estates of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

FIRST PUBLICATION**ESTATE OF CHARLES W. EMLET, DEC'D**

Late of Reading Township, Adams County, Pennsylvania

Personal Representative: Keith A. Mummert, 217 Lincolnway East, New Oxford, PA 17350

Attorney: G. Steven McKonly, Esq., 119 Baltimore Street, Hanover, PA 17331

ESTATE OF GERALDINE C. FETROW, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Patricia A. Fetrow, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, 135 North George Street, York, PA 17401

ESTATE OF HAZEL V. SIECKENIUS, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: E. Eugene Pyles, 66 Bragg Dr., East Berlin, PA 17316

Attorney: Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, LLP, 40 York Street, Hanover, PA 17331

SECOND PUBLICATION**ESTATE OF BEN NOLAN DALE a/k/a B. NOLAN DALE a/k/a BENJAMIN N. DALE, DEC'D**

Late of Cumberland Township, Adams County, Pennsylvania

Michael John Pesare, 225 Opossum Hill Road, Aspers, PA 17304

Attorney: Jeffrey A. Ernico, Esq., Mette, Evans & Woodside, 3401 North Front St., Harrisburg, PA 17110

ESTATE OF DOROTHY M. HOOVER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Co-Executors: David N. Hoover and Tammy Jean Hoover Ruppert, c/o Donald L. Reihart, Esq., Law Office of Donald L. Reihart, 3015 Eastern Blvd., York, PA 17402

Attorney: Donald L. Reihart, Esq., Law Office of Donald L. Reihart, 3015 Eastern Blvd., York, PA 17402

ESTATE OF MARGARET LORETTA YEALY a/k/a MARGARET LORETTA YEALEY, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Co-Executors: R. Thomas Yealy a/k/a Robert Thomas Yealey, 1000 E. Walnut Street, Hanover, PA 17331; Pamela J. Lawyer, 441 Penn Street, Hanover, PA 17331

Attorney: Ronald J. Hagarman, Esq., 110 Baltimore Street, Gettysburg, PA 17325

THIRD PUBLICATION**ESTATE OF PHILIP P. ASPER, DEC'D**

Late of Butler Township, Adams County, Pennsylvania

Executrix: Connie L. Asper, 239 Carlisle Road, Biglerville, PA 17307

Attorney: Puhl, Eastman & Thrasher, 220 Baltimore Street, Gettysburg, PA 17325

ESTATE OF TERENCE E. BALTZLEY, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Michael E. Baltzley, 544 Schoolhouse Road, Aspers, PA 17304

Attorney: David K. James, III, Esq., 234 Baltimore St., Gettysburg, PA 17325

ESTATE OF EVA MAE COLVIN, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executors: Forest E. Colvin, Diane Shugars Colvin, c/o Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

Attorney: Keith R. Nonemaker, Esq., Guthrie, Nonemaker, Yingst & Hart, 40 York Street, Hanover, PA 17331

ESTATE OF JOHN C. HORNER, DEC'D

Late of the Borough of Carroll Valley, Adams County, Pennsylvania

Administratrix: Gail Ulrich, 7005 Polins Court, Alexandria, VA 22306

Attorney: Gary E. Hartman, Esq., Hartman & Yannetti, Attorneys at Law, 126 Baltimore St., Gettysburg, PA 17325

ESTATE OF KATHLEEN B. HUDSON a/k/a MARTHA KATHLEEN HUDSON, DEC'D

Late of the Borough of Biglerville, Adams County, Pennsylvania

Co-Executors: Susan (Fischer) Wade, #7 Millikin Place, Decatur, IL; Adams County National Bank, P.O. Box 4566, Gettysburg, PA 17325

Attorney: John R. White, Campbell & White, P.C., 112 Baltimore Street, Gettysburg, PA 17325

ESTATE OF ADOLPHUS U. WALKER, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executor: Richard U. Walker, 130 Pine Tree Road, Orrtanna, PA 17353; Susan C. Mosser, 4205 York Road, New Oxford, PA 17350

Attorney: Robert E. Campbell, Campbell & White, P.C., 112 Baltimore Street, Suite 1, Gettysburg, PA 17325-2311

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-1610 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-1610

NATIONAL CITY MORTGAGE, A
DIVISION OF NATIONAL CITY BANK
vs.
KATHLEEN MAYE YEAGER and
MICHAEL H. YEAGER

1298 HILLTOWN ROAD
BIGLERVILLE, PA 17307-9223

Parcel No.: (12)D10-0091--000
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$259,530.14

Attorneys for Plaintiff
Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as
the property of **Kathleen Maye Yeager
& Michael H. Yeager** and to be sold by
me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND
CLAIMANTS: You are notified that a
schedule of distribution will be filed by the
Sheriff in his office on July 30, 2010, and
distribution will be made in accordance
with said schedule, unless exceptions are
filed thereto within 20 days after the filing
thereof. Purchaser must settle for proper-
ty on or before filing date.

ALL claims to property must be filed
with Sheriff before sale.

As soon as the property is declared
sold to the highest bidder, 20% of the
purchase price or all of the cost,
whichever may be the higher, shall be
paid forthwith to the Sheriff.

6/11, 18 & 25

SHERIFF'S SALE

IN PURSUANCE of a Writ of Execution, Judgment No. 09-S-2003 issuing out of Court of Common Pleas Adams County, and to me directed, will be exposed to Public Sale on Friday, the 9th day of July, 2010, at 10:00 o'clock in the forenoon at the Sheriff's Office located in the Courthouse, Borough of Gettysburg, Adams County, PA, the following Real Estate, viz.:

SHORT DESCRIPTION

By virtue of Writ of Execution
No. 09-S-2003

WELLS FARGO BANK, N.A.
vs.
JONATHAN E. WILLIAMS

40 CEDARFIELD DRIVE
GETTYSBURG, PA 17325-7992

Parcel No.: 06-009-0134
(Acreage or street address)

IMPROVEMENTS THEREON:
RESIDENTIAL DWELLING

JUDGMENT AMOUNT: \$198,241.05

Attorneys for Plaintiff
Phelan Hallinan & Schmieg, LLP

SEIZED and taken into execution as
the property of **Jonathan E. Williams**
and to be sold by me.

James W. Muller-Sheriff
Sheriff's Office, Gettysburg, PA

TO ALL PARTIES IN INTEREST AND
CLAIMANTS: You are notified that a
schedule of distribution will be filed by the
Sheriff in his office on July 30, 2010, and
distribution will be made in accordance
with said schedule, unless exceptions are
filed thereto within 20 days after the filing
thereof. Purchaser must settle for proper-
ty on or before filing date.

ALL claims to property must be filed
with Sheriff before sale.

As soon as the property is declared
sold to the highest bidder, 20% of the
purchase price or all of the cost,
whichever may be the higher, shall be
paid forthwith to the Sheriff.

6/11, 18 & 25