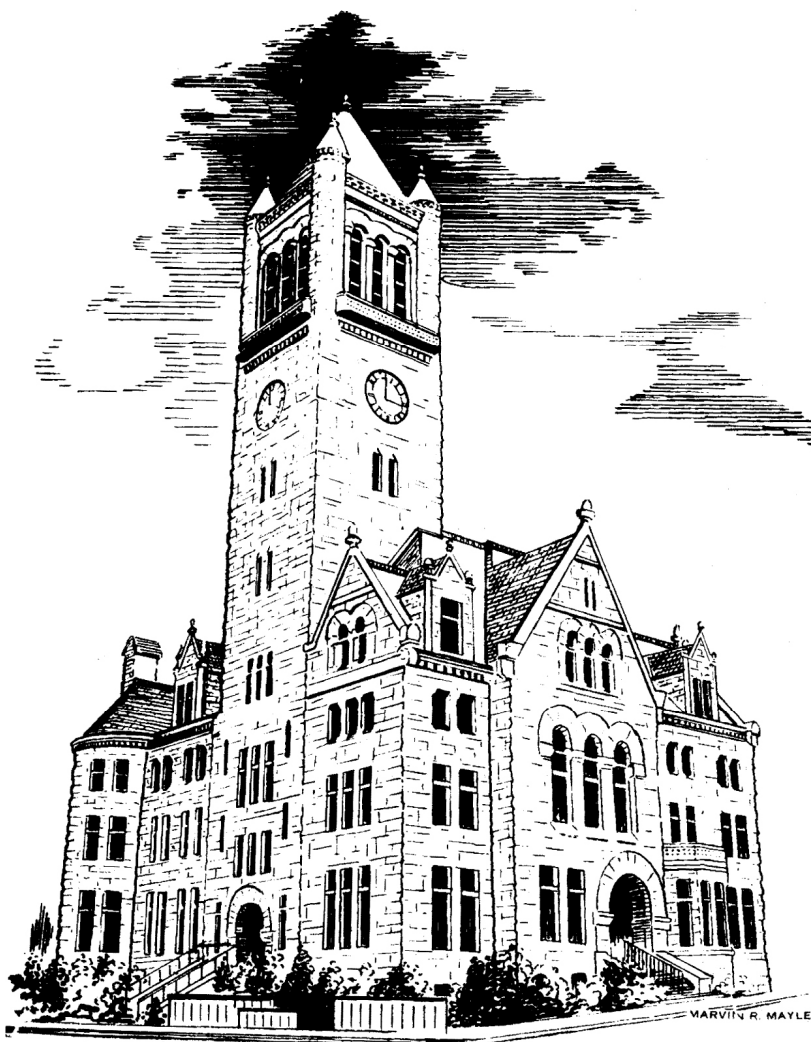


FAYETTE LEGAL JOURNAL

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FAYETTE LEGAL JOURNAL

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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

ROGER L. ADAMS, SR., late of City of Connellsville, Fayette County, PA (3)
Administratrix: Beth Ann Jenkins
 c/o Law Office of Margaret Zylka House
 815 A Memorial Boulevard
 Connellsville, PA 15425
Attorney: Margaret House

PATRICIA ANN DANIELS, late of Connellsville Township, Fayette County, PA (3)
Executor: David R. Daniels
 c/o Petrillo Jones, LLC
 412 Main Street
 Irwin, PA 15642
Attorney: Tyler J. Jones

PATRICIA LOUISE DECARA, late of Dunbar Township, Fayette County, PA (3)
Executrix: Maurita L. DeCara
 c/o Law Office of Margaret Zylka House
 815 A Memorial Boulevard
 Connellsville, PA 15425
Attorney: Margaret House

BETTY PIKE, a/k/a BETTY JANE PIKE, late of South Union Township, Fayette County, PA (3)
Executor: Travis Lee Pike
 c/o Kovach Law Office
 9 Court Street
 Uniontown, PA 15401
Attorney: Kimberly Kovach

KATHRYN A. PLUTO, late of North Union Township, Fayette County, PA (3)
Administratrix: Shirley M. Krevinko
 4 North Beeson Boulevard
 Uniontown, PA 15401
Attorney: Sheryl R. Heid

MARTIN E. PLUTO, late of North Union Township, Fayette County, PA (3)
Administratrix: Shirley M. Krevinko
 4 North Beeson Boulevard
 Uniontown, PA 15401
Attorney: Sheryl R. Heid

SUSAN L. RESZLER, late of Uniontown, Fayette County, PA (3)
Executrix: Mary Beth Miller
 c/o Higinbotham Law Offices
 68 South Beeson Boulevard
 Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

PAUL J. WIATRAC, late of City of Connellsville, Fayette County, PA (3)
Administrators: Richard Wiatrak and Samuel Wiatrak
 c/o Law Office of Margaret Zylka House
 815 A Memorial Boulevard
 Connellsville, PA 15425
Attorney: Margaret House

LINDA ZAKSEK, late of Uniontown, Fayette County, PA (3)
Administratrix: Barbara Zaksek
 c/o Kovach Law Office
 9 Court Street
 Uniontown, PA 15401
Attorney: Kimberly Kovach

Second Publication

BRUCE CARROLL, a/k/a BRUCE M. CARROLL, late of Washington Township, Washington County, PA (2)
Administratrix: Michelle Carroll
 c/o 823 Broad Avenue
 Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

DARLENE DANIELS, late of Mt. Pleasant,
Fayette County, PA (2)
Co-Executrixes: Katherine M. Fulton and
Mary Jane Fulton
c/o Henderson Law Offices PC
319 Pittsburgh Street
Scottsdale, PA 15683
Attorney: Kevin Henderson

WILMA EVERLY, late of Luzerne Township,
Fayette County, PA (2)
Executrix: William Howard Everly
c/o Adams Law Offices, PC
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason Adams

**JAMES M. FRINZI, a/k/a JAMES
MICHAEL FRINZI**, late of Brownsville
Borough, Fayette County, PA (2)
Personal Representative: Janet R. Tringes
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Robert A. Gordon

LESLIE A. HUDOCK, late of South Union
Township, Fayette County, PA (2)
Co-Executrixes: Heather L. Ciez and
Hilari A. Thomas
c/o Goodwin Como, P.C.
108 N. Beeson Blvd., Suite 400
Uniontown Pennsylvania 15401
Attorney: Gerious T. George

**ROBERT J. KELLEY, a/k/a ROBERT
JOSEPH KELLEY**, late of City of Uniontown,
Fayette County, PA (2)
Executrix: Carolyn Nolan
c/o Newcomer Law Offices
4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Ewing D. Newcomer

CHARLES A. LINT, late of Perryopolis,
Fayette County, PA (2)
Executrix: Kimberly Y. Legg
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

DENNIS A. MARTIN, SR., late of North
Union Township, Fayette County, PA (2)
Administrator: Richard A. Martin
47 Birch Road
Uniontown, PA 15401

GARY MCCLEAN, late of Franklin Township,
Fayette, PA (2)
Administrator: Ryan McClean
c/o Zacharia Brown & Bratkovich
6530 William Penn Hwy, Suite 310
Delmont Pennsylvania 15626
Attorney: Colleen Bratkovich

**GREGORY W. MONAGHAN, a/k/a
GREGORY WARREN MONAGHAN**, late of
Menallen Township, Fayette County, PA (2)
Executor: Gregory W. McCoy
c/o Newcomer Law Offices
4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Ewing D. Newcomer

ITALIA VALENTE, late of Luzerne
Township, Fayette County, PA (2)
Executrix: Donna Valente
c/o Dellarose Law Office, PLLC
99 East Main Street, Suite 101
Uniontown, PA 15401
Attorney: Melinda Deal Dellarose

First Publication

**THOMAS R. BOYD, a/k/a THOMAS
RICHARD BOYD**, late of Bullsken Township,
Fayette County, PA (1)
Co-Executrixes: Amy Boyd and
Carol Boyd
300 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Richard C. Mudrick

DOUGLAS CRAIG CATON, late of Georges
Township, Fayette County, PA (1)
Co-Administratrix: Darlene F. Caton
2105 Morgantown Road
Uniontown, PA 15401
Co-Administrator: Mark E. Caton
106 Tyrone Avenue
Uniontown, PA 15401

HARRY W. COLFLESH SR., late of Bullskin Township, Fayette County, PA (1)
Administrator: Harry W. Colflesh Jr.
c/o P.O. Box 342
Scottdale, PA 15683
Attorney: James S. Lederach

KATHRYN FURLONG, a/k/a KATHRYN L. HILES FURLONG, late of Uniontown, Fayette County, PA (1)
Administratrix: Lori A. Bowers
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

HAROLD E. MATTHEWS, JR., late of Connellsville, Fayette County, PA (1)
Administrator: Jay Matthews
c/o Casini & Geibig, LLC
815B Memorial Boulevard
Connellsville, PA 15425
Attorney: Jennifer M. Casini

SCOTT OHLER, late of Bullskin Township, Fayette County, PA (1)
Executor: Brian Butler
c/o Avolio Law Group LLC
117 North Main Street
Greensburg, PA 15601
Attorney: Amber Leechalk

HELEN M. PONZURICK, late of South Union Township, Fayette County, PA (1)
Executor: Bryan L. Ponzurick
c/o P.O. Box 100
Connellsville, PA 15425
Attorney: Robert R. Harper, Jr.

WALBURGA SHORT, late of Uniontown, Fayette County, PA (1)
Executrix: Marion Starr
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

HELEN ANN SOFRANKO, late of German Township, Fayette County, PA (1)
Co-Executrixes: Karen Stanish and Suzie Simon
c/o Anne N. John, Esq.

96 East Main Street
Uniontown, PA 15401
Attorney: Anne N. John

FRANK PHILLIP STUDENT, late of Uniontown, Fayette County, PA (1)
Executor: Craig Student
c/o Davis & Davis Attorneys At Law
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

RITA VUCIC, late of Vanderbilt, Fayette County, PA (1)
Executrix: Deanne R. Duchek
c/o 10526 Old Trail Road
North Huntingdon, PA 15642
Attorney: John Bumbaugh Jr.

LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY
CIVIL DIVISION
JUDGE CORDARO
No. 1052 of 2025, G.D.

HEATHER A. CRUMP,
Plaintiff,

vs.

KRISTEN LASHAWN CRUMP,
Defendant.

ORDER

AND NOW, this 9th day of May, 2025, upon and after consideration of the foregoing Petition, it is hereby ORDERED and DECREED, that Petitioner is hereby granted leave to serve Defendant, KRISTEN LASHAWN CRUMP, with the Complaint in Divorce by advertising notice once in the Fayette County Legal Journal and once in the Uniontown Herald Standard.

BY THE COURT,
Linda R. Cordaro, J.

ATTEST:
Nina Capuzzi Frankhouser

NOTICE OF ACTION IN MORTGAGE
FORECLOSURE
IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION - LAW

PennyMac Loan Services, LLC
Plaintiff

vs.

Tara M. Calhoun a/k/a Tara Calhoun, solely in
capacity as heir of David A. Calhoun, Sr. a/k/a
David Calhoun, Sr. a/k/a David Allen Calhoun,
Sr., Deceased,

David A. Calhoun, Jr. a/k/a David Calhoun, Jr.,
solely in capacity as heir of David A. Calhoun,
Sr. a/k/a David Calhoun, Sr. a/k/a David Allen
Calhoun, Sr., Deceased,

Shanna M. Calhoun a/k/a Shanna Calhoun,
solely in capacity as heir of David A. Calhoun,
Sr. a/k/a David Calhoun, Sr. a/k/a David Allen
Calhoun, Sr., Deceased

Dalton G. Curran a/k/a Dalton Curran, solely in
capacity as heir of David A. Calhoun, Sr. a/k/a
David Calhoun, Sr. a/k/a David Allen Calhoun,
Sr., Deceased

Anna M. Calhoun a/k/a Anna Calhoun, solely in
capacity as heir of David A. Calhoun, Sr. a/k/a
David Calhoun, Sr. a/k/a David Allen Calhoun,
Sr., Deceased

Gavin M. Forney, solely in capacity as heir of
David A. Calhoun, Sr. a/k/a David Calhoun, Sr.
a/k/a David Allen Calhoun, Sr., Deceased

Unknown Heirs, Successors and Assigns and All
Person, Firms or Associations Claiming Right,
Title or Interest From or Under David A.
Calhoun, Sr. a/k/a David Calhoun, Sr. a/k/a
David Allen Calhoun, Sr., Deceased, et al.
Defendant(s)

COURT OF COMMON PLEAS
CIVIL DIVISION
FAYETTE COUNTY
No. 1469 of 2025 GD

NOTICE

TO: Unknown Heirs, Successors and Assigns
and All Person, Firms or Associations Claiming
Right, Title or Interest From or Under David A.
Calhoun, Sr. a/k/a David Calhoun, Sr. a/k/a
David Allen Calhoun, Sr., Deceased, et al.

You are hereby notified that on June 27,
2025, Plaintiff, PennyMac Loan Services, LLC
filed a Mortgage Foreclosure Complaint
endorsed with a Notice to Defend, against you in
the Court of Common Pleas of Fayette County
Pennsylvania, docket to TERM, No. 1469 of
2025 GD. Wherein Plaintiff seeks to foreclose
on the mortgage secured on your property
located at 287 Back Creek Road, Champion, PA
15622 whereupon your property would be sold
by the Sheriff of Fayette County.

You are hereby notified to plead to the
above referenced Complaint on or before 20 day
from the date of this publication or a Judgment
will be entered against you.

NOTICE

You have been sued in Court. If you wish
to defend against the claims set forth in the
following pages, you must take action within
twenty (20) days after this Complaint and notice
are served, by entering a written appearance
personally or by attorney and filing in writing
with the court your defenses or objections to the
claims set forth against you. You are warned that
if you fail to do so the case may proceed without
further notice for any money claimed in the
complaint or for any other claim or 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 OR CANNOT
AFFORD ONE, GO TO OR TELEPHONE THE
OFFICE SET FORTH BELOW TO FIND OUT
WHERE YOU CAN GET LEGAL HELP.

Pennsylvania Bar Association
P.O. Box 186
Harrisburg, PA 17108
800 692 7375

Pennsylvania Lawyer Referral Service
P.O. Box 186
Harrisburg, PA 17108
800 692 7375

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION
NOS. 30 and 31 ADOPT 2025

IN RE: ADOPTION OF
JOSEPH MURPHREE
AURORA MURPHREE

NOTICE

TO: Sarah Elizabeth Coffman

Petitions have been filed asking the Court to put an end to all rights you have to your children, Joseph and Aurora Murphree. The court has set a hearing to consider ending your rights to your children. That hearing will be held in Courtroom No. 4 of the Fayette County Courthouse, Uniontown, Fayette County, Pennsylvania, on Friday, December 5, 2025, at 1:30 p.m. Your presence is required at the hearing. You should contact Fayette County Children and Youth Services or their counsel Ewing D. Newcomer, Esq., to obtain a copy of the petitions prior to the hearing. You are warned that even if you fail to appear at the scheduled hearing the hearing will go on without you and your rights to your children 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 LAWYER
REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
PO BOX 186
HARRISBURG, PA 17108
(800) 692-7375

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 2324 OF 2025 G.D.
JUDGE CORDARO

THELMA SEWELL
and DANIEL ADAMS,

Plaintiffs
V.

REAL ESTATE RECOVERY
SERVICES, INC.,
Defendants

**TO: Real Estate Recovery Services, Inc.,
and their heirs, successors, and assigns,
generally**

You are hereby notified that Thelma Sewell and Daniel Adams have filed a complaint at the above number and term in the above-mentioned court in an action to Quiet Title wherein it is alleged that Thelma Sewell and Daniel Adams, their heirs, successors, and assigns is the owner of property situate in North Union Township, Fayette County, Pennsylvania, being known and designated on the Fayette County Tax Assessment Maps as Tax Identification Number 25-23-003203.

The lot which is the subject of this quiet title action is more fully described in deed dated September 12, 2006 and recorded in the Office of the Recorder of Deeds of Fayette County, Pennsylvania in Deed Book Volume 3000, Page 253.

Said complaint sets forth that Plaintiffs are the owners in fee simple of the above-described Premises. A complaint was filed for the purpose of barring all of your right, title, and interest or claim in and to all or a portion of said premises.

NOTICE

You are hereby notified that you have been sued in court. If you wish to defend against the claim set forth in the complaint and in the within advertisement, you must take action within twenty (20) days after the last advertisement of this notice by entering a written appearance personally or by attorney and filing if writing with the court your defenses or objections to the claim set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice or any money claimed in the complaint, or for any other claim or 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PENNSYLVANIA BAR ASSOCIATION
PENNSYLVANIA LAWYER REFERRAL
100 SOUTH STREET, P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE: 1-800-932-0311

Herbert G. Mitchell, III, Esquire
902 First St. P.O. Box 102
Hiller, PA 15444
Date: November 17, 2025

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW
No. 2362 of 2025, G.D.
The Honorable Judge Linda R. Cordaro

**IN RE: CHANGE OF NAME OF
TREVOR DAVID SPEELMAN**

NOTICE

Notice is hereby given that on October 2, 2025 the petition of Trevor David Speelman was filed in the above-named Court, requesting an Order to change the name of Trevor David Speelman to Trevor David Fisher.

The Court has fixed December 17, 2025 at 9:30 A.M. in Courtroom Number 2, of the Fayette County Courthouse, 61 East Main Street, Uniontown, Pennsylvania as the time and place for a hearing on the merits of said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

Sheryl R. Heid, Esquire
4 N. Beeson Blvd.
Uniontown, PA 15401
(724) 437-4700

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
No. 1686 of 2025, G.D.
Judge Linda R. Cordaro

Keith A. Smitley, Executor of the ESTATE OF
WILMA J. HAUG, Plaintiff

v.

MARTIN HAUG, his heirs, successors, and
assigns, generally

TO: MARTIN HAUG, his heirs, successors, and
assigns, generally

You are hereby notified that Keith A. Smitley, Executor of the Estate of Wilma J. Haug, deceased, has filed a complaint at the above number and term in the above mentioned court in an action to Quiet Title wherein it is alleged that property situated at LR26088-MORGAN, Upper Tyrone Township, Fayette County, Pennsylvania, and more fully described in deed from H. C. Frick Coke Company, a Pennsylvania Corporation, to Martin Haug, said deed being dated November 22, 1932, and recorded in the Office of the Recorder of Deeds of Fayette County, Pennsylvania, in Deed Book 518, Page 167, being further identified as Fayette County Tax Map No. 39-14-0033, is vacant land that Plaintiff and her late husband, Ernest Haug, maintained by cutting the grass, keeping the property in good repair, and paying the real estate taxes on the same.

Said complaint sets forth that Plaintiff, as well as her late husband, Ernest Haug, have been in open, exclusive, hostile, adverse and actual possession of the property for more than 30 years. A complaint was filed for the purpose of barring all your right, title and interest or claim in and to all or a portion of the property.

NOTICE

You are hereby notified that you have been sued in Court. If you wish to defend against the claim set forth in the complaint and in the within advertisement, you must take action within twenty (20) days after the last advertisement of this notice by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claim set for against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the Court without further notice for any money claimed in the complaint or for any other claim or 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, OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PENNSYLVANIA LAWYER
REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 South Street, P.O. Box 186
Harrisburg, PA 17108
TELEPHONE: 1-800-692-7375

SHERIFF'S SALE

Date of Sale: January 15, 2026

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday January 15, 2026, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

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

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

(2 of 3)

James Custer
Sheriff of Fayette County

Hladik, Onorato & Federman, LLP
298 Wissahickon Avenue
North Wales, PA 19454

No. 1732 of 2025 G.D.

No. 244 of 2025 E.D.

**Computershare Delaware Trust Company,
not in its individual capacity, but solely as
owner trustee of BRAVO Residential
Funding Trust 2023-RPLI
(Plaintiff)**

vs.

**Gina M. Frye a/k/a Gina Marie Frye,
(Defendant)**

By virtue of Writ of Execution No. 2025-01732

Computershare Delaware Trust Company, not in its individual capacity, but solely as owner trustee of BRAVO Residential Funding Trust 2023-RPLI (Plaintiff) vs. Gina M. Frye a/k/a Gina Marie Frye, (Defendant)

Property Address 248 Union Street,
Dickerson Run, PA 15430

Parcel I.D. No. 09-06-0010

Improvements thereon consist of a residential dwelling.

Judgment Amount: \$14,317.31

ROBERTSON, ANSCHUTZ, SCHNEID,
CRANE & PARTNERS, PLLC
A Florida professional limited liability company
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
(855)225-6906

No. 1790 of 2025 G.D.

No. 247 of 2025 E.D.

**LAKEVIEW LOAN SERVICING, LLC
Plaintiff**

v.

**KEVIN D. JONES A/K/A
KEVIN DALE JONES
Defendant(s)**

ALL THOSE CERTAIN LOTS OR
PIECES OF GROUND SITUATE IN THE
LUZERNE TOWNSHIP, FAYETTE COUNTY,
PENNSYLVANIA:

BEING KNOWN AS: 105 BOYD AVE
BROWNSVILLE, PA 15417

BEING PARCEL NUMBER: 19-13-0151
IMPROVEMENTS: RESIDENTIAL
PROPERTY

Brock & Scott, PLLC

No. 2693 of 2024 G.D.
No. 234 of 2025 E.D.

WELLS FARGO BANK N.A.
v.
BARBARA E. KOFFLER

By virtue of a Writ of Execution No. 2024-02693

WELLS FARGO BANK N.A. v. BARBARA E. KOFFLER, owner(s) of property situate in the TOWNSHIP OF DUNBAR, FAYETTE County, Pennsylvania, being 1013 FRONT ST, LEISENRING, PA 15455

Tax ID No. 09250008 AKA 09-25-0008
Improvements thereon: RESIDENTIAL DWELLING
Judgment Amount: \$39,012.36

ROBERTSON, ANSCHUTZ, SCHNEID, CRANE & PARTNERS, PLLC
A Florida professional limited liability company
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
(855)225-6906

No. 1709 of 2025 G.D.
No. 239 of 2025 E.D.

CITIBANK, N.A., AS TRUSTEE FOR WACHOVIA LOAN TRUST 2005-SDI, ASSET-BACKED CERTIFICATES, SERIES 2005-SDI
Plaintiff
v.
KIMBERLY S. MCDONOUGH
Defendant(s)

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN DUNBAR BOROUGH, FAYETTE COUNTY, PENNSYLVANIA:
BEING KNOWN AS: 19 HAZEL STREET A/K/A 19 SECOND AVENUE DUNBAR, PA 15431
BEING PARCEL NUMBER: 08-08-0013
IMPROVEMENTS: RESIDENTIAL PROPERTY

STERN & EISENBERG, PC
MATTHEW C. FALLINGS, ESQ.

No. 1044 of 2025 G.D.
No. 236 of 2025 E.D.

ArvestBank
Plaintiff
v.
Jason Minor and Yvonne M. Minor
Defendant(s)

SITUATE IN HENRY CLAY, FAYETTE COUNTY, PENNSYLVANIA, TOWNSHIP OF HENRY CLAY BEING KNOWN AS 244 SICKLE RIDGE ROAD, HENRY CLAY, PA 15424

PARCEL NO. 16-12-0130-10
IMPROVEMENTS- RESIDENTIAL REAL ESTATE
SOLD AS THE PROPERTY OF- Jason Minor and Yvonne M. Minor

Brock & Scott, PLLC

No. 487 of 2025 G.D.
No. 252 of 2025 E.D.

ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC F/K/A QUICKEN LOANS INC.
v.
LISA R. ORBIN A/K/A LISA ORBIN

By virtue of a Writ of Execution No. 487 OF 2025 GD
ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC F/K/A QUICKEN LOANS INC. V. LISA R. ORBIN A/K/A LISA ORBIN owner(s) of property situate in the CITY OF CONNELLSVILLE, FAYETTE County, Pennsylvania, being 214 E SOUTH STREET, CONNELLSVILLE, PA 15425
Tax ID No. 05-11-0050 AKA 05110050
Improvements thereon: RESIDENTIAL DWELLING
Judgment Amount: \$35,624.33

ROBERTSON, ANSCHUTZ, SCHNEID,
CRANE & PARTNERS, PLLC

A Florida professional limited liability company
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
(855)225-6906

No. 1955 of 2025 G.D.

No. 249 of 2025 E.D.

**CITIGROUP MORTGAGE LOAN TRUST
2020-RP2,**

Plaintiff

v.

ALISA H. PETUCK; RICHARD J. PETUCK
Defendant(s)

ALL THOSE CERTAIN LOTS OR
PIECES OF GROUND SITUATE IN
JEFFERSON TOWNSHIP, FAYETTE
COUNTY, PENNSYLVANIA:

BEING KNOWN AS: 359
BROWNSVILLE ROAD FAYETTE CITY, PA
15438

BEING PARCEL NUMBER: 17-02-0100
IMPROVEMENTS: RESIDENTIAL
PROPERTY

No. 620 of 2025 G.D.

No. 235 of 2025 E.D.

**NewRez LLC d/b/a Shellpoint Mortgage
Servicing**

Plaintiff,

vs.

Steven M. Riley; Betsy K. Riley
Defendants.

ALL that certain parcel of land lying and
being situate in the Township of Franklin,
County of Fayette, and Commonwealth of
Pennsylvania, known as 16 Old Pittsburgh Lane,
Smock, PA 15480 having erected thereon a
dwelling house.

Being known and designated as Tax ID
No.: 13-08-0018

BEING the same premises which James E.
Warhola, Co-Executor and Mary Louise
Simpson, Co-Executrix of the Estate of Anne
Warhola aka Anna Warhola, by Deed dated May
19, 2017 and recorded in and for Fayette
County, Pennsylvania in Deed Book 3341, Page
1796, granted and conveyed unto Steven M.
Riley and Betsy K. Riley, husband and wife.

No. 1452 of 2024 G.D.

No. 246 of 2025 E.D.

PENNYMAC LOAN SERVICES, LLC

Plaintiff

vs.

Brittnie N. Sanner

Defendant(s)

ALL THAT CERTAIN PARCEL OF
LAND SITUATE IN MENALLEN
TOWNSHIP, FAYETTE COUNTY,
COMMONWEALTH OF PENNSYLVANIA.

BEING THE SAME PREMISES which
Christopher Holdings, LLC, by Deed dated
5/3/2022 and recorded in the Office of the
Recorder of Deeds of Fayette County on
5/5/2022 in Deed Book Volume 3512, Page 764,
Instrument No. 202200004816, granted and
conveyed unto Brittnie N. Sanner.

BEING known as 344 New Salem Road,
Uniontown, Pennsylvania 15401
PARCEL# 22-21-0139

STERN & EISENBERG, PC
STEVEN P. KELLY, ESQ.

No. 676 of 2024 G.D.

No. 237 of 2025 E.D.

PHH Mortgage Corporation

Plaintiff

v.

Ralph Stafford

Defendant(s)

SITUATE IN DUNBAR, FAYETTE
COUNTY, PENNSYLVANIA, TOWNSHIP OF
DUNBAR BEING KNOWN AS 374
FERGUSON RD, DUNBAR, PA 15431-2013

PARCEL NO. 09-31-0226

IMPROVEMENTS- RESIDENTIAL
REAL ESTATE

SOLD AS THE PROPERTY OF- Ralph
Stafford.

PARKER McCAY P.A.
By: Daniel J. Capecci, Esquire
Attorney ID# 319193
9000 Midlantic Drive, Suite 300
P.O. Box 5054
Mount Laurel, NJ 08054-1539
(856) 810-5815

No. 2424 of 2025 G.D.
No. 242 of 2025 E.D.

The Bank of New York Mellon FKA The Bank of New York, as Trustee for the certificateholders of the CWABS, Inc., Asset-Backed Certificates, Series 2006-25 c/o NewRez LLC d/b/a Shellpoint Mortgage Servicing (fka Specialized Loan Servicing LLC)
6200 S. Quebec Street, Ste. 300
Greenwood Village, CO 80111
Plaintiff,
vs
George A. Stuyvesant and
Kim Marie Stuyvesant
436 2nd Street
Fayette City, PA 15438
Defendants

By virtue of a Writ of Execution, No. 2424 of 2024 GD

The Bank of New York Mellon, et al vs. George A. Stuyvesant and Kim Marie Stuyvesant

Owner of property situated in the Borough of Fayette City, Fayette County, Pennsylvania
436 2nd Street, Fayette City, PA 15438
Parcel No. 12-04-0003

Improvements thereon: Residential Single Family Dwelling

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 604 of 2025 G.D.
No. 233 of 2025 E.D.

NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING
75 Beattie Place
Suite 300
Greenville, SC 29601
Plaintiff
vs.
AMY D. TAYLOR
DARNELL L TAYLOR
Mortgagor(s) and Record Owner(s)
410 Shaffner Avenue fka 410 Shaffner Road
fka 410 Shaffner Street
Brownsville, PA 15417

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

BEING KNOWN AS: 410 SHAFFNER AVENUE FKA 410 SHAFFNER ROAD FKA 410 SHAFFNER STREET, BROWNSVILLE, PA 15417

TAX PARCEL #02-04-0021 & 02-04-0022; 03-03-0002 & 03-03-0003
IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: AMY D. TAYLOR AND DARNELL L. TAYLOR

No. 1225 of 2025 G.D.
No. 232 of 2025 E.D.

SOMERSET TRUST COMPANY
v.
Justin A. Teets and Shanna R. Teets

Property of: Justin A. Teets and Shanna R. Teets

Located in: TOWNSHIP OF DUNBAR, FAYETTE COUNTY

Street Address: 1508 WEST GREEN STREET, CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA 1525.

Brief Description of Property: Residential, Single-Family home

Improvements thereon: RESIDENTIAL DWELLING

Record book Volume: 3469, Page 1270
 Tax Assessment Number(s):
 MAP NOS.: 09-18-0080 and 09-18-008001

Jill M. Fein, Esquire
 Hill Wallack LLP
 1000 Floral Vale Blvd., Suite 300
 Yardley, PA 19067
 (215) 579-7700

No. 2044 of 2024 G.D.
 No. 254 of 2025 E.D.

Planet Home Lending, LLC
Plaintiff

v.

Katherine R. Ulery and MELMO INC. LLC
Defendants

By virtue of a writ of execution case number: 2044 of 2024 GD Plaintiff: Planet Home Lending, LLC v. Defendants: Katherine R. Ulery and MELMO INC. LLC

Owners of property situate in Luzerne Township, Fayette County, Pennsylvania, being pin number 19-04-0112

Property being known as: 815 Florence St, La Belle, PA 15450

Improvements thereon: Residential Property

Robert Flacco, Esq. (325024)
 1325 Franklin Avenue, Suite 160
 Garden City, NY 11530
 (212) 471-5100

No. 256 of 2025 G.D.
 No. 2039 of 2023 E.D.

By virtue of Writ of Execution No. 256 of 2025 ED

US Bank Trust National Association as Trustee for LB-Ranch Series V Trust v Charles F. Winters

Docket Number: 2039 of 2023 GD

Property to be sold is situated in the Township of Luzerne, County of Fayette and Commonwealth of Pennsylvania.

Commonly known as: 211 Melrose Street, East Millsboro, PA 15433 a/k/a 211 Melrose St, La Belle, PA 15433 and Third Street-Melrose, East Millsboro, PA 15433 a/k/a Third Street-Melrose, La Belle, PA 15433

Parcel Number: 19-15-0116 and 19-15-0117

Improvements thereon of the residential

dwelling or lot (if applicable):
 Judgment Amount: \$16,665.96

No. 1767 of 2025 G.D.
 No. 255 of 2025 E.D.

FIRST NATIONAL BANK OF
PENNSYLVANIA,
Plaintiff,
vs.
ANNA K. YOUNG,
Defendant.

ALL THAT CERTAIN PIECE, PARCEL OR TRACT OF LAND BEING SITUATE AND LAYING IN THE CITY OF UNIONTOWN, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, AS MORE FULLY DESCRIBED IN A CERTAIN DEED DATED AUGUST 25, 2023 FROM SHANNON ARONHALT, EXECUTOR OF THE ESTATE OF GWENDOLYN TAKACS, A/K/A GWENDOLYN O. TAKACS, DECEASED, TO ANNA K YOUNG, AN UNMARRIED PERSON, AND RECORDED IN THE OFFICE OF THE RECORDER OF DEEDS OF FAYETTE COUNTY, PA ON AUGUST 30, 2023 IN DBV 3556, PG 544.

IMPROVEMENT THEREON: A RESIDENTIAL DWELLING

BEING COMMONLY KNOWN AS 237 WILSON AVENUE, UNIONTOWN, PA 15401.

BEING KNOWN AND DESIGNATED AS TAX PARCEL NO.: 38-12-0539

*** END SHERIFF'S SALE ***

Registers’ Notice

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

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

Monday, December 1, 2025, at 9:30 A.M.

<u>Estate Number</u>	<u>Trust Name</u>	<u>Representative</u>
2623-0348	VIOLET B. PAUL	Allan F. Paul

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

Monday, December 15, 2025, at 9:30 A.M.

in Courtroom No. 1 of the **Honorable President Judge Steve P. Leskinen** or his chambers, Second Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

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

Monday, December 1, 2025, at 9:30 A.M.

<u>Estate Number</u>	<u>Trust Name</u>	<u>Representative</u>
2621-0267	ALBERT E. CORE	Rhonda Core
25-OC-2009	SYLVAN HEIGHTS/ MT. VIEW CEMETERY	Stephanie A. Henrick, Esq.

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

Monday, December 15, 2025, at 9:30 A.M.

in Courtroom No. 5 of the **Honorable Judge Joseph M. George, Jr.** or his chambers, Third Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE

E&O INSURED

WILL TRAVEL

ACCEPTING NEW CLIENTS


DiBella Weinheimer
Geer McAllister Best Coco Lloyd Whalen



Holly Whalen ♦ Amy Coco ♦ Bethann Lloyd

INSIST UPON OUR EXPERIENCED TEAM

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- Disciplinary Board
- Legal Malpractice
- Security Fund / IOLTA
- Ethics & Conflict Analysis
- Subpoena Assistance
- Licensure
- Conflict Resolution

WWW.DIBELLA-WEINHEIMER.COM 412 261-2900

JUDICIAL OPINION

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

COMMONWEALTH OF
PENNSYLVANIA,
v.
NORMAN PENNINGTON,
APPELLANT.

:

:

: No. 1113 of 2024
: No. 955 WDA 2025
: Honorable Senior Judge John F. Wagner, Jr.

OPINION

Wagner, P.J.

October 1, 2025

Before the Court is the Statement of Matters Complained of on Appeal filed by the Appellant, Norman Pennington, after his conviction in a trial by jury. On July 11, 2025, the Appellant was convicted of First Degree Murder, Possession of a Firearm Prohibited, and Tamper with/Fabricate Physical Evidence. On the date of his conviction, the Appellant was sentenced to life imprisonment.

STATEMENT OF MATTERS COMPLAINED OF ON APPEAL

1. DID THE COMMONWEAL TH FAIL TO PRESENT SUFFICIENT EVIDENCE TO PROVE BEYOND A REASONABLE DOUBT THAT APPELLANT COMMITTED AN INTENTIONAL KILLING OF THE VICTIM IN THIS MATTER?
2. DID THE COURT ERR IN GRANTING THE COMMONWEALTH'S REQUEST TO AMEND THE INFORMATION OF COUNT 3, TAMPER WITH EVIDENCE, AFTER THE CLOSE OF THE COMMONWEALTH'S CASE IN CHIEF?
3. DID THE COURT ERR IN ALLOWING THE WRITING SAMPLES TO BE GIVEN TO THE JURY TO REVIEW, DESPITE NO PROPER AUTHENTICATION OF THE SAME?
4. DID THE COMMONWEAL TH FAIL TO PROPERLY AUTHENTICATE THE TRAIL CAMERA PHOTOS AND SURVEILLANCE VIDEOS THAT WERE PUBLISHED FOR THE JURY TO VIEW?

FACTS OF THE CASE

On April 12, 2024, Anthony DeCenzo (hereinafter "DeCenzo"), the victim, drove to the residence of his long-time friend, Norman Pennington (hereinafter "Appellant"). When Decenzo failed to return home that night, his wife filed a missing person's report. On April 14, 2024, the Pennsylvania State Police located the Appellant's car parked in a gravel pull off area on Riffle Hollow Road in German Township in Fayette County. In

the vehicle, the Troopers located the body of DeCenzo laying in the back seat of the vehicle covered by a tarp. DeCenzo had two gunshot wounds to his head. The blood smears from the front seat to the back seat indicated that the victim's body had been moved from the front seat to the back seat of the vehicle. On a piece of paper in the console was a note with the name "Norman" and a telephone number on it. The number belonged to the Appellant.

Pennsylvania State Trooper Shutterly interviewed the Appellant the next day. The Trooper testified that the Appellant informed him that the victim had visited him on April 11, 2024. They were going to look at property that the victim wanted to purchase. However, the Appellant informed the Trooper that the man they were to meet had failed to show. The Trooper stated that the Appellant had informed him that he assisted the victim in locating property for purchase and the Appellant would be paid a few hundred dollars for his work. The Appellant stated he was at his barber shop on April 12, 2024, and then later that day, he went to the hospital for treatment of an injury to his shoulder.

Trooper Shutterly also interviewed the victim's wife, who informed him that her husband was trying to purchase The Village Lounge and also five acres of land for a trailer. She informed the Trooper that her husband kept between thirty and forty thousand dollars in a drawer in the kitchen. This money was now missing from the kitchen. Mrs. DeCenzo informed the Trooper that her husband had multiple meetings set up with the Appellant and the owners of the property but the meetings kept getting cancelled. Her husband was upset with the Appellant and wanted the money he had advanced back from the Appellant.

The owner of The Village Lounge testified that DeCenzo had inquired about purchasing his bar but he wasn't interested in selling for the amount offered. The Appellant also offered him money to purchase the bar and then let the owner operate it for them, but again the owner was not interested.

Surveillance cameras around the area of the Appellant's barber shop showed that on April 12, 2024, the Appellant had left his business and was gone from 10:33 A.M. until 2:45 P.M.. A trail camera was located which recorded the DeCenzo's vehicle traveling near the area where it was finally located. The State Police tracked the location of the Appellant's cellular phone, the one owned by DeCenzo, and later in the investigation, the phone of John Preston.

While her husband was being questioned at the Pennsylvania State Police Barracks, the Troopers spoke with the Appellant's wife, Donna Pennington. After being read her Miranda Rights Warning and Waiver form, Appellant's wife agreed to speak with the Troopers. She informed them that her husband returned from his barber shop about 11:00 A.M. on April 12, 2024, she saw him leave in a white four door sedan that she hadn't seen previously. She was unsure of the owner of that vehicle.

A short time after the sedan left, Appellant's wife stated that the Appellant called her and asked her to meet him at Filbert Orient Road and Bunker Hill Road. When she arrived at that location, the Appellant was operating the white sedan, she followed him until he pulled off the road onto a gravel pull off. The white sedan was facing away from the roadway by a gate. The Appellant got into his wife's vehicle and told her to

drive him home.

After the first interview, the Pennsylvania State Police again interviewed the Appellant after reading him his Miranda Rights Warning and Wavier form which he signed. Initially, the Appellant denied being with the victim or knowing anything about his murder. Subsequently, the Appellant admitted that the DeCenzo came to his house wanting his advance money returned to him. The Appellant stated that the victim pulled a gun and threatened to kill him. The Appellant said being in fear for his life, he grabbed the gun and shot the victim two times.

Subsequently, the State Police interviewed John Preston, the son of a friend of the Appellant. The Appellant referred to him as "Ben". Preston owned the building where the Appellant operated his barber shop. Preston testified that on April 11, 2024, the Appellant asked to borrow a firearm from him and he loaned the Appellant a .380 handgun. (N.T. of Day 3, 7/9/25 at 153). Then on April 12th, the Appellant returned the gun to him wrapped in a blue shop towel. (N.T. of Day 3, 7/9/25 at 154). After the Appellant was charged, Preston testified that he turned the gun over to the police.

At the trial, the Commonwealth presented videos of the interview of the Appellant with the Troopers when he initially denied being around the Appellant on the date of his death and then his confession that he had shot the victim in self-defense.

The Appellant testified he was freaking out. He drove to his shop and changed clothes. He called his wife to follow him and then drive him home. Several days later in a jail house phone call, the Appellant told his wife to talk to Preston and tell him to get rid of it. (N.T. Day 4, at pg. 80). When the Appellant subsequently learned that Preston had turned over the gun, the Appellant changed his story and informed Trooper Shutterly that Preston was the killer. (N.T. Day 4 at pg. 81).

At trial, the Appellant testified that when DeCenzo arrived on April 12th, DeCenzo was operating the vehicle and Preston was in the passenger seat of DeCenzo's vehicle. The Appellant testified that he was in the back seat. He stated that Preston suddenly pulled out a gun, shot the victim twice in the head, then exited the vehicle. (N.T. Day 4, 7/10/2025 at pg. 72). The Appellant testified that Preston threatened to kill him and kill his grandson if the Appellant didn't help him. (N.T. Day 4, at pg. 73). The Appellant testified that he covered for Preston because his father was his best friend, even though he was now deceased. He testified that Preston pulled DeCenzo's body to the back of the car. Id At that point, the Appellant got the Frozen Disney blanket out of the car and put it on the front seat. (N.T. Day 4, at pg. 74). The Appellant admitted that he wiped down the inside of the vehicle to eliminate finger prints.

In the interview with the State Police when he first confessed, the Appellant stated that the gun was thrown into Dunlap Creek. The Appellant admitted in his testimony that he told his wife to get rid of the handgun, which was confirmed in a taped jail conversation. The Appellant admitted that he wiped off the steering wheel and other areas of the car. (N.T. Day 4 at pg. 96). He also took his clothing which was blood splattered and threw the bag of clothing away, but the clothing was later recovered. (N.T. Day 4, at pg. 98).

DISCUSSION

1. DID THE COMMONWEALTH FAIL TO PRESENT SUFFICIENT EVIDENCE TO PROVE BEYOND A REASONABLE DOUBT THAT APPELLANT COMMITTED AN INTENTIONAL KILLING OF THE VICTIM IN THIS MATTER?

The Appellant was convicted of first degree murder which is defined as a criminal homicide committed by an intentional killing, which involves a willful, deliberate, and premeditated act. 18 Pa. C.S. §2502(3). Evidence must be presented beyond a reasonable doubt that a human being was unlawfully killed, the Appellant committed the killing and the killing was intentional. *Id.* The use of a firearm on a vital part of the victim's body can raise an inference of specific intent to kill, which is sufficient to sustain a finding of first degree murder. Malice, as required for murder in the first degree conviction may be inferred the use of a deadly weapon upon a vital part of the victim's body. Circumstantial evidence can be sufficient to prove any or all of the elements of criminal homicide. *Commonwealth v. Chamberlain*, 39 A.3d 381 (Pa. 2011).

Initially, the Appellant denied that he had seen the victim on the date of his death. Then the Appellant stated that he was threatened by the victim and when the victim pulled out his handgun, the Appellant grabbed it. The Appellant then shot the victim in the head two times.

Subsequently, the Appellant changed his story and blamed his landlord, John Preston, who had voluntarily turned over the gun that the Appellant had borrowed from him to the State Police. The Appellant testified that he had confessed to being involved to protect his best friend's son, John "Ben" Preston.

Circumstantial evidence can be used to establish an intent to kill. *Id.* The Commonwealth presented through witness testimony that the Appellant had a motive to harm the victim. Testimony was presented that the Appellant and the victim had been arguing over money. The victim had given the Appellant a large sum of money and the Appellant had spent the money and couldn't repay it.

The Commonwealth was able to present evidence that placed him with the victim at the time of the shooting. Video surveillance was presented that corroborated that the Appellant's car was at the location where the victim's body was located in his vehicle. The Appellant and the victim were proven to be together through the tracking of their cell phones on the date of his death. The Appellant's wife testified that she saw her husband drive off in a white car and later followed that white car to the gravel pull off where the victim's vehicle and body were ultimately located. The content of recorded jail telephone calls between the Appellant and his wife were presented to show that the Appellant wanted her to speak with Preston about hiding the weapon.

Initially during the investigation, the Appellant attempted to explain away the shooting by asserting that it had occurred as the result of the Appellant responding to the victim's threats. He initially asserted that he acted in self defense. Self defense can be a complete defense to the crime of homicide. However, the Appellant asserted that the gun belonged to the victim. Later, when Appellant's statement about the gun was contradicted, he changed his testimony and attempted to shift the blame to his friend, John

"Ben" Preston. This totally negated the Appellant's self defense claim. During his testimony, the Appellant admitted telling Preston to get "rid of thing." (N.T. Day 4, at pg. 87).

Additionally, the jury heard the Appellant's testimony that he wasn't with the victim on the date of his death, then the jury heard the recording in which the Appellant confessed to shooting the victim in self-defense. Then the Appellant testified that John Preston had shot the victim and he was taking the blame for his friend's son. The jury heard the Appellant's contradicting statements about what happened to DeCenzo. The jury can believe all, part or none of the testimony of a witness. The evidence presented was sufficient to consider the testimony presented by the Commonwealth and the statements of the Appellant and the other witnesses. The evidence presented was sufficient for the jury to reach a verdict of guilty beyond a reasonable doubt of first degree murder.

There was a stipulation by the parties that the Appellant was not permitted to be in possession of a firearm. Preston testified that he loaned the gun to the Appellant the day before DeCenzo's death and the Appellant returned it to him the next day. There was sufficient evidence that the Appellant possessed a firearm along with the stipulation, there was sufficient evidence to establish the charge.

The charge of Tampering with Evidence occurs when a person believing that an official; proceeding or investigation is pending, he alters, destroys, conceal or removes any thing with intent to impair its availability in such proceeding or investigation. 18 Pa. C.S. § 4910.

Initially, the Appellant informed the State Police that the gun had been thrown into a creek but that was not true The Appellant did show the State Police the location where he had discarded his bloody clothing. During trial, the Appellant admitted wiping down the vehicle to erase evidence. This testimony of the Appellant was sufficient to establish the elements of the charge on which the jury could base its verdict.

In viewing the evidence and making all reasonable inferences therefrom in the light most favorable to the Commonwealth as the verdict winner, the jury could have found every element of the crimes charged beyond a reasonable doubt. Commonwealth v. Chamberlain, 30 A.3d 381 (Pa. 2011). The Appellant's assertion that the Commonwealth failed to present sufficient evidence to prove beyond a reasonable doubt the charge of first degree murder is without merit and there is no merit to the allegation related to the other charges.

2. DID THE COURT ERR IN GRANTING THE COMMONWEALTH'S REQUEST TO AMEND THE INFORMATION OF COUNT 3, TAMPER WITH EVIDENCE, AFTER THE CLOSE OF THE COMMONWEALTH'S CASE IN CHIEF?

The Appellant was charged with Tampering with Evidence that a person believing that an official proceeding or investigation is pending or about to be instituted, he alters, destroys, conceals or removes any record, document or thing with intent to impair its availability in such proceeding or investigation. The Appellant was charged with throwing a firearm used in the commission of a homicide into a body of water. Testimony

was presented during the trial, that the firearm was not disposed of in a large body of water. Testimony was presented that the firearm had been borrowed by the Appellant and then returned to the owner of the weapon, the day after the shooting. Subsequently, the Appellant then testified that he had hidden his clothing and wiped down the vehicle. The Commonwealth then asked to amend the charge to reflect the actions of the Appellant that fit the charge and removed the evidence which the Appellant admitted was incorrect.

The Court may allow an information to be amended, provided that the information as amended does not charge offenses arising from a different set of events and the amended charges are not so materially different from the original charge that the defendant would be unfairly prejudiced. Pa. R.Crim.P. 562. The governing rule allows amendments to correct defects in the description of an offense, the description of persons or property or the date so long as the amendment does not change an additional offense. The purpose of the rule is to ensure that the accused is fully informed of the charges and to avoid prejudice. Relief is warranted when the amendment prejudices the accused.

An information may be amended in Pennsylvania criminal proceedings to conform to the proof presented, including amendments made after the Commonwealth has presented its testimony, provided the amendment does not introduce charges arising from a different factual scenario or result in unfair prejudice to the accused. Prejudice can be found (1) if the amendment changes the factual scenario supporting the charges; (2) if the amendment adds new facts previously unknown to the accused; (3) if the description of the charges changed the amendment; (4) if the amendment necessitated a change in defense strategy; and (5) whether the timing of the request for the amendment allowed for ample notice and preparation. *Commonwealth v. Mentzer*, 18 Pa. C.S. 1200 (Pa. Super. 2011). It is proper for the Court to permit an amendment at the close of the Commonwealth's case. *Commonwealth v. Beck*, 78 A.3d 656 (Pa. Super. 2013). The amendment did not prejudice the Appellant but brought the charge in line with the facts of the case.

3. DID THE COURT ERR IN ALLOWING THE WRITING SAMPLES TO BE GIVEN TO THE JURY TO REVIEW, DESPITE NO PROPER AUTHENTICATION OF THE SAME?

The Appellant questions the introduction of an anonymous note that was admitted by the Court. The Commonwealth called Trooper Reitler who is the Chief of the Fayette County Bureau of Investigation. Trooper Reitler testified that he had been approached by an individual who had located an anonymous note in an abandoned drug house that he was sleeping in. (N.T. on Day 3, at pg. 148). The note stated that John Preston owed Anthony DeCenzo, the victim in this case, twelve thousand dollars (\$12,000.00). *Id.* In addition, the note indicated that John Preston was responsible for killing the victim. The Commonwealth did not compare the note to any writing sample of any person.

The Appellant asserts that it was error for the Court to permit the introduction of the note without proper authentication. The note was located in a drug den with no indication as to who the author of the note nor the location of the note. There was no objection to the introduction of the note to the jury. It would have been error for the Court to

prevent the introduction of this clearly exculpatory evidence. It was evidence turned over to the head of the Chief of the Bureau of Investigations. While it could not be authenticated, it was exculpatory and it clearly was Brady Material. This issue is without merit.

4. DID THE COMMONWEALTH FAIL TO PROPERLY AUTHENTICATE THE TRAIL CAMERA PHOTOS AND SURVEILLANCE VIDEOS THAT WERE PUBLISHED FOR THE JURY TO VIEW?

The Appellant asserts that the Commonwealth failed to properly authenticate the trail camera photographs. Trooper Bradon Madden testified that he was directed by his supervisors to investigate to see if there were any video surveillance cameras in the surrounding areas. (N.T. of Day 2, at pg. 87). As part of his investigation, Trooper Madden located trail cameras owned by Mark Jeffries who resided at 605 High Street and faced towards Main Street. The Trooper was given access to the Jeffries' camera system. The Trooper accessed the recording system compared the version he was observing to the date and time when he accessed the system on May 29, 2024 to make certain that the times and date were correct. (N.T. on Day 2, at pg. 95).

When he determined that the recording time on the camera was correct, he went back to April 12, 2024 and collected photographs from 10:35 A.M. until night time on that date. (N.T. on Day 2, at pg. 89). Trooper Madden observed a Black Ford F1 50 at 10:37 A.M. Id. This vehicle is owned by the wife of the Appellant, Donna Pennington and is known to be driven by the Appellant. A photograph of a white Cadillac was presented with a time stamp of 12:50 P.M. being driven. At 1:27 P.M., the trail camera photo showed a silver Honda Civic known to be owned by Donna Pennington and to be operated by her was observed going in the same direction as the other two vehicles. Id.

Trooper Madden personally accessed the Jeffries camera system. He downloaded the photos after ensuring that the time stamp and date were correct on the photos. The fact that he did not own the system is not essential to the admissibility of the photos from the trail cameras. The steps that he took established sufficient indicia of reliability of the timing listed on the photos. The timing was consistent with other testimony presented during the trial. This issue is without merit.

For the above stated reasons, the Court respectfully requests that the judgement of sentence be AFFIRMED.

BY THE COURT:
WAGNER, S.J.

ATTEST:
Clerk of Courts

ANNUAL MEMBERSHIP MEETING

The Annual General Membership meeting of the Fayette County Bar Association will be held on Wednesday, December 17, 2025, at 12:00 pm at the Fayette County Courthouse, 61 East Main Street, Uniontown, PA 15401. Members are invited to present topics of concern or interest to the Association.

JOB ADVERTISEMENT

SOMERSET COUNTY CHILDREN AND YOUTH SERVICES EXTERNAL JOB ADVERTISEMENT

Assistant Solicitor
(Full-time, contract position)
Starting Salary Range (65,000-70,000) + Health Insurance Benefits & Rich Retirement Plan

Somerset County Children and Youth Services (CYS) is currently accepting applications for the position of Assistant Solicitor. The Assistant Solicitor will handle all legal matters as directed for the Somerset County Office of Children & Youth Services providing advice/service to the Agency Administration of the Office of Children & Youth Services. For a full listing of job duties associated with this position, please see the "Job Openings" link on the Somerset County homepage (<http://www.co.somerset.pa.us/>).

Interested candidates should e-mail a cover letter, resume, supporting documentation to:

Somerset County Human Resources Director, Michelle Graham
grahamm@somersetcountypa.gov

All applications will be held in the strictest confidence.

Somerset County is an Equal Opportunity employer and will not discriminate on the basis of race, color, national origin, sex or handicap in its activities, programs or employment practices.



The Fayette County Bar Association
invites you to join us for a

Christmas PARTY

December 4TH at 5:00 pm

TITLOW TAVERN

RSVP by Friday, November 31st
724-437-7994 or cindy@fcbar.org
Guests Welcome

In the spirit of giving, please bring new children's coats for donation.
Checks payable to "Connellsville Community Ministries."

