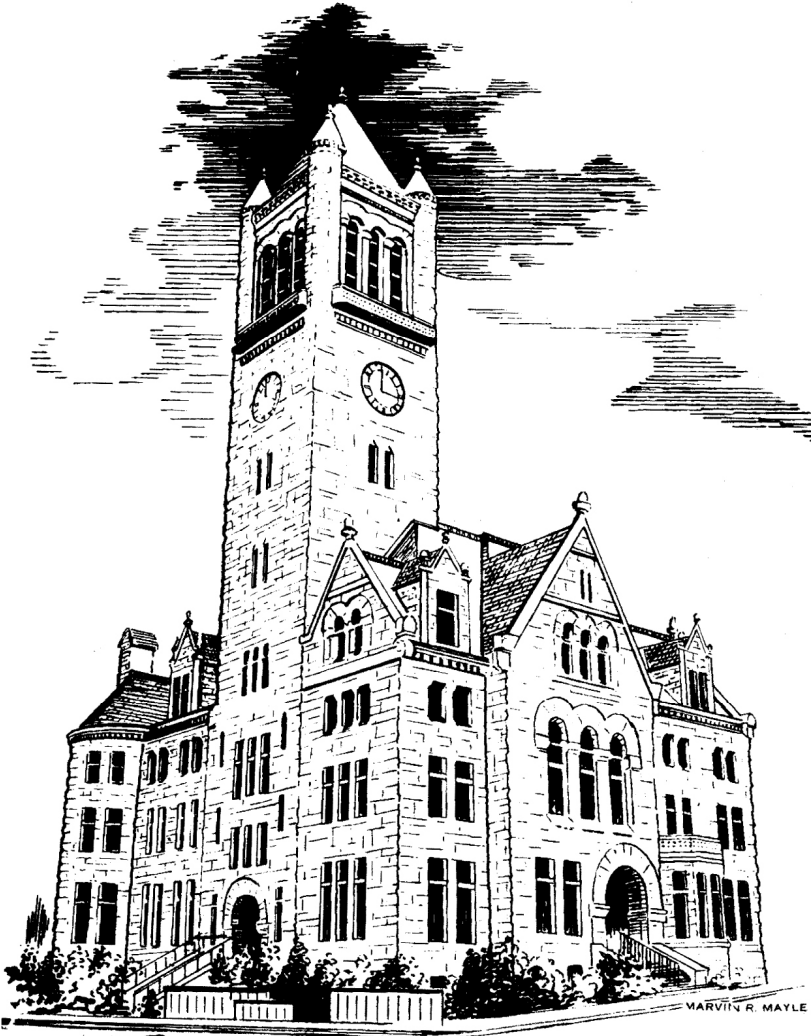


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FAYETTE LEGAL JOURNAL

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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

LOUIS ANSELL, a/k/a LOUIS ANSELL, JR., late of Dunbar Township, Fayette County, PA ⁽³⁾

Administratrix: Renee E. Ansell
c/o Webster & Webster
51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

VIRGINIA MAE EBERHARTER, a/k/a VIRGINIA M. EBERHARTER, late of Dunbar Township, Fayette County, PA ⁽³⁾

Co-Executors:
James O. Rowan, Jr. and Wanda Brooks
c/o PO Box 760
Connellsville, PA 15425
Attorney: Carolyn W. Maricondi

CONNIE L. HARSHMAN, a/k/a CONNIE HARSHMAN, late of South Union Township, Fayette County, PA ⁽³⁾

Executrix: Jill Rowland
c/o Zebley Mehalov & White, P.C.
18 Mill Street Square
PO Box 2123
Uniontown, PA 15401
Attorney: Daniel R. White

PARKER ANDREW HESS, a/k/a PARKER A. HESS, late of Redstone Township, Fayette County, PA ⁽³⁾

Executrix: Heather Hess Richards
311 Twin Hills Road
Grindstone, PA 15442
c/o Meyers Evans Lupetin & Unatin, LLC

707 Grant Street, Suite 3200
Pittsburgh, PA 15219
Attorney: Brendan B. Lupetin

CHARLES W. LEWIS, SR., a/k/a CHARLES W. LEWIS, late of Redstone Township, Fayette County, PA ⁽³⁾

Personal Representative: Louise Miller
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

JOHN D. MCGARVEY, a/k/a DAN MCGARVEY, late of South Union Township, Fayette County, PA ⁽³⁾

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

DONALD M. SMALL, late of Connellsville Township, Fayette County, PA ⁽³⁾

Co-Executors: Gilbert Lawrence Small and Chris Lawrence Small
c/o Riverfront Professional Center
208 South Arch Street, Suite 2
Connellsville, PA 15425
Attorney: Richard A. Husband

DOROTHY LOUISE MOORE WILSON, a/k/a DOROTHY LOUISE WILSON, late of Belle Vernon Borough, Fayette County, PA ⁽³⁾

Co-Executors:
Lance Wilson
104 Grata Street
Belle Vernon, PA 15012
and Craig S. Wilson
937 Leeds Avenue
Monessen, PA 15062
c/o Bassi, Vreeland & Associates, P.C.
PO Box 144
111 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Bradley M. Bassi

Second Publication

MANSFIELD BRANSON, late of Uniontown,
Fayette County, PA (2)

Administratrix: Brandy Whitehead
175 Seven Road
Sewickley, PA 15143
c/o 320 South Maple Avenue
Greensburg, PA 15601
Attorney: James M. Fox

FRANCES T. COLDREN, late of Uniontown,
Fayette County, PA (2)

Executor: Fred C. Adams
c/o Adams and Adams
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason F. Adams

MILDRED G. HACKETT, late of Uniontown,
Fayette County, PA (2)

Personal Representative: John R. Hackett
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary F. Frankhouser

**HARRY JAMES STAFFORD, III, a/k/a
HARRY J. STAFFORD, III, a/k/a HARRY J.
STAFFORD**, late of Dunbar Township, Fayette
County, PA (2)

Administratrix: Kimberly Murphy
114 Jimtown Road
Dawson, PA 15428
c/o 201 North Chestnut Street
P.O. Box 342
Scottdale, PA 15683
Attorney: James S. Lederach

LINDA TUTTLE, a/k/a LINDA K. TUTTLE,
late of Wharton Township, Fayette County, PA
(2)

Executor: Allen W. Tuttle, Jr.
c/o 556 Morgantown Road
Uniontown, PA 15401
Attorney: John A. Kopas, III

STEPHEN J. UTLAK, late of Uniontown,
Fayette County, PA (2)

Executrix: Jackie Wilhelm
c/o Adams and Adams
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason F. Adams

First Publication

JOHN A. BODNAR, JR., late of Perryopolis
Borough, Fayette County, PA (1)

Executor: Brian J. Bodnar
c/o 4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Sheryl R. Heid

LOIS ANN BOHNA, a/k/a LOIS A. BOHNA,
late of Luzerne Township, Fayette County, PA

Executrix: Danielle A. Bohna (1)
c/o Higinbotham Law Offices
45 East Main Street, Suite 500
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

**JOSEPH JOHN BORSODY, a/k/a JOSEPH
J. BORSODY, SR.**, late of Luzerne Township,
Fayette County, PA (1)

Personal Representative: Bethanne Natali
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

EDNA E. DAWSON, late of Masontown
Borough, Fayette County, PA (1)

Personal Representative: Joann Peshko
c/o Davis and Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

**THERESA L. DIEHL DUNSTON, a/k/a
THERESA L. DIEHL, a/k/a THERESA
LORAINIE DIEHL DUNSTON**, late of
Redstone Township, Fayette County, PA (1)
Executrix: Susan Lynn Mullen Ledford
c/o 9 Court Street
Uniontown, PA 15401
Attorney: Vincent J Roskovensky, II

**SAMANTHA S. GALLENTINE, a/k/a
SAMANTHA S. STICKEL GALLENTINE**,
late of Connellsville, Fayette County, PA (1)
Executor: Gary M. Gallentine
c/o P.O. Box 760
Connellsville, PA 15425
Attorney: Carolyn W. Maricondi

LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
ORPHANS' COURT DIVISION
NO.6 ADOPT 2018

IN RE: ADOPTION OF
SHI'LEIGH PISHKO

NOTICE

TO: Unknown, Unknown (Father)

A petition has been filed asking the Court to put an end to all rights you have to your child, Shi'leigh Pishko. The court has set a hearing to consider ending your rights to your child. That hearing will be held in Courtroom No. 4 of the Fayette County Courthouse, Uniontown, Fayette County, Pennsylvania, on Thursday, May 17, 2018 at 1:30 p.m.. You are warned that even if you fail to appear at the scheduled hearing the hearing will go on without you and your rights to your child may be ended by the court without your being there.

YOU HAVE A RIGHT TO BE REPRESENTED AT THE HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

PENNSYLVANIA BAR ASSOCIATION 100
SOUTH STREET
PO BOX 186
HARRISBURG, PA 17108
(800) 932-0313

NOTICE

Notice is hereby given that a hearing is scheduled for Tuesday, May 1, 2018, at 9:30 a.m., before The Honorable Joseph M. George, Jr., in Courtroom No. 5, of the Fayette County Courthouse, for the sale of the South Side Elementary School by the Connellsville Area Board of School Directors.

Interested persons may appear at the aforementioned hearing to offer testimony in favor of or in opposition to the proposed sale.

(2 of 3)

TRUSTEE NOTICE

Virginia D. Goodall, late of Belle Vernon, Fayette County, Pennsylvania, deceased, having created THE VIRGINIA D. GOODALL REVOCABLE TRUST AGREEMENT DATED FEBRUARY 10, 2010, appointed Richard C. Goodall, as Trustee, and notice is hereby given to all persons indebted to said trust to make immediate payment and to those having claims against the same to present them to the undersigned, duly authenticated for settlement.

Richard C. Goodall, Trustee
129 Ruth Place
Belle Vernon, PA 15012

Or to:

John W. Ament, Esq.
AMENT LAW GROUP, PC
3950 William Penn Highway
Murrysville, PA 15668
724-765-0440

NOTICE

NOTICE is hereby given pursuant to the provisions of Act 295 of December 16, 1982, P.L. 1309, that a Certificate was filed in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on or about April 11, 2018 to conduct a business in Fayette County, Pennsylvania, under the assumed or fictitious name of RCG America, with the principal place of business at 1015B Blackstone Road, Connellsville, Fayette County, Pennsylvania, 15425. The name or names and addresses of persons owning and interested are CAP EWG Glass, LLC, of 1015B Blackstone Road, Connellsville, Fayette County, Pennsylvania, 15425.

Jarod Illar, Esquire
Watson Mundorff & Sepic, LLP
720 Vanderbilt Road
Connellsville, Pennsylvania 15425

NOTICE

NOTICE is hereby given pursuant to the provisions of Act 295 of December 16, 1982, P.L. 1309, that a Certificate was filed in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on or about April 11, 2018 to conduct a business in Fayette County, Pennsylvania, under the assumed or fictitious name of Glass Ox, with the principal place of business at 1015B Blackstone Road, Connellsville, Fayette County, Pennsylvania, 15425. The name or names and addresses of persons owning and interested are CAP EWG Glass, LLC, of 1015B Blackstone Road, Connellsville, PA 15425.

Jarod Illar, Esquire
Watson Mundorff & Sepic, LLP
720 Vanderbilt Road
Connellsville, Pennsylvania 15425

NOTICE

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW
NO. 2469 of 2017, G.D.

JAMES BIELECKI and BARBARA

BIELECKI, his wife,

Plaintiffs,

Vs.

L.L. TRUMP, his/her heirs, successors and/or

assigns generally,

MARY J. SHIPLEY, her heirs, successors

and/or assigns generally,

WILLIAM B. SHIPLEY, his heirs,

successors, and/or assigns generally,

WILLIAM R. SHIPLEY and THERESA

SHIPLEY, their heirs, successors and/or

assigns generally,

Defendants.

TO: L.L. Trump, his/her heirs, successors and/
or assigns generally,

Mary J. Shipley, her heirs, successors and/
or assigns generally,

William B. Shipley, his heirs, successors
and/or assigns generally, and

William R. Shipley and Theresa Shipley,
their heirs, successors and/or assigns generally,
Defendants.

TAKE NOTICE that James and Barbara Bielecki, his wife, have filed a Complaint in an Action to Quiet Title at NO. 2469 of 2018, G.D., in the Court of Common Pleas of Fayette County, Pennsylvania, averring that they are the owners in fee and in possession of:

ALL those two certain parcels of lots of land situate in the city of Connellsville, County of Fayette, State of Pennsylvania. Said lots are known or described as Lots Nos. 48 and 49 in a plan of lots laid out by the Connellsville Building and Loan Association.

Having a Tax Parcel ID NO. 05-03-0063.

For a more complete recital of the chain of title concerning the premises, refer to the Complaint filed in the within action.

That the defendants above named appears to have interest in said premises which creates a cloud upon plaintiffs' title, whereupon the plaintiffs have filed their Complaint as aforesaid asking the Court to enter a decree terminating all rights which defendants may have in said premises and decreeing that plaintiffs have the

full and free use and occupation of said premises, released and forever discharged of any right, lien, title or interest of defendants herein.

The service of this Complaint by publication is made pursuant to an Order of Court dated April 16, 2018 and filed at the above number and term.

You are hereby notified to plead to the complaint in this case, of which the above is a brief summary, within twenty (20) days from this date. 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 PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR PHONE 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 OR NO FEE.

PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P.O. BOX 186
HARRISBURG, PA 17108
PHONE: 1-800-692-7375

HARPER & MIKLUSCAK
ATTORNEYS AT LAW, LLP
70 B LEBANON AVENUE
UNIONTOWN, PA 15401
724-550-4479

**NOTICE OF SHERIFF'S SALE
IN THE COURT OF COMMON PLEAS
OF FAYETTE COUNTY, PENNSYLVANIA
NO. 1518-OF-2017-GD**

**U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR STRUCTURED ASSET
SECURITIES CORPORATION,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2006-EQ1
v.
GERALD F. JACOBSON**

NOTICE TO: GERALD F. JACOBSON

**NOTICE OF SHERIFF'S SALE OF
REAL PROPERTY**

Being Premises: 540 SIXTH STREET,
HIBBS, PA 15443

Being in GERMAN TOWNSHIP, County
of FAYETTE, Commonwealth of Pennsylvania,
15-04-0055

Improvements consist of residential
property.

Sold as the property of GERALD F.
JACOBSON

Your house (real estate) at 540 SIXTH
STREET, HIBBS, PA 15443 is scheduled to be
sold at the Sheriff's Sale on 06/14/2018 at 2:00
PM at the FAYETTE County Courthouse, 61 E.
Main Street, Uniontown, PA 15401 to enforce
the Court Judgment of \$69,645.11 obtained by,
U.S. BANK NATIONAL ASSOCIATION, AS
TRUSTEE FOR STRUCTURED ASSET
SECURITIES CORPORATION, MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES
2006-EQ1 (the mortgagee) against the above
premises.

PHELAN HALLINAN DIAMOND & JONES, LLP
Attorney for Plaintiff

INCORPORATION NOTICE

NOTICE is hereby given that Articles of
Incorporation were filed with the Department of
State, Commonwealth of Pennsylvania at
Harrisburg, Pennsylvania, on March 9, 2018, for
the purpose of obtaining a Certificate of
Incorporation of a proposed corporation which
was organized under the Business Corporation
Law of the Commonwealth of Pennsylvania
approved December 21, 1988, Act 177.

The name of the corporation is Bashada,
Inc. with its principal place of business being
located at 415 Mutich Street, Belle Vernon,
Pennsylvania 15012.

Todd M. Pappasergi, Esquire
BASSI, VREELAND & ASSOCIATES, P.C.
Attorneys at Law
P.O. Box 144
111 Fallowfield Avenue
Charleroi, PA 15022

SHERIFF'S SALE

Date of Sale: June 14, 2018

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, June 14, 2018, at 2:00 p.m. in Courtroom Number Five at the Fayette County Courthouse, Uniontown, Pennsylvania.

The terms of sale are as follows:

Ten percent of the purchase price, or a sufficient amount to pay all costs if the ten percent is not enough for that purpose. Same must be paid to the Sheriff at the time the property is struck off and the balance of the purchase money is due before twelve o'clock noon on the fourth day thereafter. Otherwise, the property may be resold without further notice at the risk and expense of the person to whom it is struck off at this sale who in case of deficiency in the price bid at any resale will be required to make good the same. Should the bidder fail to comply with conditions of sale money deposited by him at the time the property is struck off shall be forfeited and applied to the cost and judgments. All payments must be made in cash or by certified check. The schedule of distribution will be filed the third Tuesday after date of sale. If no petition has been filed to set aside the sale within 10 days, the Sheriff will execute and acknowledge before the Prothonotary a deed to the property sold. (3 of 3)

James Custer
 Sheriff Of Fayette County

Nicholas A. Didomenico, Esquire
 McGrath McCall, P.C.
 Four Gateway Center, Suite 1040
 444 Liberty Avenue, Pittsburgh, PA 15222

No. 2351 of 2016 GD
 No. 79 of 2018 ED

**NORTHWEST BANK, F/K/A
 NORTHWEST SAVINGS BANK,
 SUCCESSOR BY MERGER TO PRESTIGE
 BANK,**

**Plaintiff,
 VS.**

**JACK R. TAYLOR and KERRI LOU
 TAYLOR,**

Defendants.

All that certain tract of land situate in Washington Township, Fayette County, Pennsylvania, Being commonly known as 420 First Street Extension, Belle Vernon, Pennsylvania 15012, Tax Parcel ID No. 41-002-0006. (3 of 3)

No. 1476 of 2017 GD
 No. 80 of 2018 ED

**PNC BANK, NATIONAL ASSOCIATION,
 SUCCESSOR BY MERGER TO
 NATIONAL CITY BANK,**

**Plaintiff,
 vs.**

**ERNEST A. WALTERS AND SHERRY L.
 WALTERS,**

Defendants.

ALL THE RIGHT TITLE, INTEREST AND CLAIMS OF ERNEST A. WALTERS AND SHERRY L. WALTERS, OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT NO. 1 IN THE WALTERS SUBDIVISION SITUATE IN SOUTH UNION TOWNSHIP, FAYETTE COUNTY PENNSYLVANIA, A PLOT OF WHICH IS RECORDED IN PLAN BOOK 45, PAGE 100.

RR 13 DUKAT STREET, UNIONTOWN, PA 15401.

TAX PARCEL NO. 34-24-012101

(3 of 3)

ANNE N. JOHN Esq.
ATTORNEY AT LAW

No. 2614 of 2017 GD
No. 93of 2018 ED

**FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION OF GREENE COUNTY, a
corporation,
Plaintiff,
vs.
SARAH L. WAMSLEY and WILLIAM M.
WAMSLEY,
Defendants.**

ALL that certain piece or parcel of land situate in German Township, Fayette County, Pennsylvania, being part of the Lambert Mining Village.

FOR prior title see Record Book 3264 at page 1504. Upon which is erected a double dwelling house known as Nos. 268-269 Lambert Mining Village, now known as Edenborn-Lambert, Inc., and having a street address of 416 Main Street, McClellandtown, Pennsylvania 15458.

Fayette County Assessment Map No.: 15-13-0016. (3 of 3)

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, May 7, 2018 at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2617-0050	GEORGE LAZARCHECK	Georgia VanSickle, Executrix

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

Monday, May 21, 2018 at 9:30 A.M.

in Court Room No. 1 of the **Honorable STEVE P. LESKINEN**, or his chambers, 2nd Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

Notice is also 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, May 7, 2018 at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2616-0871	JACOB W. TOWNSEND	David J. Townsend, Executor
2616-0443	DELAINE A. RUMBAUGH	Lois M. Watts and Margaret Jane Updegraff, Executrices

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

Monday, May 21, 2018 at 9:30 A.M.

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

JEFFREY L. REDMAN
Register of Wills and Ex-Officio Clerk of the Orphans' Court Division (2 of 2)

JUDICIAL OPINION

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

EARL. L. MURPHY and	:	
SHERRY L. STENGER, husband and wife,	:	
Plaintiffs,	:	
	:	
vs.	:	
DAVID CRESSMAN, et al.,	:	No. 2108 of 2017, G.D.
Defendant.	:	Judge Steve P. Leskinen

Richard McCague, Esquire for Plaintiffs
James S. Lederach, Esquire for Defendant

OPINION AND ORDER

Leskinen, J.

April 17, 2018

AND NOW, this 17h day of April, 2018, upon review of the defendant's preliminary objections, the court hereby grants the said objections.

Plaintiffs filed a "Motion to Quiet Title" on September 29, 2017. The title of the document is incorrect, as an action to quiet title can be commenced only by filing a "complaint." Pa.R.C.P. 1063. The "Motion" seeks to quiet title to a property at 210 Graft Street in Everson, Fayette County, Pennsylvania, specifically Lots# 55, 56, and 57 in an unidentified lot plan. The principal allegation in the "Motion" is that the Plaintiffs entered into a "rent to own" arrangement with the father (also unidentified) of the named defendant, David Cressman; that Plaintiffs have occupied the property "for years" and "completed making the payments." The "Motion" asserts that the unnamed father of the named Defendant died before executing and delivering a deed to them.

The Defendant, through counsel, filed the instant Preliminary Objections on November 28, 2017, raising numerous patent defects in the "Motion to Quiet Title." It appears that those Objections have merit, as was evidently conceded by Plaintiffs' counsel-who neither filed a brief, nor appeared at argument.

Specifically, David Cressman is not a proper defendant since he died on July 25, 2017. An estate was opened in Westmoreland County on August 25, 2017, and James Lederach, Esquire was appointed Administrator C.T.A. Even so, the personal representative may or may not be an appropriate party given that the claim asserts that the "rent to own" contract was entered into by David Cressman's father.

Secondly, no writing is attached to the "Motion," and Plaintiffs cannot overcome the Statute of Frauds for real estate without one. Pa.R.C.P. 1019 (h) and (i) require the complaint to set forth whether an agreement is oral or in writing, and if it is in writing, it is to be attached to the complaint. Plaintiffs are in violation of both provisions. Of course, no oral agreement will suffice, so a valid and sufficient writing is critical to any chance of recovery.

No claim of adverse possession is included, and that is the only possible basis for recovery that does not require a writing. Even in that situation, Plaintiffs would arguably have had to remain in possession of the property for twenty-one years after the last payment-since the payment would show their use was permissive and not adverse.

Next, Pa.R.C.P. 400(a) only permits the Sheriff to serve original process in an action such as this. Service in this case was purportedly made by certified mail which is no service at all-particularly here, where the person allegedly served is deceased and no estate is properly named anyway. As above, it is likely the estate of the unidentified father would actually be the appropriate party.

Plaintiffs' counsel is advised that the specific sections of the Rules of Civil Procedure relevant to Quiet Title are contained at Rules 1061 to 1068. Counsel is further admonished to review Rule 1.1 of the Rules of Professional Conduct, which requires competent representation. Explanatory Comment [2] sets forth that "A lawyer can provide adequate representation in a wholly novel field through necessary study. Competent representation can also be provided through the association of a lawyer of established competence in the field in question."

Without being didactic, the Court also draws counsel's attention to the oath of office of a lawyer, which provides:

"I do solemnly swear (or affirm) that I will support, obey and defend the Constitution of the United States and the Constitution of this Commonwealth and that I will discharge the duties of my office with fidelity, as well to the court as to the client, that I will use no falsehood, nor delay the cause of any person for lucre or malice."

The "Motion for Quiet Title" in this case falls so far below the standard of competence required that-when coupled with the failure to file an amended pleading after service of the clearly valid Preliminary Objections, as well as the failure to file a brief or attend argument-the undersigned is concerned that this entire action may have been filed solely to "delay the cause of any person for lucre or malice."

It is noted that the Court has an obligation to report violations of the Pennsylvania Rules of Professional Conduct, which obligation is set forth formally in Code of Judicial Conduct Canon 2.15.

Plaintiffs are granted twenty days to file an amended pleading and provide the Sheriff with proper instructions for service. In default of same, the within matter will be dismissed with prejudice upon "Routine Motion."

BY THE COURT,
LESKINEN, J.

ATTEST:
Nina Capuzzi Frankhouser
Prothonotary

ATTORNEY POSITION

Attorney–Southwestern PA Legal Services seeks a full-time attorney to exclusively represent victims of abuse in Washington, Greene and Fayette Counties. An active license in Pennsylvania is required, as is a demonstrated commitment to advocate for abuse victims is preferred. Extensive local travel will be required. Minority applicants are encouraged. Send resume and at least two references to brian.gorman@splas.org.

PBA YLD ZONE 6 CARAVAN

**YOUNG LAWYER DIVISION
INVITATION**

PBA YLD Zone 6 Caravan

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WESTMORELAND, FAYETTE,
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