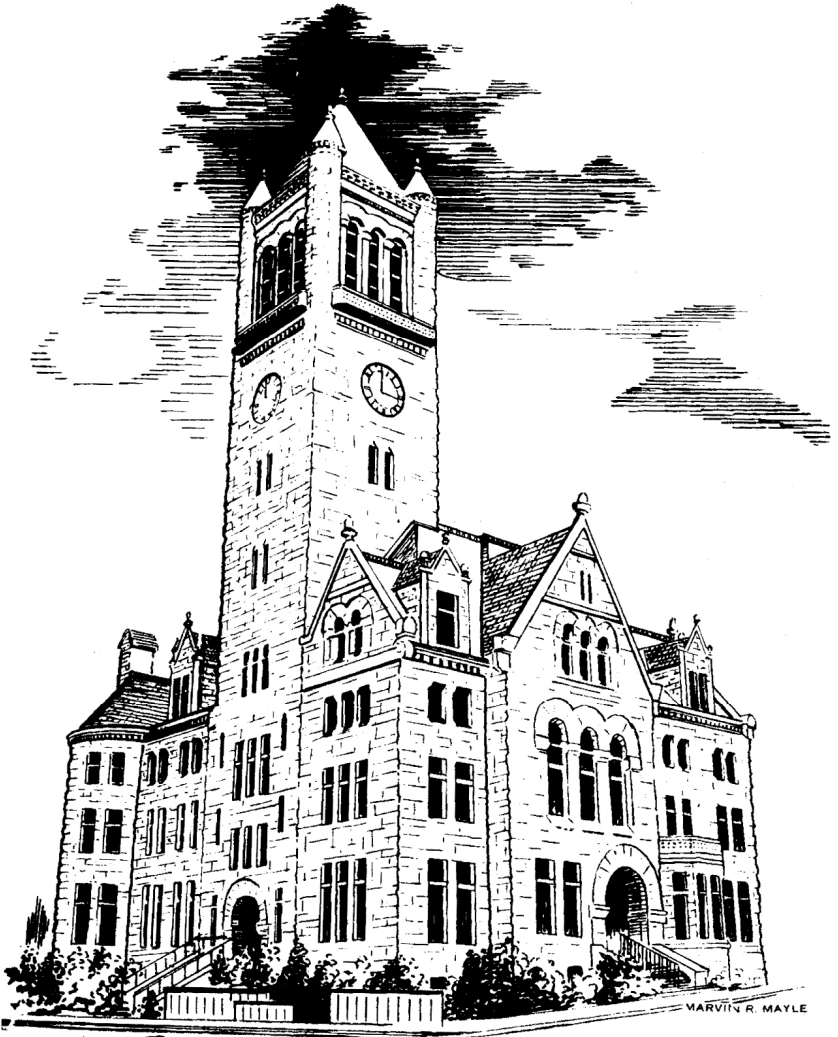


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ESTATE NOTICES

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

**WILLIAM DALE HOLSING, a/k/a
WILLIAM D. HOLSING**, late of Dunbar,
Fayette County, PA (3)

Personal Representative: David L. Brooks
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Timothy J. Witt

SHELLEY J. PETERS, late of Washington
Township, Fayette County, PA (3)
Executrix: Christine M. Ward
100 Drummin Court
Elizabeth, PA 15037
c/o 337 Fallowfield Avenue
Charleroi, PA 15022
Attorney: Jason M. Walsh

RALPH RADISHEK, late of Perry Township,
Fayette County, PA (3)
Executor: Kevin Stricklin
c/o Eric Elia Bononi, Esquire
20 N. Pennsylvania Avenue, Ste. 201
Executor: Rudy Pokorny, Esquire
c/o Edgar Striffler, Esquire
1537 Lincoln Way
White, Oak, PA 15131

**SHIRLEY LEE SMITH, a/k/a SHIRLEY R.
SMITH, a/k/a SHIRLEY RHODES SMITH**,
late of Smithfield, Fayette County, PA (3)
Executor: Jeffrey W. Smith
c/o 9 Court Street
Uniontown, PA 15401
Attorney: Vincent J. Roskovensky, II

Second Publication

MARGARET R. CARTER, late of North
Union Township, Fayette County, PA (2)
Trustee: Gary L. Carter, Trustee of an
Irrevocable Trust Agreement dated
March 29, 2011
c/o DeHaas Law, LLC
51 East South Street
Uniontown, PA 15401
Attorney: Ernest P. DeHaas, III

DOROTHY MISIAK, late of Upper Tyrone
Township, Fayette County, PA (2)
Administrator: Andrea Ansell
c/o 815A Memorial Boulevard
Connellsville, PA 15425
Attorney: Margaret Z. House

JAMES J. MISIAK, late of Upper Tyrone
Township, Fayette County, PA (2)
Executrix: Andrea Ansell
c/o 815A Memorial Boulevard
Connellsville, PA 15425
Attorney: Margaret Z. House

MARY JANE STIMMELL, late of Smithfield,
Fayette County, PA (2)
Administrator: Lawrence Fowler
c/o 428 Forbes Avenue, Suite 1901
Pittsburgh, PA 15219
Attorney: Adam Anderson

JOHN TROSIEK, late of German Township,
Fayette County, PA (2)
Executor: John Trosiek
7040 Southmoor Street, Apt. 3207
Hanover, MD 21076
c/o Auld Miller, LLC
4767 William Flynn Highway
Allison Park, PA 15101
Attorney: Russell Miller

First Publication

LEGAL NOTICES

MARY M. FUSCO, a/k/a MARY FUSCO,
late of Uniontown, Fayette County, PA (1)
Executor: William R. Santa
c/o David W. Tyree, P.C.
3371 Babcock Boulevard
Pittsburgh, PA 15237
Attorney: David Tyree

WILLIAM E. STEWART, III, late of
Connellsville, Fayette County, PA (1)
Co-Executors: Devon Lamanna and
Ryan Lamanna
c/o Casini & Gebig, LLC
815B Memorial Boulevard
Connellsville, PA 15425
Attorney: Jennifer M. Casini

**HARVEY TOLSTOI, a/k/a HARVEY A.
TOLSTOI, a/k/a HARVEY AUSLANDER
TOLSTOI,** late of South Union Township,
Fayette County, PA (1)
Executrix: Pamela S. Conn
c/o John & John
96 East Main Street
Uniontown, PA 15401
Attorney: Simon B. John

NOTICE

Notice is hereby given that Certificate of Organization has been approved and filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on June 12, 2020, for a limited liability company known as George Dental Associates LLC. Said limited liability company has been organized under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The purpose or purposes of the limited liability company is/are: Dentistry and any other lawful purpose related thereto for which limited liability company may be organized under the Business Corporation Law.

Samuel J. Davis, Esquire
Davis & Davis
107 East Main Street
Uniontown, PA 15401

IN THE COURT OF COMMON PLEAS OF
BUTLER COUNTY, PENNSYLVANIA
CIVIL DIVISION
A.D. No. 2020 - 10173

HIGHFIELD COMMUNITY ASSOCIATION,
Plaintiff,
vs.

GEORGIA M. PARKER, individually;
GEORGIA M. PARKER, Administratrix of the
Ethel M. Dougherty, a/k/a Ethel Daugherty, a/k/
a Ethel M. Daugherty Estate, and its heirs,
unknown heirs, executors, administrators,
personal representatives, successors, assigns,
and all persons claiming under them; the
ESTATE OF GEORGE K. DAUGHERTY, and
its heirs, unknown heirs, executors,
administrators, personal representatives,
successors, assigns, and all persons claiming
under them; JAMES P. SMITH; CHARLES R.
SMITH; THOMAS SMITH; ELIZABETH
BROWN; DOLORES WILSON; ROBERT
SMITH; LYDIA SMITH; ANTHONY SMITH,
and their heirs, unknown heirs, executors,
administrators, personal representatives,
successors, assigns, and all persons claiming
under them,
Defendants.

ORDER OF COURT

AND NOW, this 16th day of June, 2020, an Affidavit of Service of the Complaint with Notice to Defend having been filed and no Answer having been made by the Defendant for a period in excess of twenty-five (25) days, upon consideration of the Motion by Plaintiff and pursuant to Pa. R.C.P. 1066, **IT IS HEREBY ORDERED** that a judgment by default be entered against the Defendants, Georgia M. Parker, Administratrix of the Ethel M. Dougherty, a/k/a Ethel Dougherty, a/a Ethel M. Dougherty Estate, and her heirs, unknown heirs, executors, administrators, personal representatives, the Estate of George K. Dougherty, and his heirs, unknown heirs, executors, administrators, personal representatives, successors, assigns, and all persons claiming under them, James P. Smith, Charles R. Smith, Thomas Smith, Elizabeth Brown, Dolores Wilson, Robert Smith, Lydia Smith, Anthony Smith, and their heirs, unknown heirs, executors, administrators, personal representatives, successors, assigns, and all persons claiming under them and their heirs, unknown heirs, personal representatives, administrators, executors, successors and assigns, and all persons, firms or associations claiming right, title, or interest from or under the Defendants, directing that the Defendants be permanently enjoined and restrained from asserting any claim or interest in or to the following described real property or any part thereof:

ALL that certain lot of ground being known as Lot Number Two Hundred Thirty One (231) in the Butler Land Investment and Improvement Company's Plan of Lots recorded in the Register and Recorder's Office in and for Butler County, and situate in Butler Township, Butler County, Commonwealth of Pennsylvania, bounded and described as follows:

BOUNDED on the South by Stewart Avenue on the East by Lot Number 232, on the North by Stewart Way and on the West by Lot Number 230 of said allotment.

BEING designated as Tax Parcel No. 055-27-0231.

BEING the same property which the Butler Land and Investment and Improvement Company by their deed dated November 14, 1922, and conveyed to Emanuel Rose.

ALSO, BEING the same property conveyed to George K. Dougherty, a/k/a George

K. Dougherty and the above-named Decedent, his wife, on November 15, 1922 at Deed Book 406, Page 327, being recorded on August 14, 1923, in the Butler County Recorder's Office. The said George K. Dougherty a/k/a George K. Dougherty having died on July 29, 1945, with no estate being opened, full title and ownership became vested in the said Ethel M. Dougherty, a/k/a Ethel Dougherty, a/k/a Ethel Dougherty, by operation of law. Also being the same property conveyed to Highfield Community Association by Deed of Georgia M. Parker, as Administratrix and individually, recorded as Instrument No. 202003100004926 on March 10, 2020

Unless the Defendants shall file an Action in Ejectment against the Plaintiff, or otherwise take legal action to protect their interests within thirty (30) days of the date of publication of this Order once in the Butler Eagle, once in the Butler County Legal Journal, once in the Washington Daily Courier, and once in the Fayette Legal Journal, the Prothonotary shall, upon Praecept of the Plaintiff, enter a final judgment against the Defendants.

BY THE COURT:
S. Michael Yeager
J.

JUDICIAL OPINION

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

COMMONWEALTH OF PENNSYLVANIA,	:	
vs.	:	
	:	
SCOTT E. BROADWATER,	:	No. 351of 2020
Defendant.	:	Honorable Steve P. Leskinen

FINDINGS & ORDER

Leskinen, J.

June 25, 2020

AND NOW, this 25th day of June, 2020, upon consideration of Defendant’s Omnibus Pre-Trial Motion for dismissal pursuant to lack of probable cause for a traffic stop, (other issues raised not being necessary to the Court’s disposition of this case) and the hearing on said Motion, the Court hereby finds:

1. That the MVR video recording does show that Defendant put his left tires on or just over the double yellow center line immediately before, and as part of making, a properly signaled right turn.

2. That Defendant’s vehicle was a full-size American-made four wheel drive pickup truck with fender flares and tall and wide tires that extended well past the flares, and such vehicles, like larger trucks, need to “swing wide” on a right turn so as to avoid crossing the center line excessively on the target road.

3. That, in addition, there was a wide spot in the ditch to the right of the truck before the turn that also contributed to forcing Defendant onto the center line.

4. That Section 3309(1) of the Motor Vehicle Code specifies that: “[a] vehicle shall be driven as nearly as practicable entirely within a single lane and shall not be moved from the lane without first ascertaining that the movement can be made with safety.”

5. That the defendant’s “momentary and minor” crossing of the center line did not constitute a violation of 75 Pa.C.S.A 3309, since the movement was made safely, and no persons or property were thereby placed in danger, Commonwealth v. Gleason, 567 Pa. 111, 785 A.2d 983 (2001), Commonwealth v. Klopp, 2004 Pa. Super 472, 2004 WL 2848902;

6. That Section 3301(2) of the Motor Vehicle Code specifies that a vehicle shall be driven on the right half of the roadway except: “[w]hen an obstruction exists making it necessary to drive to the left of the center of the roadway, provided the driver yields the right-of-way to all vehicles traveling in the proper direction upon the unobstructed

portion of the roadway within such distance as to constitute a hazard.”

7. There was no violation of Section 3301 because there was an obstruction, and there were no vehicles at all traveling in the opposite direction.

8. After Defendant turned right, he proceeded between 20 and 50 feet before turning left, and he did not signal the left turn, which was into a minor unpaved road that was either a shared driveway or an alley.

9. That Section 3334(a) of the Motor Vehicle Code relevantly provides: “[u]pon a roadway no person shall turn a vehicle ... unless and until the movement can be made with reasonable safety nor without giving an appropriate signal in the manner provided in this section.” Subsection (b) relevantly provides: “ ... an appropriate signal of intention to turn right or left ... shall be given continuously during not less than the last 100 feet traveled by the vehicle before turning.”

10. That the unsignaled lane change was not a violation of 75 Pa.C.S.A 3334 because the movement was made with complete safety, and it was impossible to literally comply with subsection (b) because the left turn followed the right turn less than one-half the distance an “appropriate signal” would otherwise be required.

11. That the statute could read “or such lesser distance that it is possible to signal” or other words to that effect, but it does not.

12. That the statute cannot be interpreted so as to make a criminal violation where it is impossible to comply.

13. That an “appropriate signal” required must be one that is possible to give.

14. That based on the above cited authority, the officer had no articulable “reasonable suspicion that a violation” of the Motor Vehicle Code “is occurring or has occurred” as required by § 6308(b) of the Motor Vehicle Code to justify a traffic stop; and

15. Therefore, the traffic stop was unlawful, and the ensuing arrest and all charges filed as a result must be suppressed and DISMISSED.

The Omnibus Pre-Trial Motion is, therefore, GRANTED, and the charges filed at the above docket number and all counts thereof are DISMISSED.

BY THE COURT:
STEVE P. LESKINEN, JUDGE

ATTEST:
CLERK OF COURTS

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