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IN THIS ISSUE

COMMONWEALTH OF PENNSYLVANIA VS.
FRANKLIN ROOSEVELT DABNEY, JR.

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COMMONWEALTH OF PENNSYLVANIA VS.
FRANKLIN ROOSEVELT DABNEY, JR.

1. Defendant's arrest for DUI controlled substance was supported by probable cause.
2. The Pennsylvania Medical Marijuana Act (MMA) permits an individual to lawfully consume marijuana, but no statute or caselaw has changed marijuana's designation as a Schedule 1 controlled substance. No provision of § 3802(d)(1) of the Vehicle Code excepts or exempts users of medical marijuana from having the substance in their blood while driving.
3. A medical marijuana card and the ingestion of medical marijuana does not prevent prosecution under § 3802(d)(1)Ii) or 3802(d)(1)(iii) of the Vehicle Code.

IN THE COURT OF COMMON PLEAS OF ADAMS COUNTY,
PENNSYLVANIA, CP-01-CR-1083-2020, COMMONWEALTH OF
PENNSYLVANIA VS. FRANKLIN ROOSEVELT DABNEY, JR.

Robert A Bain, Esquire, District Attorney's Office
Christian J DeFilippo, Esquire, Attorney for Defendant
Wagner, J., January 29, 2021

OPINION ON DEFENDANT'S
OMNIBUS PRETRIAL MOTION

Presently before this Court is Defendant's Omnibus Pretrial Motion to Suppress and Petition for Writ of Habeas Corpus, filed November 9, 2020. Defendant seeks to suppress evidence obtained from Defendant's vehicle as the result of an unlawful warrantless probable cause search of the vehicle. Defendant also contends that the Commonwealth lacked probable cause to place Defendant under arrest for driving under the influence of a controlled substance. Finally, Defendant contends he cannot be charged with operating a motor vehicle with a Schedule I controlled substance, or the metabolite of a Schedule I controlled substance in his system, because Defendant possessed a medical marijuana card and medical marijuana would not be considered a Schedule I controlled substance.

A suppression hearing was held before this Court on December 14, 2020. The Commonwealth concedes that the warrantless search of Defendant's vehicle cannot be justified based on the Pennsylvania Supreme Court case *Commonwealth v. Alexander*, 2020 WL 756760, decided December 22, 2020. Therefore, Defendant's Motion to Suppress evidence seized as a result of the warrantless probable cause search of Defendant's vehicle is granted. Based upon the following Findings of Fact and Conclusions of Law, this Court will

deny Defendant's Motion to Suppress for Lack of Probable Cause to Arrest Defendant and will deny Defendant's Petition for Writ of Habeas Corpus.

FINDINGS OF FACT

1. Trooper Mark Brandt is an employee with the Pennsylvania State Police and has been a Trooper for 5 years.
2. In his career, Trooper Brandt has been involved in approximately 100 DUI investigations; approximately 50% of the investigations involved individuals suspected of driving under the influence of a controlled substance with 35% - 40% involving marijuana. Trooper Brandt is familiar with the odor of raw and burnt marijuana.
3. As part of Trooper Brandt's training he was instructed in the Standardized Field Sobriety Test (SFST) and Advanced Roadside Impaired Driving Enforcement (ARIDE) training. ARIDE deals specifically with individuals suspected to be under the influence of controlled substances.
4. On April 27, 2020 Trooper Brandt was stationary on Route 15 in Tyrone Township, Adams County, Pennsylvania, in full uniform and in an unmarked police vehicle conducting radar and clocked a blue Hyundai Sonata traveling 93 miles per hour in a 65 mile per hour zone.
5. Trooper Brandt conducted a traffic stop of the Hyundai Sonata in Tyrone Township. Defendant was driving the vehicle and there was a front and back seat passenger in the vehicle.
6. Other than speeding, Trooper Brandt did not observe any other erratic driving and Defendant safely stopped his vehicle.
7. Trooper Brandt was wearing a disposable mask for Covid-19 precaution and detected the faint odor of raw marijuana as he approached Defendant's vehicle.
8. Upon request from Trooper Brandt, Defendant properly provided all documents and information.
9. Trooper Brandt returned to his police vehicle and prepared a citation for speeding. Trooper Brandt reapproached the vehicle and had contact with Defendant while Defendant was seated in the driver's seat. While speaking with Defendant, Trooper Brandt noticed a strong odor of raw marijuana coming from

- inside the vehicle. Defendant denied having marijuana in the vehicle. Defendant produced a medical marijuana card and related the odor of marijuana is probably from his clothes.
10. Trooper Brandt directed Defendant and the two passengers to exit the vehicle. Trooper Brandt and Trooper Forcey conducted a warrantless probable cause search of Defendant's vehicle. Trooper Brandt observed flakes of suspected marijuana around the center console and front passenger seat. Trooper Forcey located a white plastic shopping bag containing three individually packaged clear plastic bags containing suspected marijuana in the vehicle's trunk.
 11. While interacting with Defendant, Trooper Brandt observed that Defendant's eyes were dilated and red.
 12. Trooper Brandt requested SFST tests and Defendant agreed. Trooper Brandt conducted the HGN test, walk and turn test, and one leg stand test.
 13. During the walk and turn test Trooper Brandt observed Defendant raise his arms, stop briefly during the test, and not count correctly. These were all indicators that Defendant might be impaired.
 14. During the one leg stand test, Trooper Brandt observed Defendant improperly lift his leg, sway and improperly put his foot down, all indicators of impairment.
 15. Trooper Brandt also conducted two ARIDE tests, the lack of convergence test and the Romberg balance test. Trooper Brandt observed a lack of convergence with Defendant's eyes, observed eyelid tremors during the Romberg balance test and observed Defendant did not properly estimate the proper time period for the test, all indicators of impairment.
 16. Trooper Brandt testified that based on Defendant's lack of judgment in driving 93 miles per hour, his contact and his observations of Defendant, including the SFST and ARIDE tests, in his opinion Defendant was under the influence of marijuana and was incapable of safe driving.
 17. An MVR of the Trooper's interaction with Defendant recorded the sound and video from the interaction.
 18. Trooper Brandt placed Defendant under arrest for suspected driving under the influence of a controlled substance. Defendant was transported to Gettysburg Hospital for a blood test.

LEGAL STANDARD

In a suppression hearing, the Commonwealth has the burden to establish by a preponderance of the evidence, the admissibility of those items the accused seeks to preclude. *Commonwealth v. Ruey*, 892 A.2d 802, 807 (Pa. 2006).

“Probable cause to arrest exists when the facts and circumstances within the police officer’s knowledge and of which the officer has reasonable trustworthy information are sufficient in themselves to warrant a person of reasonable caution in the belief that an offense has been committed by the person to be arrested.” *Commonwealth v. Weaver*, 76 A.3d 562, 565 (Pa. Super. 2013) (quoting *Commonwealth v. Williams*, 941 A.2d 14, 27 (Pa. Super. 2008)). “Probable cause justifying a warrantless arrest is determined by the totality of the circumstances.” *Id.*

Probable cause “exists when criminality is one reasonable inference—not necessarily even the most likely inference.” *Commonwealth v. Spieler*, 887 A.2d 1271, 1275 (Pa. Super. 2005); See also *Commonwealth v. Dennis*, 417 Pa. Super. 425, 612 A.2d 1014, 1016 (1992) (“[W]e must remember that in dealing with questions of probable cause, we are not dealing with certainties. We are dealing with the factual and practical considerations of everyday life on which reasonable and prudent men act.”); *Commonwealth v. Kendrick*, 340 Pa. Super. 563, 490 A.2d 923, 927 (1985) (“[Probable cause] does not demand any showing that such a belief be correct or more likely true than false.”).

CONCLUSIONS OF LAW

1. Defendant’s arrest for DUI controlled substance was supported by probable cause.
2. A medical marijuana card and the ingestion of medical marijuana does not prevent prosecution under § 3802(d)(1)(i) and 3802(d)(1)(iii) of the Vehicle Code.

DISCUSSION

The first question presented is whether Trooper Brandt had probable cause to arrest Defendant on suspicion of driving under the influence of a controlled substance. Trooper Brandt clearly had probable cause to arrest Defendant for DUI controlled substance.

Trooper Brandt clocked Defendant's vehicle travelling 93 miles per hour in a 65 mile per hour zone, illustrating a lack of judgment on Defendant's part. Trooper Brandt initially smelled the odor of raw marijuana as he approached Defendant's vehicle the first time. When Trooper Brandt approached Defendant's vehicle the second time and had direct contact with Defendant while Defendant was sitting in the driver's seat, Trooper Brandt clearly smelled the odor of raw marijuana in Defendant's vehicle. Defendant denied having any marijuana in the vehicle. After Defendant exited his vehicle, Trooper Brandt observed that Defendant's eyes were red and his pupils were dilated. Trooper Brandt had Defendant perform SFST tests and ARIDE tests and Defendant showed multiple clues of impairment throughout the tests. Based on Trooper Brandt's extensive experience and his observations of Defendant, Trooper Brandt was of the opinion that Defendant was under the influence of marijuana and therefore incapable of safe driving.

Trooper Brandt has five years of experience as a Pennsylvania State Police Trooper and has handled approximately 100 DUI investigations. Trooper Brandt has extensive experience in dealing with individuals under the influence of marijuana. When looking at the totality of the circumstances, in combination with Trooper Brandt's experience, Trooper Brandt had a reasonable basis for placing Defendant under arrest for suspicion of DUI.

The second question presented is whether Defendant is precluded from being charged with operating a motor vehicle with marijuana or the metabolite of marijuana in his blood, because Defendant possessed a medical marijuana card and because medical marijuana is not considered a Schedule I controlled substance.

A medical marijuana card does not prevent prosecution under § 3802(d)(1)(i) or 3802(d)(1)(iii) of the Vehicle Code.

The Pennsylvania Medical Marijuana Act (MMA) permits an individual to lawfully consume marijuana, but no statute or caselaw has changed marijuana's designation as a Schedule I controlled substance. No provision of § 3802(d)(1) of the Vehicle Code exempts or exempts users of medical marijuana from having the substance in their blood while driving.

Defendant cites to *Commonwealth v. Jezi*, 208 A.3d 1105 (Pa. Super. 2019) to support his argument that a medical marijuana card

prevents prosecution under § 3802(d)(1) of the Vehicle Code. In *Jezzi*, the defendant was charged with manufacturing/growing marijuana under the Controlled Substance, Drug, Device and Cosmetic Act (Drug Act). The defendant argued that because of the MMA, the marijuana plants that were being grown were not a violation of the law because it was not a Schedule I controlled substance. The Superior Court in *Jezzi* observed that “medical marijuana is not listed in the CSA as a Schedule I substance, only marijuana is listed.” *Id.* at 1115. As such, Defendant believes that, as long as individuals comply with the MMA, the presence of Delta-9, Hydroxy and Carboxy THC in their blood will not be considered a Schedule I controlled substance. This argument is without merit.

Jezzi noted that “the General Assembly allows for the use of medical marijuana under very specific guidelines, which, when followed, will not lead to criminal punishment” and ultimately held that:

[T]he CSA and the MMA can be read in harmony and given full effect, where the MMA was not intended to remove marijuana from the list of Schedule I substances under the CSA; the MMA was intended to provide a controlled program for lawful access to medical marijuana under specific circumstances and criteria for special medical needs.

Id. at 1114-15. At no point did *Jezzi* reclassify marijuana as anything other than a Schedule I controlled substance nor did it address the application of the MMA in regard to the Vehicle Code. If the Pennsylvania Legislature had intended the MMA to take precedence over the Vehicle Code, it could have easily done so, as it had done with the Controlled Substance, Drug, Device, and Cosmetic Act.¹

Defendant also cites to *Commonwealth v. Glenn*, 233 A.3d 842 (Pa. Super. 2020) in support of his Petition for Writ of Habeas Corpus. In *Glenn*, the defendant was found to have Fentanyl, a Schedule II controlled substance, and a Fentanyl metabolite in his blood after operating his vehicle and was charged with violating § 3802(d)(1)(ii) and § 3802(d)(1)(iii) of the Vehicle Code. The defendant had a valid prescription for Fentanyl at the time that he

¹ “If a provision of the Controlled Substance, Drug, Device and Cosmetic Act [CSA] relating to marijuana conflicts with a provision of [the MMA], [the MMA] shall take precedence. 35 P.S. § 10231.2101

was operating his vehicle. The trial court convicted the defendant under § 3802(d)(1)(iii) but acquitted Defendant under § 3802(d)(1)(ii) based on Defendant's prescription for Fentanyl. The Superior Court reversed the decision, stating that: "[i]f an individual has a medical prescription for a controlled substance such as Fentanyl, it follows that the individual may lawfully have metabolites produced by the controlled substance in their bloodstream while their body is metabolizing the Fentanyl." *Id.* at 846.

Defendant's reliance upon *Glenn* is misplaced, given the facts of this case. *Glenn* ruled that a driver cannot be convicted under § 3802(d)(1)(iii) for a metabolite of a prescribed Schedule II or Schedule III controlled substance in his blood, because he had a valid prescription for Fentanyl and therefore cannot be prosecuted under § 3802(d)(1)(ii) for the Fentanyl found in his blood. Unlike § 3802(d)(1)(ii), § 3802(d)(1)(i) of the Vehicle Code prohibits driving with any level of a Schedule I controlled substance in an individual's blood. Simply stated, it is illegal to operate a motor vehicle with a Schedule I controlled substance in an individual's blood. The possession of an MMA card does not authorize an individual to drive with marijuana or its metabolite in their blood. Therefore, *Glenn* has no precedential value to the facts of this case.

Judge Stabile's concurring opinion in *Commonwealth v. Yeager*, 2036 MDA 2019 (Superior Court non-precedential decision – See Superior Court I.O.P. 65.37) successfully articulates why it is illegal to operate a motor vehicle in Pennsylvania with marijuana in an individual's blood, whether medical or illegal marijuana:

While medical marijuana is now legal when properly used in accordance with the MMA, driving while smoking medical marijuana, nonetheless illegal marijuana, or while any of its metabolites are in one's blood is not. Driving under the influence, whether of alcohol or controlled substances, endangers and kills lives. Like alcohol, while medical marijuana may now be legal, smoking, vaping, or otherwise ingesting marijuana that contains THC can still impair someone who is operating a vehicle. The continued prohibition against driving with any marijuana or metabolites in one's blood is a reflection of that fact. As the Court recognized in *Chase*,

“Pennsylvanians also have a significant interest in having the Vehicle Code enforced.” *Id.* at 119. While stated in the context of DUI roadblocks, the Court “determined the Commonwealth has a compelling interest in detecting and removing intoxicated drivers because they may cause death, injury, and property damage.” *Id.* (citation omitted). I believe that compelling interest applies equally in the context of persons under the influence of marijuana, whether illegal marijuana or medical marijuana.

Id. at page 19 – 20.

The MMA “simply establishes a scheme for the lawful use of medical marijuana” and does not, under current law, prevent prosecution of the Defendant under § 3802(d)(1) of the Vehicle Code. Therefore, Defendant’s Petition for Writ of Habeas Corpus is denied. Accordingly, the attached Order will be entered.

ORDER OF COURT

AND NOW, this 29th day of January, 2021, for the reasons set forth in the attached Opinion, Defendant’s Motion to Suppress based on Trooper’s lack of probable cause to arrest Defendant is denied. Defendant’s Petition for Writ of Habeas Corpus is denied.

Based on the concession of the Commonwealth, Defendant’s Motion to Suppress evidence obtained from Defendant’s vehicle as the result of a warrantless probable cause search of the vehicle is granted.

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on-line auction conducted by Bid4Assets, 8757 Georgia, Ave., Suite 520, Silver Springs, MD 20910.

No. 19-SU-1133

ACNB Bank, Formerly Known as Adams County National Bank
vs.

Baltimore Street Income Partners, L.P., Oakton Development Co., General Partner

Property Address: 116 Baltimore Street, Gettysburg, PA 17325

UPI/Tax Parcel Number:
16010-0117--000

Owner(s) of property situate in the Borough of Gettysburg, Adams County, Pennsylvania

Improvements Thereon:
Commercial Property

Judgement Amount: \$181,719.50

Attorneys for Plaintiff:

Puhl & Thrasher
220 Baltimore Street
Gettysburg, PA 17325

No. 20-SU-218

ACNB Bank
vs.

Tammy L. Gaines and Gregory Edward Lewis

Property Address: 315 Main Street, York Springs, PA 17372

UPI/Tax Parcel Number:
42-002-0020--000

Owner(s) of property situate in the Borough of York Springs, Adams County, Pennsylvania

Improvements Thereon:
Residential Dwelling

Judgment Amount: \$72,276.83

Attorneys for Plaintiff:

CGA Law Firm
135 North George Street
York, PA 17401

No. 20-SU-603

Aurora Financial Group INC.
vs.

Alejandra Marie Gutierrez

Property Address: 131 Conewago Drive, Hanover, PA 17331

UPI/Tax Parcel Number:
08K14-0234-000

Owner(s) of property situate in Conewago Township, Adams County, Pennsylvania

Improvements Thereon:
Residential Dwelling

Judgement Amount: \$164,064.90

Attorneys for Plaintiff:

KML Law Group, P.C.

No. 20-SU-313

Wilmington Savings Fund Society, FSB, As Trustee of Stanwich Mortgage Loan Trust F
vs.

Stephen Douglas Mixell

Property Address: 28 Burnside Drive, East Berlin, PA 17316

UPI/Tax Parcel Number:
23103-0033---000

Owner(s) or property situate in Latimore Township, Adams County, Pennsylvania

Improvements Thereon:
Residential Dwelling

Judgement Amount: \$118,210.90

Attorneys for Plaintiff:

Hill Wallack

No. 19-SU-1071

PNC Bank, National Association, Successor By Merger to National City Mortgage a Division of National City Bank
vs.

Cynthia E. Myers

Property Address: 1350 Church Road, Orrtanna, PA 17353

UPI/Tax Parcel Number:
12B08-0017---000

Owner(s) of property situate in Franklin Township, Adams County, Pennsylvania

Improvements Thereon:
Residential Dwelling

Judgement Amount: \$115,699.75

Attorneys for Plaintiff:

Manley Deas Kochalski, LLC

No. 20-SU-560

JPMorgan Chase Bank, National Association
vs.

Cathleen A. Overholtzer, Gregory E. Overholtzer

Property Address: 230 Conewago Drive, East Berlin, PA 17316

UPI/Tax Parcel Number:
36L08-0023-000

Owner(s) of property situate in Reading Township, Adams County, Pennsylvania

Improvements Thereon:
Residential Dwelling

Judgement Amount: \$68,542.48

Attorneys for Plaintiff:

Shapiro & Denardo

No. 19-SU-548

PNC Bank, National Association
vs.

Rebecca J. Stoner and Keith L. Sharrah

Property Address: 481 Arendtville, Biglerville, PA 17307

UPI/Tax Parcel Number:
07E08-0025-000

Owner(s) of property situate in Butler Township, Adams County, Pennsylvania

Improvements thereon:
Residential Dwelling

Judgement Amount: \$36,987.28

Attorneys for Plaintiff:

Manley Deas Kochalski LLC

No. 20-SU-301

Wilmington Trust, National Association, Not in its Individual Capacity, But Solely as Trustee of MFRA Trust 2014-2
vs.

Stanley A. Watts, Jr., and Wendy S. Watts

Property Address: 6335 Oxford Road, Gardners, PA 17324

UPI/Tax Parcel Number:
22H04-0007-000

Owner(s) of property situate in Huntington Township, Adams County, Pennsylvania

Improvements thereon:
Residential Dwelling

Judgement Amount: \$215,413.96 plus

interest from July 1, 2020 to date of

Sale at per diem rate of \$21.79

Attorneys for Plaintiff:

Hill Wallack LLP

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller
Sheriff of Adams County
www.adamscounty.us

2/19, 2/26 & 3/5

SHERIFF SALES

IN PURSUANCE of writs of execution issuing out of the Court of Common Pleas of Adams County, Pennsylvania, and to me directed, will be exposed to Public Sale on-line auction conducted by Bid4Assets, 8757 Georgia, Ave., Suite 520, Silver Springs, MD 20910.

No. 20-SU-331

Wells Fargo Bank, National Association as Trustee for Soundview Home Loan Trust 2007-opt-5, Asset-Backed Certificates, Series 2007-opt5 vs.

Betty White a/k/a Betty J. White and John White a/k/a John E. White

Property Address: 645 Mount Hope Road, Fairfield, PA 17320

UPI/Tax Parcel Number:

18C14-0017A-000

Owner(s) of property situate in Hamiltonban Township, Adams County, Pennsylvania

Improvements thereon:

Residential Dwelling

Judgement Amount: \$173,626.70

Attorneys for Plaintiff:

Stern & Eisenberg

Improvements thereon:

Residential Dwelling

Judgement Amount: \$401,522.30

Attorneys for Plaintiff:

Manley Deas Kochalski LLC

NOTICE directed to all parties in interest and claimants that a schedule of distribution will be filed by the Sheriff in his office no later than (30) thirty days after the date of sale and that distribution will be made in accordance with that schedule unless exceptions are filed thereto within (10) ten days thereafter.

Purchaser must settle for property on or before filing date. ALL claims to property must be filed with Sheriff before sale date.

AS SOON AS THE PROPERTY IS DECLARED SOLD TO THE HIGHEST BIDDER 20% OF THE PURCHASE PRICE OR ALL OF THE COST, WHICHEVER MAY BE THE HIGHER, SHALL BE PAID FORTHWITH TO THE SHERIFF.

James W. Muller

Sheriff of Adams County

www.adamscounty.us

2/19, 2/26 & 3/5

No. 20-SU-680

U.S. Bank Trust National Association, As Trustee for Towd Point Master Funding Trust 2018-PM21

vs.

Melissa Lynn Myers, as Administratrix of the Estate of Jacklyn M. Myers Deceased

Property Address: 323 Parkway Drive, Littlestown, PA 17340

UPI/Tax Parcel Number:

27005-0141B--000

Owner(s) of property situate in the Borough of Littlestown, Adams County, Pennsylvania

Improvements thereon:

Residential Dwelling

Judgement Amount: \$233,760.45

Attorneys for Plaintiff:

KML Law Group, P.C.

No. 20-SU-119

Caliber Home Loans, INC.

vs.

Terrance J. Shanahan a/k/a Terrance Shanahan, Sallie Shanahan, a/k/a Sallie A. Shanahan, The Sallie A. Shanahan Revocable Trust dated October 22, 2018

Property Address: 54 North Allwood Drive, Hanover, PA 17331

UPI/Tax Parcel Number:

08033-0004-000

Owner(s) of property situate in Conewago Township, Adams County, Pennsylvania

ESTATE NOTICES

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

FIRST PUBLICATION**ESTATE OF MARY E. AHLERS, DEC'D**

Late of Straban Township, Adams County, Pennsylvania

Executor: Steven E. Ahlers, 1636 Baltimore Pike, Dillsburg, PA 17019

Attorney: John C. Zepp, III, Esq., P.O. Box 204, 8438 Carlisle Pike, York Springs, PA 17372

ESTATE OF ROBERT V. COE, DEC'D

Late of Mt. Pleasant Township, Adams County, Pennsylvania

Personal Representative: Ayana Victoria Coe, 101 Main Street, McSherrystown, PA 17344

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

ESTATE OF CLYDE STANLEY DEHOFF, JR., DEC'D

Late of Cumberland Township, Adams County, Pennsylvania

Executor: Thomas K. DeHoff, 7327 Rosewood Manor Lane, Laytonsville, MD 20882

ESTATE OF CAROLYN JEAN HARRIS, DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Executrix: Gina M. Valentine, 222 Christ Church Road, Littlestown, PA 17340

Attorney: Dennis M. Twigg, Esq., Hoffman, Comfort, Offutt, Scott & Halstad, LLP, 24 North Court Street, Westminster, MD 21157

ESTATE OF CAROL SUE HAY, DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Co-Executors: Emily Ann Carbaugh, 309 West Elm Avenue, Hanover, PA 17331; Michael Joseph Hay, 150 W. Highland Avenue, Spring Grove, PA 17362

Attorney: Clayton A. Lingg, Esq., Mooney Law, 230 York Street, Hanover, PA 17331

ESTATE OF DONALD E. HEUSNER a/k/a DONALD EDWARD HEUSNER, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Lois A. Von Sas, c/o Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

Attorney: Scott J. Strausbaugh, Esq., Strausbaugh Law, PLLC, 1201 West Elm Avenue, Suite #2, Hanover, PA 17331

ESTATE OF WILLIAM JOHN LEIBERTON, JR., DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Co-Executors: Beth L. Reeder and Ann L. Etchberger, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin PA 17316

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin PA 17316

ESTATE OF RICHARD E. MYERS, DEC'D

Late of Oxford Township, Adams County, Pennsylvania

Executor: Sharon E. Myers, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin PA 17316

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin PA 17316

ESTATE OF BARRY R. NOEL, DEC'D

Late of Highland Township, Adams County, Pennsylvania

Andrea Noel Dunn, 3719 Forest Grove Drive, Annandale, VA 22003

Attorney: John J. Murphy III, Esq., Patrono & Murphy, LLC, 28 West Middle Street, Gettysburg, PA 17325

ESTATE OF EUGENE H. RICHARDSON, DEC'D

Late of Franklin Township, Adams County, Pennsylvania

Phyllis Mummert, 415 Ardmore Lane, Abbottstown, PA 17301

Attorney: Thomas R. Nell, Esq., 130 W. King Street, P.O. Box 1019, East Berlin, PA 17316

ESTATE OF DONALD L. SCHAEFFER, DEC'D

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

Executor: George W. Schaeffer, 5830 Oakland Road, Sykesville, MD 21784

Attorney: Matthew R. Battersby, Esq., Battersby Law Office, P.O. Box 215, Fairfield, PA 17320

ESTATE OF MARYETTA T. SCHWEITZER, DEC'D

Late of the Borough of Littlestown, Adams County, Pennsylvania

Executor: Margaret Alexander, c/o Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin PA 17316

Attorney: Sharon E. Myers, Esq., CGA Law Firm, PC, P.O. Box 606, East Berlin PA 17316

ESTATE OF MARTIN L. SIDWELL, DEC'D

Late of Straban Township, Adams County, Pennsylvania

Executrix: Felicity M. Sidwell, 105 Goldenville Road, Gettysburg, PA 17325

Attorney: Clayton A. Lingg, Esq., Mooney Law, 230 York Street, Hanover, PA 17331

ESTATE OF SUSAN P. SPERTZEL, DEC'D

Late of Reading Township, Adams County, Pennsylvania

Diane M. Huber, 104 Schofield Drive, East Berlin, PA 17316

Attorney: Thomas R. Nell, Esq., 130 W. King Street, P.O. Box 1019, East Berlin, PA 17316

ESTATE OF JANE T. TAYLOR, DEC'D

Late of the Borough of Biglerville, Adams County, Pennsylvania

Co-Executors: Nancy T. Crum, 1681 Carlisle Road, Aspers, PA 17304; Richard G. Taylor, 750 Fairview Avenue, Gettysburg, PA 17325; Larry G. Taylor, 217 Brenneman Road, Lancaster, PA 17603; Joan T. Bucher, 2482 Chambersburg Road, Biglerville, PA 17307

Attorney: Harold A. Eastman, Jr., Esq., Barley Snyder, 123 Baltimore Street, Suite 101, Gettysburg, PA 17325

ESTATE OF DONALD McCAIN THOMAS, DEC'D

Late of Conewago Township, Adams County, Pennsylvania

Jessica N. Thomas, 35 Cougar Drive, Hanover, PA 17331

Attorney: Arthur J. Becker, Jr., Esq., Becker Law Group, P.C., 529 Carlisle Street, Hanover, PA 17331

SECOND PUBLICATION

ESTATE OF NANCY L. BIBLE, DEC'D

Late of the Borough of Littlestown,
Adams County, Pennsylvania

Kathy J. Page, 188 Teeter Road,
Littlestown, PA 17340; Carl E. Bible,
6237 Hoff Road, Spring Grove, PA
17362

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

ESTATE OF RONALD F. HEISER, DEC'D

Late of the Borough of McSherrystown,
Adams County, Pennsylvania

William E. Heiser, 260 Oakwood Drive,
Spring Grove, PA 17362

Attorney: Ann C. Shultis, Esq.,
Salzmann Hughes, P.C., 1147
Eichelberger Street, Hanover, PA
17331

ESTATE OF MICHAEL F. JOHNSON
a/k/a MICHAEL FRANCIS JOHNSON,
DEC'D

Late of Conewago Township, Adams
County, Pennsylvania

Executor: Edward R. Johnson, 340
Barley Circle, Hanover, PA 17331

Attorney: Amy E.W. Ehrhart, Esq., 118
Carlisle Street, Suite 202, Hanover,
PA 17331

ESTATE OF JANET A. RICKRODE,
DEC'D

Late of Hamilton Township, Adams
County, Pennsylvania

Ricky Dean Herman, 240 Berlin Road,
New Oxford, PA 17350

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

ESTATE OF DAVID R. SHELLER a/k/a
DAVID RAY SHELLER, DEC'D

Late of Mount Joy Township, Adams
County, Pennsylvania

Beth Ann Rohrbaugh, 867 Sherman
Drive, Gettysburg, PA 17325

Attorney: Taylor K. Thomas, Esq.,
Becker Law Group, P.C., 529
Carlisle Street, Hanover, PA 17331

ESTATE OF RALPH D. SPENCE, DEC'D

Late of the Borough of Arendtsville,
Adams County, Pennsylvania

Executor: Jeffrey A. Plattenburg, 780
Kindig Road, Littlestown, PA 17340

Attorney: Gary E. Hartman, Esq.,
Hartman & Yannetti, 126 Baltimore
Street, Gettysburg, PA 17325

ESTATE OF SHIRLEY C. SPENCE,
DEC'D

Late of the Borough of Arendtsville,
Adams County, Pennsylvania

Executor: Jeffrey A. Plattenburg, 780
Kindig Road, Littlestown, PA 17340

Attorney: Gary E. Hartman, Esq.,
Hartman & Yannetti, 126 Baltimore
Street, Gettysburg, PA 17325

THIRD PUBLICATION

ESTATE OF JANE L. ASPER, DEC'D

Late of Huntington Township, Adams
County, Pennsylvania

Co-Executors: JoNetta L. Moore a/k/a
JoNetta L. Asper, 1149 Cranberry
Road, Gardners, PA 17324; Jack C.
Asper II, 1125 Cranberry Road,
Gardners, PA 17324

Attorney: John C. Zepp, III, Esq., P.O.
Box 204, 8438 Carlisle Pike, York
Springs, PA 17372

ESTATE OF IMOGENE M. BARBOUR,
DEC'D

Late of Menallen Township, Adams
County, Pennsylvania

Executors: Larry E. Barbour, 130
Longview Boulevard, Gettysburg,
PA 17325; Barry L. Barbour, 1326
Biglerville Road, Gettysburg, PA
17325; Randy G. Barbour, 4367
Carlisle Road, Gardners, PA 17324

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

ESTATE OF GLORIA N. MIKE, DEC'D

Late of Conewago Township, Adams
County, Pennsylvania

Joseph Mike, 11003 Vineyard Drive,
North East, Pennsylvania 16428

Attorney: Arthur J. Becker, Jr., Esq.,
Becker Law Group, P.C., 529
Carlisle Street, Hanover, PA 17331

ESTATE OF CAROL J. WERLEY, DEC'D

Late of the Borough of Bonneauville,
Adams County, Pennsylvania

Executor: Michael R. Harvey, c/o
Stephen T. Elinski, Esq., Salvo
Rogers Elinski & Scullin, 510 E.
Township Line Road, Suite 150,
Blue Bell, PA 19422

Attorney: Stephen T. Elinski, Esq.,
Salvo Rogers Elinski & Scullin, 510
E. Township Line Road, Suite 150,
Blue Bell, PA 19422