

The Greene Reports

Official Legal Publication for Greene County, Pennsylvania
Owned and operated by Greene County Bar Association
Greene County Courthouse, Waynesburg, PA 15370

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February 23, 2023



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Serving the Legal Community of Greene County
Since October 1982

The Greene Reports

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COURT OF COMMON PLEAS
Honorable Louis Dayich, President Judge
Honorable Jeffry N. Grimes, Judge

MOTIONS

Criminal & Civil & O.C.:
February 27 and March 1, 2023

CRIMINAL

Arraignments: February 27, 2023
ARDs: March 6, 2023
ARD Revocations: March 6, 2023
Parole Violations: February 27, 2023
Plea Court: March 7-9, 2023
License Suspension Appeals: April 18, 2023
Argument Court: March 15, 2023

ORPHANS

Accounts Nisi: February 6, 2023
Accounts Absolute: February 16, 2023

SUPREME COURT
SUPERIOR COURT
COMMONWEALTH COURT

Convenes in Pgh.: April 17-21, 2023
Convenes in Pgh.: February 27-March 3, 2023
Convenes in Pgh.: May 8-12, 2023

ARGUMENTS

Argument Court: March 27, 2022

CIVIL

Domestic Relations Contempts: March 28, 2023
Domestic Relations Appeals: March 28, 2023

JUVENILE

Plea Day: March 16, 2022

THE GREENE REPORTS

Owned and published by the GREENE COUNTY BAR ASSOCIATION
Editor: Kayla M. Sammons
E-mail address: editor.greenerreports@yahoo.com

EDITORIAL POLICY

All articles published in The Greene Reports are intended to inform, educate or amuse. Any article deemed by the editorial staff to be reasonably interpreted as offensive, demeaning or insulting to any individual or group will not be published.

The views expressed in the articles represent the views of the author and are not necessarily the views of The Greene Reports or the Greene County Bar Association.

The Greene Reports welcomes letters to the Editor both for publication and otherwise. All letters should be addressed to: Editor, The Greene Reports, Greene County Courthouse, 10 East High Street, Waynesburg, PA 15370. Letters must include signature, address and telephone number. Anonymous correspondence will not be published. All letters for publication are subject to editing and, upon submission, become the property of The Greene Reports.

THE GREENE COUNTY BAR ASSOCIATION

Christopher M. Simms, President
Timothy M. Ross, Vice-President
Allen J. Koslovsky, Secretary
Lukas B. Gatten, Treasurer
Jessica L. Phillips, Ex-Officio

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DEED TRANSFERS

The following property transfers have been recorded in the Greene County Recorder of Deeds office.

CUMBERLAND TOWNSHIP

P&C Associates, et al., to Terrance Garchow, et ux., .328 Acre, \$22,000.00 (2-15-23)

DUNKARD TOWNSHIP

Shelley Deavers, et ux., to Equity Point Real Estate LLC, Lot 183, Bobtown, \$50,000.00 (2-15-23)

FREEPORT TOWNSHIP

Evelyn R. Cross A/K/A Evelyn R. Wise to Nancy L. Wise, et ux., Tract, \$25,000.00

JEFFERSON TOWNSHIP

Charles E. Ferguson, Jr., et ux., to Robert Marmie, Lots 9-10 & Lots 24-27, Fairground Addition, \$210,000.00 (2-21-23)

SPRINGHILL TOWNSHIP

Tracy Ryan Ebersole, et al., to EQM Gathering OPCO LLC, R/W, 231.57 Acres, \$75,000.00 (2-21-23)

William E. Lane, Jr., to William E. Lane, Jr., et ux., 96.28 Acres, \$26,838.45 (2-21-23)

WAYNESBURG BOROUGH

Amy J. Ankrom A/K/A Amy J. Strosnider, et ux., to Larisa Wilkins, et al., Lot 7, Sayers Addition, \$88,500.00 (2-21-23)

Jos R. Calladine to Bruce K. Breakiron, et ux., Lot, \$ 195,000.00 (2-21-23)

ESTATE NOTICES

NOTICE is hereby given of the grant of letters by the Register of Wills to the Estates of the following named decedents. All persons having claims are requested to make known the same and all persons indebted to the decedent are requested to make payment to the personal representative or his attorney without delay.

FIRST PUBLICATION

HERROD, SUSAN A.

Late of Franklin Township, Greene County, Pennsylvania
Administrator: Candy Sue Herrod, 254 Washington Road, Waynesburg, PA 15370
Attorney: None

MEGO, ROBERT E.

Late of Cumberland Township, Greene County, Pennsylvania
Executrix: Robin A. Samek, 283 Fourth Street, PO Box 22, Crucible, PA 15325
Attorney: David F. Pollock, Esquire, Pollock Morris Belletti & Simms LLC, 54 South Washington Street, Waynesburg, PA 15370

WILSON, JASON JOHN

Late of Cumberland Township, Greene County, Pennsylvania
Administrator: Amanda Wilson, 161 Tollgate Run Road, Waynesburg, PA 15370
Attorney: Amber N. Shipley, Esquire, Pollock Morris Belletti & Simms, LLC, 54 South Washington Street, Waynesburg, PA 15370

SECOND PUBLICATION

BAMBERGER, REED L.

Late of Morris Township, Greene County, Pennsylvania
Executrix: Janet M. Bruce, 98 Acheson Avenue, Washington, PA 15301
Attorney: Thomas O. Vreeland, Esquire, Bassi, Vreeland & Associates, PC, 62 East Wheeling Street, Washington, PA 15301-4804

BISSETT, MARJORIE E. A/K/A MARJORIE EDYTH BISSETT

Late of Waynesburg Borough, Greene County, Pennsylvania
Co-Executor: George V. Bissett, Jr., PO Box 851, Waynesburg, PA 15370
Co-Executor: Linda Ann Clark, 1 Culpepper Drive, Charleston, WV 25313
Attorney: Brandon K. Meyer, Esquire, 76 North Richhill Street, Waynesburg, PA 15370

MAGUIRE, MILDRED M. A/K/A MILDRED MAY MAGUIRE

Late of Waynesburg, Greene County, Pennsylvania
Executrix: Jean Magura, 53 Highland Road #104, Waynesburg, PA 15370
Attorney: Kirk A. King, Esquire, 77 South Washington Street, Waynesburg, PA 15370

THIRD PUBLICATION

DOBBS, JOHN K. A/K/A JOHN KEITH DOBBS

Late of Aleppo Township, Greene County, Pennsylvania
Administrator: John Dale Dobbs, 581 McCracken Road, Wind Ridge, PA 15380
Attorney: Adam J. Belletti, Esquire, Pollock Morris Belletti & Simms, LLC, 54 South Washington Street, Waynesburg, PA 15370

LEGAL NOTICE

NOTICE OF DISBARMENT

Notice is hereby given that by Order of the Supreme Court of Pennsylvania dated February 15, 2023, KIMBERLY J. SIMON-PRATT, (#62930), from Carmichaels, PA, has been Disbarred on Consent from the Bar of this Commonwealth effective March 17, 2023.

Marcee D. Sloan
Prothonotary
The Disciplinary Board of the
Supreme Court of Pennsylvania

SUPREME COURT NOTICE

SUPREME COURT OF PENNSYLVANIA

NOTICE OF PROPOSED RULEMAKING

Proposed Amendment of Pa.R.Civ.P. 230.2

The Supreme Court of Pennsylvania is considering the amendment of Pa.R.Civ.P. 230.2 for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the Pennsylvania Bulletin for comments, suggestions, or objections.

Any report accompanying this proposal was prepared by the Civil Procedural Rules Committee to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Court invites all interested persons to submit comments, suggestions, or objections in writing to:

Karla M. Shultz, Counsel
Civil Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9526
civilrules@pacourts.us

All communications in reference to the proposal should be received by April 18, 2023. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

Rule 230.2. Termination of Inactive Cases.

(a) At least once a year, the court shall initiate proceedings to terminate cases in which there has been no activity of record for two years or more, and shall report such information to the Court Administrator of Pennsylvania on a form supplied by the Administrative Office of Pennsylvania Courts or in such format as requested from time to time by the Administrative Office of Pennsylvania Courts.

Note: This rule provides an administrative method for the termination of inactive cases.

(b)(1) For each case identified pursuant to subdivision (a), the court shall serve a notice of proposed termination on counsel of record, and on the parties if not represented, thirty days prior to the date of the proposed termination. The notice shall contain the date of the proposed termination and the procedure to avoid termination.

(2) The notice shall be served electronically pursuant to Rule 205.4(g)(1), or pursuant to Rule 440 on counsel of record and on the parties, if not represented, at the last address of record.

Note: If the notice mailed to an attorney is returned by the postal service, the prothonotary should check the website of the Disciplinary Board of the Supreme Court of Pennsylvania, www.padisdisciplinaryboard.org, for a current address.

See subdivision (f) for the form of notice.

(c) If no statement of intention to proceed has been filed on or before the date of the proposed termination, the prothonotary shall enter an order as of course terminating the matter for failure to prosecute.

Note: The prothonotary may not enter an order terminating the action until more than thirty days after service of the notice of proposed termination.

A court officer may certify to the prothonotary those matters which have been inactive and in which no statement of intention to proceed has been filed.

(d)(1) If an action has been terminated pursuant to this rule, an aggrieved party may petition the court to reinstate the action.

(2) If the petition is filed within sixty days after the entry of the order of termination on the docket, the court shall grant the petition and reinstate the action.

Note: The provision under subdivision (d)(2) for filing a petition within sixty days is not intended to set a standard for timeliness in proceedings outside this rule.

(3) If the petition is filed more than sixty days after the entry of the order of termination on the docket, the court shall grant the petition and reinstate the action upon a showing that

(i) the petition was timely filed following the entry of the order for termination and

(ii) there is a reasonable explanation or a legitimate excuse for the failure to file both

(A) the statement of intention to proceed prior to the entry of the order of termination on the docket and,

(B) the petition to reinstate the action within sixty days after the entry of the order of termination on the docket.

Note: The provision under subdivision (d)(2) for filing a petition within sixty days of the entry of the order of termination on the docket is not a standard of timeliness. Rather, the filing of the petition during that time period eliminates the need to make the showing otherwise required by subdivision (d)(3).

(e) Any case which is reinstated pursuant to subdivision (d) shall be subject to termination with prejudice upon a subsequent termination pursuant to subdivision (a). No subsequent reinstatements shall be granted.

(f) The notice required by subdivision (b) shall be in the following form:

* * *

(g) The statement of intention to proceed shall be in the following form:

* * *

(h) Upon receipt of a statement of intention to proceed, the court [may] shall schedule a status conference and establish appropriate timelines to ensure a timely and efficient disposition of the case.

SUPREME COURT OF PENNSYLVANIA

PUBLICATION REPORT

Proposed Amendment of Pa.R.Civ.P. 230.2

The Supreme Court is considering the amendment of Pennsylvania Rule of Civil Procedure 230.2 governing the termination of inactive cases to make mandatory the scheduling of a status conference for all cases and establish a timeline for timely disposition when a statement of intention to proceed is returned following the issuance of a notice of proposed termination.

Pa.R.Civ.P. 230.2(a) provides that “[a]t least once a year, the court shall initiate proceedings to terminate cases in which there has been no activity of record for two years or more.” Parties receiving a notice of termination may file a notice of intention to proceed, which serves to preclude termination. The current version of Pa.R.Civ.P. 230.2(h) provides for discretionary court involvement following receipt of such notice: “Upon receipt of a statement of intention to proceed, the court may schedule a status conference and establish appropriate timelines to ensure a timely and efficient disposition of the case.” (emphasis added).

This discretionary provision has resulted in a practice, in some counties, in which the parties file sequential notices to proceed without engaging in any other case-related activity and without triggering further court involvement. Consequently, inactive civil cases appear to continue to languish on a court’s docket. To encourage timely and efficient disposition, the proposed amendment of subdivision (h) would require the court to schedule a status conference and establish appropriate timelines to ensure a timely and efficient disposition of the case when a statement of intention to proceed is returned to the court for an inactive case.

* * *

Any comments, concerns, and suggestions regarding this rulemaking proposal are invited