

# FAYETTE LEGAL JOURNAL

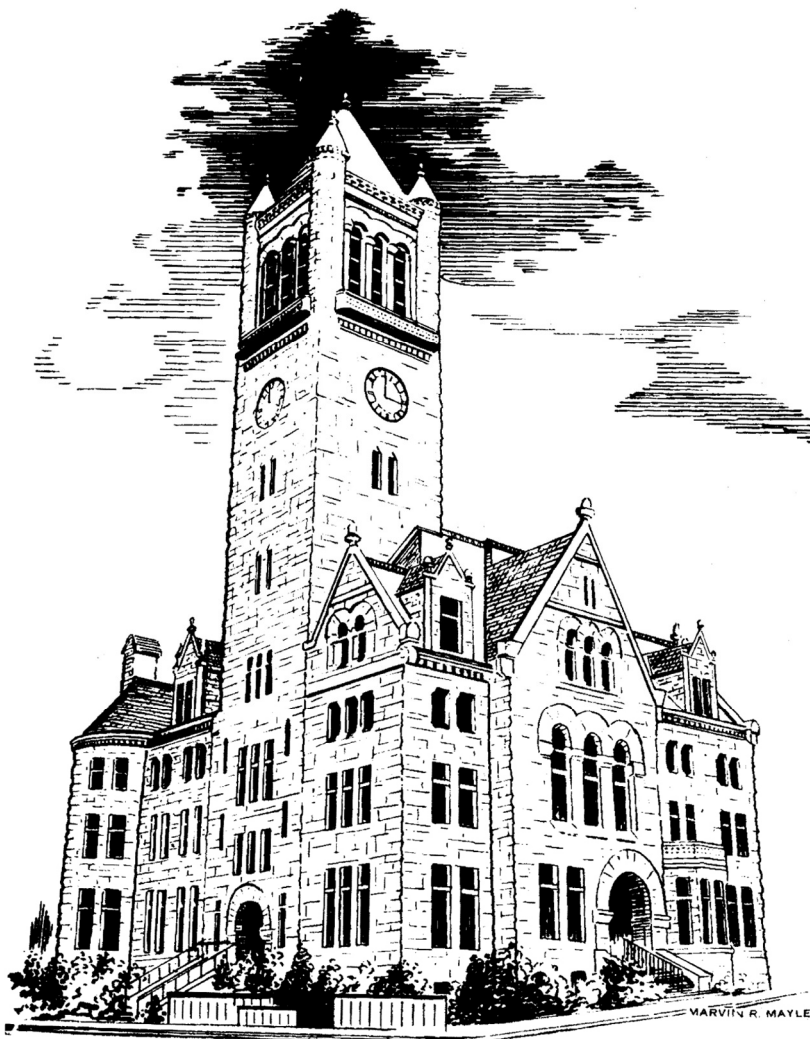
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## FAYETTE LEGAL JOURNAL

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**Co-Editors:** Garnet L. Gordon and Melinda Deal Dellarose

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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

**INEZ E. BONTRAGER**, late of Connellsville, Fayette County, PA (3)

*Executor:* Greta Moore  
484 Narrows Roads  
Connellsville, PA 15425  
c/o Stewart Law, LLC  
229 South Maple Avenue  
Greensburg, PA 15601  
*Attorney:* Christina Dubosky

**AUDREY BROOKS, a/k/a AUDREY A. BROOKS**, late of Bullskin Township, Fayette County, PA (3)

*Executor:* Mark D. Brooks  
c/o Tremba Kinney Greiner & Kerr  
1310 Morrell Avenue, Suite C  
Connellsville, PA 15425  
*Attorney:* John Greiner

**CAROL D. FOSTER**, late of Luzerne Township, Fayette County, PA (3)

*Personal Representative:*  
Tammy L. Cooper  
c/o Higinbotham Law Offices  
68 South Beeson Boulevard  
Uniontown, PA 15401  
*Attorney:* James E. Higinbotham, Jr.

**LORI LEE FRAN CZYK**, late of Fairchance Borough, Fayette County, PA (3)

*Executrix:* Dina Nassiri  
c/o Fitzsimmons and Barclay  
55 East Church Street, Suite 102  
Uniontown, PA 15401  
*Attorney:* James N. Fitzsimmons, Jr.

**GEORGE WILLIAM KENDALL**, late of Springhill Township, Fayette County, PA (3)

*Administratrix:* Susan D. Austin  
c/o 51 East South Street  
Uniontown, PA 15401  
*Attorney:* Anthony S. Dedola, Jr.

### Second Publication

**ROBERT AXE**, late of Dunbar Township, Fayette County, PA (2)

*Executrix:* Jodi L. Axe  
486 Ranch Road  
Dunbar, PA 15431  
c/o Conti Law  
7880 Steubenville Pike  
Oakdale, PA 15071  
*Attorney:* Michele Conti

**ROBERT BANKHEAD, a/k/a ROBERT LEE BANKHEAD**, late of Wharton Township, Fayette County, PA (2)

*Executor:* Todd J. Hager  
c/o Higinbotham Law Offices  
68 South Beeson Boulevard  
Uniontown, PA 15401  
*Attorney:* James E. Higinbotham, Jr.

**WILLIAM D. BERNHARDT**, late of Dunbar Township, Fayette County, PA (2)

*Executrix:* Carole Annette Nagy, a/k/a Carole A. Nagy  
c/o 9 Court Street  
Uniontown, PA 15401  
*Attorney:* Vincent J. Roskovensky, II

**ANTHONY DECENZO, a/k/a ANTHONY P. DICENZO, SR., a/k/a ANTHONY P. DICENZO, a/k/a ANTHONY DICENZO**, late of Brownsville, Fayette County, PA (2)

*Executrix:* Constance L. Diczno  
515 High Street  
Brownsville, PA 15417  
c/o 76 East Main Street  
Uniontown, PA 15401  
*Attorney:* Douglas S. Sholtis

**MARY ANN FRANCZYK**, late of Fairchance Borough, Fayette County, PA (2)  
*Executrix:* Leslie A. Franczyk  
 113 General Drive  
 Uniontown, PA 15401-5420  
 c/o Kopas Law Office  
 556 Morgantown Road  
 Uniontown, PA 15401  
*Attorney:* John A. Kopas, III

**ELIZABETH KOOSER, a/k/a ELIZABETH FRANCES KOOSER**, late of Brownfield, Fayette County, PA (2)  
*Executrix:* Lori Geisler  
 1400 Vine Street  
 South Connellsville, PA 15425  
 c/o Kopas Law Office  
 556 Morgantown Road  
 Uniontown, PA 15401  
*Attorney:* John A. Kopas, III

**JAMES GREGG PALKO**, late of German Township, Fayette County, PA (2)  
*Executrix:* Jewel Marie Palko  
 c/o Monaghan & Monaghan, L.L.P.  
 57 East Main Street  
 Uniontown, PA 15401

## First Publication

**BERNADETTE L. BARRON, a/k/a BERNIE BARRON, a/k/a BERNADETTE LANE BARRON**, late of Saltlick Township, Fayette County, PA (1)  
*Executrix:* Tina Mutich  
 c/o Adams Law Offices, PC  
 55 East Church Street, Suite 101  
 Uniontown, PA 15401  
*Attorney:* Jason Adams

**JACOB ADAM HIXSON, a/k/a JOHN M. KEFFER**, late of North Union Township, Fayette County, PA (1)  
*Administrator:* Jacob Hixson, Jr.  
 c/o Adams Law Offices, PC  
 55 East Church Street, Suite 101  
 Uniontown, PA 15401  
*Attorney:* Jason Adams

**JOHN MICHAEL KEFFER, a/k/a JOHN M. KEFFER**, late of Lower Tyrone Township, Fayette County, PA (1)  
*Co-Executor:* Charles Keffer, Jr. and Patricia Keffer  
 c/o Adams Law Offices, PC  
 55 East Church Street, Suite 101  
 Uniontown, PA 15401  
*Attorney:* Jason Adams

**STANLEY J. LEVANDOSKY**, late of Washington Township, Fayette County, PA (1)  
*Executrix:* Marla J. Sivic  
 621 Indian Hill Road  
 Rostraver Township, PA 15012  
 c/o 823 Broad Avenue  
 Belle Vernon, PA 15012  
*Attorney:* Mark E. Ramsier

**ELIZABETH JEAN POTKUL, a/k/a ELIZABETH POTKUL**, late of Uniontown, Fayette County, PA (1)  
*Executor:* Bernard Potkul  
 c/o Davis & Davis  
 107 East Main Street  
 Uniontown, PA 15401  
*Attorney:* Gary J. Frankhouser

**LOIS JEAN SADLER**, late of Springhill Township, Fayette County, PA (1)  
*Administrator:* Austin Sadler  
 c/o Zihmer Law Firm, LLC  
 3244 Washington Road, Suite 210  
 McMurray, PA 15317  
*Attorney:* Tracy L. Zihmer

**TERRY S. VANSICKLE**, late of Vanderbilt, Fayette County, PA (1)  
*Executrix:* Calista Hogben  
 c/o Goodwin Como, P.C.  
 108 North Beeson Boulevard, Suite 400  
 Uniontown, PA 15401  
*Attorney:* Benjamin F. Goodwin

## LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF  
FAYETTE COUNTY, PENNSYLVANIA  
CIVIL ACTION - LAW  
No: 718 of 2024, G.D.

LINA CUI,  
Plaintiff,  
vs.  
XINJIAN HE,  
Defendant.

### COMPLAINT IN DIVORCE

TO: XINJIAN HE, Defendant

A Complaint in Divorce styled as above has been filed against you in the above-referenced Court. Copies of the Complaint may be obtained by contacting the Prothonotary of such Court at US (724) 430-1272, or Plaintiffs counsel noted below.

### NOTICE TO DEFEND AND CLAIM RIGHTS

You have been sued in court. If you wish to defend against the claims set forth in the Complaint, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree in divorce or annulment may be entered against you by the court. A judgment may also be entered against you for any other claim or relief requested in these papers by the plaintiff. You may lose money or property or other rights important to you, including custody of your children.

When the ground for divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary at Fayette County Courthouse, 61 East Main Street, Uniontown, Pennsylvania 15401. (724) 430-1272.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

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.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

### PENNSYLVANIA LAWYER REFERRAL

100 South Street  
P.O. Box 186  
Harrisburg, Pennsylvania 17108  
1-800-692-7375

Patrick C. McDaniel, Esquire  
50 East Main Street  
Blackstone Building  
Uniontown, PA 15401  
(724) 437-4211  
Fax: (724) 437-4245

### NOTICE

IN THE COURT OF COMMON PLEAS OF  
FAYETTE COUNTY, PENNSYLVANIA  
No. 1739 of 2024, G. D.,

Jami Hovanec, Plaintiff,  
vs.

HARRY E. JENKINS, his heirs, successors,  
and/or assigns generally, Defendants

TAKE NOTICE that Plaintiff filed a Complaint in an Action to Quiet Title in the Court of Common Pleas of Fayette County, Pennsylvania, averring that they are the owner in fee and in possession of, all rights title and interest, in and to:

A tract of land situated in Redstone Township, Fayette County, Pennsylvania, and which premises are described as containing 25.251 acres and identified as Tax Parcel No. 30 -36-0035 and known as 390 Snuff Ridge Road.

Plaintiffs acquired said land by deed of the Fayette County Tax Claim Bureau, dated December 28, 2023, and recorded in the Recorder of Deeds Office of Fayette County, Pennsylvania, in Record Book 3566, Page 1124.

The service of this Complaint by publication is made pursuant to an Order of Court dated October 4, 2024, 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 TELEPHONE 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

WATSON MUNDORFF, LLP  
720 Vanderbilt Road  
Connellsville, PA 15425-6218  
Phone: (724) 626-88824

## SHERIFF'S SALE

Date of Sale: November 21, 2024

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 November 21, 2024, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realauction 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 Realauction via wire transfer or ACH per Realauction 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

No. 1777 of 2024 GD  
 No. 252 of 2024 ED

**U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust**  
**Vs.**  
**David Blades Sr. a/k/a David A. Blades Sr.**

ALL THAT CERTAIN piece or parcel or tract of land containing 197 Coates Way situate in the Township of Washington, County of Fayette, and State of Pennsylvania

Tax Parcel No. 41-18-0002

TITLE TO SAID PREMISES IS VESTED IN David A. Blades Sr. and Melissa Blades, husband and wife, by deed from Catherine S. Marshall and Jack W. Marshall, wife and husband and Beverly Lynne Coates, Administrator of the Estate of John A. Coates, Sr., dated August 8, 2006, recorded August 16, 2006 in the Fayette County Clerk's/Register's Office in Deed Book 2996, Page 2185.

Sold as the property of David A. Blades Sr. and Melissa Blades and Melissa Blades

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

No. 1975 of 2023 GD  
 No. 227 of 2024 ED

**WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST I**  
**Plaintiff**

**v.**  
**JOHN S. CIPRIANI AND SHARON L. CIPRIANI**  
**Defendants**

Plaintiff: WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST I

v.

Defendants: JOHN S. CIPRIANI AND SHARON L. CIPRIANI

Owners of property situate in South Union Township, Fayette County, Pennsylvania, being pin number 34-36-0013

Property being known as: 1080 Walnut Avenue, Uniontown, PA 15401

Improvements thereon: Residential Property

No. 627 of 2024 GD  
 No. 229 of 2024 ED

**KeyBank, NA s/b/m First Niagara Bank, NA Plaintiff,**  
**vs.**  
**Amanda Louise Cooper, AKA Amanda L. Cooper, AKA Amanda L. Close Defendant.**

ALL that certain parcel of land lying and being situate in the Township of North Union, County of Fayette, and Commonwealth of Pennsylvania, known as 18 Cooper Lane, Lemont Furnace, PA 15456 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 25-16-0240

BEING the same premises which Todd Phillip Cooper and Amanda Louise Cooper, his wife, by Deed dated May 23, 2017 and recorded in and for Fayette County, Pennsylvania in Deed Book 3340, Page 2423, granted and conveyed unto Todd Phillip Cooper and Amanda Louise Cooper, his wife.

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ANNE N. JOHN, Esq.  
 ATTORNEY AT LAW

No. 2148 of 2022 GD  
 No. 42 of 2023 ED

**FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF GREENE COUNTY, a corporation,**

**vs.**

**MARK W. DECARLO, SR., a/k/a MARK W. DECARLO and MARY F. DECARLO, n/k/a MARY F. WILSON,**  
**Defendants and Real Owners.**

ALL that certain tract of land situate in Menallen Township, Fayette County, Pennsylvania, more particularly bounded and described as follows.

UPON WHICH is erected a ranch dwelling known and designated as 7401 National Pike, Uniontown, Fayette County, Pennsylvania.

FOR PRIOR title see Record Book 957 page 255.

Assessment Map No.: 22-17-0017.

No. 720 of 2024 GD  
No. 258 of 2024 ED

**Flagstar Bank, N.A. f/k/a Flagstar Bank, FSB  
Plaintiff  
vs.  
Samantha A. Farmer n/k/a Samantha A.  
McDevitt Ann Ward  
Mackenzie Wall  
Defendant(s)**

All that certain lot or piece of ground situate in the Township of South Union, County of Fayette and Commonwealth of Pennsylvania.

BEING THE SAME PREMISES which Jon K. Baur and Whitney E. Baur, by Deed dated 10/17/2018 and recorded in the Office of the Recorder of Deeds of Fayette County on 10/30/2018 in Deed Book Volume 3387, Page 878, granted and conveyed unto Samantha A. Farmer n/k/a Samantha A. McDevitt, Ann Ward and Mackenzie Wall.

BEING known as 34 Greenbriar Drive, Uniontown, Pennsylvania 15401  
PARCEL # 34-05-0228 & 34-05-0227

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

No. 1533 of 2023 GD  
No. 236 of 2024 ED

**U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for Legacy Mortgage Asset Trust 2020-GSI (Plaintiff)**

vs.

**Kris D. Gaster, Individually and as Administrator of the Estate of Cindy Sue Gaster, (Defendant)**

By virtue of Writ of Execution No. 1533 of 2023 GD

U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for Legacy Mortgage Asset Trust 2020-GSI (Plaintiff) vs. Kris D. Gaster, Individually and as Administrator of the Estate of Cindy Sue Gaster, (Defendant)

Property Address 56 East Elm Street, Fairchance, PA 15436

Parcel I.D. Nos. 14-29-22-02 and 14-29-23-01

Improvements thereon consist of a residential dwelling.

Judgment Amount: \$154,524.41

No. 1113 of 2024 GD  
No. 250 of 2024 ED

**THE UNITED FEDERAL CREDIT UNION,  
Plaintiff,  
vs.  
RANDALL LAKE, also known as  
RANDALL H. LAKE, and SAMANTHA  
LAKE, also known as SAMANTHA J.  
LAKE, his wife,  
Defendants.**

ALL those certain pieces or lots of land situate in the Borough of South Connellsville, Fayette County, Pennsylvania known as Tax Parcel No. 33-07-0029-01, being the western half of Lots Nos. 2505, 2506, and 2507 fronting 60 feet on Mentzer Avenue and extending 120 feet along an unnamed and unopened alley, more particularly described in the Connellsville Extension Company Plan of Lots No. 2 recorded in the Office of the Recorder of Deeds for Fayette County in Plan Book Volume 2, page 60, and in a deed recorded in Record Book 3408, page 1371.

The address of the subject property is 202 Mentzer Avenue, Connellsville, Pennsylvania 15425.

Seized and taken in execution as the property of Randall Lake, also known as Randall H. Lake, and Samantha Lake, also known as Samantha J. Lake, owners, at the suit of The United Federal Credit Union in the Court of Common Pleas of Fayette County, Pennsylvania at No. 1113 of 2024, G.D.

No. 1186 of 2024 GD  
No. 243 of 2024 ED

**AMERISERV FINANCIAL BANK  
Plaintiff  
vs.  
Mathew S. Larew a/k/a Matthew Larew  
Lauren L. Larew  
Defendant(s)**

All that certain piece, parcel or lot of ground situate in Springhill Township. Fayette County, Pennsylvania. known and numbered as Lot No. 3 in the Simple Subdivision of the Gary K. and Kathryn M. Larew Tract of land as recorded in Plan Book 90, page 47.

BEING THE SAME PREMISES which Gary K. Larew and Kathryn M. Larew, his wife, by Deed dated 12/2/2011 and recorded in the



Office of the Recorder of Deeds of Fayette County on 12/6/2011 in Deed Book Volume 3171, Page 1905, Instrument 201100014683 granted and conveyed unto Mathew S. Larew a/k/a Matthew Larew and Lauren L. Larew.

BEING known as 661 Bunker Hill Road, Lake Lynn, Pennsylvania 15451  
 PARCEL # 36-18-0089-02 & 36-18-0079

No. 463 of 2024 GD  
 No. 237 of 2024 ED

**Pennsylvania Equity Resources, Inc.**  
**Plaintiff,**  
**vs.**  
**Jennifer E. Leapline**  
**Defendant.**

ALL that certain parcel of land lying and being situate in the Township of Dunbar, County of Fayette, and Commonwealth of Pennsylvania, known as 240 Main Street, Dickerson Run, PA 15430 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 09-03-0021

BEING the same premises which Robert B. Fields and Julie A. Fields, his wife, by Deed dated December 29, 2020 and recorded in and for Fayette County, Pennsylvania in Deed Book 3460, Page 1502, granted and conveyed unto Jennifer E. Leapline, married woman.

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

No. 649 of 2024 GD  
 No. 235 of 2024 ED

**Towne Mortgage Company**  
**(Plaintiff)**  
**vs.**  
**Ryan S. LeCorchick,**  
**(Defendant)**

By virtue of Writ of Execution No. 2024-00649

Towne Mortgage Company (Plaintiff) vs. Ryan S. LeCorchick, (Defendant)

Property Address 409 Derrick Avenue, Uniontown, PA 15401

Parcel I.D. No. 34-24-0143

Improvements thereon consist of a residential dwelling.

Judgment Amount: \$212,643.93

Brock & Scott, PLLC

No. 790 of 2024 GD  
 No. 214 of 2024 ED

**WELLS FARGO BANK, N.A.**  
**v.**  
**KRISTYNE S. MILLER A/K/A**  
**KRISTYNE S. GEYER,**

By virtue of a Writ of Execution No. 790 OF 2024-GD

WELLS FARGO BANK, N.A. v. KRISTYNE S. MILLER A/K/A KRISTYNE S. GEYER, owner(s) of property situate in the BOROUGH OF SOUTH CONNELLSVILLE, FAYETTE County, Pennsylvania, being 11117 W GIBSON AVENUE, SOUTH CONNELLSVILLE, PA 15425 A/K/A 1117W GIBSON AVENUE. CONNELLSVILLE, PA 15425

Tax ID No. 33-04-0058

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$65,000.50

No. 40 of 2024 GD  
 No. 261 of 2024 ED

**NewRez LLC D/B/A Shellpoint Mortgage Servicing**  
**75 Beattie Place, Suite 300**  
**Greenville, SC 29601**  
**Plaintiff**  
**v.**  
**Geraldine F. Nativio**  
**134 Hardy Hill Road**  
**Dunbar, PA 15431**  
**Defendant**

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF GERALDINE F. NATIVIO OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF DUNBAR, COUNTY OF FAYETTE, AND COMMONWEALTH OF PENNSYLVANIA:

A RESIDENTIAL DWELLING BEING KNOWN AND NUMBERED AS 134 HARDY HILL ROAD, DUNBAR, PA 15431. PARCEL ID NOS.: 09-31-0176-03 and 09-31-0174. DEED BOOK VOLUME 1778, PAGE 150 AND DEED BOOK VOLUME 953, PAGE 280. MORTGAGE BOOK VOLUME 3051, PAGE 703.

JUDGMENT AMOUNT: \$36,801.78.

No. 824 of 2024 GD  
No. 212 of 2024 ED

**KeyBank, NA, s/b/m First Niagara Bank, NA  
Plaintiff,  
vs.  
Robert W. Pritts  
Defendant.**

ALL that certain parcel of land lying and being situate in the Borough of Brownsville, County of Fayette, and Commonwealth of Pennsylvania, known as 324 Grays Lane, Brownsville, PA 15417 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 02-10-0015

BEING the same premises which John Walter Bartruff and Edith Louise Bartruff, his wife, by Deed dated June 3, 1969 and recorded in and for Fayette County, Pennsylvania in Deed Book 1077, Page 760, granted and conveyed unto Robert W. Pritts and Bonnie Lee Pritts, his wife.

Brock & Scott, PLLC  
No. 643 of 2024 GD  
No. 204 of 2024 ED

**FREEDOM MORTGAGE CORPORATION  
V.  
JOSHUA R. RICHTER; AMBER RICHTER**

By virtue of a Writ of Execution No. 2024-00643

FREEDOM MORTGAGE CORPORATION V. JOSHUA R. RICHTER; AMBER RICHTER owner(s) of property situate in the SOUTH CONNELLSVILLE BOROUGH, FAYETTE County, Pennsylvania, being 125 MARIE ST, CONNELLSVILLE, PA 15425

Tax ID No. 33-04-0159  
Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$94,995.68

Brock & Scott, PLLC

No. 1170 of 2024 GD  
No. 241 of 2024 ED

**ROCKET MORTGAGE, LLC F/K/A  
QUICKEN LOANS, LLC  
v.  
TAYLOR RIDLEY**

By virtue of a Writ of Execution No. 1170 of 2024 GD ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC v. TAYLOR RIDLEY, owner(s) of property situate in the DUNBAR BOROUGH, FAYETTE County, Pennsylvania, being 103 MEMORIAL ST, DUNBAR, PA 15431

Tax ID No. 08030122 a/k/a 08-03-0122  
Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$75,844.50

Padgett Law Group  
Jacqueline F. McNally, Esq.  
700 Darby Road, Suite 100  
Havertown, PA 19083  
(850) 422-2520

No. 2356 of 2023 GD  
No. 259 of 2024 ED

**Allied First Bank, SB DBA Servbank  
v.  
Corey L. Snyder**

By virtue of Writ of Execution No. 2356 of 2023 GD

Allied First Bank, SB DBA Servbank v. Corey L. Snyder

Property Address: 321 Walnut Hill Road, Uniontown, PA 15401

Township of South Union, County of Fayette, Commonwealth of Pennsylvania

Tax Parcel Number: 34-05-0286  
Improvements thereon: Single family residential dwelling

Judgment Amount: \$178,915.91

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

No. 315 of 2024 GD  
No. 234 of 2024 ED

**PENNYMAC LOAN SERVICES, LLC**  
3043 Townsgate Road  
Suite 200

Westlake Village, CA 91361

**Plaintiff**

vs.

**TINA SPANO**  
**DOUGLAS W. SPANO AKA DOUGLAS**  
**SPANO**

**Mortgagor(s) and Record Owner(s)**

89 Rankin Road

Farmington, PA 15437

**Defendant(s)**

No. 1569 of 2023 GD

No. 213 of 2024 ED

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

**Plaintiff,**

vs.

**Jessie Thibodeau, as Believed Heir and/or**  
**Administrator of the Estate of Joseph R.**

**Thibodeau; Unknown Heirs and/or**

**Administrators of the Estate of Joseph R.**

**Thibodeau (if any)**

**Defendants.**

ALL THAT CERTAIN LOT OF LAND  
SITUATE IN TOWNSHIP OF WHARTON,  
COUNTY OF FAYETTE AND  
COMMONWEAL TH OF PENNSYLVANIA.

BEING KNOWN AS: 89 RANK.IN  
ROAD, FARMINGTON, PA 15437

TAX PARCEL #42-21-0034

IMPROVEMENTS: A RESIDENTIAL  
DWELLING

SOLD AS THE PROPERTY OF: TINA  
SPANO AND DOUGLAS W. SPANO AKA  
DOUGLAS SPANO

ALL that certain parcel of land lying and  
being situate in the Borough of Markleysburg,  
County of Fayette, and Commonwealth of  
Pennsylvania, known as 128 Spear Lane,  
Markleysburg, PA 15459 having erected thereon  
a dwelling house.

Being known and designated as Tax ID  
No.: 20-02-0001-01

BEING the same premises which South  
Fayette Nursing Center, LP, a Pennsylvania  
Limited Partnership, by Deed dated November  
21, 2016 and recorded in and for Fayette  
County, Pennsylvania in Deed Book 3326, Page  
1134, granted and conveyed unto Joseph R.  
Thibodeau.

No. 986 of 2024 GD  
No. 246 of 2024 ED

**PENNSYLVANIA HOUSING FINANCE**  
**AGENCY,**

**PLAINTIFF**

vs.

**JOHN B. STEFANIK AND THE**  
**SECRETARY OF HOUSING AND URBAN**  
**DEVELOPMENT,**

**DEFENDANTS**

No. 750 of 2024 GD

No. 208 of 2024 ED

**NEW AMERICAN FUNDING, LLC FKA**  
**BROKER SOLUTIONS, INC., DBA NEW**  
**AMERICAN FUNDING**

**Plaintiff**

v.

**KYLE ZACCAGNI AND MAYA**  
**ZACCAGNI**

**Defendant(s)**

ALL that lot of land in Georges Township,  
Fayette County, Pennsylvania, designated as Lot  
No. 13, Smithfield Estate Subdivision, Fayette  
Plan Book 103, page 59 being approximately  
115 x 110.

HAVING THEREON ERECTED  
DWELLING KNOWN AND NUMBERED AS:  
13 SMITHFIELD DRIVE, SMITHFIELD, PA  
15478.

TAX PARCEL# 14-25-0057-48

Instrument No. 2020-00009777

PROPERTY ADDRESS: 112 NEW  
BEAVER CREEK RD, MARKLEYSBURG,  
PA 15459

PARCEL ID NO: 16-11-0056

IMPROVEMENTS THEREON CONSIST  
OF A RESIDENTIAL DWELLING

JUDGMENT AMOUNT \$161,514.59

FAYETTE COUNTY DEED BOOK 3437  
PAGE 32

TO BE SOLD AS THE PREMISES OF  
KYLE ZACCAGNI AND MAYA ZACCAGNI

\*\*\* END SHERIFF 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, November 4, 2024, at 9:30 A.M.**

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2623-0080	MELVA P. ROLAND	Carolyn W. Maricondi, Executrix
2622-0484	MELVIN THOMAS SHULTZ	Stacie L. Keefer and Anna K. Upton, Co-Executrices

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

**Monday, November 18, 2024, 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, November 4, 2024, at 9:30 A.M.**

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2622-0399	ANTHONY S. BOLLIBON, JR.	Lisa Ann Hughes, Executrix

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

**Monday, November 18, 2024, 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

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**JUDICIAL OPINION**

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

COMMONWEALTH OF	:	
PENNSYLVANIA,	:	
	:	
VS.	:	
	:	
NICHOLAS A ZOCCO,	:	No. 1955 of 2023
Defendant.	:	Honorable Linda R. Cordaro

**OPINION AND ORDER**

Cordaro, J. September 12, 2024

Before this Court is the Defendant's Omnibus Pretrial Motion for writ of habeas corpus. A hearing on the Motion was held on August 21, 2024, at which the October 16, 2023 preliminary hearing transcript and medical records were admitted into evidence, and respective counsel gave brief argument.

After consideration, and for the following reasons, the Defendant's Motion is granted in part and denied in part.

**FINDINGS OF FACT**

The following facts were established according to the transcript of the October 16, 2023 preliminary hearing. {1} On or about July 8, 2023, Zachary Williams was attending a 4th of July party at a friend's residence. Mr. Williams already was acquainted with the Defendant, as Williams' girlfriend, Mia Lawrence, worked at the same facility as the Defendant. The Defendant also was at the party. According to Mr. Williams, there was alcohol consumption at the party, and he himself had a couple of drinks. The Defendant's girlfriend, Maddie, was upset with the Defendant and told him she wanted him to leave. Mr. Williams testified that he believed the Defendant went to his truck behind the garage, but then returned within a few minutes. Mr. Williams approached the Defendant in the driveway to tell him that Maddie wanted him to leave. As Mr. Williams began to speak to the Defendant, the Defendant punched him twice, and Mr. Williams fell back and struck his head on the concrete. Mr. Williams testified that he only remembered someone dragging him back to a retaining wall, and then going to the emergency room. Mr. Williams testified that he had a concussion and bruising to the eyes and jaw, and a possible broken nose. He also stated at the preliminary hearing that his jaw still audibly cracked when opening it to a certain point.

---

{1} Commonwealth's Exhibit 1

According to WVU Uniontown Hospital medical records {2} admitted at the hearing on the Motion, Mr. Williams was seen at the hospital emergency room on July 8, 2023. The records note observation of a moderate left periorbital contusion, and that Mr. Williams agreed that he had an older nasal bone fracture. The records also note that there was mild right posterior scalp soft tissue swelling with small hematoma. Mr. Williams was advised to follow up if he did not improve and provided information about post-concussive syndrome. According to subsequent medical records from July 17, 2023 and August 11, 2023, Mr. Williams still complained of pain to the right temporal area with opening and closing his mouth, and reported on August 11, 2023 that his jaw still was sore when manipulated.

### DISCUSSION

The Defendant was charged with aggravated assault, {3} simple assault, {4} recklessly endangering another person, {5} disorderly conduct, {6} and summary harassment. {7}

A petition for a writ of habeas is "the proper means for testing a pre-trial finding that the Commonwealth has sufficient evidence to establish a prima facie case" against a defendant. *Commonwealth v. Scott*, 578 A.2d 933, 936 (Pa. Super. Ct. 1990). A pre-trial petition for writ of habeas corpus is similar in its purpose to a preliminary hearing in that it seeks to prevent unlawful detention for a crime which was never committed, or for a crime for which there is no evidence of the accused's connection. *Id.* at 937. Accordingly, to establish its prima facie case, the Commonwealth must present evidence as to each material element of the crimes charged and establish sufficient probable cause that the accused is the person who committed the offenses. *Commonwealth v. McBride*, 595 A.2d 589, 591 (Pa. 1991).

"[T]he Commonwealth need only demonstrate sufficient probable cause to believe the person charged has committed the offense. Inferences reasonably drawn from the evidence of record which would support a verdict of guilty are to be given effect, and the evidence must be read in the light most favorable to the Commonwealth's case."

*Commonwealth v. Little*, 305 A.3d 38, 45 (Pa. Super. Ct. 2023) (quoting *Commonwealth v. Marti*, 779 A.2d 1177, 1180 (Pa. Super. Ct. 2001)).

Defendant's Motion challenges that the Commonwealth has not established a prima facie case for aggravated assault, recklessly endangering another person, or disorderly conduct.

---

{2} Defendant's Exhibit A.

{3} 18 Pa. C.S.A. § 2702(a)(1).

{4} 18 Pa.C.S.A. § 2701(a)(1).

{5} 18 Pa.C.S.A. § 2705.

{6} 18 Pa.C.S.A. § 5503(a)(1).

{7} 18 Pa.C.S.A. § 2709(a)(1).



According to statute, the crime of aggravated assault is committed when a person attempts to cause serious bodily injury to another, or intentionally, knowingly or recklessly causes such injury under circumstances manifesting extreme indifference to the value of human life. "Serious bodily injury" may be defined as injury that either creates a substantial risk of death, causes serious permanent disfigurement, or results in protracted loss or impairment of the function of any bodily member or organ. *Commonwealth v. Caterino*, 678 A.2d 389 (Pa. Super. Ct. 1996). An intent to cause serious bodily injury may be shown by the circumstances surrounding the incident. *Id.* at 391.

Defendant's counsel argued at the hearing on the Motion that although Mr. Williams testified that he had a concussion, the medical records subsequently procured showed that he was given information about post-concussive syndrome, but there was no diagnosis of a concussion. Defendant's counsel asked to call Mr. Williams to testify in order to examine him under oath about the contents of the medical records as against the testimony he provided at the preliminary hearing. The Commonwealth objected on the grounds that such examination was not proper at a pretrial hearing at a stage of prosecution in which only a prima facie case was required. Defendant's counsel was not permitted to call Mr. Williams to testify at the hearing, but his medical records were admitted into evidence.

In *Commonwealth v. Santiago*, a defendant appealed his conviction after a jury trial in which the facts included that he had punched a police officer, knocking him down four steps and causing him to hit his head on a concrete sidewalk. 294 A.3d 482, 484 (Pa. Super. Ct. 2023). The officer was diagnosed with a concussion, which his treating physician described as a head injury that results in temporary alteration in brain function. *Id.* The officer testified that even after returning to work, he was often confused and disoriented during the next two weeks, and that he suffered from migraines, including visual impairment, for approximately a month. *Id.* The Pennsylvania Superior Court found that the harm done to the officer was within the "protracted loss or impairment of a bodily member or organ" definition. *Id.* at 485.

Here, counsel's arguments focused largely on the evidence related to whether or not Mr. Williams suffered a concussion. However, the circumstances here are distinguishable from *Santiago* in that here, the only evidence that Mr. Williams did have a concussion is his own testimony, and there is no evidence that his brain functions were impaired.

Nevertheless, regardless of the evidence for or against a concussion diagnosis, there is medical record evidence that Mr. Williams continued to experience pain and impairment in the use of his jaw a month after the incident, and by his own testimony at the October 2023 preliminary hearing, his jaw still cracked. Therefore, there is evidence that the Defendant's actions caused protracted impairment of a bodily member that Mr. Williams presumably uses every day- his jaw. This is sufficient to satisfy a prima facie case for aggravated assault.

The crime of recklessly endangering another person is committed when a person recklessly engages in conduct which places or may place another in danger of death or serious bodily injury. The Pennsylvania Superior Court has held that reckless endangerment occurs when an actor consciously disregards a known risk of death or great bodily

harm to another person, he commits some wrongful deed or guilty act, and he thereby creates danger of death or serious bodily injury. Commonwealth v. Brockington, 230 A.3d 1209, 1215 (Pa. Super. Ct. 2020) (quoting Commonwealth v. Emler, 903 A.2d 1273, 1278 (Pa. Super. Ct. 2006)).

Viewing all evidence in a light most favorable to the Commonwealth, the Defendant, without warning or provocation, suddenly punched Mr. Williams twice in the head/face, such that he fell to the ground and struck his head on concrete. A jury could find that this sudden and violent action shows a conscious disregard of a risk of great bodily harm to Mr. Williams. Therefore, there is evidence to satisfy a prima facie case for recklessly endangering another person.

Finally, as charged here, the crime of disorderly conduct is committed when a person with intent to cause public inconvenience, annoyance or alarm (or recklessly creating a risk thereof) engages in fighting or threatening or in violent or tumultuous behavior with the intent to cause substantial harm or serious inconvenience. The altercation here consisted of two punches by the Defendant in or near the driveway of a private residence at which a party was underway. However, regardless of whether the driveway area may be considered public or not, there is no indication that the Defendant's intent was to cause public inconvenience, annoyance or alarm. Therefore, there is no prima facie case to support that charge.

Therefore, the Court enters the following:

ORDER

AND NOW, this 12th day of September, 2024 in consideration of Defendant's Omnibus Pretrial Motion and after a review of the preliminary hearing transcript and exhibits admitted into evidence, is hereby ORDERED and DIRECTED that Defendant's Motion is DENIED IN PART as to the charges of aggravated assault and recklessly endangering another person. The Motion is GRANTED IN PART only as to the charge of disorderly conduct, which shall be DISMISSED.

BY THE COURT:  
Linda R. Cordaro, Judge

ATTEST:  
Clerk of Courts



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