



Chester County Law Reporter

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Chester County Law Reporter

(USPS 102-900)

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Adams vs. Barrett

Transfer venue

1. The court at any time may transfer an action to the appropriate court of any other county where the action could originally have been brought or could be brought if it determines that it is an inconvenient forum under the circumstances and the court of another county is the more appropriate forum.
2. An action may be brought in any county which is the home county of the child at the time of commencement of the proceeding. A county qualifies as a home county if the child has lived there for at least six consecutive months immediately preceding the filing of the action.
3. The court identified factors used to identify which county is the more appropriate county to hear the case, which include: (a) whether domestic violence has occurred and is likely to continue in the future and which county could best protect the parties and the child; (b) the length of time the child has resided outside this county; (c) the distance between the court of this county and the court in the other county; (d) the relative financial circumstances of the parties; (e) any agreement of the parties as to which county should have venue; (f) the nature and location of the evidence required to resolve the pending litigation, including testimony of the child; (g) the ability of the court of each county to decide the issue expeditiously and the procedures necessary to present the evidence; and (h) the familiarity of the court of each county with the facts and issues in the pending litigation.
4. Here, Mother and the children have resided in Bucks County for well over 2 years; Father has resided in Bucks County for nearly 1½ years; the children have attended school in Bucks County since the Fall of 2018; the Bucks County Justice Center is closer for the parties and had issued a Protection from Abuse Order to Mother. Upon consideration of Plaintiff's Petition to Transfer Venue, the Court noted the case had languished in Chester County and belonged in Bucks County; accordingly, the Court ordered the Chester County Prothonotary to transfer the matter to Bucks County.

R.E.M.

C.C.P., Chester County, Pennsylvania; Custody # 2018-08137-CU; Silas C. Adams vs. Madeline E. Barrett

William Kirby for Plaintiff/Father
Maria Dominique Feeney for Defendant/Mother
Binder, March 15, 2021:-

Adams vs. Barrett

370 (2021)]

SILAS C. ADAMS

Plaintiff

IN THE COURT OF COMMON PLEAS
CHESTER COUNTY, PENNSYLVANIA

vs.

NO. 2018-08137-CU

MADELINE E. BARRETT,

Defendants

IN CUSTODY

ORDER and MEMORANDUM

AND NOW, this 15th day of March, 2021, after a hearing on March 5, 2021 on Plaintiff’s Petition to Transfer Venue, filed November 5, 2020, for the reasons set forth in the accompanying Memorandum, it is hereby **ORDERED** that Plaintiff’s Motion is **GRANTED** and that the Office of the Prothonotary is directed to transfer this matter to the Bucks County Court of Common Pleas upon application and payment of the required fee.

BY THE COURT:

/s/ **BRET M. BINDER, J.**

MEMORANDUM

Plaintiff/Father, Defendant/Mother, and their two (2) children used to live in Chester County. On August 9, 2018, the date when Plaintiff/Father commenced this action, Defendant/Mother had moved to Bucks County but Plaintiff/Father remained in Chester County. On September 18, 2018, the children began living in Bucks County with Defendant/Mother pursuant to the interim custody order entered on September 18, 2018 by the Honorable Patrick Carmody.¹

A second interim order was entered on October 15, 2018 by the Honorable Jeffrey R. Sommers. That second interim order modified custody² and appointed a custody evaluator to issue a report and recommendation. Plaintiff/Father moved to Bucks County in November of 2019.³ The custody evaluator issued her report and recommendation in March of 2020 and since then there has been no progress in Chester County toward the entry of a final custody order.

By his Petition to Transfer Venue, Plaintiff/Father argued to this court that “[v]enue is not proper in Chester County pursuant to Pa.R.C.P. [No.] 1915.2, as another county, being Bucks County, would be the more appropriate forum.” Petition, 11/5/20, p. 1. Defendant/Mother argued that this case should remain in Chester County.

It is the law that “[t]he court at any time may transfer an action to the appropriate court of any other county where the action could originally have been brought or could be brought if it determines that it is an inconvenient forum under the circumstances and the court of another county is the more appropriate forum.” Pa.R.C.P. No. 1915.2(c). Here, the parties and the children have lived in Bucks County for more than six (6) consecutive months and there is no dispute that a child custody action could be brought in Bucks County. Pa.R.C.P. No. 1915.2(a) (1)(i) (“An action may be brought in any county which is the home county of the child at the time of commencement of the proceeding . . .”). *See also* Pa.R.C.P. No. 1915.1(b) (defining “home county” generally as the county where the child has lived “for at least six consecutive months immediately preceding the filing of the action, . . .”).

Here, the dispute is whether Chester County or Bucks County is the more appropriate county. The court identifies the more appropriate county by considering the factors used to identify the more appropriate state set out at 23 Pa.C.S. § 5427(b)

¹ That order awarded sole physical custody to Defendant/Mother pursuant to the Interim Stipulation of the parties dated September 13, 2018 and filed September 18, 2018.

² That order awarded primary physical custody to Defendant/Mother. Plaintiff/Father’s partial custody was limited to every Saturday from 10:00 a.m. to 2:00 p.m. In addition, Plaintiff/Father was awarded six (6) hours every other Thanksgiving and seven (7) hours every Christmas. Plaintiff/Father was awarded no overnight custody.

³ Plaintiff/Father testified that he moved to Yardley in August of 2018 which Defendant/Mother disputed. Plaintiff/Father testified that he moved to Doylestown in November of 2019 which this court credited as consistent with Plaintiff/Father’s claim that the family home in Chester County went into foreclosure in the Fall of 2019.

(Inconvenient forum). *See* 23 Pa.C.S. § 5471 (“The provisions of this chapter allocating jurisdiction and functions between and among courts of different states shall also allocate jurisdiction and functions between and among the courts of common pleas of this Commonwealth.”). *See also* B.A.B. v. J.J.B., 166 A.3d 395 (Pa.Super. 2017) (applying 23 Pa.C.S. § 5427(b) factors to appeal from order denying petition to transfer venue), *appeal denied*, 170 A.3d 990 (Pa. 2017); A.C. v. H.S.G., 2020 WL 201713 (Pa. Super. 2020) (applying 23 Pa.C.S. § 5427(b) factors to appeal from order transferring venue) (persuasive authority). Thus, the factors the court is to consider are as follows:

- (1) whether domestic violence has occurred and is likely to continue in the future and which [county] could best protect the parties and the child;
- (2) the length of time the child has resided outside this [county];
- (3) the distance between the court [of this county] and the court in [the other county];
- (4) the relative financial circumstances of the parties;
- (5) any agreement of the parties as to which [county should have venue];
- (6) the nature and location of the evidence required to resolve the pending litigation, including testimony of the child;
- (7) the ability of the court of each [county] to decide the issue expeditiously and the procedures necessary to present the evidence; and
- (8) the familiarity of the court of each [county] with the facts and issues in the pending litigation.

23 Pa.C.S. § 5427(b).

Here, in deciding whether Chester County or Bucks County is the more appropriate county, this court gave great weight to the fact that Defendant/Mother and the children have resided in Bucks County for well over two (2) years and to the fact that Plaintiff/Father has resided in Bucks County for nearly one and one-half (1½) years. 23 Pa.C.S. § 5427(b)(2) (length of children’s residency). This court also gave great weight to the fact that the children have attended school in Bucks County since the Fall of 2018 and the Bucks County Justice Center is closer for the parties. 23 Pa.C.S. § 5427(b)(6) (location of evidence); 23 Pa.C.S.A. § 5427(b)(3) (comparative distance).⁴ It weighs somewhat in favor of Bucks County that Defendant/Mother obtained a Protection from Abuse Order from the Bucks County Court of Common Pleas. 23 Pa.C.S. § 5427(b)(1) (domestic violence).

The remainder of the factors are of comparatively little importance. The relative financial circumstances of the parties recommends neither Chester County nor

⁴ If the custody evaluator must testify, it would be better that she appear remotely or travel to Bucks County in deference to the parties and the children just as it would be better for Defendant/Mother’s counsel to appear remotely or travel to Bucks County.

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Bucks County. 23 Pa.C.S. § 5427(b)(4) (relative wealth). There is no reason to think that Chester County is any more able to decide the issues expeditiously than Bucks County and the undersigned has no familiarity with this case apart from hearing the evidence on the Petition to Transfer Venue. 23 Pa.C.S. § 5427(b)(7) (expeditious resolution); 23 Pa.C.S.A. § 5427(b)(8) (familiarity). There is no agreement between the parties that venue should remain in Chester County.⁵ 23 Pa.C.S. § 5427(b)(5) (agreement of parties). In sum, this is a case that has languished in Chester County and changed into a case that belongs in Bucks County.

Accordingly, for the reasons set forth above, this court will enter an order granting Plaintiff's Petition to Transfer Venue.

⁵ Defendant/Mother argued that “[t]he parties have agreed that the Chester County Court of Common Pleas shall retain jurisdiction over this matter (see Custody Order and Interim Order marked as Exhibit ‘A’ attached hereto and incorporated herein by reference.)” Response, 11/24/20, p. 2 (emphasis omitted). However, the Interim Order and Interim Stipulation say nothing about venue. The Custody Order entered October 15, 2018 commands that “[t]he Chester County Court of Common Pleas shall retain jurisdiction over this matter” but that order was not entered by agreement of the parties.

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NOTICES

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CORPORATION NOTICE

Notice is hereby given that Articles of Inc. were filed with the Dept. of State for RIGHT SOLUTIONS EMPLOYMENT CONSULTING INC., a corp. organized under the PA Business Corp. Law of 1988.

RUDOLPH L. CELLI, JR., Solicitor,
CELLI & ASSOCIATES,
125 Strafford Ave., Ste. 115,
Wayne, PA 19087

DISSOLUTION NOTICE

Notice is hereby given by the UNITED METHODIST CHURCH OF THE OPEN DOOR, INC, A PENNSYLVANIA NONPROFIT COPORATION, THAT SAID CORPORATION IS WINDING UP ITS AFFAIRS IN THE MANNER PRESCRIBED BY SECTION 1975 OF THE BUSINESS CORPORATION LAW OF 1988, SO THAT ITS CORPORATE EXISTENCE SHALL CEASE UPON THE FILING OF ARTICLES OF DISSOLUTION IN THE DEPARTMENT OF STATE OF THE COMMONWEALTH OF PENNSYLVANIA.

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN that the shareholders of DAVID L. AQUADRO, INC., a Pennsylvania corporation, with an address of 33 Umble Road, Atglen, PA 19310, (Chester County), have unanimously approved a proposal that the corporation voluntarily dissolve and is now engaged in winding up and settling affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN that the shareholders of HEIDAR K. JAHROMI, M.D., P.C., a Pennsylvania corporation, with an address of 213 Reeceville Road, Ste 22, Coatesville, PA 19320, (Chester County), has unanimously approved a proposal that the corporation voluntarily dissolve and is now engaged in winding up and settling affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.

ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

BOWES, Mary Elizabeth, a/k/a Mary Elizabeth Colgan, late of Lower Oxford Township. Mary Elizabeth Colgan a/k/a Mary Beth Colgan, 3431 Verner St., Drexel Hill, PA 19026, Executrix. ANITA M. D'AMICO, Esquire, D'Amico Law, 65 S. Third St., Oxford, PA 19363, atty.

BRICE, Eric, late of Avondale. Maria J. Brice, care of MEREDITH L. LAMBERT, Esquire, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, Executrix. MEREDITH L. LAMBERT, Esquire, Perna & Abracht, LLC, 610 Millers Hill, P.O. Box 96, Kennett Square, PA 19348, atty.

BURNS, Audrey Schultz, a/k/a Audrey Katherine Schultz, late of Malvern. Michael A Burns, 321 Greene Rd., Berwyn, PA 19312, Executor.

CAROSELLA, SR., Vincent E., a/k/a Vincent E. Carosella, late of East Goshen Township. S&T Bank, 410 Exton Square Parkway, Exton, PA 19341 & Mary Anne Carosella, 1518 Manley Road, Unit B7, West Chester, PA 19382, Co-Executors. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

CARRONE, Denis M., a/k/a Denise Carrone, late of East Bradford Township. S&T Bank, 410 Exton Square Parkway, Exton, PA 19341, Executor. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

CHILDERS, Dennis, late of Schuylkill Township. Natalie M. Lewis, 61 Seven Stars Rd., Spring

City, PA 19475, Executrix. REBECCA A. HOBBS, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

DALTON, Gertrude O'H., a/k/a Gertrude O. Dalton, late of East Goshen Township. Patricia D. Kelly, 810 Hinchley Run, West Chester, PA 19382, Executrix. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

DAMIANI, Louis, a/k/a Louis C. Damiani, Jr., late of Tredyffrin Township. MARIA SPAGNUOLO, care of MARTIN J. PEZZNER, Esquire, 100 W. 6th St., Ste. 204, Media, PA 19063, Executrix. MARTIN J. PEZZNER, Esquire, Gibson & Perkins, P.C., 100 W. 6th St., Ste. 204, Media, PA 19063, atty.

DARDOZZI, Louis T., late of West Goshen Township. Michelle Schmidt, care of WILLIAM B. COOPER, III, Esquire, P.O. Box 673, Exton, PA 19341, Executrix. WILLIAM B. COOPER, III, Esquire, Fox Rothschild, LLP, P.O. Box 673, Exton, PA 19341, atty.

DVONCH, Audrey M., late of Tredyffrin Township. Michael J. Dvonch, 350 Drummers Ln., Phoenixville, PA 19460, Executor. SALLY A. FARRELL, Esquire, Rardon & Associates, LLC, 985 Old Eagle School Rd., Ste. 516, Wayne, PA 19087, atty.

EVANS, Robert L., late of Pocopson Township. Sylvia B. Evans and R. Paul Evans, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Co-Executors. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

FARMAN, Lawrence Ernest, late of Pottstown. Josh Farman, 747 W. Hoeffcker Rd., Pottstown, PA 19465 & Derek Farman, 135 Green Hill Rd., Barto, PA 19504, Executors.

GALLAGHER, SR., Hugh F., a/k/a Hugh Gallagher, late of Westtown Township. Monica Gallagher and Adriana Gallagher, 1211 Valley Dr., West Chester, PA 19382, Executrices.

GRAY, Letitia E., a/k/a Letitia Elizabeth Gray, late of West Chester Borough. Delores M. Butler and Marcia J. Williams, care of STEPHANIE P. KALOGREDIS, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381, Executrices. STEPHANIE P. KALOGREDIS, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381, atty.

GREGG, Mark Timothy, a/k/a Mark T. Gregg, late of West Caln Township. Cassandra Gregg, 1366 Copeland School Road, Administratrix. THOMAS J WAGNER, Esquire, Thomas J. Wagner, Attorney at

Law, 140 Grant Avenue, Coatesville, PA 19320, atty.

GRETKOWSKI, Helen R., late of West Whiteland Township. Lyn M. Wood, care of SEAMUS M. LAVIN, Esquire, 122 S. Church St., West Chester, PA 19382, Executrix. SEAMUS M. LAVIN, Esquire, Wetzel Gagliardi Fetter & Lavin LLC, 122 S. Church St., West Chester, PA 19382, atty.

HALLETT, Nancy S., late of East Whiteland Township. David Hallett, 11 Atterbury Drive, Malvern, PA 19355, Executor. FRANCIS C. MILLER, Esquire, Miller Law Offices, 21 W Washington St, Suite D, West Chester, PA 19380, atty.

IFFRIG, Michael Jon, late of West Whiteland Township. Dawn M. Marchini, 307 Jennifer Dr., Coatesville, PA 19320 and Robert J. Iffrig, 546 Fern Hill Ln., West Chester, PA 19380, Administrators. JAMES R. FREEMAN, Esquire, O'Donnell, Weiss & Mattei, P.C., 41 E. High St., Pottstown, PA 19464, atty.

KALMBACH, Albert, late of East Pikeland Township. Karen M. Trave & Keith D. Kalmbach, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Co-Executors. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

KRAYNAK, Karen A., late of Phoenixville Borough. Richard B. Kraynak, 8 Rossiter Ave., Phoenixville, PA 19460, Administrator. TIMOTHY G. DALY, Esquire, Daly & Clemente, P.C., 1288 Valley Forge Rd., #72, Phoenixville, PA 19460, atty.

KUNTZ, Dorothy A., late of Phoenixville. Debra Kaczmar, 4289 Chestnut Drive, Walnutport, PA 18088, Executor.

LILLARD, Phyllis, a/k/a Phyllis K. Lillard, late of Lower Oxford Township. James Barle Lillard, care of WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, Executor. WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, 208 E. Locust Street, Oxford, PA 19363, atty.

MANFREDINI, Olympia M., late of New Garden Township. Dominic E. Manfredini, 732 Penn Green Road, Landenberg, PA 19350, Executor. W. DONALD SPARKS, II, Esquire, Richards, Layton & Finger, P.A., P.O. Box 551, Wilmington, DE 19899, atty.

NUNN, Kathleen, late of Newlin Township. Nick H. Nunn, III, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

RUPPERT, Carol Lynn, late of Honey Brook Borough. Eileen Fox, care of JAMES B. GRIFFIN, CPA, Esquire, 623 N. Pottstown Pike, Exton, PA 19341, Executor. JAMES B. GRIFFIN, CPA, Esquire, James B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

SHANNAHAN, Franklin M., late of Tredyffrin Township. Barbara E. Shannahan and Joseph R. Shannahan, care of GUY F. MATTHEWS, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executors. GUY F. MATTHEWS, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, Media, PA 19063, atty.

SULLIVAN, Jean A., late of Uwchlan Township. Joseph Sullivan, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Administrator. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

WALTERS, SR., James Ray, late of Nottingham. Sheila M. Kelly-Walters, care of KARYN L. SEACE, CELA, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executrix. KARYN L. SEACE, CELA, Esquire, Nescio & Seace, LLP, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

WATKINS, JR., John M., a/k/a John Mauldin Watkins, Jr., late of Kennett Square. Peter M. Watkins, P.O. Box 590292, Newton, MA 02459, Executor. MARK M. DALLE PAZZE, Esquire, Herdeg, du Pont & Dalle Pазze, 15 Center Meeting Road, Wilmington, DE 19807, atty.

WITAKER, Jeanne T., late of Kennett Township. Mark Whitaker, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

WITMAYER, Charles W., late of East Vincent Township. Sherry Lynn Whitmayer, care of JAMES J. CORSETTI, JR., Esquire, 440 Quarry Rd., Harleysville, PA 19438, Executrix. JAMES J. CORSETTI, JR., Esquire, 440 Quarry Rd., Harleysville, PA 19438, atty.

YANNUZZI, Mary E., late of West Fallowfield Township. Robert J. Lazar, care of CHRISTOPHER G. FURLONG, Esquire, 22 East Third Street, Media, PA 19063, Executor. CHRISTOPHER G. FURLONG, Esquire, 22 East Third Street, Media, PA 19063, atty.

YOCKIN, Robert A., late of West Pikeland Town-

ship. Robert P. Yockin, care of ROBERT C. EWING, Esquire, 116 W. Baltimore Avenue, P.O. Box 728, Media, PA 19063, Executor. ROBERT C. EWING, Esquire, 116 W. Baltimore Avenue, P.O. Box 728, Media, PA 19063, atty.

2nd Publication

ALWINE, Jeremy, late of Berwyn. Jeanette Alwine & Christopher Alwine, 308 Abbey Road, Berwyn, PA 19312, Administrators.

ARCHAMBAULT, Ralph Francis, a/k/a Ralph F. Archambault, late of Charlestown Township. Lynne Marie Sanbe, care of SEAMUS M. LAVIN, Esquire, 122 S. Church St., West Chester, PA 19382, Executrix. SEAMUS M. LAVIN, Esquire, Wetzel Gagliardi Fetter & Lavin LLC, 122 S. Church St., West Chester, PA 19382, atty.

BADASARIAN, Monte R., late of West Chester. Jo-Ann Badasarian, care of KEVIN J. RYAN, Esquire, 220 W Gay Street, West Chester, PA 19380, Executrix. KEVIN J. RYAN, Esquire, 220 W Gay Street, West Chester, PA 19380, atty.

BARKMAN, JR., Marshall, late of Schuylkill Township. Marshall Barkman, III & Anita Watkins, care of ELLIOTT GOLDBERG, Esquire, 1231 Lancaster Ave, Berwyn, PA 19312, Executors. ELLIOTT GOLDBERG, Esquire, 1231 Lancaster Ave, Berwyn, PA 19312, atty.

BELL, Margaret E., late of West Goshen Township. Harold E. Bell, Jr., care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Executor. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

CALIGIURI, Theresa R., a/k/a Teresa R. Caligiuri, late of London Grove Township. Angeline Baughman and John A. Caligiuri, Jr., care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Co-Executors. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

CROWE, Arthur S., a/k/a Arthur S. Crowe, Jr., late of Birmingham Township. Mary F. Crisman, care of DUKE SCHNEIDER, Esquire, 17 W. Miner St., West Chester, PA 19382, Executrix. DUKE SCHNEIDER, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

DALLER, SR., George R., a/k/a George Richard Daller, late of Atglen Borough. Edward H. MYERS, care of DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkesburg, PA 19365, Administrator C.T.A.

DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkersburg, PA 19365, atty.

DANIELS, Guy Rex, late of Paoli. Paul F. Daniels, 965 Northcliffe Drive, Salt Lake City, UT 84103, Administrator.

DAVIS, Rebecca, late of Easttown Township. Bancroft G. Davis, III, care of KAREN S. DAYNO, Esquire, 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544, Executor. KAREN S. DAYNO, Esquire, Timoney Knox LLP, 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544, atty.

DOVE, JR., Robert G., late of East Brandywine Township. David W. Dove, care of WILLIAM B. COOPER, III, Esquire, P.O. Box 673, Exton, PA 19341, Executor. WILLIAM B. COOPER, III, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

HOFFMAN, Irene, late of Atglen Borough. Ernst Hoffman, care of DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkersburg, PA 19365, Executor. DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkersburg, PA 19365, atty.

INNELLA, Janice Anne, late of East Goshen Township. Steven M. Clofine, care of DANIELLE FRIEDMAN, Esquire, 1801 Market St., Ste. 2300, Philadelphia, PA 19103, Administrator. DANIELLE FRIEDMAN, Esquire, Offit Kurman, P.A., 1801 Market St., Ste. 2300, Philadelphia, PA 19103, atty.

KELLY, Robert J., late of Phoenixville Borough. Karen K. Gregory, care of JOHN F. McKENNA, Esquire, 17 W. Miner St., West Chester, PA 19382, Administratrix. JOHN F. McKENNA, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

KIMES, Randy Lee, late of West Brandywine Township. Ricky Lee Kimes, care of DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkersburg, PA 19365, Administrator. DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkersburg, PA 19365, atty.

KITCHICK, Donald J., late of East Vincent Township. Joseph D. Kitchick, 1130 Kulp Rd., Pottstown, PA 19465, Executor. JAMES C. KOVALESKI, Esquire, O'Donnell, Weiss & Mattei, PC, 41 E. High St., Pottstown, PA 19464, atty.

LECCESE, Rita Lea, a/k/a Rita L. Leccese, late of Schuylkill Township. Katherine A. Haslip, 1104 W. Historic Columbia River Hwy., Troutdale, OR 97060 and Gloria J. Leccese, 838 E. Phillip Dr., Phoenixville, PA 19460, Executrices. JOSEPH K. KOURY, Esquire, O'Donnell, Weiss & Mattei, PC, 41 E. High St., Pottstown, PA 19464, atty.

McCARLEY, Sharon Elizabeth, late of Phoenixville. Michelle Lamoureux, 1927 Montgomery Ave, Cardiff, CA 92007, Executor.

MILTON, Robert Thomas, late of East Whiteland Township. Teresa A. Schneider and Kathleen M. Milton, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executors. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

PARK, Kathryn, a/k/a Kathryn Alice Park, late of Tredyffrin Township. John J. Park, care of ELLEN J. DERINGER, Esquire, 1701 Market St., Philadelphia, PA 19103, Executor. ELLEN J. DERINGER, Esquire, Morgan, Lewis & Bockius LLP, 1701 Market St., Philadelphia, PA 19103, atty.

PAVELIK, George M., a/k/a George M. Pavlik, late of Valley Township. Deborah Sweigart, 31 Beech St., Coatesville, PA 19320, Executrix. ROGER E. LEGG, Esquire, 100 Five Points Road, Coatesville, PA 19320, atty.

POHL, Isolde, late of Valley Township. Christoph Pohl, care of LOUIS N. TETI, Esquire, 17 W. Miner St., West Chester, PA 19382, Executor. LOUIS N. TETI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

SHEAN, Stephen V., late of West Goshen Township. Joseph A. Bellinghieri, 17 W. Miner St., West Chester, PA 19382, Executor. JOSEPH A. BELLINGHIERI, Esquire, MacElree Harvey, LTD, 17 W. Miner St., West Chester, PA 19382, atty.

SMITH, Carl E., a/k/a Carl Eugene Smith, late of North Coventry Township. Carl J. Smith, 77 Fortress Dr., Boyertown, PA 19512 and Mandi L. Knowles, 2576 Creek Station Dr., Buford, GA 30519, Executors. DAVID A. MEGAY, Esquire, O'Donnell, Weiss & Mattei, PC, 41 E. High St., Pottstown, PA 19464, atty.

SMITH, Gladys Lorraine, late of East Nantmeal Township. Anne Hilder, care of JOHN C. HOOK, Esquire, 2005 Market St., Ste. 2600, Philadelphia, PA 19103-7018, Administratrix C.T.A. JOHN C. HOOK, Esquire, Stradley, Ronon, Stevens & Young, LLP, 2005 Market St., Ste. 2600, Philadelphia, PA 19103-7018, atty

TOOLE, Bethel Thomas, late of Valley Township. Harriett C. Burch, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Executor. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

TRACEY, Maryann B., late of East Goshen.

John A. Tracey, care of VINCENT CAROSELLA, JR., Esquire, 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, Executor. VINCENT CAROSELLA, JR., Esquire, Carosella & Associates, P.C., 882 South Matlack Street, Suite 101, West Chester, PA 19382-4505, atty.

WESLER, Anna L., late of Phoenixville. Diane Featherman, 200 Oxford Lane, Exton, PA 19341, Executor. IRA D. BINDER, Esquire, 227 Cullen Rd., Oxford, PA 19363, atty.

WILSON, Dorothy Anne, late of Willistown Township. Jennifer V. Reed, care of SHARON L. STEINGARD, Esquire, 1845 Walnut St., 24th Fl., Philadelphia, PA 19103, Executrix. SHARON L. STEINGARD, Esquire, Willig, Williams & Davidson, 1845 Walnut St., 24th Fl., Philadelphia, PA 19103, atty.

3rd Publication

BERNAUER, Annette Marie, late of West Chester. Joseph Bernauer, 1106 Hower Lane, Philadelphia, PA 19115, Executor.

BLIEM, Carlton S., late of North Coventry Township. Paul E. Bliem, care of ERIC C. FREY, Esquire, 105 E Phila Ave, Boyertown, PA 19512, Executor. ERIC C. FREY, Esquire, E. Kenneth Nyce Law Office, LLC, 105 E Phila Ave, Boyertown, PA 19512, atty.

CAVANAUGH, Patricia M., late of East Goshen Township. Mark C. Cavanaugh, care of LISA COMBER HALL, Esquire, 27 S Darlington St, West Chester, PA 19382, Executor. LISA COMBER HALL, Esquire, Hall Law Offices, PC, 27 S Darlington St, West Chester, PA 19382, atty.

DePHILLIPS, Marilyn Stephanie, late of East Brandywine Township. James Przywitowski, 107 Millbrook Dr, Chadds Ford, PA 19317, Executor.

DINSDALE, Elsie M., late of Uwchlan Township. Karen E. Stickney, care of LISA COMBER HALL, Esquire, 27 S Darlington St, West Chester, PA 19382, Executrix. LISA COMBER HALL, Esquire, Hall Law Offices, PC, 27 S Darlington St, West Chester, PA 19382, atty.

DUKE, Lee, a/k/a Lee E. Duke, late of West Brandywine Township. Lee E. Raring, 229 Pine Street, P.O. Box 115, Auburn, PA 17922, Executor. ROBIN L. HARLEY, Esquire, Zane, Rossi, Conville & Harley, 38 St. John Street, P.O. Box 96, Schuylkill Haven, PA 17972, atty.

FISHER, Linda Marie, a/k/a Lynda, Lyn, late of East Goshen Township. Administrator, care of Harry

E. Fisher, Esquire, 108 Wilson Ave. box 45, Rising Sun, MD 21911, Executor.

HEISTAND, Robert Neff, late of Caln Township. JoAnn Heistand Chapel, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executor. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

HEISTAND, Bruce Edward, late of Caln Township. JudiLynn Heistand, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Administrator. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

MAHONEY, Janet Patricia, a/k/a Janet Beniston, late of Phoenixville. Elaine Mahoney, 2867 Regal Circle Apt H, Birmingham, AL 35216, Administrator.

McGLINCHEY, Wanda L., a/k/a Wanda McGlinchey-Ryan, late of West Whiteland Township. Erin L. McGlinchey, 5104 Village View Way #4, Missoula, MT 59803, Executrix.

MERCNER, Richard G., late of West Chester. Barbara M. Witherow, care of W. PETER BARNES, Esquire, 218 West Miner Street, West Chester, PA 19382, Executor. W. PETER BARNES, Esquire, Klein, Head, Barnes & Wood, LLP, 218 West Miner Street, West Chester, PA 19382, atty.

MILLER, Jeffrey Franklin, a/k/a Jeff Miller, late of Oxford Borough. Jeffrey Franklin Miller, 125 W. Hillside Dr., Oxford, PA 19363, Administrator. L. THEODORE HOPPE, JR., Esquire, 2 South Orange Street, Ste. 215, Media, PA 19063, atty.

PLUMPTON, JR., Vincent William, late of Oxford Borough. Linda A. Simasek, 503 Avon Dr., Landenberg, PA 19350, Executor. KATHLEEN K. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

RAICHLE, Dorothy E., late of East Pikeland Township. Thomas D. Raichle, care of STEPHEN I. BAER, Esquire, 1288 Valley Forge Rd., Suite 63, Phoenixville, PA 19460, Executor. STEPHEN I. BAER, Esquire, Baer Romain & Ginty, LLP, 1288 Valley Forge Rd., Suite 63, Phoenixville, PA 19460, atty.

SHEETS, Myranelle Mary, late of Oxford. Anna F. Miller, 266 Woody Brown Road, Rising, Sun, MD 21911, Executrix. WARREN A. HAMPTON, Esquire, Hampton & McCreary, 103 Crest Lane, Pottstown, PA 19465, atty.

STREAMER, William A., late of Tredyffrin Township. Cecilia L. Keller, care of LISA COMBER

HALL, Esquire, 27 S Darlington St, West Chester, PA 19382, Executrix. LISA COMBER HALL, Esquire, Hall Law Offices, PC, 27 S Darlington St, West Chester, PA 19382, atty.

TATE, Jerry G., late of Oxford. David E. Tate, care of KARYN L. SEACE, CELA, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executor. KARYN L. SEACE, CELA, Esquire, Nescio & Seace, LLP, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

VAN ORSDALE, Jacqueline Freeman, late of West Fallowfield Township. Lynn Van Orsdale Brown, care of MATTHEW C. STONE, Esquire, 4126 Edgmont Avenue, Brookhaven, PA 19015, Executor. MATTHEW C. STONE, Esquire, The Law Offices of Stone & Stone, LLC, 4126 Edgmont Avenue, Brookhaven, PA 19015, atty.

VELDE, Louise P., late of West Goshen Township. Mary Anne Stout, care of JAMES B. GRIFFIN, CPA, Esquire, 623 N. Pottstown Pike, Exton, PA 19341, JAMES B. GRIFFIN, CPA, James B. Griffin, P.C., Esquire, Firm, 623 N. Pottstown Pike, Exton, PA 19341, atty.

WHITTEMORE, Diane D., late of East Caln Township. Ann B. Hicks & Michael R. Whittemore, care of JAMES B. GRIFFIN, CPA, Esquire, 623 N. Pottstown Pike, Exton, PA 19341, Executors. JAMES B. GRIFFIN, CPA, Esquire, James B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

WILLS, Howard, late of West Chester. Francis C. Miller, Esquire, 21 W Washington St, Suite D, West Chester, PA 19380, Administrator. FRANCIS C. MILLER, Esquire, Miller Law Offices, 21 W Washington St, Suite D, West Chester, PA 19380, atty.

NONPROFIT CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a charter of a Nonprofit Corporation which was organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

The name of the corporation is Better Days Ahead Outreach Inc.

Articles of Incorporation were filed on Sunday, December 5, 2021

The purpose or purposes for which it was organized are: BDA (Better Days Ahead) is a 501(c)(3)

official IRS tax exempt grassroots non-profit group that distributes food, clothing, and survival gear directly to area houseless and at-risk individuals in Southeastern Pennsylvania. We are based in Phoenixville and cover Pottstown, Norristown, Spring City, Royersford and any other areas around here all the way down to Center City and Kensington in Philadelphia. Helping people is our passion and we are dedicated to treating all clients with the dignity and humanity they deserve.

1st Publication of 1

In The Court of Common Pleas of
Chester County, Pennsylvania
Civil Action – Law

No. 2021-01765-JD

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

Firstrust Bank, Plaintiff v. ALA Holdings LLC, ALA Corporation and Angela Anderson, Defendants
To the Defendant: ALA Holdings LLC, TAKE NOTICE THAT the your real estate owed and known as 5033 Horseshoe Pike, Downingtown, PA 19335, also known as real property parcel identification number 39-2-27.1, will be sold at a Sheriff's Sale on January 20, 2022 at 11:00 a.m. at Bid4Assets via www.bid4assets.com/chestercopasheriffsales, to enforce the court judgment of \$1,354,816.59, plus continuing interest at the per diem rate of \$165.15 from and including February 20, 2021 and continuing; and costs.

NOTICE OF OWNER'S RIGHTS

YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE. To prevent this Sheriff's Sale you must take immediate action: (1) The sale will be canceled if you pay back to Firstrust Bank, the amount of the judgment plus costs OR the back payment, late charges, costs and reasonable attorney fees due. To find out how much you must pay, call: Lyndsay E. Rowland, Esquire at 215-542-7070; (2) You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause; (3) You may be able to stop the sale through other legal proceedings. You may need attorney to asset your rights. The sooner you contact one, the more chance you will have stopping the sale. (See below on how to obtain an attorney)

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU OTHER RIGHTS EVEN IF THE SHERIFF’S SALE DOES TAKE PLACE.

(1) If the Sheriff’s Sale is not stopped, your property will be sold to the highest bidder. You may find out the price by calling Lyndsay E. Rowland, Esquire at 215-542-7070. (2) You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property. (3) The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. (4) If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened. (5) You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you. (6) You may be entitled to a share of the money that was paid for your property. A schedule of distribution of the money bid for your house will be filed by the Sheriff no later than thirty (30) days from the date of the sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with the schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten 10 days after the date of the filing said schedule. (7) You may also have other rights and defenses or ways of getting your property back, if you act immediately after the sale.

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: Chester County Lawyer Referral Service, Chester County Bar Assn., 15 W. Gay Street, 2nd Floor, West Chester, PA 19380.

Lyndsay E. Rowland, Atty. For Plaintiff
STARFIELD & SMITH, P.C.
1300 Virginia Drive, Ste. 325
Fort Washington, PA 19034
215-542-7070

1st Publication of 1

NOTICE

COURT OF COMMON PLEAS - CHESTER COUNTY, PA - ORPHANS’ COURT DIV. - No. 1520-1276 - IN RE: ESTATE OF WILLIE LENZIE ALSTON, DECEASED, 108 (a/k/a 110) Poplar Street, West Chester, PA 19382 (Being UPI No. 1-6-61) - PRELIMINARY DECREE - AND NOW this 9th day of Dec., 2021, a hearing on the PETITION FOR DECREE QUIETING TITLE filed in the above captioned matter is scheduled to be heard before the Hon. Bret M. Binder, on Wednesday the 5th of Jan., 2022 at 9:30 am in Courtroom No. 12, Chester County Justice Center, West Chester, PA

BY THE COURT, PER CURIAM, J.

MEETING SPACE?

Looking for just the right meeting space? The Chester County Bar Association facilities are utilized on a regular basis for depositions, client meetings and seminars. We have rooms available for rental by the half-day or full day – a conference room, a board room and seminar rooms. We are located just one block from the Courthouse and convenient parking is available. For more information, visit us at www.chescobar.org. To reserve your room, please call 610-692-1889.

SAMPLE AD

Classified Ads for the Chester County Law Reporter ONLY \$.20 per space/character

ESTATES/TRUSTS ATTORNEY

Estates/Trusts Attorney sought for growing, collegial Main Line firm. Send resume with cover letter and salary requirements, in confidence to responses10@gmail.com

ASSOCIATE ATTORNEY

LaMonaca Law is seeking associate attorneys to join our expanding main line law firm. Required: minimum of 2 years family law experience, transportation, career oriented, ability to multi-task in a fast paced environment. Send resume and salary requirements to Kristy@LaMonacaLaw.com.