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Chester County Law Reporter

(USPS 102-900)

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Commonwealth v. Brahm

Suppression – Inevitable discovery doctrine – Independent source doctrine – Search warrants

1. Under the independent source doctrine, evidence that was in fact discovered lawfully, and not as a direct or indirect result of illegal activity, is admissible. In contrast, the inevitable discovery doctrine permits the introduction of evidence that inevitably would have been discovered through lawful means, although the search that actually led to the discovery of the evidence was unlawful.
2. The independent source and inevitable discovery doctrines differ in that the former focuses on what actually happened and the latter considers what would have happened in the absence of the initial search.
3. The independent source doctrine allows admission of evidence that has been discovered by means wholly independent of any constitutional violation.
4. The independent source doctrine teaches us that the interest of society in deterring unlawful police conduct and the public interest in having juries receive all probative evidence of a crime are properly balanced by putting the police in the same, not a worse, position that they would have been in if no police error or misconduct had occurred.
5. When challenged evidence has an independent source, exclusion of such evidence would put the police in a worse position than they would have been absent any error or violation.
6. Under the inevitable discovery exception to the exclusionary rule, the fact that challenged evidence was obtained as a result of illegal government conduct does not end the inquiry into whether the evidence is admissible at trial. The doctrine provides that evidence which would have been discovered was sufficiently purged of the original illegality to allow admission of the evidence.
7. Implicit in the inevitable discovery doctrine is the fact the evidence would have been discovered despite the initial illegality.
8. If the prosecution can establish by a preponderance of the evidence that the illegally obtained evidence ultimately or inevitably would have been discovered by lawful means, then the evidence is admissible.
9. The purpose of the inevitable discovery rule is to block setting aside convictions that would have been obtained without police misconduct. Thus, evidence that ultimately or inevitable would have been recovered by lawful means should not be suppressed despite the fact that its actual recovery was accomplished through illegal actions.
10. Suppressing evidence in cases where that evidence ultimately or inevitable would have lawfully been recovered, would reject logic, experience, and common sense.
11. There is a bright line test limiting application of the independent source doctrine to circumstances where the independent source is truly independent from both

- the tainted evidence and the police or investigative team which engaged in the misconduct by which the tainted evidence was discovered.
12. A warrant unconstitutional for its lack of particularity authorizes a search in terms so ambiguous as to allow the executing officers to pick and choose among an individual's possessions to find which items to seize. This will result in general rummaging banned by the Fourth Amendment.
 13. A warrant unconstitutional for its overbreadth authorizes in clear or specific terms the seizure of an entire set of items, or documents, many of which will prove unrelated to the crime under investigation. An overbroad warrant is unconstitutional because it authorizes a general search and seizure.
 14. The language of the Pennsylvania Constitution requires that a warrant describe the items to be seized "as nearly as may be." The clear meaning of the language is that a warrant must describe the items as specifically as is reasonably possible. This requirement is more stringent than that of the Fourth Amendment, which merely requires particularity in the description.
 15. Because the Pennsylvania Constitution requires the warrant description to be as particular as is reasonably possible, in any assessment of the validity of the description contained in a warrant, a court must initially determine for what items probable cause existed.
 16. The sufficiency of the description for the warrant must be measured against those items for which there was probable cause. Any unreasonable discrepancy between the items for which there was probable cause and the description in the warrant requires suppression.
 17. An unreasonable discrepancy reveals that the description was not as specific as was reasonably possible.
 18. Because a cell phone often contains even more personal information than a home, it logically follows that a warrant should be required to search the contents of a cell phone, just as a warrant is required to search the contents of a home. This rationale, however, does not support the conclusion that, once obtained, a warrant to search a digital device should be held to a higher overbreadth standard than a warrant to search a home simply because of the former's storage capacity.
 19. Search warrants should be read in a common-sense fashion and should not be invalidated by hyper-technical interpretations. This may mean, for instance, that when an exact description of a particular item is not possible, a generic description will suffice.
 20. Defendant filed an Omnibus Pre-Trial Motion to Suppress Statement and to Suppress Illegal Search Warrants. The Court *Held* that the Motion to Suppress Statement was granted in part and denied in part, and denied the Motion to Suppress Illegal Search Warrants.

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C.C.P. Chester County, Criminal Action, No. CR-1051-2022; Commonwealth v. Leroy Brahm, III

Kathleen Wright for the Commonwealth

Scott McIntosh for the Defendant

Rovito, J., June 27, 2023:-

COMMONWEALTH OF PENNSYLVANIA	⋮	IN THE COURT OF COMMON PLEAS
v.	⋮	CHESTER COUNTY, PENNSYLVANIA
LEROY BRAHM, III	⋮	CRIMINAL ACTION
	⋮	CR-1051-2022

Kathleen Wright, Esquire, Attorney for the Commonwealth
 Scott McIntosh, Esquire, Attorney for the Defendant

DECISION AND ORDER

Defendant, Leroy Brahm, III, filed an Omnibus Pretrial Motion on April 27, 2022. An Order was entered addressing certain matters contained therein on November 30, 2022. A Supplemental Omnibus Pre-Trial Motion containing a Motion to Suppress Statements and a Motion to Suppress Illegal Search Warrants was filed on March 8, 2023.

Defendant seeks suppression of the statement wherein he provided police the passcode to his cell phone as well as all evidence seized in connection with search warrants executed on Defendant’s person, house, papers, and effects. His written Motion specifically averred the December 4, 2021 and December 7, 2021 search warrants pertaining to his cell phone lacked particularity.¹ He also claimed the two warrants for the Zmodo hard drive, and the two warrants issued to SimpliSafe, a cloud-based storage company, were unconstitutionally overbroad.² Before beginning with the pretrial matter, the Commonwealth requested that Defense counsel clarify and state on the record the Motions and issues to be addressed. Counsel stated the Motions included challenges to (1) defendant’s statement providing cell phone passcode, (2) the two cell phone warrants, (3) the two “Zmodo” warrants, and (4) the two “SimpliSafe” warrants. Defense counsel agreed on the record he does not challenge the seizure of any of the above items. Testimony was taken at the Pre-Trial Hearing held before the undersigned on May 2, 2023 and the Court makes the following findings.

I. FACTS

The Commonwealth called the following members of law enforcement to testify regarding their involvement in defendant’s case: Officer Michinock (East

¹ December 4, 2021 Cell Phone Search Warrant admitted as Commonwealth Exhibit 6 (C-6). December 7, 2021 Cell Phone Search Warrant admitted as Commonwealth Exhibit 7 (C-7).

² December 6, 2021 “Zmodo 1” Search Warrant admitted as Commonwealth Exhibit 2 (C-2). January 6, 2022 “Zmodo 2” Search Warrant admitted as Commonwealth Exhibit 3 (C-3). December 6, 2021 “SimpliSafe 1” admitted as Commonwealth Exhibit 4 (C-4). January 26, 2022 “SmpliSafe 2” admitted as Commonwealth Exhibit 5 (C-5).

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Vincent Police Department), Sergeant Detective Tom Goggin (Chester County Detectives), Lieutenant Detective Bob Dougherty (Chester County Detectives), Detective Josh Kennon (Chester County Detectives), Detective Christine Bleiler (Chester County Detectives), and Detective Gary Lynch (Chester County Detectives).

Officer Michinock testified he responded to a report of cardiac arrest and was the first law enforcement officer on scene along with an EMT and paramedic at approximately 7:12 a.m. Upon entering the mobile home and observing the victim, Annabel Meenan, Officer Michinock and medical personnel immediately began life saving measures. Officer Michinock stated he observed the victim to have a swollen right eye, bruising and lacerations on her body and wearing only underwear. The defendant remained present throughout the victim's on-scene treatment and was only instructed to keep clear of medical personnel.

Officer Michinock further testified, defendant initially appeared nervous and concerned and gradually became more at ease. Defendant was permitted to smoke and appeared calm and relaxed while engaged in a conversation about cars and high-end watches. At no point did Officer Michinock unholster his weapon, handcuff the defendant, threaten the defendant, restrict the defendant's movements or actions. While still at the home, Officer Ahles (Spring City Police Department) and Detective Goggin were the only other law enforcement to arrive. Again, defendant was not restricted or threatened in any way and was permitted to continue to smoke and freely move around and converse with the officers.

Detective Goggin corroborated Officer Michinock's description of the defendant and his demeanor. Once the victim was transported to the hospital, defendant was asked to come to the police station and give a formal statement. He willingly complied. Detective Goggin indicated once defendant agreed to come to the police station, he went back into the home alone, retrieved his keys, came back outside, and locked the door. Defendant was transported alone by Officer Michinock without restraint.

Upon arrival to the police station, defendant was not walked through the "Sally Port", the secure garage used for individuals in custody, but through the front doors utilized by the public. He was taken to an informal, non-secure interview room without restraints and seated next to the open door. Detective Goggin, upon entering the room closed the door for privacy, but did not lock it, and began setting up recording equipment. Defendant requested the interview not be recorded and Detective Goggin complied. Before proceeding any further defendant was read his "*Miranda* rights" from a standardized form. He declined to sign either line acknowledging or refusing his rights and indicated he would not talk without an attorney. Detective Goggin terminated the interview at that point and escorted defendant to a waiting room shortly thereafter. Again, defendant was not confined or restricted from moving around or threatened in any manner. Defendant was not told he could not leave.

Defendant was informed by Detective Dougherty search warrants were being prepared for the home, his cell phone, and his person. Detective Dougherty

asked defendant for his keys and phone which he willingly provided. Detective Dougherty testified that he asked defendant if the phone was passcode protected. In response to the question, defendant provided the passcode. These questions were posed to defendant after he told Detective Goggin that he was not going to talk without an attorney.

At no time at the West Vincent Police Department was defendant threatened or was his freedom of movement restricted. At no time did any law enforcement officers display their weapon or make promises in exchange for speaking to them.

Detective Kennon, a certified forensic computer and mobile examiner, testified a locked cell phone can be accessed with or without a passcode by utilizing special programming and software, the only variable is the amount of time needed based on the length of the passcode, i.e., four or six digits. Upon receipt of the signed search warrant, Detective Kennon was provided defendant's phone and performed a forensic download of the contents using the passcode was provided by defendant. Detective Kennon sought text messages between the defendant and the victim and between the defendant and a third party, Kevin Walter. Through the use of brute force software, Detective Kennon also attempted to access Ms. Meenan's cell phone with the consent of her family, as no one could provide the passcode. Ms. Meenan's phone took approximately one year to "crack" the code, giving them access to the phone contents.

Detective Bleiler, the affiant on the criminal complaint as well as the six (6) search warrants in question, testified to the investigative work needed to prepare and obtain the warrants. She indicated, although the face of the first Zmodo hard drive search warrant (herein referred to as Zmodo 1) stated "any and all" footage, she only asked for and received from Detective Lynch footage from approximately 11:30 p.m. on December 3, 2021-8:00 a.m. on December 4, 2021, the date of the 911 call by defendant.³ Detective Bleiler also testified she obtained the second search warrant for the Zmodo hard drive (herein referred to Zmodo 2) after investigation and a concern of ongoing domestic violence in the home that she could date to October 2021.

As to the SimpliSafe search warrants, Detective Bleiler testified, although the warrant requested only three specific days of video, SimpliSafe unilaterally provided thirty (30) days of video. Detective Bleiler stated she prepared the second SimpliSafe warrant seeking the entire thirty (30) days she already received but had not reviewed in order to further investigate the allegations of ongoing domestic violence.

With respect to the cellphone search warrants, C-6 and C-7, Detective Bleiler specified the date ranges for each of the warrants and the accompanying affidavit provided limiting language; she testified that the review of the cellphone was limited the items detailed. It was reported to Detective Bleiler defendant used his cellphone while the police were at the scene as well as at the police station.

³ Police first responded to the home at 7:12 a.m.

Lastly, Detective Lynch testified concerning the search and seizure of electronic devices from Defendant's home. His testimony corroborated Detective Bleiler's with respect to the Zmodo 1 warrant and the limited information requested and received. He also testified that there were over 7,300 video clips on the Zmodo hard drive, and he only provided Detective Bleiler approximately 545 clips.

II. Motion to Suppress Statement

Defendant's first Motion seeks suppression of the statement wherein he provided police the passcode to his cell phone. His position is any conversation or questioning post invocation of his rights under *Miranda* police was prohibited. The Commonwealth takes the position the question asked was not interrogation but informational only about whether the phone had a passcode, not what the passcode was. The Commonwealth further argues if the Court finds the questioning was improper due to defendant's invocation of his *Miranda* rights, the information on the phone would have been recovered through either the Inevitable Discovery Doctrine or the Independent Source Doctrine and therefore, suppression is not appropriate.

Those two rules spring from the exclusionary rule prohibiting the use of evidence obtained through unconstitutional means or methods of search and seizure. Inevitable discovery and independent source are often conflated but are two distinct legal constructs. The Pennsylvania Superior Court in *Commonwealth v. Williams*, 2. A.3d 611 (Pa. Super. 2010) succinctly stated:

[U]nder the independent source doctrine, evidence that was in fact discovered lawfully, and not as a direct or indirect result of illegal activity, is admissible. In contrast, the inevitable discovery doctrine ... permits the introduction of evidence that inevitably would have been discovered through lawful means, although the search that actually led to the discovery of the evidence was unlawful. The independent source and inevitable discovery doctrines thus differ in that the former focuses on what actually happened and the latter considers what would have happened in the absence of the initial search.

Id., at 618-19 (citing *United States v. Herrold*, 962 F.2d 1131, 1140 (3rd Cir. 1992)).

The United States Supreme Court's discussion in *Nix v. Williams*, 467 U.S. 431 (1980), discusses the doctrines to illustrate the difference between the two despite the rules sharing the same rationale and remains the most instructive:

This Court has accepted the argument that the way to ensure such protections is to exclude evidence seized as a result of such

violations notwithstanding the high social cost of letting persons obviously guilty go unpunished for their crimes. On this rationale, the prosecution is not to be put in a better position that it would have been in if no illegality had transpired.

By contrast, the derivative evidence analysis ensures that the prosecution is not put in a worse position simply because of some earlier police error or misconduct. The independent source doctrine allows admission of evidence that has been discovered by means wholly independent of any constitutional violation. ... The independent source doctrine teaches us that the interest of society in deterring unlawful police conduct and the public interest in having juries receive all probative evidence of a crime are properly balanced by putting the police in the same, not a worse, position that they would have been in if no police error or misconduct had occurred. When challenged evidence has an independent source, exclusion of such evidence would put the police in a worse position than they would have been absent any error or violation. There is a functional similarity between these two doctrines in that exclusion of evidence that would inevitably have been discovered would also put the government in a worse position, because the police would have obtained that evidence if no misconduct had taken place.

Id., at 443-44 (internal citations omitted).

Under the inevitable discovery exception to the exclusionary rule, the fact that challenged evidence was obtained as a result of illegal government conduct does not end the inquiry into whether the evidence is admissible at trial. *Commonwealth v. Gonzalez*, 979 A.2d 879, 890 (Pa. Super. 2009). The doctrine provides that, “evidence which **would have been discovered** was sufficiently purged of the original illegality to allow admission of the evidence. *Id.* (emphasis added) (citing *Commonwealth v. Ingram*, 814 A.2d 264, 272 (Pa. Super. 2002)). [I]mplicit in this doctrine is the fact the evidence would have been discovered despite the initial illegality.” *Id.* (citing *Commonwealth v. Jones*, 928 A.2d 1054, at 1060-1061 (Pa. Super. 2007)).

If the prosecution can establish by a preponderance of the evidence that the illegally obtained evidence ultimately or inevitably would have been discovered by lawful means, then the evidence is admissible.

“The purpose of the inevitable discovery rule is to block setting aside convictions that would have been obtained without police misconduct. Thus, evidence that ultimately or inevitable would have been recovered by lawful means should not be suppressed despite the fact that its actual recovery was accomplished through illegal actions. Suppressing evidence in such cases, where it

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ultimately or inevitable would have lawfully been recovered, ‘would reject logic, experience, and common sense.’”

Id. (citing *Nix v. Williams*, *supra* at 444 n. 4).

Turning to the independent source doctrine, in *Commonwealth v. Katona*, 240 A.3d 463 (Pa. 2020) the Pennsylvania Supreme Court provided an in-depth analysis of the history of the independent source doctrine and its requirements. The Court discussed *Commonwealth v. Melendez*, 676 A.2d 226 (Pa. 1996) and *Commonwealth v. Henderson*, 47 A.3d 797, 804-805 (Pa. 2012), the two cases that outlined the requirements under the independent source doctrine. In *Melendez*, the Supreme Court delineated a bright line test limiting its application to circumstances where the independent source is truly independent from both the tainted evidence and the police or investigative team which engaged in the misconduct by which the tainted evidence was discovered. *Id.*, at 231. In *Henderson*, the Court broadened its use and clarified *Melendez*:

...we deem it appropriate to limit the independent police team requirement to situations in which the rule prevents police from exploiting the fruits of their own willful misconduct. Where such malfeasance is not present, we agree with the Superior Court that the *Murray* standard strikes the appropriate balance between privacy and law enforcement. Ultimately, we believe the ‘twin aims’ of Article I Section 8, namely safeguarding privacy and enforcement of the probable-cause requirement—may be vindicated best and most stably, by taking a more conservative approach to the departure this Court has taken from the established Fourth Amendment Jurisprudence.

Id. at 805 (internal citations and footnote omitted).

The Court in *Katona* reiterated, under the *Murray* standard, (referring to *Murray v. United States*, 487 U.S. 533, 542, 108 S.Ct. 2529, 101 L.Ed.2d 472 (1988)) in assessing evidence under the independent source doctrine “we must determine (1) whether the decision to seek a warrant was prompted by what was seen during the initial entry; and, (2) whether the magistrate was informed at all of the information.” *Id.*, at 481 (citing *Commonwealth v. Brundidge*, 620 A.2d at 1119).

Defendant expressly stated at the beginning of the pre-trial hearing he was not challenging the seizure of his cell phone.

Detective Goggin contacted Deputy District Attorney Kate Wright to discuss giving defendant his *Miranda* rights before speaking to him even though defendant had not been arrested nor was he in custody. It was determined that Detective Goggin would give defendant his *Miranda* rights. Detective Goggin testified he prepared a “standard *Miranda* form”, read the entire form to Defendant, allowed Defendant to read the form, and Defendant refused to sign the form acknowledging his rights indicating he would not speak without an attorney. At this point Detective Goggin

stated he ceased communication with Defendant and escorted him to the public lobby of the police station where he was able to sit, unrestrained. Regardless of whether Defendant effectively invoked or was even in custody for purposes of *Miranda*, Detective Goggin admitted on cross-examination he believed Defendant invoked *Miranda* and ceased communication with him.

Detective Dougherty testified he was unaware of defendant's invocation of his rights under *Miranda*. Detective Dougherty testified he informed defendant search warrants for the house and the phone were being prepared and could he have his phone and house keys. Defendant voluntarily turned them over. Detective Dougherty then asked defendant whether or not the phone had a passcode. The entire interaction occurred in the public lobby of the police station, where defendant was seated unrestrained without any police presence prohibiting him from leaving.

At the hearing, Defendant argued Detective Dougherty violated his rights under *Miranda*, when asked, about the existence of a passcode for his phone after he had invoked his rights. He argued *Miranda* is not concerned with the intent or content of police questioning notwithstanding Detective Dougherty's testimony that he did not illicit the response Defendant provided. Finally, defendant alleges the illegally obtained passcode was utilized to search for evidence, and therefore, must be suppressed.

The testimony with respect to Detective Dougherty's inquiry about the existence of a passcode is credible. It is not believed he asked for it; it is believed the defendant voluntarily gave it to him. However, the simplicity of the question and the voluntariness of the information does not negate the defendant's invocation of his rights under *Miranda*. This Court finds a violation of defendant's *Miranda* rights occurred.

However, notwithstanding the *Miranda* violation, and as supported by the caselaw outlined above, the fact challenged evidence was obtained as a result of illegal government conduct does not end the inquiry into whether the evidence should be suppressed.

Detective Kennon, a forensic computer expert, testified to his use of "brute force software", which allows the police to access passcode protected devices such as iPhone and android cell phones by attempting every possible numerical combination until the correct passcode is discovered, which can take anywhere from minutes, to days, or even years. Detective Kennon testified that he used defendant's provided passcode on his phone but needed to use the software on the victim's phone, which took approximately a year to crack.

Detective Bleiler testified to the consensual search of two specific cell phones, one belonging to the victim and one belonging to a friend of the victim and Defendant, Mr. Kevin Walter.⁴ Detective Bleiler credibly testified the relevant evidence obtained from the Defendant's cell phone as a result of the December 4, 2021 and December 7, 2021 warrants were also independently recovered from the

⁴ Consent to Search of Kevin Walter's Cellular Telephone admitted as Commonwealth Exhibit 10 (C-10).

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victim's cell phone and/or Mr. Walter's cell phone.

Based on the caselaw of inevitable discovery and the credible testimony of Detectives Kennon and Bleiler, the search of the defendant's cellphone, the seizure of which is not challenged and agreed to be lawful, was lawful despite the *Miranda* violation.

As the Commonwealth also posited, under the independent source doctrine the probable cause provided by the cell phone search warrants is free of any unconstitutional taint caused by the violation of *Miranda*. The independent source doctrine serves as another theory supporting the denial of the suppression motion as the Commonwealth obtained the challenged messages from two independent sources, the consensual searches of the victim's cell phone and Mr. Walter's cell phone.

Accordingly, Defendant's statement to Detective Dougherty wherein he provided the actual passcode to his phone after invoking *Miranda* shall be suppressed. However, the evidence ultimately seized is admissible under both the inevitable discovery doctrine and the independent source doctrine. Therefore, Defendant's Motion to Suppress is GRANTED in part as to his statement and DENIED in part as to the evidence searched and seized.

III. Motion to Suppress Illegal Search Warrants

Defendant's second suppression motion requests suppression of all evidence seized in connection with search warrants for Defendant's person, house, papers, and effects. His motion specifically averred the December 4th and 7th, 2021 search warrants pertaining to his cell phone lacked particularity, the December 6, 2021 and January 6, 2023 Zmodo warrants were overbroad, and the December 6, 2022 and January 26, 2023 SimpliSafe warrants were also overbroad. Defense counsel specifically stated Defendant was not challenging the **seizure** of any physical evidence; his motion and argument only concerned the actual **searches** of his cell phone, the Zmodo system, and the SimpliSafe system (emphasis added).

The Superior Court has explained:

[A] warrant unconstitutional for its lack of particularity authorizes a search in terms so ambiguous as to allow the executing officers to pick and choose among an individual's possessions to find which items to seize. This will result in the general "rummaging" banned by the Fourth Amendment. A warrant unconstitutional for its overbreadth authorizes in clear or specific terms the seizure of an entire set of items, or documents, many of which will prove unrelated to the crime under investigation. An overbroad warrant is unconstitutional because it authorizes a general search and seizure.

The language of the Pennsylvania Constitution requires that a warrant describe the items to be seized "as nearly as may be...." The clear meaning of the language is that a warrant must describe

the items as specifically as is reasonably possible. This requirement is more stringent than that of the Fourth Amendment, which merely requires particularity in the description. The Pennsylvania Constitution further requires the description to be as particular as is reasonably possible.... Consequently, in any assessment of the validity of the description contained in a warrant, a court must initially determine for what items probable cause existed. The sufficiency of the description must then be measured against those items for which there was probable cause. Any unreasonable discrepancy between the items for which there was probable cause and the description in the warrant requires suppression. An unreasonable discrepancy reveals that the description was not as specific as was reasonably possible.

Commonwealth v. Ori, 88 A.3d 983, 1002-1003 (Pa. Super. 2014) (citing *Commonwealth v. Rivera*, 816 A.2d 282, 290-291 (Pa. Super. 2003) (citations omitted).

In *Commonwealth v. Green*, 265 A.3d 541, 553 (Pa. 2021) the Pennsylvania Supreme Court found:

Because a cell phone often contains even more personal information than a home, it logically follows that a warrant should be required to search the contents of a cell phone, just as a warrant is required to search the contents of a home. This rationale, however, does not support the conclusion that, once obtained, a warrant to search a digital device should be held to a higher overbreadth standard than a warrant to search a home simply because of the former's storage capacity. Of course, ... [o]ur Constitution requires that *all* warrants, including warrants to search a digital space, (1) describe the place to be searched and the items to be seized with specificity and (2) be supported by probable cause to believe that the items sought will provide evidence of a crime.

Id., at 553.

In his Motion and during the pre-trial hearing, Defendant argued the descriptions included in the two search warrants for his cell phone were overbroad, lacked particularity and did not properly limit police conduct. Further, the two search warrants for Zmodo and SimpliSafe are similarly overbroad in requesting "any and all" data and files without limitation on the date, time, or scope of the search. Defendant's Motion averred the warrants did not support the "[e]n masse seizure of all information and data contained on the Zmodo video hard drives, SimpliSafe cloud-based video storage server, and cell phone"; as stated above, prior to any testimony, Defendant clarified he would not be challenging seizure of the cell phone, Zmodo system, or SimpliSafe system.

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The Pennsylvania Supreme Court has held “search warrants should ‘be read in a common-sense fashion and should not be invalidated by hyper-technical interpretations. This may mean, for instance, that when an exact description of a particular item is not possible, a generic description will suffice.’” *Orie, supra*, at 1003 (citing *Commonwealth v. Rega*, 933 A.2d 997, 1012 (Pa. 2007) (citation omitted)).

The Supreme Court in *Commonwealth v. Young*, 287 A.3d 907, 927 (Pa. 2022) provided:

The fact that the application adequately described the “things to be seized” does not save the warrant from its facial invalidity. The Fourth Amendment by its terms requires particularity in the warrant, not in the supporting documents. And for good reason: The presence of a search warrant serves a high function, and that high function is not necessarily vindicated when some other document, somewhere, says something about the objects of the search, but the contents of that document are neither known to the person whose home is being searched nor available for inspection. We do not say that the Fourth Amendment prohibits a warrant from cross-referencing other documents. Indeed, most Courts of appeals have held that a court may construe a warrant with reference to a supporting application or affidavit if the warrant uses appropriate words of incorporation, and if the supporting document accompanies the warrant.

Id., at 927 (Pa. 2022) (citing *Groh v. Ramirez*, 540 U.S. 551, 557-558 (S.Ct. 2004)) (citations omitted).

Therefore, as expressly stated by the *Young* Court, “[t]he limiting language of the supporting documents may cure the warrant’s facial defect, even if the affidavit is not expressly incorporated, if the authorities in fact confined their search to the scope of the affidavit rather than exerting the broader authority granted by the warrant itself.” *Id.*, at 929.

Detective Bleiler provided detailed testimony regarding her training and experience in drafting and applying for search warrants and her specific process in preparing and applying for the search warrants in this case. It is uncontested Detective Lynch lawfully seized all on-scene security and video systems and Detective Dougherty lawfully seized Defendant’s cell phone. Based on the law and the content of Defendant’s Motion and argument, we are required to determine whether the search warrant applications and incorporated affidavits of probable cause provide sufficient limiting language as applied to (1) “Zmodo 1”, (2) “Zmodo 2”, (3) “SimpliSafe 1”, (4) “SimpliSafe 2”, (5) “Cell phone 1”, and (6) “Cell phone 2”.

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Chester County Court of Common Pleas

Orphans' Court Division

CALL OF THE AUDIT LIST

THE HONORABLE NICOLE R. FORZATO COURTROOM 18

WEDNESDAY, SEPTEMBER 06, 2023 09:00 AM

HAYM SALOMON MEMORIAL PARK, INC.

1510-1707

CALL OF THE AUDIT LIST

SEVENTH AND INTERIM ACCOUNT

CHRISTOPHER C. POPPER

HAYM SALOMON MEMORIAL PARK, INC.,
TRUSTEE

HELEN P. MORGAN

1520-1364

CALL OF THE AUDIT LIST

REVISED FIRST AND FINAL ACCOUNTING OF JOINT ACCOUNT

LEE R. ALLMAN

WSFS BANK, PLENARY GUARDIAN OF
ESTATE

THEODORE S. MORGAN

1520-1365

CALL OF THE AUDIT LIST

REVISED FIRST AND FINAL ACCOUNTING OF JOINT ACCOUNT

LEE R. ALLMAN

WSFS BANK, PLENARY GUARDIAN OF
ESTATE

JOHN WILLIAM EMRICH

1521-0787

CALL OF THE AUDIT LIST

FIRST AND FINAL ACCOUNT

MARILYN SEIDE MITCHELL

JOHNNA A. RICE, EXECUTOR

NOTICES

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**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA**

CIVIL ACTION

LAW NO. 2023-04554-NC

NOTICE IS HEREBY GIVEN that the name change petition of Maurice William Walton, III was filed in the above-named court and will be heard on Monday, October 2, 2023 at 2:00:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania. Date of filing the Petition: Wednesday, June 28, 2023

Name to be changed from: Maurice William Walton, III to: Maurizio Guglielmo Orgoglioso
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

PATRICK J. McGINNIS, Esquire
Potts, Shoemaker & Grossman, LLC
138-140 West Gay Street
West Chester, PA 19380

**CHANGE OF NAME NOTICE
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA**

CIVIL ACTION

LAW NO. 2023-05492-NC

NOTICE IS HEREBY GIVEN that the name change petition of Eric Guadalupe Lopez was filed in the above-named court and will be heard on Monday, November 6, 2023 at 2:00:00 PM, in Courtroom 3 at

the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Friday, August 4, 2023
Name to be changed from: Eric Guadalupe Lopez to: Eric Guadalupe Lopez Zavala
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

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

ATKINSON, John P., late of West Whiteland Township. David Atkinson, 1426 Ashton Road, Havertown, PA 19083, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

BALINSKY, Edward L., late of Kendal of Longwood. Corey A. Balinsky, care of MARK S. PINNIE, Esquire, 218 West Front Street, Media, PA 19063, Executor. MARK S. PINNIE, Esquire, Barnard, Mezzanotte, Pinnie & Seelaus, LLP, 218 West Front Street, Media, PA 19063, atty.

BEECHER, Betty J., late of Coatesville. Gordon W. Good, 3460 Lincoln Highway, Thorndale PA 19372, care of WILLIAM T. KEEN, Esquire, 3460 Lincoln Highway, Thorndale PA 19372, Administrator. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale PA 19372, atty.

BRANSFIELD, Edmund J., a/k/a Edmund Joseph Bransfield, late of Kennett Square Borough. Kathleen Megill, care of LAWRENCE S. CHANE, Esquire, One Logan Square, 130 N. 18th St., Philadelphia, PA 19103-6998, Executrix. LAWRENCE S. CHANE, Esquire, Blank Rome LLP, One Logan Square, 130 N. 18th St., Philadelphia, PA 19103-6998, atty.

COALE, Myrtle W., a/k/a Myrtle Coale, late of Phoenixville. Donna Cramer, 654 Metro Court, West Chester, PA 19380, care of SUZANNE BENDER, Esquire, 216 Bridge Street, Phoenixville, PA 19460, Administrator. SUZANNE BENDER, Esquire, Law

Office of Suzanne Bender, Esq., 216 Bridge Street, Phoenixville, PA 19460, atty.

COPELAND, Carl, late of East Goshen Township. Cristina W. Copeland, care of RONALD W. FENSTERMACHER, JR., Esquire, Four Tower Bridge, 200 Barr Harbor Dr., Ste. 400, PMB 8849, West Conshohocken, PA 19428, Executrix. RONALD W. FENSTERMACHER, JR., Esquire, Law Office of Ronald W. Fenstermacher, Jr., P.C., Four Tower Bridge, 200 Barr Harbor Dr., Ste. 400, PMB 8849, West Conshohocken, PA 19428, atty.

DICKINSON, David Clarence, late of Londonderry Township. Jonathan Dickinson, 1941 Street Rd., Glenmoore, PA 19343, care of MICHAEL J. REED, Esquire, 35 Lakeview Rd., Downingtown, PA 19335, Administrator. MICHAEL J. REED, Esquire, Firm, 35 Lakeview Rd., Downingtown, PA 19335, atty.

FREDD, Elizabeth A., late of Highland Township. Thomas G. Fredd, care of DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkesburg, PA 19365, Executor. DENNIS B. YOUNG, Esquire, 430 W. First Ave., Parkesburg, PA 19365, atty.

GERRY, Stephen P., late of East Brandywine Township. Amy Gerry Smith, care of STEPHANIE E. SANDERSON-BRAEM, Esquire, 30 Valley Stream Parkway, Malvern, PA 19355, Administratrix. STEPHANIE E. SANDERSON-BRAEM, Esquire, Stradley Ronon Stevens & Young, LLP, 30 Valley Stream Parkway, Malvern, PA 19355, atty.

GUISEPPE, JoAnn F., late of Honey Brook Township. Ann E. Sellers, care of PATRICK A. DEIBLER, Esquire, 131 W. Main Street, New Holland, PA 17557, Executor. PATRICK A. DEIBLER, Esquire, Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

KOWALESKI, Edmund F., late of Valley Township. Kevin Kowaleski, 15 Country Club Road, Coatesville, PA 19320, care of JAYNE A. GARVER, Esquire, 6723 Allentown Blvd., Harrisburg, PA 17112, Executor. JAYNE A. GARVER, Esquire, J. Garver Law PLLC, 6723 Allentown Blvd., Harrisburg, PA 17112, atty.

LYON, Elizabeth M., late of West Goshen Township. Patricia A. Mapa, 1188 Hampshire Place, West Chester, PA 19382, care of GARTH G. HOYT, Esquire, 426 W. Lancaster Ave., Ste. 110, Devon, PA 19333, Executrix. GARTH G. HOYT, Esquire, McNeess Wallace & Nurick, LLC, 426 W. Lancaster Ave., Ste. 110, Devon, PA 19333, atty.

MANNIX, Charles J., a/k/a Charles Joseph Man-

nix, late of Tredeyffrin Township. Anne Elliott Brown, care of RICHARD C. PARKER, Esquire, 175 Strafford Ave., Ste. 230, Wayne, PA 19087, Executrix. RICHARD C. PARKER, Esquire, MILES & PARKER, LLP, 175 Strafford Ave., Ste. 230, Wayne, PA 19087, atty.

McKAY, Richard Alan, a/k/a Richard A. McKay, late of Phoenixville. Jennifer A. McKay, 20 W. Miner Street, West Chester, PA 19382, Executrix.

ORIENTE, John Steven, late of West Chester. Heidi Carlson, care of STEPHANIE MORRIS, Esquire, PO Box 734, West Chester, PA 19380, Executor. STEPHANIE MORRIS, Esquire, Law Office of Stephanie Morris, PO Box 734, West Chester, PA 19380, atty.

PAONE, Vincent, late of West Vincent Township. Marie Paone, care of FRANQUI-ANN RAFFAELE, Esquire, 1684 S. Broad St., Ste. 230, P.O. Box 1479, Lansdale, PA 19446-5422, Executrix. FRANQUI-ANN RAFFAELE, Esquire, Hamburg, Rubin, Mullin, Maxwell & Lupin, PC, 1684 S. Broad St., Ste. 230, P.O. Box 1479, Lansdale, PA 19446-5422, atty.

PARRISH, JR., Lawrence T., late of Kennett Township. James I. Mitchell, care of WILLIAM J. GALLAGHER, Esquire, 209 E. State St., Kennett Square, PA 19348, Executor. WILLIAM J. GALLAGHER, Esquire, MacElree Harvey, LTD., 209 E. State St., Kennett Square, PA 19348, atty.

PFITZENMEYER, JR., Charles W., a/k/a Charles W. Pfitzenmeyer, late of West Caln Township. Keri A. Kita, 60 Washington Avenue, Coatesville, PA 19320, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale PA 19372, Executor. GORDON W. GOOD, Esquire, Firm, 3460 Lincoln Highway, Thorndale PA 19372, atty.

SHARITZ, SR., Ronald F., a/k/a Ronald F. Sharitz, late of East Fallowfield Township. Michelle Fisher, care of JANIS M. SMITH, Esquire, 4203 West Lincoln Highway, Parkesburg PA 19365, Executor. JANIS M. SMITH, Esquire, 4203 West Lincoln Highway, Parkesburg PA 19365, atty.

SUBASIC, SR., Frank Joseph, late of Honeybrook Township. Kelly Subasic and Frank Joseph Subasic, Jr., care of JENNIFER A. HULNICK, Esquire, 1288 Valley Forge Road, Suite 63, Phoenixville PA 19460, Executors. JENNIFER A. HULNICK, Esquire, Baer Romain & Ginty, LLP, 1288 Valley Forge Road, Suite 63, Phoenixville PA 19460, atty.

WEBER, Frederick David, late of West Chester. Kimberly L. Avery, 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.

WILSON, Dale I., late of West Caln Township. Matthew Wilson, 113 Highland Drive, Coatesville, PA 19320, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale PA 19372, Administrator. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale PA 19372, atty.

2nd Publication

BRADY, William Patrick, a/k/a William P. Brady late of East Goshen Township. Michael P. Brady, Mark D. Brady and Edwin R. Boynton, care of EDWIN R. BOYNTON, Esquire, 30 Valley Stream Parkway, Malvern, PA 19355, Executors. EDWIN R. BOYNTON, Esquire, Stradley Ronon Stevens & Young, LLP, 30 Valley Stream Parkway, Malvern, PA 19355, atty.

CASTORANI, Christine M., late of East Brandywine Township. Erminio Braidotti, care of TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, Executor. TOM MOHR, Esquire, 301 W. Market Street, West Chester, PA 19382, atty.

COCKERHAM, Gilbert S., late of West Whiteland Township. Larry M. Miles, care of CARRIE A. S. KENNEDY, Esquire, 171 W. Lancaster Ave., Paoli, PA 19301-1775, Executor. CARRIE A. S. KENNEDY, Esquire, Connor, Weber & Oberlies, 171 W. Lancaster Ave., Paoli, PA 19301-1775, atty.

COONEY, Theresa F., late of East Vincent Township. Michael J. Cooney, 109 Andrea Lane, Spring City, pa 19475, care of KATIE M. CLEMM, Esquire, 488 Norristown Road, Suite 140, Blue Bell, PA 19422, Administrator. KATIE M. CLEMM, Esquire, Clemm and Associates, LLC, 488 Norristown Road, Suite 140, Blue Bell, PA 19422, atty.

DeHAVEN, Verna G., late of Malvern Borough. Randy G. DeHaven, 40 Malvern Avenue, Malvern, PA 19355, care of ANTHONY D. GIANNASCOLI, Esquire, 460 Creamery Way, Suite 109, Exton, PA 19341, Executor. ANTHONY D. GIANNASCOLI, Esquire, Lamb McErlane, P.C., 460 Creamery Way, Suite 109, Exton, PA 19341, atty.

DORSANE0, Rose A. a/k/a Rose D. Haskell, late of East Whiteland Township. Kelly D. Mullen, care of COURTNEY A. WIGGINS, Esquire, PO Box 3169, West Chester, PA 19381, Executrix. COURTNEY A. WIGGINS, Esquire, Clarion Law, LLC, PO

Box 3169, West Chester, PA 19381, atty.

DOUITS, William C., late of West Vincent Township. Shirley M. Puccino, care of CYNTHIA J. RAYMOND, Esquire, 1255 Drummers Ln., Ste. 105, Wayne, PA 19087, Executrix. CYNTHIA J. RAYMOND, Esquire, 1255 Drummers Ln., Ste. 105, Wayne, PA 19087, atty.

GREZDZINSKI, Lillian Anastasia, a/k/a Lillian A. Gredzinski, late of West Brandywine Township. Kimberly A. Gredzinski, 27 Andover Road, Glenmoore, PA 19343, care of WILLIAM T. KEEN, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executrix. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

HERCER, Edmund Robert, late of Tredyffrin Township. Julie Gropp, 3602 Columbia Court Way, Newtown Square, PA 19073, Executrix.

JOYNER, Mildred C., a/k/a Mildred Carter Joyner, late of East Goshen Township. J. Curtis Joyner, care of LOUIS N. TETI, Esquire, P.O. Box 660, West Chester, PA 19381-0660, Executor. LOUIS N. TETI, Esquire, MacElree Harvey, LTD., P.O. Box 660, West Chester, PA 19381-0660, atty.

KELLY, Fay A., late of Borough of Oxford. Andrea Kelly, 4821 Homeville Road, Cochranville, PA 19330, care of JEFF P. BRYMAN, Esquire, 225 Wilmington West Chester Pike, Suite 200, West Chester, PA 19382-8713, Administrator C.T.A.. JEFF P. BRYMAN, Esquire, Law Offices of Pyle & Bryman, 225 Wilmington West Chester Pike, Suite 200, West Chester, PA 19382-8713, atty.

LEVAN, Jason Todd, late of West Caln Township. Melissa B. Levan, 678 Telegraph Rd., Coatesville, PA 19320, care of JOHN A. KOURY, JR., Esquire, 41 E. High St., Pottstown, PA 19464, Executrix. JOHN A. KOURY, JR., Esquire, OWM Law, 41 E. High St., Pottstown, PA 19464, atty.

LYONS, Regina M, late of West Brandywine Township. Colleen Williams, care of CARRIE A. S. KENNEDY, Esquire, 171 W. Lancaster Ave., Paoli, PA 19301-1775, Executrix. CARRIE A. S. KENNEDY, Esquire, Connor, Weber & Oberlies, 171 W. Lancaster Ave., Paoli, PA 19301-1775, atty.

McKELLAR, Katherine, late of New Garden Township. Kathryn M. Barto, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executrix. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

MORRISON, Roberta H., late of Malvern. Paul

G. Morrison, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. ANDREW H. DOHAN, Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Road, Malvern, PA 19355-3049, atty.

REED, Clarence R., a/k/a Clarnece Raymond Reed, late of Tredyffrin Township. Susan R. Skiba, care of MICHAEL C. McBRATNIE, Esquire, P.O. Box 673, Exton, PA 19341, Executrix. MICHAEL C. McBRATNIE, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

WIEGERT, Albert R., late of Warwick Township. Susan Davis Wiegert, 371 Trythall Rd., Elverson, PA 19520, care of KENNETH C. RUSSELL, Esquire, 3500 Reading Way, Huntingdon Valley, PA 19006, Administratrix. KENNETH C. RUSSELL, Esquire, Russell Law, P.C., 3500 Reading Way, Huntingdon Valley, PA 19006, atty.

WOOD, Joan C., late of East Goshen Township. John P. Wood, care of MARILYN SEIDE MITCHELL, Esquire, 200 Eagle Rd., Ste. 106, Wayne, PA 19087, Executor. MARILYN SEIDE MITCHELL, Esquire, Herr, Potts & Potts, 200 Eagle Rd., Ste. 106, Wayne, PA 19087, atty.

3rd Publication

BARR, Irene M., late of East Goshen Township. Paul V. Barr, care of DOUGLAS L. KAUNE, Esquire, 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, Executor. DOUGLAS L. KAUNE, Esquire, Unruh, Turner, Burke & Frees, P.C., 120 Gay Street, P.O. Box 289, Phoenixville, PA 19460, atty.

BAUER, Elizabeth S., late of Tredyffrin Township. Douglas B. Bauer, care of GUY F. MATTHEWS, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executor. GUY F. MATTHEWS, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, PC, 300 W. State St., Ste. 300, Media, PA 19063, atty.

BENHAM, Clifford B., late of West Grove. Nickolas Williams, 45804 Horsehead Rd., Great Mills, MD 20634, Executor.

BRANCALEONI JR., Joseph R., late of Schuylkill Township. Gloria Pufko, 315 Reitnour Road, Spring City, PA 19475, care of GARY P. LEWIS, Esquire, 372 N. Lewis Road, PO Box 575, Royersford, PA 19468, Executrix. GARY P. LEWIS, Esquire, Lewis & McIntosh, LLC, 372 N. Lewis Road, PO Box 575, Royersford, PA 19468, atty.

BURNETT, Doris A., late of Schuylkill Township. Michelle Field, 34 Henredon Dr., Phoenixville,

PA 19460, care of REBECCA A. HOBBS, Esquire, 41 E. High St., Pottstown, PA 19464, Executrix. REBECCA A. HOBBS, Esquire, OWM LAW, 41 E. High St., Pottstown, PA 19464, atty.

CAMPBELL, Richard D., late of Willistown Township. Dacia A. Williams, 381 Saylor's Mill Rd., Spring City, PA 19475, John C. Campbell, 2343 Chester Springs Rd., Chester Springs, PA 19425, and Leslie A. Campbell, 3287 Hickory Fork Rd., Gloucester, VA 23061, care of LOUIS N. TETI, Esquire, 17 W. Miner St., West Chester, PA 19382, Executors. LOUIS N. TETI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

CARLIN, Helen L., late of West Chester Borough. James A. Angelucci, 2781 Sienna Lakes Circle, #2406, Naples, FL 34109, care of ANITA M. D'AMICO, Esquire, 65 S. Third St., Oxford, PA 19363, Executor. ANITA M. D'AMICO, Esquire, D'Amico Law, 65 S. Third St., Oxford, PA 19363, atty.

DONAHUE, Cornelius D., late of Phoenixville. Edward P. Donahue, 325 Marshall Street, Phoenixville, PA 19460, Executor.

DONNELLY, Margaret M., a/k/a Margaret Donnelly, late of East Marlborough Township. Karen Bradley, care of NICHOLAS W. STATHES, Esquire, 899 Cassatt Rd., Ste. 320, Berwyn, PA 19312, Executrix. NICHOLAS W. STATHES, Esquire, Toscani, Stathes & Zoeller, LLC, 899 Cassatt Rd., Ste. 320, Berwyn, PA 19312, atty.

FREDERICK, Evelyn W., late of East Pikeland. Lynne D. Frederick, 227 E. Broad St., Malvern, PA 19335, Executrix.

FREDERICK, William J., late of East Pikeland. Lynne D. Frederick, 227 E. Broad St., Malvern, PA 19335, Executrix.

GASCOYNE, Dennis Charles, late of Malvern. Ellen R. Brewer, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. ANDREW H. DOHAN, Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Road, Malvern, PA 19355-3049, atty.

HAMER, Patricia L., late of West Whiteland Township. Lynne Hamer, care of ELLIOTT GOLDBERG, Esquire, 1231 Lancaster Avenue, Berwyn, PA 19312, Executrix. ELLIOTT GOLDBERG, Esquire, 1231 Lancaster Avenue, Berwyn, PA 19312, atty.

HUTZ, Elizabeth M., late of Kennett Township. Rudolf E. Hutz, care of TRISHA W. HALL, Esquire, 1201 N. Market St., 20th Fl., Wilmington, DE 19801, Executor. TRISHA W. HALL, Esquire, Connolly Gallagher LLP, 1201 N. Market St., 20th Fl., Wilm-

ington, DE 19801, atty.

INGHAM, Doris Geraldine, late of East Pikeland Township, Phoenixville, PA. Vern Ingham, 26 Richard Lee Lane, Phoenixville, PA 19460, Executor.

JOHNSON, Gregory Alan, late of Nottingham. Grace Katherine Johnson, 103 Midland Drive, Oxford, PA 19363, Personal Representative.

KALINOSKI, Joseph N, a/k/a Joseph Nicholas Kalinoski, late of Lower Oxford Township. Bernadette Furia, 815 Bowman Avenue, Wynnewood, PA 19096, care of MICHAEL SANGEMINO, Esquire, 224 East Street Road, Suite B2E, Kennett Square, PA 19348, Administratrix. MICHAEL SANGEMINO, Esquire, 224 East Street Road, Suite B2E, Kennett Square, PA 19348, atty.

KELLY, James D., late of West Goshen Township. Maureen A. Ostien, 390 Waterloo Blvd., Ste. 210, Exton, PA 19341 and James Joseph Kelly, 50 Narragansett Ln., East Fallowfield, PA 19320, care of MAUREEN A. OSTIEN, Esquire, 390 Waterloo Blvd., Ste. 210, Exton, PA 19341, Executors. MAUREEN A. OSTIEN, Esquire, Lubker Ostein Law LLC, 390 Waterloo Blvd., Ste. 210, Exton, PA 19341, atty.

KOMMER, Patricia S., late of Willistown Township. Peter E. Moore, care of PETER E. MOORE, Esquire, 589 Skippack Pike, Suite 300, Blue Bell, PA 19422, Executor. PETER E. MOORE, Esquire, Narducci Moore Fleisher Roeburg & Wolfe LLP, 589 Skippack Pike, Suite 300, Blue Bell, PA 19422, atty.

LANTZ, Anna E., a/k/a Anna E. Fisher, late of Honey Brook Township. John F. Lantz and Eli S. Stoltzfus, care of LINDA KLING, Esquire, 131 W. Main Street, New Holland, PA 17557, Executors. LINDA KLING, Esquire, Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

LUCA, Suzanne Cola, late of West Pikeland Township. Shane Clark, 1249 Kulp Road, Pottstown, PA 19465, care of JOSEPH P. DIGIORGIO, Esquire, 1800 E. Lancaster Ave., Paoli, PA 19301, Administrator. JOSEPH P. DIGIORGIO, Esquire, Platt, DiGiorgio & DiFabio, 1800 E. Lancaster Ave., Paoli, PA 19301, atty.

McNAMEE, Francis J., a/k/a Francis McNamee, late of Uwchlan Township. Christie Anne McNamee and Theresa A. Cattani, care of GUY F. MATTHEWS, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executrices. GUY F. MATTHEWS, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, PC, 300 W. State St., Ste. 300, Media, PA

19063, atty.

PERKINS, Lucy Lea, late of West Whiteland Township. Wilma Jean Gilbert, 3000 Clarcona Rd., Unit 2105, Apopka, FL 32703, care of JOSEPH A. BELLINGHIERI, Esquire, 17 W. Miner St., West Chester, PA 19382, Administratrix. JOSEPH A. BELLINGHIERI, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 19382, atty.

PRICE, Kathryn K., late of Westtown Township. Kelly V. Huffman, 38 Cherryfield Dr., West Hartford, CT 06107, care of ERIN E. McQUIGGAN, Esquire, 30 S. 17th St., 5th Fl., Philadelphia, PA 19103, Executrix. ERIN E. McQUIGGAN, Esquire, Duane Morris LLP, 30 S. 17th St., 5th Fl., Philadelphia, PA 19103, atty.

RUSZKAY, Istvan, late of West Bradford Township. Stephen J. Ruzskay, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, atty.

2nd Publication of 3

TRUST NOTICE

Trust Estate of Nancy W. Parlee, deceased, late of West Nantmeal Township, Chester County, Pennsylvania. All persons having claims or demands against the Trust Estate of Nancy W. Parlee are requested to make known the same and all persons indebted to said decedent are requested to make payment without delay to:

Fred B. Parlee, Trustee
206 Isabella Road,
Elverson, PA 19520

Attorney:

KATHLEEN K. GOOD, Esquire
Keen Keen & Good, LLC
3460 Lincoln Highway
Thorndale, PA 19372

2nd Publication of 3

TRUST NOTICE

HARVEY C. WALTZ, SR., TRUST DATED JULY 1, 1980

LAURA H. WALTZ, Deceased, Initial Trustee
Late of East Caln Township, Chester County, PA

This Trust is in existence and all persons having claims or demands against said Trust or decedent are requested to make known the same and all persons indebted to the decedent to make payment without delay to LOIS H. BARKER, TRUSTEE, c/o Louis N. Teti, Esq., P.O. Box 660, West Chester, PA 19381-0660,
 Or to her Attorney:
 LOUIS N. TETI
 MacELREE HARVEY, LTD.
 P.O. Box 660
 West Chester, PA 19381-0660

2nd Publication of 2

NOTICE OF HEARING

Notice is hereby given that the Court of Common Pleas of Chester County shall hold a hearing on September 6, 2023, at 3:15 PM in Court Room 12, Chester County Justice Center, 201 West Market Street, West Chester, PA, on the Petition for Appointment of School Police Officer for the Coatesville Area School District upon the Motion of T. Maxwell O’Keefe, Esquire, counsel for the Coatesville Area School District.

3rd Publication of 3

TRUST NOTICE

THE MICHAEL A. KRISTULA AND HARRIET C. KRISTULA TRUST AGREEMENT DATED JUNE 29, 2005, AS RESTATED IN ITS ENTIRETY ON JULY 1, 2019
 HARRIET C. KRISTULA, Deceased
 Late of Penn Township, Chester County, PA
 This Trust is in existence and all persons having claims or demands against said Trust or decedent are requested to make known the same and all persons indebted to the decedent to make payment without delay to MICHAELA A. KRISTULA, TRUSTEE, c/o Louis N. Teti, Esq., 17 W. Miner St., West Chester, PA 19382,
 Or to her Attorney:
 LOUIS N. TETI
 MacELREE HARVEY, LTD.
 17 W. Miner St.
 West Chester, PA 19382

3rd Publication of 3

NOTICE

IN THE COURT OF COMMON PLEAS OF CHESTER COUNTY; No. 2022-09928-RC. Wilmington Savings Fund Society, Plaintiff vs. Timothy Tansey, possible heir of Charles M. Tansey, Deceased and Dolores D. Tansey, Deceased, Charlotte Wisneski, possible heir of Charles M. Tansey, Deceased and Dolores D. Tansey, Deceased, and Charles M. Tansey, individually and all unknown heirs, successors and assigns and all persons, firms, or associations claiming right, title or interest from or under Charles M. Tansey, Deceased and Dolores D. Tansey, individually and all unknown heirs, successors and assigns and all persons, firms, or associations claiming right, title or interest from or under Dolores D. Tansey, Deceased, Defendants.
 Notice of Action in Mortgage Foreclosure TO: Timothy Tansey, possible heir of Charles M. Tansey, Deceased and Dolores D. Tansey, Deceased, Charles M. Tansey, individually and all unknown heirs, successors and assigns and all persons, firms, or associations claiming right, title or interest from or under Charles M. Tansey, Deceased and Dolores D. Tansey, individually and all unknown heirs, successors and assigns and all persons, firms, or associations claiming right, title or interest from or under Dolores D. Tansey, Deceased
 Premises subject to foreclosure: 421 Concord Avenue, Exton, PA 19341.
 NOTICE: 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 within twenty days of this publication. 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 notice 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 fee or no fee. Chester County Bar Association, Lawyer Referral Service, 15 West Gay Street, West Chester, PA 19380. Weber Gallagher, Attorney for Plaintiff, 2000 Market Street, 13th Floor, Philadelphia, PA 19103, (267) 295-3364.

Sheriff Sale of Real Estate

By virtue of the within mentioned writs directed to Sheriff Fredda L. Maddox, the herein-described real estate will be sold at public on-line auction via Bid4Assets, by accessing URL www.bid4assets.com/chestercopasheriffsales, on **Thursday, September 21st, 2023 at 11AM.**

Notice is given to all parties in interest and claimants that the Sheriff will file with the Prothonotary and in the Sheriff's Office, both located in the Chester County Justice Center, 201 W Market Street, West Chester, Pennsylvania, Schedules of Distribution on **Monday October 23rd, 2023.** Distribution will be made in accordance with the Schedules unless exceptions are filed in the Sheriff's Office within ten (10) days thereafter.

N.B. Ten percent (10%) of the purchase money must be paid at the time of the on-line sale. Payment must be made via Bid4Assets. The balance must be paid within twenty-one (21) days from the date of sale via Bid4Assets.

FREDDA L. MADDOX, SHERIFF

1st Publication of 3

SALE NO. 23-9-257

Writ of Execution No. 2022-07975

DEBT \$191,115.46

ALL THAT CERTAIN LOT OR PIECE OF GROUND, SITUATE IN THE TOWNSHIP OF SCHUYLKILL, COUNTY OF CHESTER, COMMONWEALTH OF PENNSYLVANIA DESCRIBED IN ACCORDANCE WITH A FINAL PLAN OF DOGWOOD ESTATES, MADE BY HOWARD W. DORAN, INC., REGISTERED SURVEYORS, NEWTOWN SQUARE PENNSYLVANIA, DATED NOVEMBER 30, 1976 AND REVISED

DECEMBER 6, 1976 AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE SOUTHEASTERLY SIDE OF HAWTHORNE LANE (FIFTY FEET WIDE); SAID POINT BEING LOCATED THE FOUR FOLLOWING COURSES AND DISTANCES ALONG AFOREMENTIONED SOUTHEASTERLY SIDE OF HAWTHORNE LANE FROM A POINT OF CURVE ON THE SOUTHWESTERLY SIDE OF DOGWOOD DRIVE, (1) ON THE ARC OF A CIRCLE CURVING TO THE LEFT, HAVING A RADIUS OF TWENTY FIVE FEET, THE ARC DISTANCE OF THIRTY NINE AND FIFTY TWO ONE HUNDREDTHS FEET TO A POINT OF TANGENT; (2) SOUTH FIVE DEGREES WEST TWO HUNDRED ONE AND SEVEN ONE HUNDREDTHS FEET TO A POINT OF CURVE; (3) EXTENDING SOUTHWESTWARDLY ON THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF ONE HUNDRED SEVENTY FIVE FEET THE ARC DISTANCE OF ONE HUNDRED TWENTY TWO AND SEVENTEEN ONE HUNDREDTHS FEET TO A POINT AND (4) SOUTH FORTY FIVE DEGREES WEST, TWO HUNDRED THIRTY FEET TO THE POINT OF BEGINNING; THENCE EXTENDING ALONG LAND OF THE RESERVED FOR OPEN SPACE THE TWO FOLLOWING COURSES AND DISTANCES (1) SOUTH FORTY FIVE DEGREES EAST, ONE HUNDRED FORTY FEET TO A POINT, A CORNER AND (2) SOUTH FORTY FIVE DEGREES WEST, NINETY FEET TO A POINT, A CORNER OF LOT NO. 8 THENCE EXTENDING ALONG THE SAME NORTH FIFTY ONE DEGREES FORTY ONE MINUTES FORTY FOUR SECONDS WEST ONE HUNDRED THIRTY AND FIFTY NINE ONE HUNDREDTHS FEET TO A POINT ON A CULDESAC AT THE END OF HAWTHORNE LANE, THENCE

EXTENDING ALONG THE SAME IN A NORTHWESTWARDLY AND NORTH-EASTWARDLY DIRECTION ON THE ARC OF A CIRCLE CURVING TO THE RIGHT, HAVING A RADIUS OF TWENTY FIVE FEET THE ARC DISTANCE OF TWENTY THREE AND FIFTY FIVE ONE HUNDREDTHS FEET TO A POINT OF TANGENT ON THE SOUTH-EASTERLY SIDE OF HAWTHORNE LANE; THENCE EXTENDING ALONG THE NAME, NORTH FORTY FIVE DEGREES EAST EIGHTY FOUR AND NINETY SEVEN ONE HUNDREDTHS FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN THOMAS L. BARKER AND JULIA M. BARKER BY DEED FROM ROBERT J. MC AVENEY AND KAREN E. MC AVENEY, HIS WIFE DATED AUGUST 14, 1992 AND RECORDED AUGUST 18, 1992 IN DEED BOOK 3149, PAGE 124.

TAX I.D # 27-6G-90

PLAINTIFF: BANK OF AMERICA, N.A.
VS

DEFENDANT: **Thomas L. Barker and
Julia M. Barker**

SALE ADDRESS: 175 Hawthorne Lane,
Phoenixville, PA 19460

PLAINTIFF ATTORNEY: **MCCABE,
WEISBERG & CONWAY, LLC 215-
790-1010**

SALE NO. 23-9-258

Writ of Execution No. 2018-10362

DEBT \$40,136.07

ALL THAT CERTAIN TRACT OF LAND, SITUATE IN THE TOWNSHIP OF CHARLESTOWN COUNTY OF CHESTER, AND COMMONWEALTH

OF PENNSYLVANIA, MORE PARTICULARLY BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON PIN IN THE WHITE HORSE PIKE SET FOR A CORNER OF THIS THOMAS HALL'S LAND IN LINE OF LAND NOW OR LATE OF WELLS BROTHERS; THENCE SOUTH 8 DEGREES EAST 47.3 FEET TO A STAKE IN A STONE WALL SET FOR A CORNER OF LANDS NOW OR LATE OF WELLS BROTHERS AND LANDS NOW OR LATE OF THOMAS HALL; THENCE SOUTH ONE HALF DEGREE EAST 276.6 FEET TO AN IRON PIN, A CORNER OF LANDS NOW OR LATE OF THOMAS HALL AND P.M. SHARPLESS; THENCE SOUTH IO DEGREES EAST 45.38 FEET TO A STAKE SET FOR A CORNER OF LANDS NOW OR LATE OF P.M. SHARPLESS AND MARGARET LIPPINCOTT; THENCE SOUTH 61 AND 1/2 DEGREES WEST 465.8 FEET TO A STONE, A CORNER OF LANDS NOW OR LATE OF MARGARET LIPPINCOTT AND WILLIAM H. SNYDER, DECEASED; THENCE NORTH 28 AND 1/2 DEGREES WEST 329.98 FEET TO A STAKE, A CORNER OF LANDS NOW OR LATE OF WILLIAM H. SNYDER, DECEASED, AND THOMAS HALL; THENCE ALONG SAID HALL'S LAND NORTH 61 AND 1/2 DEGREES EAST 622.88 FEET TO THE PLACE OF BEGINNING.

TITLE TO SAID PREMISES IS VESTED IN WILLIAM J. LEES AND ERNESTINE R. LEES AND WILLIAM LEES JR. A/K/A W. DAVID LEES, JR A/K/A WILLIAM DAVID LEES, JR, HIS SON, HUSBAND AND WIFE BY DEED FROM WILLIAM D. LEES AND ERNESTINE R. LEES DATED NOVEMBER 8, 1993 AND RECORDED NOVEMBER 16, 1993 IN DEED BOOK 3658, PAGE 0605 INSTRUMENT NUMBER 90265. THE SAID WILLIAM J. LEES DIED ON JANUARY 1, 2001 THEREBY VESTING

TITLE IN HIS SURVIVING SPOUSE ERNESTINE R. LEES AND WILLIAM LEES JR. A/K/A W. DAVID LEES, JR A/K/A WILLIAM DAVID LEES, JR, HIS SON BY OPERATION OF LAW.

TAX I.D. #: 35-70-05

PLAINTIFF: Truist Bank

VS

DEFENDANT: **William Lees Jr. a/k/a W. David Lees, Jr. a/k/a William David Lees, Jr and Ernestine R. Lees**

SALE ADDRESS: 2079 Bodine Road, Malvern, PA 19355

PLAINTIFF ATTORNEY: **MCCABE, WEISBERG & CONWAY, LLC 215-790-1010**

SALE NO. 23-9-259

Writ of Execution No. 2023-00124

DEBT \$505,677.09

THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE STATE OF PENNSYLVANIA, COUNTY OF CHESTER, TOWNSHIP OF EAST COVENTRY, AND DESCRIBED AS FOLLOWS:

BOUNDED AND DESCRIBED ACCORDING WITH A PLAN MADE FOR SILVINO DIMASCIO, MADE BY EARL R. EWING, INC., REGISTERED SURVEYORS, PHOENIXVILLE, PA., DATED 3/31/1965 LAST REVISED 6/6/1968 AS FOLLOWS, TO WIT:

BEGINNING AT A POINT ON THE NORTHEASTERLY SIDE OF A CERTAIN 50 FEET WIDE UNNAMED ROAD, WHICH POINT IS MEASURED THE 5 FOLLOWING COURSES AND-DISTANCES FROM A POINT MARKING THE INTERSECTION OF THE EXTENDED NORTHEASTERLY SIDE OF SAID UNNAMED ROAD WITH THE CENTER LINE OF PUGHTOWN

ROAD (AS SHOWN ON SAID PLAN); (1) EXTENDING FROM SAID POINT OF INTERSECTION, SOUTH 41 DEGREES, 40 MINUTES EAST, 164.48 FEET TO A POINT OF CURVE; (2) ON A LINE CURVING TO THE LEFT, HAVING A RADIUS OF 25 FEET, THE ARC DISTANCE OF 19.65 FEET TO A POINT OF TANGENT (3) SOUTH 86 DEGREES, 40 MINUTES EAST, 85.73 FEET TO A POINT OF CURVE; (4) ON A LINE CURVING TO THE RIGHT, HAVING A RADIUS OF 75 FEET, THE ARC DISTANCE OF 58.90 FEET TO A POINT OF TANGENT AND (5) SOUTH 41 DEGREES, 40 MINUTES EAST, 12 FEET TO THE POINT AND PLACE OF BEGINNING, A CORNER OF LOT NO. 2; THENCE EXTENDING ALONG SAME NORTH 34 DEGREES, 43 MINUTES EAST, 294.41 FEET TO A POINT IN LINE OF LAND NOW OR LATE OF OLEF SELWYN; THENCE EXTENDING ALONG THE SAME SOUTH 49 DEGREES, 36 MINUTES EAST, 166 FEET TO A POINT IN LINE OF LOT NO. 4; THENCE EXTENDING ALONG SAME SOUTH 42 DEGREES, 48 MINUTES, 30 SECONDS WEST, 310.49 FEET TO A POINT ON THE NORTHEASTERLY SIDE OF AFORESAID 50 FEET WIDE UNNAMED ROAD; THENCE EXTENDING ALONG SAME NORTH 41 DEGREES, 40 MINUTES WEST, 125 FEET TO THE FIRST MENTIONED POINT AND PLACE OF BEGINNING.

PARCEL NO.: 18-6-22.7

PLAINTIFF: Wilmington Savings Fund Society, FSB, not in its individual capacity but solely in its capacity as Owner Trustee for Cascade Funding Mortgage Trust AB2

VS

DEFENDANT: **Beverly E. Burkhardt and John L. Burkhardt Jr**

SALE ADDRESS: 39 Sylvan Drive, A/K/A Lot 3 Sylvan Drive, East Coventry Township, Pottstown, PA 19465

PLAINTIFF ATTORNEY: **STERN & EISENBERG 215-572-8111**

SALE NO. 23-9-261

Writ of Execution No. 2022-09480

DEBT \$34,521.61

Property situate in the VALLEY TOWNSHIP, CHESTER County, Pennsylvania, being

BLR # 38-020-0099

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: NATIONSTAR MORTGAGE LLC

VS

DEFENDANT: **JOEL A. LAMBERT, JR., ADMINISTRATOR OF THE ESTATE OF JOEL A. LAMBERT, SR.; UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER JOEL A. LAMBERT, SR.**

SALE ADDRESS: 937 High Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **BROCK & SCOTT, PLLC 844-856-6646**

SALE NO. 23-9-262

Writ of Execution No. 2015-03579

DEBT \$474,464.24

Property situate in the BOROUGH OF OXFORD, CHESTER County, Pennsylvania, being

BLR#6-8-51

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: THE BANK OF NEW YORK MELLON F/K/A THE BANK

OF NEW YORK AS SUCCESSOR IN INTEREST TO JP MORGAN CHASE BANK, NATIONAL ASSOCIATION, AS INDENTURE TRUSTEE FOR THE REGISTERED HOLDERS OF ABFS MORTGAGE LOAN TRUST 20022 MORTGAGEBACKED PASSTHROUGH CERTIFICATES, SERIES 20022

VS

DEFENDANT: **HENRY J. RUFFENACH**

SALE ADDRESS: 224 Penn Avenue, Oxford, PA 19363

PLAINTIFF ATTORNEY: **BROCK & SCOTT, PLLC 844-856-6646**

SALE NO. 23-9-263

Writ of Execution No. 2023-01406

DEBT \$14,243.09

ALL THAT CERTAIN lot or piece of ground situate in Elk Township, Chester County, and Commonwealth of Pennsylvania, bounded and described in accordance with Survey made by S. Pusey Morrison, Registered Surveyor dated 12/28/1955 as follows, to wit:

BEGINNING at the mouth of Run at Frankford Cave in the centerline of Big Elk Creek; thence leaving said creek and passing over a corner marker 250 feet distant by land of Stokes B. Lewis, South 31 degrees 30 minutes West 1,023 feet to a public road; thence extending along the centerline of said public road North 12 degrees 30 minutes West 150.6 feet to a stake and North 9 degrees 30 minutes West 448.8 feet to a stake; thence leaving said road and by land of E.G. Walters North 1 degree 15 minutes West 549.7 feet to a point in the center of Big Elk Creek; thence extending along the center of said creek South 67 degrees 28 minutes East 716.4 feet to the first mentioned point and place of beginning.

EXCEPTING therefrom and thereout all

that certain lot or piece of ground which William R. Claypoole and Joyce Claypoole, his wife by deed dated 06/01/1979 recorded in Deed Book Z54, Page 450 conveyed unto James R. Perkins and Sandra J. Perkins, his wife, as follows, to wit:

BEGINNING at a p.k. nail set in the title line of public road L.R. 15008 known as State Road leading the Northeasterly direction to Thunder Hill Road and the Southwesterly direction to Pennsylvania Route 472 said p.k. nail marking the Northwesterly corner of this about to be described tract and a corner of lands of Ida Walkers, said p.k. nail also being set in the approximately township line dividing Elk Township and New London Township; thence leaving said p.k. nail point of beginning, leaving the title line of said public road and by the approximate township line passing along Big Elk Creek South 72 degrees 53 minutes 44 second East 540.00 (erroneously omitted in prior deed) feet to a point set for the Northeasterly corner of this and the Northwesterly corner of Lot No. 2 on said plan; thence leaving Big Elk Creek and by said lands of Lot No. 2 37 degrees 12 minutes 30 seconds West 706.29 (erroneously omitted in prior deed) feet to a spike marking a corner of this and set in the title line of public road T307 (erroneously stated at T 503 in prior deed); thence by said title line North 10 degrees 06 (erroneously omitted in prior deed) minutes 11 seconds West 150.00 feet to a spike; thence leaving the said title line and passing by land of Ida Walters, North 06 degrees 14 minutes 16 seconds West 577.08 feet (erroneously omitted in prior deed) to a p.k. nail, being the first point and place of beginning

Tax Parcel : 70-2-24

PLAINTIFF: ELK TOWNSHIP

VS

DEFENDANT: **CURTISHA HICKS AND WILLIAM T. STERLING**

SALE ADDRESS: 1204 Old Forge Road, Oxford, PA 19363

PLAINTIFF ATTORNEY: **LAMB MCERLANE 610-701-3260**

**SALE NO. 23-9-264
Writ of Execution No. 2021-07754
DEBT \$7,180.25**

ALL THAT CERTAIN lot of ground SITUATE in Sadsbury Township, Chester County, Pennsylvania, and described according to a survey made by G.D. Houtran, Civil Engineers and Land Surveyors, Media, Pennsylvania, dated 11/3/56, as follows, to wit:

BEGINNING at a point in the title line in the bed of Wilmington Road (proposed fifty feet wide); said point being measured on the course of South 4 degrees 15 minutes East along the title line through the bed of Wilmington Road six hundred and fifty (650) feet from a point in line of lands now or late of Murphy; thence extending South 4 degrees 15 minutes East along the title line through the bed of Wilmington Road, one hundred (100) feet to a point; thence extending South 85 degrees 45 minutes West crossing the Southwesterly side of Wilmington Road, three hundred (300) feet to a point; thence extending North 4 degrees 15 minutes West, one hundred (100) feet to a point; thence extending North 85 degrees 45 minutes East and crossing the Southwesterly side of Wilmington Road, three hundred (300) feet to the first mentioned point and place of beginning.

CONTAINING sixtyeight onehundredths (.68) of an acre of land, be the same more or less.

Tax Parcel: 37-4-49

PLAINTIFF: SADSBUURY TOWNSHIP

VS

DEFENDANT: **DAVID MULVANEY**
SALE ADDRESS: 939 Old Wilmington Road, Coatsville, PA 19320
PLAINTIFF ATTORNEY: **LAMB MCERLANE 610-701-3260**

SALE NO. 23-9-265
Writ of Execution No. 2022-08546
DEBT \$109,360.76

ALL THAT CERTAIN, MESSAGE, LOT OR PIECE OF LAND SITUATE ON, IN THE BOROUGH OF AVONDALE, COUNTY OF CHESTER, STATE OF PENNSYLVANIA, BOUNDED AND DESCRIBED, AS FOLLOWS, TO WIT:

All that certain message and lot of land, situate in the Borough of Avondale, County of Chester and Commonwealth of Pennsylvania, bounded and described as follows:

Beginning in the middle of Pennsylvania Avenue on the Northern side of Fifth Street; thence by land of the Presbyterian Church along the middle of said Pennsylvania Avenue, North nineteen degrees West fifty feet; thence by land late of Almena R. Webb, now of Robert H. Heess and Mary P. Heess, his wife, North sevenenthone degrees East two hundred feet; thence South nineteen degrees East fifty feet to the North side of Fifth Street afore-said; thence along the side of said Street, South seventyone degrees West two hundred feet to the place of beginning.

Excepting thereout ten feet in width across the Northeast end to the use of the public as an alley or street.

BEING THE SAME PROPERTY CONVEYED TO JESUS SALUD CANO WHO ACQUIRED TITLE BY VIRTUE OF A DEED FROM ABEL CANO RAMIREZ AND JESUS SALUD CANO A/K/A JESUS S. CANO ZAVALA, DATED JULY 24, 2009, RECORDED AUGUST 6, 2009,

AT DOCUMENT ID 10951388, AND RECORDED IN BOOK 7742, PAGE 983, OFFICE OF THE RECORDER OF DEEDS, CHESTER COUNTY, PENNSYLVANIA.

PARCEL NO.: 4-1-32

PLAINTIFF: US Bank Trust National Association, Not In Its Individual Capacity But Solely As Owner Trustee for VRMTG Asset Trust

VS

DEFENDANT: **Jesus Salud Cano**
SALE ADDRESS: 501 Pennsylvania Avenue, Avondale, PA 19311
PLAINTIFF ATTORNEY: **MANLEY DEAS KOCHALSKI LLC 614-220-5611**

SALE NO. 23-9-266
Writ of Execution No. 2019-01359
DEBT \$5,221.75

ALL THAT CERTAIN lot or parcel of land situated in the Township of Upper Uwchlan, County of Chester, Pennsylvania.

Tax Parcel No.: 32-4-825

PLAINTIFF: Upper Uwchlan Township Municipal Authority

VS

DEFENDANT: **Ronald E. Tisdale and Myriam C. Gastard**
SALE ADDRESS: 2520 Rainer Road, Chester Springs, PA 19425
PLAINTIFF ATTORNEY: **WARREN E. KAMPF 484-873-2781**

SALE NO. 23-9-267

Writ of Execution No. 2023-01276

DEBT \$15,061.85

ALL THAT CERTAIN lot or parcel of land situated in the Borough of Honey Brook, County of Chester, Commonwealth of Pennsylvania, being more fully described in Deed dated May 5, 1993 and recorded in the Office of the Chester County Recorder of Deeds on July 2, 1993, in Deed Book Volume 3583 at Page 191.

Tax Parcel No. 12-2-24

PLAINTIFF: United Asset Management, LLC

VS

DEFENDANT: **Allen T. Maddox and Rose Anne Maddox**

SALE ADDRESS: 441 James Street a/k/a 441 St. James Street, Honey Brook, PA 19344

PLAINTIFF ATTORNEY: **HLADIK, ONORATO & FEDERMAN, LLP 215-855-9521**

SALE NO. 23-9-268

Writ of Execution No. 2023-02128

DEBT \$286,873.30

ALL THAT CERTAIN lot or parcel of land situated in the Township of Uwchlan, County of Chester, Commonwealth of Pennsylvania, being more fully described in Deed dated August 5, 1994 and recorded in the Office of the Chester County Recorder of Deeds on August 8, 1994, in Deed Book Volume 3793 at Page 1950.

Tax Parcel No. 33-2-387

PLAINTIFF: Towd Point Mortgage Trust 20184, U.S. Bank National Association, as Indenture Trustee

VS

DEFENDANT: **Rene C. Poobalan and Tracyann M. Poobalan**

SALE ADDRESS: 3709 Davis Court, Chester Springs, PA 19425

PLAINTIFF ATTORNEY: **HLADIK, ONORATO & FEDERMAN, LLP 215-855-9521**

SALE NO. 23-9-269

Writ of Execution No. 2023-00435

DEBT \$94,480.29

ALL THAT CERTAIN PARCEL OF LAND SITUATED IN THE TOWNSHIP OF NORTH COVENTRY, COUNTY OF CHESTER AND COMMONWEALTH OF PENNSYLVANIA, BEING KNOWN AND DESIGNATED AS FOLLOWS:

BEGINNING AT A POINT IN THE MIDDLE OF THE SCHUYLKILL ROAD, ON THE WEST SIDE OF A 15 FEET WIDE ALLEY OR DRIVEWAY; THENCE NORTHWARDLY 195 FEET TO THE CENTER OF A PROPOSED STREET 30 FEET WIDE; THENCE ALONG THE MIDDLE OF SAID PROPOSED STREET WESTWARD 60 FEET TO A POINT; THENCE ALONG A LINE PARALLEL TO THE FIRST DESCRIBED LINE, SOUTHWARDLY 195 FEET TO THE MIDDLE OF THE SCHUYLKILL ROAD, AFORESAID; AND THENCE ALONG THE SAME EASTWARDLY 60 FEET TO THE POINT AND PLACE OF BEGINNING.

BEING the same premises, which Richard C. Rupert and Debra A. Rupert, his wife by Deed dated December 14, 1993, and recorded in the Office of Recorder of Deeds of Chester County on February 24, 1995 at Book 6865, Page 0274 granted and conveyed unto Richard C. Rupert.

PARCEL NO.: 17-4E-3

PLAINTIFF: Federal Home Loan Mortgage Corporation, as Trustee for the benefit of the Freddie Mac Seasoned Loans Structured Transaction Trust, Series 2021-2

VS

DEFENDANT: **Richard C. Rupert**

SALE ADDRESS: 793 E. Schuylkill Road, Pottstown, PA 19465

PLAINTIFF ATTORNEY: **STERN & EISENBERG 215-572-8111**

SALE NO. 23-9-270

Writ of Execution No. 2023-01748

DEBT \$209,861.23

ALL THAT CERTAIN tract of ground situate in East Nottingham Township, Chester County, Commonwealth of Pennsylvania being Parcel 2 as shown on the minor subdivision plan for property of Melvin R. Ludwig and Grace G. Ludwig, husband and wife, prepared by Franco R. Bellafante, Inc., the said property being more fully bounded and described as follows, to wit:

BEGINNING at a spike in Township Road 314, at 33 feet wide (known as The Oakes Road), the said spike being an angle point in the easterly line of lands of Claire S. Herr and Robert H. Herr, her husband and the northwesterly comer of Parcel 1 (one) of lands, now or formerly of E. Willard Bailey and Elwood R. Morris, and wife; thence from the said point and place of beginning, along Township Road 314 and the easterly line of lands of Claire S. Herr and Robert H. Herr, her husband, North 01 degree 43 minutes 50 seconds West, 200.00 feet to a point; thence leaving Township Road 314 and leaving the easterly line of lands of Claire S. Herr and Robert H. Herr, her husband, along lands of Melvin R. Ludwig and Grace G. Ludwig, husband and wife, by the following two (2) courses and distances (1) North 88 degrees 16 minutes 10 seconds East, 227.10 feet to an iron pipe and (2) South 01 degree 43 minutes 50 seconds East, 212.76 feet to an iron pipe set in the northerly line of Parcel 1 of lands, now or formerly of E. Willard

Bailey and Elwood R. Morris, and wife; thence along the northerly line of Parcel 1 of lands, now or formerly of B. Willard Bailey and Elwood R. Morris and wife, North 88 degrees 30 minutes 50 seconds West, 227.46 feet to the first mentioned point and place of beginning.

Being the same premises which Louise D. Guss by Deed dated 4/30/2019 and recorded 5/7/2019 in Chester County in Record Book 9920 Page 392 conveyed unto Curtis W. Gill, in fee.

Containing 43,560 square feet of land.

BEING UPI 69-6-6.1

PLAINTIFF: Pennsylvania Housing Finance Agency, its successors and assigns

VS

DEFENDANT: **Curtis W. Gill**

SALE ADDRESS: 119 Oaks Road, Oxford, Chester County, PA 19363-4014

PLAINTIFF ATTORNEY: **BARLEY SNYDER 717-231-6615**

SALE NO. 23-9-271

Writ of Execution No. 2023-01228

DEBT \$74,728.89

ALL THAT CERTAIN lot or piece of ground situate in the Township of East Goshen, Chester County, Pennsylvania, bounded and described according to a plan of Coventry Woods made by Joel C. DeFreytas, Jr. registered professional engineer dated 6/19/89 revised 4/30/90 and recorded in Chester County as Plan No. 12876 as follows to wit:

BEGINNING at a point on the north side of Coventry Circle cul-de-sac a corner of open space as shown on said plan, thence from said point of beginning along Coventry Circle the four following courses and distances, 1) on the arc of a circle to the left a radius 60.00 feet the arc distance

28.64 feet to a point of reverse curve 2) on the arc of a circle curving to the right a radius 25.00 the arc distance 19.91 feet to a point of reverse curve 3) on the arc of a circle curving to the left a radius 225.00 feet the arc distance 70.96 feet to a point of tangent 4) South 87 degrees 12 minutes 00 seconds West 35.00 feet to a point a corner of lot 7 thence along lot 7 North 02 degrees 48.00 minutes 00 seconds West, 200.00 feet to a point in line of lot 5, thence along lot 5 North 87 degrees 12 minutes 00 seconds East, 22.8 feet to a point a corner of open space, thence along open space the two following courses and distances 1) South 60 degrees 00 minutes 00 seconds East, 153.04 feet to a point, 2) South 03 degrees 00 minutes 00 seconds East, 119.78 feet to the first mentioned point and place of beginning.

Being lot 8 on said plan.

Containing 25,550.84 square feet be the same more or less

BEING the same premises which Pennfield Knoll Associates, Inc., a PA Corporation, by Deed dated May 10, 1996, and recorded May 23, 1996, in the Office of the Recorder of Deeds, in and for the County of Chester, aforesaid, as Book 4035, Page 1453, granted and conveyed unto Glenn G. Thomas and Marilou Thomas, in fee.

BEING Parcel No. 53-2-27.7

PLAINTIFF: Landis Express, OOC

VS

DEFENDANT: **Glenn G. Thomas and Marilou Thomas**

SALE ADDRESS: 1607 Alcott Circle, East Goshen Township, West Chester, PA 19380

PLAINTIFF ATTORNEY: **BARLEY SNYDER 717-231-6615**

SALE NO. 23-9-273

Writ of Execution No. 2018-11548

DEBT \$367,144.70

PROPERTY SITUATE IN NEW GARDEN TOWNSHIP

TAX PARCEL #60-040-171/ 60-4-171

IMPROVEMENTS thereon: a residential dwelling \

PLAINTIFF: M&T BANK

VS

DEFENDANT: **BOUBACAR TOURE**

SALE ADDRESS: 106 Birkdale Circle, Avondale, PA 19311

PLAINTIFF ATTORNEY: **KML LAW GROUP, P.C. 215-627-1322**

SALE NO. 23-9-274

Writ of Execution No. 2022-01513

DEBT \$55,607.53

PREMISES "A"

ALL THAT CERTAIN message and lot of land situate in Penn Township, Chester County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at an iron pin and running thence by land now or late of Oscar G. Hoopes, South 62.25° East, 7.70 perches to a stone in a public road leading from Kelton to New London, thence along said road, South 28° West, 8.14 perches to a stone in said road; thence leaving said road and by land now or late of the Milton Hoopes Estate, West, 8 perches to an iron pin; thence by land now or late of Oscar G. Hoopes, North 23.75° East, 11.68 perches to the place of BEGINNING.

CONTAINING 77.79 square perches of land, more or less.

PREMISES "B"

ALL THAT CERTAIN piece or parcel of

ground situate in Penn Township, Chester County, Pennsylvania, bounded and described according to a preliminary subdivision plot plan of property owned by J. Lambert Smith to be conveyed to Christopher Shipp made by George E. Register, Jr. & Sons, Inc., Registered Land Surveyors, dated 10/31/1973, last revised 2/24/1977, as follows, to wit:

Tax Parcel # 58-5-7

PLAINTIFF: FIRST HORIZON BANK, A TENNESSEE BANKING CORPORATION SUCCESSOR BY CONVERSION TO FIRST TENNESSEE BANK, NATIONAL ASSOCIATION

VS

DEFENDANT: **Juan A. Ortega**

SALE ADDRESS: 360 South Jennersville Road, West Grove, PA 19390

PLAINTIFF ATTORNEY: **LAW OFFICE OF GREGORY JAVARDIAN, LLC 215-942-9690**

SALE NO. 23-9-275

Writ of Execution No. 2022-09641

DEBT \$33,588.28

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected hereditaments and appurtenances, situate in the Township of West Brandywine, County of Chester, Commonwealth of Pennsylvania, bounded and described according to a Plan of Hunters Glen made by Tatman and Lee Associates, Inc. dated 10/15/1991 and revised 2/15/1995 recorded in Chester County as Plan No. 12467 as follows to wit:

BEGINNING at a point on the Southeast side of Hunter Drive, a comer of Lot No. 4, as shown on said Plan; thence from said point of beginning along the Southeast side of Hunter Drive North 19° 3' 50" East, 103.25 feet to a point a comer of Lot No.

6; thence along Lot No. 6 South 54° 28' 11", 202 feet to a point in line of lands now or late of James C. Wayman; thence along the lands now or late of James C. Wayman South 19° 3' 50" West, 103.25 feet to a point, a comer of Lot No. 4; thence along Lot No. 4 North 54° 28' 11" West, 202 feet to the first mentioned point and place of BEGINNING.

BEING Lot No. 5 on said Plan.

CONTAINING 20,000 square feet of land be the same more or less.

UNDER AND SUBJECT to restrictions, conditions, easements, rightsofway and covenants as in prior instruments of record.

BEING THE SAME PREMISES which Mark A. Hill and Heather L. Hill, by Deed dated 7/25/2003 and recorded 9/3/2003 in the Office of the Recorder of Deeds in and for Chester County in Deed Book 5870, Page 641, granted and conveyed unto Robert Jara.

PARCEL NO.: 29-4-364

IMPROVEMENTS thereon: a residential property

PLAINTIFF: CITIZENS BANK, N.A. S/B/M TO CITIZENS BANK OF PENNSYLVANIA

VS

DEFENDANT: **Robert Jara**

SALE ADDRESS: 20 Hunter Drive, Glenmoore, PA 19343

PLAINTIFF ATTORNEY: **LAW OFFICE OF GREGORY JAVARDIAN, LLC 215-942-9690**

SALE NO. 23-9-276

Writ of Execution No. 2022-09343

DEBT \$73,594.96

ALL THAT CERTAIN Lot or piece of ground with the buildings and improvements thereon erected, Situate in the Township of Valley, County of Chester and State of Pennsylvania, bounded and described according to a Final Subdivision Plan for Warren E. Council and Fatemeh H. Council, dated May 5, 1987 last revised September 12, 1991 made by John D. Stapleton, III Registered Land Surveyor, Coatesville, PA 19320, recorded in the Recorder of Deeds Office Chester County in Plan File No. 11368, as follows, to wit:

BEGINNING at a point forming the intersection of the Westerly side of Old Wilmington Road T340 with the existing right of way line on the Southerly side of Walnut Street T412; thence extending from said beginning point along the Westerly side of Old Wilmington Road South 29 degrees 48 minutes 30 seconds East 69.88 feet to a point a corner of Lot No. 3; thence extending along the same South 64 degrees 40 minutes 10 seconds West, crossing over a 20 feet wide Sewer Easement for Lot No. 3, 161.91 feet to a point a corner of Lot No. 1; thence extending along same North 09 degrees 40 minutes 00 seconds East 109.33 feet to a point on the Southerly side of Walnut Street, aforesaid; thence extending along same North 50 degrees 20 minutes 10 seconds East 131.83 feet to the first mentioned point and place of BEGINNING.

BEING Lot No. 2 as shown on said plan.

The said Walnut Street is now known as Willow Street. BEING Lot No 2 as shown on said Plan.

BEING County Parcel 38-2P-45.1

PLAINTIFF: Citadel Federal Credit Union

VS

DEFENDANT: **Kenneth Bond, solely in his capacity as heir of Marcell Vaughn and Kiesha Bond, solely in her capacity as heir of Marcella Vaughn**

SALE ADDRESS: 1108 Willow Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **M. JACQUELINE LARKIN,ESQ 215-569-2400**

SALE NO. 23-9-277

Writ of Execution No. 2021-08552

DEBT \$6,342.78

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected, situate in the Borough of Honey Brook, County of Chester and Commonwealth of Pennsylvania.

Tax Parcel No.: 12-2-48

PLAINTIFF: Northwestern Chester County Municipal Authority

VS

DEFENDANT: **Samuel E. Fisher, I**

SALE ADDRESS: 640 Vine Street, Honey Brook, PA 19344

PLAINTIFF ATTORNEY: **WARREN E. KAMPF 484-873-2781**

SALE NO. 23-9-279

Writ of Execution No. 2019-02195

DEBT \$79,346.30

Property situate in the CITY OF COATESVILLE, CHESTER County, Pennsylvania, being

BLR # 16-6-426

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR IN INTEREST TO BANK OF AMERICA, NATIONAL ASSOCIA-

TION, AS TRUSTEE, SUCCESSOR BY MERGER TO LASALLE NATIONAL BANK, AS TRUSTEE FOR BCF L.L.C. MORTGAGE PASSTHROUGH CERTIFICATES, SERIES 1997R3

VS

DEFENDANT: **NOVELLA RODRIGUEZ, IN HER CAPACITY AS HEIR OF JUAN RODRIGUEZ A/K/A JUAN F. RODRIQUEZ, DECEASED; STEFANIE RODRIGUEZ, IN HER CAPACITY AS HEIR OF JUAN RODRIGUEZ A/K/A JUAN F. RODRIQUEZ, DECEASED; JENNIFER RODRIGUEZ, IN HER CAPACITY AS HEIR OF JUAN RODRIGUEZ A/K/A JUAN F. RODRIGUEZ, DECEASED; JOHN F. RODRIGUEZ, JR., IN HIS CAPACITY AS HEIR OF JUAN RODRIGUEZ A/K/A JUAN F. RODRIGUEZ, DECEASED; UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER JUAN F. RODRIGUEZ A/K/A JUAN F. RODRIGUEZ, DECEASED**

SALE ADDRESS: 547 Olive Street, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **BROCK & SCOTT, PLLC 844-856-6646**

SALE NO. 23-9-280

Writ of Execution No. 2016-06783

DEBT \$429,067.91

Property situate in the EAST FALLOW-FIELD, CHESTER County, Pennsylvania, being

BLR# 47-6-162

IMPROVEMENTS thereon: a residential dwelling

PLAINTIFF: THE BANK OF NEW YORK MELLON TRUST COMPANY, NATIONAL ASSOCIATION FKA

THE BANK OF NEW YORK TRUST COMPANY, N.A. AS SUCCESSOR TO JP MORGAN CHASE BANK, N.A., AS TRUSTEE FOR RESIDENTIAL ASSET MORTGAGE PRODUCTS, INC., MORTGAGE ASSETBACKED PASSTHROUGH CERTIFICATES SERIES 2005RS4

VS

DEFENDANT: **JOHN F. GLAH**

SALE ADDRESS: 130 Bridle Path Lane, Coatesville, PA 19320

PLAINTIFF ATTORNEY: **BROCK & SCOTT, PLLC 844-856-6646**