

# FAYETTE LEGAL JOURNAL

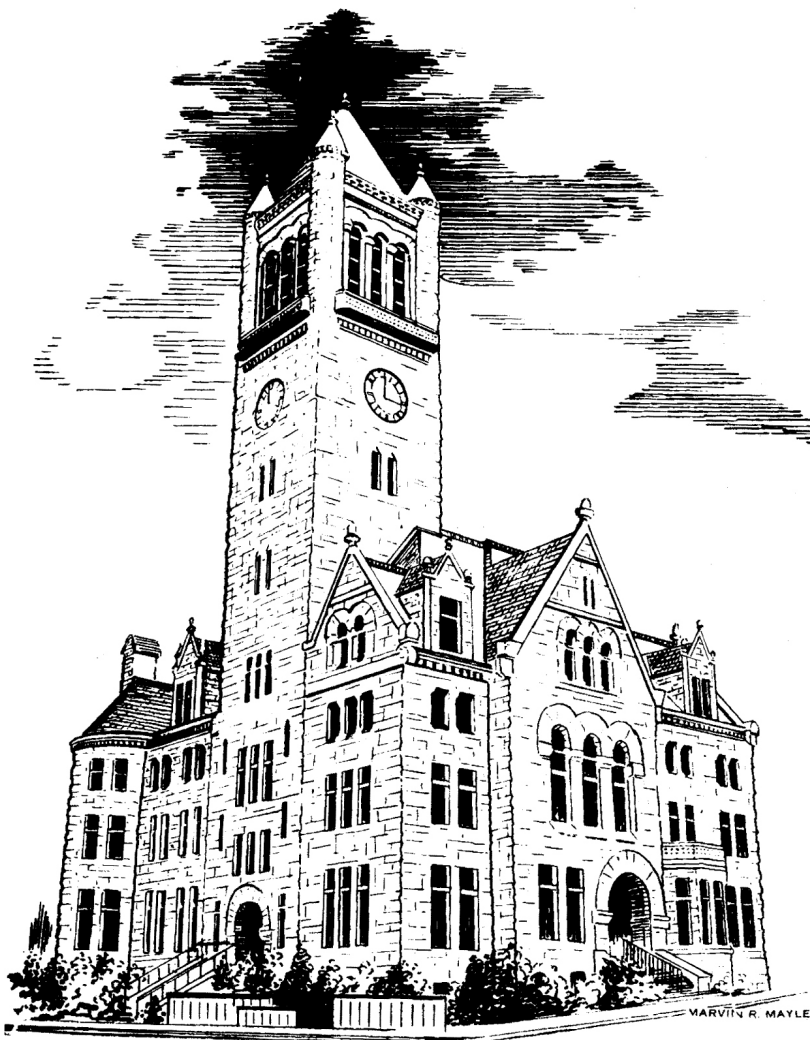
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## FAYETTE LEGAL JOURNAL

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

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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

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## ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

### Third Publication

**SCOTT CASTERWILER, A/K/A SCOTT WILLIAM CASTERWILER**, late of Dunbar Township, Fayette County, PA (3)

*Executrix:* Kerri Ann Casterwiler  
c/o 45 East Main Street, Suite 500  
Uniontown, PA 15401

*Attorney:* James E. Higinbotham, Jr.

### Second Publication

**PHYLLIS L. BRIERLY**, late of North Union Township, Fayette County, PA (2)

*Administrator, d.b.n.c.t.a.:*

George R. Stenger  
c/o 39 Francis Street  
Uniontown, PA 15401

*Attorney:* Jack R. Heneks, Jr.

**ROBERT J. CONNORS, A/K/A ROBERT J. CONNORS JR.**, late of Dunbar Township, Fayette County, PA (2)

*Co-Executors:* Dennis Connors and  
Mary Elizabeth Nicholson

c/o Carolyn W. Maricondi  
P.O. Box 760  
Connellsville PA 15425

*Attorney:* Carolyn W. Maricondi

**DONALD DAVID, A/K/A DONALD R.**

David, late of Fairchance Boro, Fayette County, PA (2)

*Co-Executors:* Brenda Byles and  
Sandra Scofield

c/o 556 Morgantown Road  
Uniontown, PA 15401

*Attorney:* John A. Kopas III

**BARBARA A. FUDELLA, A/K/A**

**BARBARA ANN FUDELLA**, late

of Vanderbilt Boro, Fayette County, PA (2)

*Co-Executors:* Pamela L. Tomasic and

Richard V. Martin

c/o P.O. Box 760

Connellsville PA 15425

*Attorney:* Carolyn W. Maricondi

**JOHN W. JONES, A/K/A JOHN JONES**, late of Dunbar Township, Fayette County, PA (2)

*Executrix:* Dolores J. Jones

1312 Hamilton Drive

Connellsville, PA 15425

c/o 120 South Third Street

Connellsville, PA 15425

*Attorney:* John K. Greiner

**VIRGINIA L. MCCARTNEY**, late of North Union Township, Fayette County, PA (2)

*Personal Representative:* Karen Mulac

c/o Riverfront Professional Center

208 South Arch Street, Suite 2

Connellsville, PA 15425

*Attorney:* Richard A. Husband

**CHARMAINE SAMPSON**, late of Uniontown, Fayette County, PA (2)

*Executor:* Leonard B. Sampson

4 Jamison Street

Uniontown, PA 15401

c/o 98 Main Street

Smithfield, Pa 15478

*Attorney:* Douglas S. Sholtis

### First Publication

**ALAN FRAZEE, A/K/A ALAN RAY**

**FRAZEE, A/K/A ALAN R. FRAZEE**, late of

Uniontown, Fayette County, PA (1)

*Executor:* Joseph Georgiana

c/o Adams and Adams

55 East Church Street, Suite 101

Uniontown, PA 15401

*Attorney:* Jason F. Adams

**ROBERT J. MAGUIRE**, late of Redstone Township, Fayette County, PA (1)

*Executor:* Stephen Kerwatski

1098 Leckrone-Masontown Road

McClellandtown, PA 15458

c/o Melenzyer & Agrafiotis

411 Washington Avenue  
Charleroi, PA 15022

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## LEGAL NOTICES

### NOTICE

NOTICE is hereby given that, Conservation Labs, Inc., a Delaware corporation, pursuant to the provisions of 15 Pa.C.S. Sections 401-419, et seq., that a Foreign Registration Statement was filed with the Bureau of Corporations and Charitable Organizations at Harrisburg, Pennsylvania on or about January 11, 2017 to do business in Pennsylvania.

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**STEVE ROBERT MARTINKO, A/K/A STEVEN R. MARTINKO, SR.**, late of Nicholson Township, Fayette County, PA (1)  
*Executrix:* Julie Ann Cappellini  
1025 Walnut Hill Road  
Uniontown, PA 15401  
c/o Skarlatos Zonarich, LLC  
17 South 2nd Street, 6th. Floor  
Harrisburg, PA 17101-2039  
*Attorney:* John R. Zonarich

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**DAISY M. NICHOLSON**, late of South Union Township, Fayette County, PA (1)  
*Administratrix:* Thelma Jean Rugg  
217 Dersam Street  
McKeesport, PA 15133  
*Attorney:* Gregory J. Baurnes  
173 Bellwood Drive  
Munhall, PA 15120

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**LEROY NICHOLSON**, late of Springfield Township, Fayette County, PA (1)  
*Executor:* Raymond D. Nicholson  
441 Buchanan Drive  
Normalville, Pa 15469  
c/o King & Guiddy, LLC  
114 North Maple Avenue  
Greensburg, PA 15601  
*Attorney:* Bradley A. King

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**LOIS JUNE PLETCHER, A/K/A LOIS J. PLETCHER**, late of Saltlick Township, Fayette County, PA (1)  
*Executrix:* Brenda E Pletcher  
800 Buchanan Road  
White, PA 15490  
c/o Mears, Smith, Houser & Boyle, P.C.  
127 North Main Street  
Greensburg, PA 15601  
*Attorney:* Joseph R. Govi

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**VIOLA WHETZEL**, late of Redstone Township, Fayette County, PA (1)  
*Executor:* William Whetzel  
433 Allison Avenue  
Allison, PA 15413

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## SHERIFF'S SALE

Date of Sale: March 16, 2017

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday, March 16, 2017, at 2:00 p.m. in Courtroom Number One at the Fayette County Courthouse, Uniontown, Pennsylvania.

The terms of sale are as follows:

Ten percent of the purchase price, or a sufficient amount to pay all costs if the ten percent is not enough for that purpose. Same must be paid to the Sheriff at the time the property is struck off and the balance of the purchase money is due before twelve o'clock noon on the fourth day thereafter. Otherwise, the property may be resold without further notice at the risk and expense of the person to whom it is struck off at this sale who in case of deficiency in the price bid at any resale will be required to make good the same. Should the bidder fail to comply with conditions of sale money deposited by him at the time the property is struck off shall be forfeited and applied to the cost and judgments. All payments must be made in cash or by certified check. The schedule of distribution will be filed the third Tuesday after date of sale. If no petition has been filed to set aside the sale within 10 days, the Sheriff will execute and acknowledge before the Prothonotary a deed to the property sold. (2 of 3)

James Custer  
Sheriff Of Fayette County

Phelan Hallinan Diamond & Jones, LLP

No. 1619 of 2015 GD  
No. 361 of 2016 ED

**Citifinancial Servicing LLC,**  
**Plaintiff,**  
**vs.**  
**Roy J. Duke,**  
**Defendant(s).**

By virtue of a Writ of Execution No. 1619-OF-2015-GD Citifinancial Servicing LLC v. Roy J. Duke, owner(s) of property situate in the DUNBAR TOWNSHIP, Fayette County, Pennsylvania, being 228 Little Summit Road, Dunbar, PA 15431

Parcel No.: 0920010402

Improvements thereon: RESIDENTIAL DWELLING

KML Law Group, P.C.  
Suite 5000 - BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106  
215-627-1322

No. 351 of 2016 GD  
No. 367 of 2016 ED

**NATIONSTAR MORTGAGE LLC D/B/A**  
**CHAMPION MORTGAGE COMPANY**  
**8950 Cypress Waters Boulevard**  
**Coppell, TX 75019,**  
**Plaintiff,**  
**vs.**  
**CHERYL C. ERDELY as Executrix of the**  
**Estate of MARY ELLEN CAIN, Deceased**  
**Mortgagor(s) and Record Owner(s)**  
**110 Strawn Road**  
**Perryopolis, PA 15473,**  
**Defendant(s),**

ALL THAT CERTAIN piece or parcel of land situate in the Borough of Perryopolis, County of Fayette and Commonwealth of Pennsylvania.

TAX PARCEL #28070037

PROPERTY ADDRESS: 110 Strawn Road  
Perryopolis, PA 15473

IMPROVEMENTS: A residential dwelling.

SOLD AS THE PROPERTY OF:  
CHERYL C. ERDELY as Executrix of the  
Estate of MARY ELLEN CAIN, Deceased

Phelan Hallinan Diamond & Jones, LLP

No. 518 of 2012 GD  
No. 372 of 2016 ED

Parcel No.: 30200122  
Improvements thereon: RESIDENTIAL  
DWELLING

**Hsbc Bank USA as Trustee in Trust for Citigroup Mortgage Loan Trust Inc. Asset Backed Pass Through Certificates Series 2003-He4,**

**Plaintiff,**  
**vs.**

**Jason Glagola, in his capacity as Heir of William Glagola, Deceased and Heir of Shirley A. Glagola, Deceased**

**Chris Glagola, in his capacity as Heir of William Glagola, Deceased and Heir of Shirley A. Glagola, Deceased**

**Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right , Title or Interest From or Under William Glagola, Deceased**

**Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Shirley A. Glagola, Deceased Heir of William Glagola, Deceased,**  
**Defendant(s).**

By virtue of a Writ of Execution No. 518 OF 2012 GD, Hsbc Bank USA as Trustee in Trust for Citigroup Mortgage Loan Trust Inc. Asset Backed Pass Through Certificates Series 2003-He4,

v.

Jason Glagola, in his capacity as Heir of William Glagola, Deceased and Heir of Shirley A. Glagola, Deceased

Chris Glagola, in his capacity as Heir of William Glagola, Deceased and Heir of Shirley A. Glagola, Deceased

Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under William Glagola, Deceased

Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Shirley A. Glagola, Deceased Heir of William Glagola, Deceased,

owner(s) of property situate in the TOWNSHIP OF REDSTONE, Fayette County, Pennsylvania, being 428 First Street a/k/a Box 82, First Street, Chestnut Ridge, PA 15422

STERN AND EISENBERG, PC  
JESSICA N. MANIS, ESQ.

No. 1269 of 2016 GD  
No. 362 of 2016 ED

**Deutsche Bank National Trust Company as Trustee for NovaStar Mortgage Funding Trust, Series 2006-5 NovaStar Home Equity Loan Asset-Backed Certificates, Series 2006-5 c/o Ocwen Loan Servicing, LLC,**

**Plaintiff,**  
**vs.**

**Amanda Gonzales  
Juan Gonzales,  
Defendant(s).**

SITUATE IN THE THIRD WARD OF THE CITY OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA, BEING KNOWN AS 622 PARK STREET, CONNELLSVILLE, PA 15425-3420  
PARCEL NO. 05090171  
IMPROVEMENTS - RESIDENTIAL  
REAL ESTATE  
SOLD AS THE PROPERTY OF -  
AMANDA GONZALES AND JUAN GONZALES

UDREN LAW OFFICES, P.C.  
WOODCREST CORPORATE CENTER  
111 WOODCREST ROAD, SUITE 200  
CHERRY HILL, NJ 08003-3620  
856-669-5400

No. 2011 of 2016 GD  
No. 369 of 2016 ED

**PNC Bank, National Association,  
Plaintiff,**  
**vs.**

**RYELEE R. EXNER  
LOUIS D. LOPEZ  
Defendant(s).**

ALL THAT CERTAIN LOT OF LAND SITUATE IN GEORGES TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA: BEING KNOWN AS 578 Madison Drive, Smithfield, PA 15478  
PARCEL NUMBER: 14-25-0304-21  
IMPROVEMENTS: Residential Property

Phelan Hallinan Diamond & Jones, LLP

No. 1931 of 2013 GD  
No. 377 of 2016 ED

**PNC BANK, NATIONAL ASSOCIATION  
SUCCESSOR BY MERGER TO  
NATIONAL CITY BANK, SUCCESSOR  
BY MEGER TO NATIONAL CITY BANK  
OF PENNSYLVANIA,**

**Plaintiff,**  
vs.

**Lesia L. Major,  
Defendant(s).**

By virtue of a Writ of Execution No. 1931-OF-2013-GD, PNC BANK, NATIONAL ASSOCIATION SUCCESSOR BY MERGER TO NATIONAL CITY BANK, SUCCESSOR BY MEGER TO NATIONAL CITY BANK OF PENNSYLVANIA v. LESA L. MAJOR, owner(s) of property situate in the FAYETTE CITY BOROUGH, Fayette County, Pennsylvania, being 211 Market Street, Fayette City, PA 15438-1092

Parcel No.: 12030267

Improvements thereon: Mixed Residential/  
Commercial

No. 624 of 2015 GD  
No. 363 of 2016 ED

**U.S. BANK NATIONAL ASSOCIATION,  
Plaintiff,**  
vs.

**Kenneth J. Smell  
Jessica M. Marsh a/k/a Jessica M. Smell,  
Defendants.**

ALL THAT RIGHT, TITLE, INTEREST AND CLAIMS OF KENNETH J. SMELL AND JESSICA M. MARSH, A/K/ A JESSICA M. SMELL, OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATE IN SOUTH UNION TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA, BEING MORE FULLY DESCRIBED AT DBV 2990 PAGE 165.

BEING KNOWN AS 71 8TH STREET,  
UNIONTOWN, PA 15401

TAX MAP NO. 34-16-0078

Phelan Hallinan Diamond & Jones, LLP

No. 278 of 2016 GD  
No. 379 of 2016 ED

**Matrix Financial Services Corporation,  
Plaintiff,**  
vs.

**Frances Wertz a/k/a Frances Yvonne Wertz,  
in Her Capacity as Administratrix and Heir  
of The Estate of Gerald Wertz Sr a/k/a  
Gerald W. Wertz, Sr.**

**Gerald Wayne Wertz, Jr, in His Capacity as  
Heir of The Estate of Gerald Wertz Sr a/k/a  
Gerald W. Wertz, Sr.**

**Unknown Heirs, Successors, Assigns, and All  
Persons, Firms, or Associations Claiming  
Right, Title or Interest From or Under  
Gerald Wertz Sr a/k/a Gerald W. Wertz, Sr.,  
Deceased,  
Defendant(s).**

By virtue of a Writ of Execution No. 278 OF 2016 GD Matrix Financial Services Corporation

v.

Frances Wertz a/k/a Frances Yvonne Wertz, in Her Capacity as Administratrix and Heir of The Estate of Gerald Wertz Sr a/k/a Gerald W. Wertz, Sr.

Gerald Wayne Wertz, Jr, in His Capacity as Heir of The Estate of Gerald Wertz Sr a/k/a Gerald W. Wertz, Sr.

Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Gerald Wertz Sr a/k/a Gerald W. Wertz, Sr., Deceased

owner(s) of property situate in the LUZERNE TOWNSHIP, Fayette County, Pennsylvania, being 1302 1st Street, Hiller, PA 15444

Parcel No.: 19-08-0149

Improvements thereon: RESIDENTIAL DWELLING

M. Troy Freedman, Esquire  
Stern & Eisenberg, PC  
1581 Main Street, Suite 200  
The Shops at Valley Square  
Warrington, PA 18976  
Phone: (215) 572-8111

No. 2051 of 2016 GD  
No. 370 of 2016 ED

**M&T Bank,**  
**Plaintiff,**  
**vs.**  
**Dustin W. Workman,**  
**Defendant.**

By virtue of Writ of Execution No. 2051 of 2016 GD, M&T Bank v. Dustin W. Workman, 12 South Mill Street, New Salem, PA 15468, Parcel No. 22-15-0047

Improvements thereon consisting of a Residential Dwelling, sold to satisfy judgment in the amount of \$74,735.12.

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McCABE, WEISBERG & CONWAY, P.C.  
123 South Broad Street, Suite 1400  
Philadelphia, Pennsylvania 19109  
(215) 790-1010

No. 1754 of 2016 GD  
No. 380 of 2016 ED

**Navy Federal Credit Union,**  
**Plaintiff,**  
**vs.**  
**Ralph E. Workman Jr. and Brenda**  
**Workman a/k/a Brenda L. Workman,**  
**Defendants**

All that certain piece or parcel or Tract of land situate in the Township or Borough of City of Uniontown, Fayette County, Pennsylvania, and being known as 36 Murray Avenue, Uniontown, Pennsylvania 15401.

Being known as: 36 Murray Avenue, Uniontown, Pennsylvania 15401

Title vesting in Ralph E. Workman Jr. and Brenda L. Workman, husband and wife, by deed from Aimee Bosley and Robert Bosley, Her Husband dated June 1, 2012 and recorded June 15, 2012 in Deed Book 3190, Page 900  
Tax Parcel Number: 38-12-0354

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## Registers' Notice

Notice by JEFFREY L. REDMAN, Register of Wills and  
Ex-Officio Clerk of the Orphans' Court Division of the Court of Common Pleas

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Monday, February 6, 2017  
at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2614-0458	MICHAEL J. GALLS	Rosemary Olson, Executrix
2613-0838	JOSEPH A. STEVE, JR.	Martha S. Sutherland, Personal Representative

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

Monday, February 21, 2017 at 9:30 A.M.

in Court Room No. 1 of the Honorable STEVE P. LESKINEN, or his chambers, 2nd Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

Notice is also hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Monday, February 6, 2017  
at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2513-0837	JUDY B. STEVE	Martha S. Sutherland, Personal Representative

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

Monday, February 21, 2017 at 9:30 A.M.

in Court Room No. 2 of the Honorable JOHN F. WAGNER or his chambers, 2nd Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JEFFREY L. REDMAN  
Register of Wills and Ex-Officio Clerk of the Orphans' Court Division (1 of 2)

**RULES OF JUDICIAL ADMINISTRATION**

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA

IN RE: FAYETTE COUNTY RULES OF :  
JUDICIAL ADMINISTRATION; :  
4007: REQUESTS FOR TRANSCRIPTS; :  
AND 4008: TRANSCRIPT COSTS :  
PAYABLE BY A REQUESTING PARTY :  
OTHER THAN THE COMMONWEALTH :  
OR A SUBDIVISION THEREOF : NO. 95 of 2017, G.D.

**ORDER**

AND NOW, this 12th day of January, 2017, it is hereby Ordered, pursuant to Rule 103 of the Pennsylvania Rules of Judicial Administration, Fayette County Rules of Judicial Administration 4007 and 4008 are adopted as attached.

The Prothonotary is directed as follows:

- (1) File one copy of the Local Rules with the Administrative Office of Pennsylvania Courts.
- (2) Two copies and CD-ROM of the Local Rules shall be distributed to the Legislative Reference Bureau for publication in the Pennsylvania Bulletin.
- (3) One copy of the Local Rules shall be sent to the Fayette County Law Library.
- (4) One copy of the Local Rules shall be sent to the Editor of the Fayette Legal Journal.

The Administrative Office of Fayette County Courts is directed as follows:

- (1) Publish a copy of these rules on the website of Administrative Office of Fayette County Courts.
- (2) Compile these rules within the complete set of Fayette County Local Rules no later than 30 days following the publication in the Pennsylvania Bulletin.

Local Rules of Judicial Administration 4007 and 4008 shall be effective 30 days after the date of publication in the Pennsylvania Bulletin.

BY THE COURT,  
JOHN F. WAGNER, JR.  
PRESIDENT JUDGE

ATTEST:  
Nina Capuzzi-Frankhouser  
PROTHONOTARY

## **RULE 4007 - REQUESTS FOR TRANSCRIPTS**

### **Rule 4007. Requests for Transcripts**

(A) All requests for transcripts shall be set forth on a standardized form provided by the Administrative Office of Pennsylvania Courts. The “Request for Transcript or Copy” form is available in the office or on the website of the Administrative Office of Fayette County Courts. The form shall indicate the current rates authorized to be charged for transcripts under these rules.

(B) For an ordinary transcript, the party requesting a full or partial transcript of a trial or other proceeding shall file the original request with the Administrative Office of Fayette County Courts.

(C) The production of daily, expedited, same day or rough draft transcripts are only available at the discretion of the court reporter.

(D) When a litigant requests a transcript,

(1) the district court administrator shall request the court reporter to estimate the transcript cost. The ordering party shall make partial payment in the amount of seventy-five percent (75%) of the estimated transcript cost. All payments are nonrefundable and shall be made by money order, certified check, or check from an attorney payable to the County of Fayette and delivered to the Administrative Office of Fayette County Courts. No payments shall be made to the court reporter.

(2) upon receipt of the deposit by the Administrative Office of Fayette County Courts, the court reporter shall prepare the transcript.

(3) the court reporter shall notify the ordering party and the district court administrator of the completion of the transcript and of the final balance due.

(4) upon payment of any balance owed to the Administrative Office of Fayette County Courts, the court reporter shall deliver the original transcript to the appropriate filing office and a copy for the ordering party in the form requested to the district court administrator.

(E) When a transcript is requested for which the court or county is responsible for the cost, the court reporter shall prepare the transcript without the necessity of a deposit.

## RULE 4008 - TRANSCRIPT COSTS

### **Rule 4008. Transcript Costs Payable by a Requesting Party Other Than the Commonwealth or a Subdivision Thereof**

#### (A) Costs

(1) The costs payable by a requesting party, other than the Commonwealth or a subdivision thereof, for a transcript in an electronic format shall not exceed:

- (a) for an ordinary transcript, \$2.50 per page;
- (b) for an expedited transcript, \$3.50 per page;
- (c) for a daily transcript, \$4.50 per page; and
- (d) for same day delivery, \$6.50 per page.

(2) When the transcript is prepared in bound paper format, the costs shall be in accordance with paragraph (1) relating to electronic format plus a surcharge of \$0.25 per page.

(B) Economic hardship -- In cases of economic hardship, where the matter is under appeal or a transcript is necessary to advance the litigation, the costs of procuring the transcript shall be waived or otherwise adjusted by the court as provided herein. In cases of economic hardship where there is no appeal pending or there exists no obvious need for the transcript to advance the litigation, the requesting party must demonstrate good cause shown before the court shall waive or adjust the cost of obtaining the transcript.

(1) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be waived for a litigant who has been permitted by the court to proceed in forma pauperis or whose income is less than 125 percent of the poverty line as defined by the U.S. Department of Health and Human Services (HHS) poverty guidelines for the current year.

(2) Transcript costs for ordinary transcripts in matters under appeal or where the transcript is necessary to advance the litigation shall be reduced by one-half for a litigant whose income is less than 200 percent of the poverty line as defined by the HHS poverty guidelines for the current year.

(3) Transcript costs for ordinary transcripts in matters that are not subject to an appeal, where the transcript is not necessary to advance the litigation, or for expedited, daily, rough draft or same day transcripts may be waived at the court's discretion for parties who qualify for economic hardship under subdivision (B)(1) or (B)(2) and upon good cause shown.

(4) To request a waiver of all or a portion of transcript costs in accordance with Rule 4008(B)(1) through (B)(3), the applicant must attach to the Request for Transcript a "Petition to Proceed In Forma Pauperis and Affidavit" in the form required by Rule 240(h) of the Pennsylvania Rules of Civil Procedure. The

Petition and Affidavit are available in the office or on the website of the Administrative Office of Fayette County Courts. The applicant must file the Petition and Affidavit in the appropriate filing office and provide a copy to the Administrative Office of Fayette County Courts for presentation as a routine motion to the presiding judge.

(5) To proceed under Rule 4008(B)(3), after presentation of the “Petition to Proceed In Forma Pauperis and Affidavit” through Motions Court, the presiding judge, at his or her discretion, may schedule a hearing to determine whether the applicant has established good cause to receive a waiver of all or a portion of transcript costs. The determination of good cause shown is at the discretion of the presiding judge.

(6) Litigants who have been approved for representation by legal aid services are not required to prove economic hardship. Legal aid services shall be entitled to obtain ordinary transcripts for no cost by attaching to their Request for Transcript a letter of certification verifying in accordance with Rule 4008 (B) that the represented client meets financial eligibility and that the matter is under appeal or that the transcript being requested is necessary to advance the current litigation.

(7) Transcripts requested in accordance with Rule 4008(B)(1) through (B)(3) shall have costs imputed to the County of Fayette for payment to the court reporter. In accordance with Rule 4007(E), no deposit shall be required.

(C) Assignment and allocation of transcript costs

(1) Assignment of costs. The requesting party, or party required by general rule to file a transcript, shall be responsible for the cost of the transcript. Original costs to produce the transcript shall not be assessed against any party for transcripts prepared at the initiation of the court.

(2) Allocation of costs. When more than one party requests the transcript, or are required by general rule to file the transcript, the cost shall be divided equally among the parties.

(D) Copies of transcript

(1) A request for a copy of any transcript previously ordered, transcribed and filed of record shall be made pursuant to the “Request for Transcript or Copy” form and the request filed with the Administrative Office of Fayette County Courts.

(a) If the request is for an electronic copy, the Administrative Office of Fayette County Courts shall collect \$0.50 per page and direct the court reporter to provide the electronic copy to the district court administrator for the requesting party.

(b) If the request is for a paper format copy, the district court administrator shall notify the filing office to collect \$0.75 per page, prepare a paper copy of the transcript, and provide the copy to the requesting party.





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