

# The Greene Reports

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

Vol. XXXVIII, No. 37

April 6, 2023

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Since October 1982

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

## MOTIONS

Criminal & Civil & O.C.:  
April 10 and 12, 2023

## CRIMINAL

Arraignments: April 10, 2023  
ARDs: April 10, 2023  
ARD Revocations: April 10, 2023  
Parole Violations: April 10, 2023  
Plea Court: April 11-13, 2023  
License Suspension Appeals: April 18, 2023  
Argument Court: April 19, 2023

## ORPHANS

Accounts Nisi: April 3, 2023  
Accounts Absolute: April 13, 2023

**SUPREME COURT**  
**SUPERIOR COURT**  
**COMMONWEALTH COURT**

Convenes in Pgh.: April 17-21, 2023  
Convenes in Pgh.: May 8-12, 2023  
Convenes in Pgh.: May 8-12, 2023

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## THE GREENE REPORTS

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

## EDITORIAL POLICY

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the editorial staff to be reasonably interpreted as offensive, demeaning or insulting to any individual or group will not be published.

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

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 Anonymous correspondence will not be published.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

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## THE GREENE COUNTY BAR ASSOCIATION

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

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## DEED TRANSFERS

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

### ALEPPO TOWNSHIP

Terry L. Horn, et al., to Consol Pennsylvania Coal Company LLC, et ux., 58.24 Acres, \$800,000.00 (3-31-23)  
Thomas E. Mannion, Jr., et ux., to Consol Pennsylvania Coal Company LLC, et ux., R/W, \$10,000.00 (4-4-23)

### CENTER, GRAY, MORRIS, & RICHHILL TOWNSHIPS

American Premier Underwriters Inc to Consol Pennsylvania Coal Company LLC, Tracts, Coal, \$939,298.00 (3-30-23)

### CUMBERLAND TOWNSHIP

William Gallentine, et ux., to Nancy Yakopovich, et ux., .7512 Acre, \$199,000.00 (3-31-23)

### FRANKLIN TOWNSHIP

James E. Hopkins, et ux., to Karen Sue Campbell, .205 Acre, \$95,000.00 (3-31-23)  
Craig A. Greenwood, et ux., to Nathan S. Borovichka, et ux., 1.9988 Acres, \$10,000.00 (4-4-23)

### FREEPORT & GILMORE TOWNSHIPS

Stanley Carson Stewart to Three Rivers Royalty II LLC, 135 Acres, O&G, \$12,988.28 (4-3-23)

### GILMORE TOWNSHIP

Robert E. & Debbie L. Brown Family Irrevocable Trust, et ux., to EQM Gathering OPCO LLC, R/W, 75.9 Acres, \$132,000.00 (4-3-23)

### GILMORE & WAYNE TOWNSHIPS

Tenesia Takeyama, et al., to Three Rivers Royalty III LLC, Tracts, O&G, \$10,665.37 (4-3-23)

### JEFFERSON TOWNSHIP

Michael Myers, Jr., et ux., to Roy Stagers, .2753 Acre, \$2,400.00 (4-4-23)

### MORGAN TOWNSHIP

James A. Clayton to Bedrock Greene County Properties LLC, 2.431 Acres, \$200,000.00 (3-29-23)

### PERRY TOWNSHIP

Barbara Jean Bucy Estate A/K/A Barbara Jean Tucker Bucy Estate, et al., to Mountaineer Timber Company, 3 Acres, \$2,500.00 (3-29-23)  
William A. Spencer to DUC Hunter LLC, 2 Tracts, O&G, \$2,760.16 (3-30-23)

### WAYNE TOWNSHIP

Barry J. Moore, et ux., to EQM Gathering OPCO LLC, R/W, Tracts, \$176,073.60 (4-3-23)  
Shirley C. Hunnell to EQM Gathering OPCO LLC, R/W, 45.07 Acres, \$90,488.00 (4-3-23)  
Bradley F. Knechtel by Atty-In-Fact, et ux., to Equitrans Water Services (PA) LLC, R/W, 47.76 Acres, \$39,032.00 (4-3-23)  
Robert Statler, et ux., to Equitrans Water Services (PA) LLC, R/W, 75.53 Acres, \$101,360.00 (4-3-23)  
Monongalia County Coal Resources Inc to EQM Gathering OPCO LLC, R/W, \$38,217.60 (4-3-23)

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ESTATE NOTICES

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

FIRST PUBLICATION

GIDEON, DEBRA MARIE A/K/A DEBRA M. GIDEON
Late of Carmichaels, Greene County, Pennsylvania
Executrix: Christine Renee Stephenson, N3955 Wildcat Road, Poynette, WI 53966
Attorney: Kirk A. King, Esquire, 77 South Washington Street, Waynesburg, PA 15370

HARPER, NORMA J. A/KA NORMA JANE HARPER
Late of Franklin Township, Greene County, Pennsylvania
Executrix: Jaqueline J. Harper, 815 Sherman Avenue, Waynesburg, PA 15370
Attorney: Phillip C. Hook, Attorney, 430 East Oakview Drive, Suite 101, PO Box 898, Waynesburg, PA 15370

SECOND PUBLICATION

RANKIN, MARY ANN
Late of Monongahela Township, Greene County
Administratrix: Tracy Russell, 505 Prospect Street Ext., Point Marion, PA 15474
Attorney: Timothy J. Chiappetta, Esquire, Dickie McCamey & Chilcote, PC, Two PPG Place, Suite 400, Pittsburgh, PA 15222

THIRD PUBLICATION

DEAN, GEORGE ALLEN
Late of Rices Landing Boro, Greene County, Pennsylvania
Administratrix: Dianne Johnson Dean, 125 Carmichaels Street, Rices Landing, PA 15357
Attorney: Lukas B. Gatten, Esquire, Logan & Gatten Law Offices, 54 N. Richhill Street, Waynesburg, PA 15370

HEADLEE, DONALD H.
Late of Franklin Township, Greene County, Pennsylvania
Executor: Ronald P. Headlee, C/O Kelly A. Stepp, Esquire, Stepp Law Offices, 64 N. Richhill Street, Suite 101, Waynesburg, PA 15370
Attorney: Kelly A. Stepp, Esquire, Stepp Law Offices, 64 N. Richhill Street, Suite 101, Waynesburg, PA 15370

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FICTITIOUS NAME NOTICE

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Notice is hereby given of the filing of an application for Registration of Fictitious Names as follows:

The Fictitious Name is: RKC onsite services, LLC
The address of the principal office or the principal place of business to be carried on is: 187 Orchard Drive, Uniontown, PA 15401
The names and addresses of the persons who are party to the registration are: Richard Cleaver, 187 Orchard Drive, Uniontown, PA 15401
An application for a fictitious name was filed on March 22, 2023 in the Department of State, under the Fictitious Names Act, 54 Pa.C.S.A. 302 et seq., Act of December 16, 1982, No. 295, P.L. 1309.
Lukas B. Gatten, Esquire
LOGAN & GATTEN LAW OFFICES
54 N. Richhill Street
Waynesburg, PA 15370

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SUPREME COURT NOTICE

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SUPREME COURT OF PENNSYLVANIA
JUVENILE COURT PROCEDURAL RULES COMMITTEE

NOTICE OF PROPOSED RULEMAKING

Proposed Amendment of Pa.R.J.C.P. 1187

The Juvenile Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pennsylvania Rule of Juvenile Court Procedure 1187 governing the authority of juvenile court hearing officers for the reasons set forth in the accompanying publication report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the Pennsylvania Bulletin for comments, suggestions, or objections prior to submission to the Supreme Court.

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

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

Daniel A. Durst, Chief Counsel
Juvenile Court Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center

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P.O. Box 62635  
Harrisburg, PA 17106-2635  
FAX: 717-231-9541  
juvenilerules@pacourts.us

All communications in reference to the proposal should be received by **May 26, 2023**. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Juvenile Court Procedural Rules Committee,  
The Honorable Alice Beck Dubow, Chair

## SUPREME COURT OF PENNSYLVANIA JUVENILE COURT PROCEDURAL RULES COMMITTEE

### PUBLICATION REPORT

#### Proposed Amendment of Pa.R.J.C.P. 1187

The Juvenile Court Procedural Rules Committee (“Committee”) proposes to amend Rule 1187 of the Pennsylvania Rules of Juvenile Court Procedure to clarify that a juvenile court hearing officer (JCHO) is not prohibited from recommending an order for protective custody.

The Committee has discussed the merits of rulemaking that would permit a JCHO to seek a protective custody order during a permanency hearing. The genesis of these discussions is the occasion when a JCHO hears evidence during a permanency review hearing that would indicate the necessity for an order for protective custody. *Cf.* 1606. When those circumstances arise, the Committee believes the JCHO should be able to immediately contact a judge and recommend such an order provided witnesses are available to the judge at the time of the recommendation. While such an ability may be implicit under Pa.R.J.C.P. 1187, a majority of the Committee favored amending the commentary to clarify the authority of the JCHO.

The Committee invites all comments, concerns, and suggestions regarding this rulemaking proposal.

#### **Rule 1187. Authority of Juvenile Court Hearing Officer.**

**[A.](a)** **No [authority] Authority.** A juvenile court hearing officer shall not have the authority to:

- (1) preside over:
  - [a)](i)** termination of parental rights hearings;
  - [b)](ii)** adoptions;
  - [c)](iii)** any hearing in which any party seeks to establish a permanency goal of adoption or change the permanency goal to adoption;

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(2) enter orders for **[emergency or]** protective custody pursuant to **[Rules 1200 and 1210] Rule 1202(A)(2) or Rule 1210;**

(3) issue warrants; and

(4) issue contempt orders.

#### **[B.](b) Right to [hearing before judge] Hearing Before Judge.**

(1) Prior to the commencement of any proceeding, the juvenile court hearing officer shall inform all parties of the right to have the matter heard by a judge. If a party objects to having the matter heard by the juvenile court hearing officer, the case shall proceed before the judge.

(2) If a party objects to having the matter heard by the juvenile court hearing officer pursuant to **[paragraph (B)(1)] subdivision (b)(1)**, the juvenile court hearing officer or the court’s designee for scheduling cases shall immediately schedule a hearing before the judge. The time requirements of these rules shall apply.

**Comment:** A juvenile court hearing officer’s authority is limited under this rule. To implement this rule, Rule 1800 suspends 42 Pa.C.S. § 6305(b) only to the extent that juvenile court hearing officers may not hear all classes of cases.

**[Under paragraph (A)(1)(c)] Pursuant to subdivision (a)(1)(iii)**, once the permanency goal has been approved for adoption by a judge, all subsequent reviews or hearings may be heard by the juvenile court hearing officer unless a party objects pursuant to **[paragraph (B)] subdivision (b)**.

**Subdivision (a)(2) is not intended to limit the juvenile court hearing officer’s ability to recommend to the court that an order for protective custody be issued during any proceeding, including a permanency review hearing, if witnesses are available to provide sufficient evidence to a judge at the time of the recommendation.**

**[Under paragraph (A)(3), nothing] Subdivision (a)(3) is not** intended to limit the juvenile court hearing officer’s ability, in a proper case before the juvenile court hearing officer, to recommend to the court that a warrant be issued. This includes arrest, bench, and search warrants.

Concerning the provisions of **[paragraph (B)] subdivision (b)**, see 42 Pa.C.S. § 6305(b).

**[Under paragraph (B)(2)] Pursuant to subdivision (b)(2)**, it should be determined whenever possible before the date of the hearing whether there will be an objection to having the matter heard before a juvenile court hearing officer. If it is anticipated **[that]** there will be an objection, the case **[is to] should** be scheduled in front of **[the] a** judge, rather than the juvenile court hearing officer, to prevent continuances and delays in the case.

See Rule 1127 for recording of proceedings before a juvenile court hearing officer.

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[Official Note: Rule 1187 adopted August 21, 2006, effective February 1, 2007. Amended April 6, 2017, effective September 1, 2017.]

*Committee Explanatory Reports:*

Final Report explaining the provisions of Rule 1187 published with the Court's Order at 36 Pa.B. 5599 (September 2, 2006). Final Report explaining the amendments to Rule 1187 published with the Court's Order at 47 Pa.B. 2313 (April 22, 2017).]