



# Chester County Law Reporter

(USPS 102-900)

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## TABLE OF CONTENTS

### 68 CHESTER COUNTY REPORTS

#### Commonwealth vs. Fredericks (II)

*Sufficiency of evidence – Circumstantial evidence – Unauthorized practice of law – Waiver regarding jury instructions – Waiver on appeal . . . . .* 492 (2020)

**Classified Ads. . . . . 21**

Attorney To Take Over Practice - *Chester County*  
Meeting Space - *West Chester*

**Legal Notices**

**See Table of Contents. . . . .1**

# Chester County Law Reporter

(USPS 102-900)

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**Commonwealth v. Fredericks (II)**

Sufficiency of evidence – Circumstantial evidence – Unauthorized practice of law  
– Waiver regarding jury instructions – Waiver on appeal

1. In reviewing sufficiency of evidence claims, the Court must determine whether the evidence admitted at trial, as well as all reasonable inferences drawn therefrom, when viewed in the light most favorable to the verdict winner, are sufficient to support all the elements of the offense. Additionally, to sustain a conviction, the facts and circumstances which the Commonwealth must prove, must be such that every essential element of the crime is established beyond a reasonable doubt.
2. Guilt must be based on facts and conditions proved, and not on suspicion or surmise.
3. Entirely circumstantial evidence is sufficient so long as the combination of the evidence links the accused to the crime beyond a reasonable doubt. Any doubts regarding a defendant's guilt may be resolved by the fact-finder unless the evidence is so weak and inconclusive that as a matter of law no probability of fact may be drawn from the combined circumstances.
4. The fact finder is free to believe all, part, or none of the evidence presented at trial.
5. The unauthorized practice of law is governed by 42 § Pa.C.S.A. Section 2524(a), which states, in relevant part, as follows: any person who within this Commonwealth shall practice law, or who shall hold himself out to the public as being entitled to practice law, or use or advertise the title of lawyer, attorney at law, attorney and counselor at law, counselor, or the equivalent in any language, in such a manner as to convey the impression that he is a practitioner of the law of any jurisdiction, without being an attorney at law commits a misdemeanor.
6. The Pennsylvania Supreme Court has the sole power to regulate lawyers and the practice of law throughout the Commonwealth.
7. 42 U.S.C. Section 406 states, in relevant part, the Commissioner of Social Security may refuse to recognize as a representative, and may disqualify a representative already recognized, any attorney who has been disbarred.
8. To preserve a claim of error for appellate review, a party must make a specific objection to the alleged error before the trial court in a timely fashion and at the appropriate stage of the proceedings; failure to raise such objection results in waiver of the underlying issue on direct appeal.
9. Despite being disbarred by the Supreme Court from practicing law in the Commonwealth of Pennsylvania, Appellant continued to hold herself out to the public, Social Security Administration, and her client as being entitled to practice law in the Commonwealth of Pennsylvania and, in fact, represented her client in a social security disability proceeding

before an administrative law judge in Pennsylvania. Appellant failed to supplement and correct her previous representation to the Social Security Administration and Administrative Law Judge that she was a licensed attorney, in good-standing, in the Commonwealth of Pennsylvania. Accordingly, the Commonwealth proved at trial, beyond a reasonable doubt, every element of the unauthorized practice of law offenses.

10. On appeal, Defendant contends the evidence was insufficient as a matter of law to sustain her convictions for the two counts of unauthorized practice of law because the practice of law in social security proceedings is governed by the administrative rules and procedure established by the Social Security Administration, not by state law. Although Defendant was disbarred, by consent, from the practice of law in this Commonwealth, Defendant contends that she was still licensed to practice law in the State of New Jersey during the course of the representation in question, and argues an attorney need only be licensed in one state to represent clients in social security matters nationwide.
11. Defendant also contends the charge given to the jury, with respect to the unauthorized practice of law, was misleading or incorrect in that it conveyed to the jury that the crime encompassed a geographical boundary issue and since Defendant had been disbarred in the Commonwealth of Pennsylvania, she could not practice law in the Commonwealth in any type of legal proceeding and the Court failed to include language which would have allowed the jury to consider she was licensed by the State of New Jersey and that the practice of law before the social security ALJs is solely governed by rules and procedures established by the Social Security Administration. This assignment of error is not cognizable on direct appeal since Defendant failed to properly preserve the issue for appellate review because it was not properly preserved for appeal by specific objection during the jury charge proceeding.
12. The trial court respectfully requests that the verdict of the jury be upheld and the judgment of sentence, with the exception of the age enhancements sentences, and the RRRI calculation, be affirmed.

R.E.M.

C.C.P. Chester County, Pennsylvania, Criminal Action No. 2349-2018; Commonwealth of Pennsylvania vs. Kristi Ann Fredericks

Nicholas J. Casenta, Jr., for the Commonwealth  
Robert J. Donatoni for the Defendant  
Mahon, J., March 19, 2020:-

[Editor's note: Defendant filed an appeal at # 3245 EDA 2019.]

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[68 Ches. Co. Rep. **Commonwealth vs. Fredericks (II)**]

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**COMMONWEALTH OF PENNSYLVANIA** : **IN THE COURT OF COMMON PLEAS**  
: **CHESTER COUNTY, PENNSYLVANIA**  
**vs.** : **CRIMINAL ACTION**  
**KRISTI ANN FREDERICKS** : **NO. 2349-2018**

Nicholas J. Casenta, Jr., Esquire, Attorney for the Commonwealth  
Robert J. Donatoni, Esquire, Attorney for the Defendant

### **SUPPLEMENTAL OPINION**

**AND NOW**, this 19th day of March, 2020, this Supplemental Opinion is filed pursuant to Pa. R.A.P. 1925 and in response to Kristi Ann Fredericks’ (“Appellant”) counseled, Statement of Errors Complained on Appeal (“Concise Statement”).<sup>1</sup>

### **FACTUAL AND PROCEDURAL HISTORY**

We incorporate the factual and procedural history from our February 26, 2020 Opinion as if fully set forth herein. We write further to point out that on January 27, 2020, Appellant filed a Motion for Bail Pending Appeal pursuant to Pa.R.Crim.P. 521, which was heard by the Court on March 3, 2020.<sup>2</sup> During the bail hearing, it became apparent that the Court had inadvertently failed to address one of the assignments of errors raised in Appellant’s Concise Statement in Term Number 2349-2018. Accordingly, we will now address the omitted assignment of error.

### **DISCUSSION**

Appellant contends that the evidence was insufficient as a matter of law to sustain her convictions for the unauthorized practice of law. Defendant was charged and convicted of two (2) counts of the Unauthorized Practice of Law under 42 Pa.C.S.A. § 2524, regarding her legal representation of victim, Craig Smedley<sup>3</sup>, in his social security disability case. Specifically, Appellant contends

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<sup>1</sup> Timely filed with the Court on November 26, 2019.

<sup>2</sup> Defendant’s Motion for Bail Pending Appeal was taken under advisement following the bail hearing.

<sup>3</sup> On October 1, 2017, Mr. Smedley passed away prior to trial. Wendy Smedley, Craig Smedley’s wife testified at trial that she worked with Mr. Smedley during the social security disability process. Ms. Smedley further testified that Mr. Smedley filed an initial claim for social security disability, without the assistance of counsel, which was denied. Thus, the Smedley’s then began searching for a Pennsylvania attorney who could represent Mr. Smedley on appeal from the denial of his social security disability

that that evidence was insufficient to sustain the convictions because the practice of law in social security proceedings is governed by the administrative rules and procedure established by the Social Security Administration, not by State law. Although Appellant was disbarred, by consent, from the practice of law in this Commonwealth (effective January 1, 2016), see Com. Exh. 61-A, Appellant contends that she was still licensed to practice law in the State of New Jersey during the course of Mr. Smedley's representation. Appellant goes on to argue that an attorney need only be licensed in one state to represent clients in social security matters nationwide. We agree this may be true, notwithstanding that Appellant was previously disbarred in her home state of residence. Appellant provides no authority to the contrary in support of her argument.

In reviewing sufficiency of evidence claims, the Court must determine whether the evidence admitted at trial, as well as all reasonable inferences drawn therefrom, when viewed in the light most favorable to the verdict winner, are sufficient to support all the elements of the offense. See Commonwealth v. Bullick, 830 A.2d 998, 1000 (Pa. Super. 2003). Additionally, to sustain a conviction, the facts and circumstances which the Commonwealth must prove, must be such that every essential element of the crime is established beyond a reasonable doubt. See Commonwealth v. Hargrave, 745 A.2d 20, 22 (Pa. Super. 2000), *appeal denied*, 760 A.2d 851 (Pa. 2000).

Admittedly, guilt must be based on facts and conditions proved, and not on suspicion or surmise. See Commonwealth v. Swerdlow, 636 A.2d 1173 (Pa. Super. 1994). Entirely circumstantial evidence is sufficient so long as the combination of the evidence links the accused to the crime beyond a reasonable doubt. See id.; see also Commonwealth v. Chmiel, 639 A.2d 9, 11 (Pa. 1994). Any doubts regarding a defendant's guilt may be resolved by the fact-finder unless the evidence is so weak and inconclusive that as a matter of law no probability of fact may be drawn from the combined circumstances. Commonwealth v. DiStefano, 782 A.2d 574, 582 (Pa. Super. 2001), *appeal denied*, 806 A.2d 858 (Pa. 2002). The fact finder is free to believe all, part, or none of the evidence presented at trial. See Commonwealth v. Nicotra, 625 A.2d 1259, 1261 (Pa. Super. 1993).

With these initial precepts in mind we will now review Appellant's assignment of error. It is well-established law that the unauthorized practice of law is governed by 42 § Pa.C.S.A. Section 2524 which states, in relevant part as follows:

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claim. Mr. Smedley retained Appellant on or about October 21, 2014. On June 9, 2016, after having been disbarred from practicing law in the Commonwealth of Pennsylvania, Appellant failed to appear for Mr. Smedley's appeal hearing in Montgomery County, Pennsylvania. Appellant subsequently, on behalf of Mr. Smedley, contacted the Administrative Law Judge, Suanne Strauss, who was assigned to the case. Ultimately, the matter was rescheduled for July 26, 2016, in Lehigh County, Pennsylvania. Appellant appeared at the July 26, 2016 hearing and represented Mr. Smedley in that proceeding. At no point prior to the hearing did Appellant notify the Smedley's or the Administrative Law Judge that she was no longer in good standing in the Commonwealth of Pennsylvania and had in fact been disbarred in Pennsylvania. Furthermore, Appellant failed to correct her previous representation, although accurate at the time of the representation, that she was licensed to practice law in Pennsylvania. N.T., 5/6/2019 (Morning Session), at 13-38. The jury, sitting as the fact finder, appears to have credited the testimony and documentary evidence presented by Ms. Smedley and rejected Appellant's testimony to the contrary.

**(a) General rule.** -- Except as provided in subsection (b), any person, including, but not limited to, a paralegal or legal assistant, who within this Commonwealth shall practice law, **or who shall hold himself out to the public as being entitled to practice law, or use or advertise the title of lawyer, attorney at law, attorney and counselor at law, counselor, or the equivalent in any language**, in such a manner as to convey the impression that he is a practitioner of the law of any jurisdiction, without being an attorney at law or a corporation complying with 15 Pa.C.S. Ch. 29 (relating to professional corporations), commits a misdemeanor of the third degree upon a first violation. A second or subsequent violation of this subsection constitutes a misdemeanor of the first degree.

42 Pa.C.S.A. § 2524(a) (emphasis added).

A resolution of Appellant's assignment of error requires an understanding of the purpose behind the proscription of unauthorized practice and the public interest such proscription is designed to serve. Under the Pennsylvania Constitution, the Pennsylvania Supreme Court has the sole power to regulate lawyers and the practice of law throughout the Commonwealth. The "stringent requirements concerning the practice of law in this Commonwealth are intended to protect and secure the public's interest in competent legal representation." Dauphin Cty. Bar Ass'n v. Mazzacaro, 351 A.2d 229, 233 (Pa. 1976). It is to guard against the impairment of this interest that the practice of law by persons who are not authorized to do so is forbidden. *Id.* The paramount position of the public interest was recognized by the Pennsylvania Supreme Court, speaking through Justice (later Chief Justice) Stern in Shortz v. Farrell, 193 A. 20 (Pa. 1937).

Here, Appellant was unequivocally disbarred from the practice of law in the Commonwealth of Pennsylvania effective January 1, 2016. The record reflects that despite being disbarred by the Supreme Court from practicing law in the Commonwealth of Pennsylvania, Appellant continued to hold herself out to the public, Social Security Administration, and Mr. Smedley as being entitled to practice law in the Commonwealth of Pennsylvania and, in fact represented Mr. Smedley in a social security disability proceeding before an administrative law judge in Pennsylvania. N.T., 5/7/19, at 122; Com. Exhs. 92, 92(b) – 92(h), 93, 93(c). Furthermore, Appellant failed to supplement and correct her previous representation to the Social Security Administration and Administrative Law Judge ("ALJ") that she was a licensed attorney, in good-standing, in the Commonwealth of Pennsylvania. Appellant's blatant omission deprived the ALJ and the Social Security Administration of the opportunity to disqualify Appellant from practice in social security hearings. See 42 U.S.C. 406.<sup>4</sup> Accordingly, the Commonwealth proved at trial, beyond a

<sup>4</sup> 42 U.S.C. § 406 states, in relevant part, as follows:

reasonable doubt, every element of the unauthorized practice of law offenses.

Because the unauthorized practice of law statute clearly proscribes, upon penalty of fine or imprisonment, the ‘practice of law’ by one not ‘a member of the Bar, and the prosecutor proved that Appellant was not a member of the Pennsylvania Bar at the time of her representation of Mr. Smedley, albeit in a Federal social security disability proceeding in this Commonwealth, the record evidence is sufficient to sustain the convictions. To hold otherwise would place all Pennsylvania citizens at risk by allowing another jurisdiction to usurp the ability of the Pennsylvania Supreme Court to regulate attorneys in this Commonwealth and to protect its citizens therein. To permit another jurisdiction, whether it be Federal or State, to allow an individual, who was previously disbarred from the practice of law in Pennsylvania, to practice law in Pennsylvania, under the cloak of legitimacy established by some other system outside of Pennsylvania would lead to an absurd result. Accordingly, the evidence is sufficient to establish that Appellant engaged in two (2) counts of the Unauthorized Practice of Law.

Appellant next contends that the charge given to the jury, with respect to the two (2) counts of the unauthorized practice of law, was misleading or incorrect in that it conveyed to the jury that the crime encompassed a geographical boundary issue and since Appellant had been disbarred in the Commonwealth of Pennsylvania, she could not practice law in the Commonwealth in any type of legal proceeding. Appellant further claims that the Court failed to include language, with respect to this charge, which would have allowed the jury to consider that Appellant was licensed by the State of New Jersey and that the practice of law before the social security ALJ’s is solely governed by rules and procedures established by the Social Security Administration. This assignment of error is not cognizable on direct appeal since Defendant failed to properly preserve the issue for appellate review.

Specifically, Appellant’s assignment of error is waived because it was not properly preserved for appeal by specific objection during the jury charge proceeding. See N.T., 5/7/19, at 248-249 (Jury Charge). It is well-established law that to preserve a claim of error for appellate review, a party must make a specific objection to the

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governing the recognition of agents or other persons, other than attorneys as hereinafter provided, representing claimants before the Commissioner of Social Security, and may require of such agents or other persons, before being recognized as representatives of claimants that they shall show that they are of good character and in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimants in the presentation of their cases. **An attorney in good standing, who is admitted to practice before the highest court of the State, Territory, District, or insular possession of his residence or before the Supreme Court of the United States or the inferior Federal courts, shall be entitled to represent claimants before the Commissioner of Social Security. Notwithstanding the preceding sentences, the Commissioner, after due notice and opportunity for hearing, (A) may refuse to recognize as a representative, and may disqualify a representative already recognized, any attorney who has been disbarred or suspended from any court or bar to which he or she was previously admitted to practice or who has been disqualified from participating in or appearing before any Federal program or agency. . .**



alleged error before the trial court in a timely fashion and at the appropriate stage of the proceedings; failure to raise such objection results in waiver of the underlying issue on direct appeal. See Pa.R.A.P. 302(a) (stating that “issues not raised in the lower court are waived and cannot be raised for the first time on appeal.”); see also Commonwealth v. Freeman, 827 A.2d 385 (Pa. 2003); Commonwealth v. Charleston, 16 A.3d 505 (Pa. Super. 2011), appeal denied, 30 A.3d 486 (Pa. 2011); Commonwealth v. Henkel, 90 A.3d 16 (Pa. Super. 2014). In the present case, defense counsel failed to make a timely, specific, objection concerning this charge, and, therefore, it can serve no successful basis on appeal.

Because the Trial Court is filing a Supplemental Opinion in this matter, the Court wishes to also correct a prior misstatement in the February 26, 2020 Opinion. In footnote 11 of the February 26, 2019 Opinion, the Court stated that it considered the following mitigation factors: the fact that Appellant was a law school graduate, was gainfully employed as a lawyer in this Commonwealth prior to incurring these cases, **had no prior criminal convictions**, had a significant alcohol use history, and suffered from a myriad of medical issues dating back to 2016. See Trial Court Opinion, 2/25/20, at 22, f.n.11 (emphasis added).

The Court now amends footnote 11 to reflect that although Defendant had no prior record score at the time of sentencing, she did incur an arrest for retail thefts, which she ultimately pled guilty to, after being disbarred from the practice of law in the Commonwealth and while on bail in these above-captioned cases. See Commonwealth v. Kristi Ann McQuillan<sup>5</sup>, Chester County Docket No. 4056-2017.; N.T., 5/7/19, at 133-135; Commonwealth Exh. 98, Commonwealth Exh. 98-B.

On May 30, 2018, Appellant was sentenced currently on the two (2) counts of retail theft to 3 years of probation. Because the Court sentenced Appellant concurrently for the two (2) retail theft convictions in Term Number 4056-2017; Appellant had a prior record score of zero at the time of sentencing in the present cases. Although Appellant has a prior record score of zero, the retail theft convictions are significant for another reason. Despite being on bail for a myriad of serious charges in the present cases, Appellant continued to engage in criminal conduct and victimize the citizens of the Commonwealth. Appellant is unable to comport her conduct with the rule of law. Stated differently, Appellant simply will not be told what to do by her clients, the office of Disciplinary Council, the bail agency, or the Court. Accordingly, Appellant’s propensity to reoffend, even while on bail in the instant cases, evidences the need for a lengthy state prison sentence and further rehabilitation.

For all of the reasons set forth above, the trial Court respectfully requests that the verdict of the jury be upheld and the judgment of sentence, with the exception of the age enhancements sentences, and the RRRRI calculation, be affirmed.

BY THE COURT:

William P. Mahon, J.

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<sup>5</sup> Kristi Ann McQuillan is Appellant’s married name. N.T., 5/7/19, at 20.

**TABLE OF CONTENTS**  
**LEGAL NOTICES**

Change of Name Notice . . . . . 2  
Corporation Notice . . . . . 2-3  
Dissolution Notice . . . . . 3  
Estate Notices **1st Publication** . . . . . 3  
Estate Notices **2nd Publication** . . . . . 4  
Estate Notices **3rd Publication** . . . . . 5  
Fictitious Name . . . . . 6  
Foreign Registration Statement . . . . . 6  
Nonprofit Corporation Notice . . . . . 6  
Notice of Suspension . . . . . 7  
Public Notice Appointment of New Magistrate Judge . . . . . 8  
Application for United States Magistrate Judge . . . . . 10

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**CHANGE OF NAME NOTICE****IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA****CIVIL ACTION****LAW NO. 2020-07074-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Jose Roberto Craner was filed in the above-named court and will be heard on Monday, January 4, 2021 at 9:30 AM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Wednesday, September 23, 2020

Name to be changed from: Jose Roberto Craner to: Joseph Michael Craner

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

C. Curtis Norcini, Esq., Attorney for the Solicitor Omnis Law Group, LLC

16 North New Street

West Chester, Pennsylvania 19380

**CHANGE OF NAME NOTICE****IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA****CIVIL ACTION****LAW NO. 2020-06890-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Caroline Maryam Araceli Keyvani was filed in the above-named court and will be heard on Monday, December 21, 2020 at 9:30 AM, in Courtroom 3 at the Chester County Justice Center, 201

West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Monday, September 21, 2020

Name to be changed from: Caroline Maryam Araceli Keyvani to: Caroline Maryam Araceli Casey  
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

John Farrell, Esq., Attorney to the Petitioner  
Legal Aid of Southeastern Pennsylvania

222 N. Walnut St. #2

West Chester, PA 19380

**CHANGE OF NAME NOTICE****IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA****CIVIL ACTION****LAW NO. 2020-08841-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Louise Leiby was filed in the above-named court and will be heard on Sunday, March 1, 2020 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Wednesday, November 25, 2020

Name to be changed from: Louise Leiby to: Blu Lisicky

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

Karen P. Reynolds, Esquire, Attorney for the Petitioner

Reynolds Family Law, LLC

101 Lindenwood Drive Suite 225

Malvern, PA 19355

**CORPORATION NOTICE**

NOTICE IS HEREBY GIVEN THAT Articles of Incorporation were filed with and approved by the Department of State of the Commonwealth of Pennsylvania on the Tuesday, November 17, 2020 for **Amariah Zander Inc.** in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

**CORPORATION NOTICE**

**V-P-Jackpots Inc.** has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

**DISSOLUTION NOTICE**

NOTICE IS HEREBY GIVEN, that the Shareholders and Directors of Corner Pond Farm, Inc., 104 Potters Pond Drive, Phoenixville, PA 19460, have approved a proposal that the Corporations voluntarily dissolve, and that th now engaged in winding up and settling the affairs of the Corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.

Vicky Ann Trimmer, Esq.

Daley Zucker Meilton & Miner, LLC.

Attorneys at Law

635 N 12th Street

Suite 101

Lemoyne, PA 17043

**DISSOLUTION NOTICE**

NOTICE IS HEREBY GIVEN THAT the Board of Directors of The START Foundation, a Pennsylvania nonprofit corporation, with an address of 238 Schuylkill Road, P.O. Box 573, Phoenixville, PA 19460, has approved a proposal that the corporation voluntarily dissolve, and that the Board of Directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 5975 of the Pennsylvania Business Corporation Law of 1988, as amended. JAMES C. KOVALESKI, SOLICITOR, O'DONNELL, WEISS & MATTEL, P.C., 347 Bridge Street, Suite 200, Phoenixville, PA 19460

**DISSOLUTION NOTICE**

NOTICE is hereby given to all persons interested or who may be affected, that The Board of Directors of Salt & Light Foundation. with its principal office at 83 W. Main Street, Ste. 2, Elverson, PA 19520, have approved a proposal that the corporation dissolve voluntarily and the Board of Directors are now engaged in winding up and settling the affairs of the said corporation so that its corporate existence shall be ended under the provisions of the Pennsylvania Non-Profit Corporation Law of 1988 Section 5975.

Brett M. Fegely, Esquire

Hartman, Valeriano, Magovern & Lutz, PC

1025 Berkshire Blvd. Ste. 700

P.O. Box 5828

Wyomissing, PA 19610

**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**

**BELLEW**, Sean P., late of West Chester Borough. Martin J. Bellew, care of JOSEPH S. NESCIO, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executor. JOSEPH S. NESCIO, Esquire, Nescio & Seace, LLP, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

**CASTRO**, Gloria E., late of West Whiteland Township. Arnelito E. Castro, care of JOSEPH S. NESCIO, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executor. JOSEPH S. NESCIO, Esquire, Nescio & Seace, LLP, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

**CATTELL**, Donna R., a/k/a Donna Rae Cattell, late of West Caln Township. Amy Jo Magee, 110 N. Sandy Hill Rd., Coatesville, PA 19320, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**DONECKER**, Robert Richard, late of Pennsbury Township. Kathryn M. McDevitt, 50 Barrington Lane, Chester Springs, PA 19425, Executrix.

**HARKINS**, Betty B., late of Kennett Square. Marlene A. Taylor, 2651 Bryson Road, Cochranville, PA 19330, Executrix.

**HARP**, Michael A., late of North Coventry Township. Christopher M. Harp, care of CAROLYN MARCHESANI, Esquire, PO Box 444, Pottstown, PA 19464, Executor. CAROLYN MARCHESANI, Esquire, Wolf, Baldwin & Associates, P.C., PO Box 444, Pottstown, PA 19464, atty.

**HARPEL**, Daisy Louise, late of Downingtown. Leroy Harpel, Jr., care of JOHN H. KIEFEL, Esquire, 721 East Lancaster Avenue, Downingtown, PA 19335, Executor. JOHN H. KIEFEL, Esquire, Law Office of John H. Kiefel, 721 East Lancaster Avenue, Downingtown, PA 19335, atty.

**HAYES**, Jeffrey D., a/k/a Jeffrey Dale Hayes, late of East Marlborough Township. Hunter H. Hayes & Emmett W. Hayes, care of TIMOTHY TROTT, Esquire, 882 S. Matlack Street, Suite 101, West Chester, PA 19382, Executors. TIMOTHY TROTT, Esquire, Carosella & Associates, P.C., 882 S. Matlack Street, Suite 101, West Chester, PA 19382, atty.

**INFORTUNA**, Patricia A., late of Tredyffrin Township. Mary. A. Werner, care of NADINE DOOLITTLE, Esquire, 1600 Market St., Ste. 3600, Philadelphia, PA 19103, Executrix. NADINE DOOLITTLE, Esquire, Schnader Harrison Segal & Lewis LLP, 1600 Market St., Ste. 3600, Philadelphia, PA 19103, atty.

**KRESGE**, David Batten, late of Chadds Ford. Pamela K. Misciagna, 807 MacDuff Court, Parkesburg, PA 19365, Administratrix.

**McCAHON**, Joan M., late of Elverson. John T. McCahon, 402 Stuben Drive, Elverson, PA 19520, Executor.

**McCHESNEY**, Eleanore H., late of Londonderry Township. Arthur L. Sagnor, III, Esq., Lachall, Cohen & Sagnor, LLP, 144 West Market Street, West Chester, PA 19382, Executor. H. MICHAEL COHEN, Esquire, Lachall, Cohen & Sagnor, LLP, 144 West Market Street, West Chester, PA 19382, atty.

**MCLAUGHLIN**, James G., late of Westtown Township. Molly McCray, care of MICHAEL F.X. GILLIN, Esquire, 230 North Monroe Street, Media, PA 19063, Executrix. MICHAEL F.X. GILLIN, Esquire, Toscani & Gillin, P.C., 230 North Monroe Street, Media, PA 19063, atty.

**MORRISSEY**, Mary Ellen, late of Tredyffrin Township. Maryanne Morrissey, care of DAVID M. BROWN, Esquire, 1500 Market St., West 38th Fl., Philadelphia, PA 19102-2186, Executrix. DAVID M. BROWN, Esquire, Saul Ewing Arnstein & Lehr LLP, 1500 Market St., West 38th Fl., Philadelphia, PA 19102-2186, atty.

**MOTTA**, Catherine Della, late of West Chester Borough. Veronica Ann Schleiss, care of J. MICHAEL RYAN, Esquire, 300 North Pottstown Pike, Suite 150, Exton, PA 19341, Executrix. J. MICHAEL RYAN, Esquire, 300 North Pottstown Pike, Suite 150, Exton, PA 19341, atty.

**PORCHIK**, Annamay T., a/k/a Annamay Teresa Porchik, late of East Vincent Township. Stephanie A. Soltys, 189 Wits End Lane, Milton, PA 17847, Executrix. ANTONIO D. MICHETTI, Esquire, Diehl, Dluge, Michetti & Michetti, 1070 Market Street, Sunbury, PA 17801, atty.

**REATH**, Karin, a/k/a Karin S. Reath, late of Malvern Township. Michael G. Reath, care of ROMAN J. KOROPEY, Esquire, 237 S. Bryn Mawr Avenue, Suite 100, Bryn Mawr, PA 19010, Executor. ROMAN J. KOROPEY, Esquire, Main Line Law Associates, 237 S. Bryn Mawr Avenue, Suite 100, Bryn Mawr, PA 19010, atty.

**ROMANOW**, Roslyn H., late of Chadds Ford. Aimee Romanow Flubacher and H. Set Romanow, care of WILLIAM H. LUNGER, Esquire, 1020 N. Bancroft Parkway, Suite 100, Wilmington, DE 19805, Executors. WILLIAM H. LUNGER, Esquire, Martin & Lunger, P.A., 1020 N. Bancroft Parkway, Suite 100, Wilmington, DE 19805, atty.

**SHEETZ**, Lois M., late of Malvern Borough. Bonnie L. Vaughn, care of JOSEPH S. NESCIO, Esquire, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, Executrix. JOSEPH S. NESCIO, Esquire, Nescio & Seace, LLP, 105 East Evans Street, Evans Building, Suite A, West Chester, PA 19380, atty.

**SPRIGGS**, Samuel Charles, late of London Britain Township. Stephanie C. Mitman, care of WILLIAM H. MITMAN, JR., Esquire, 111 South Church Street, West Chester, PA 19382, Administrator. WILLIAM H. MITMAN, JR., Esquire, 111 South Church Street, West Chester, PA 19382, atty.

**THIR**, John D., late of Wallace Township. Maureen Thir, care of KAREN M. STOCKMAL, Esquire, 1235 Westlakes Dr., Suite 320, Berwyn, PA 19312, Executrix. KAREN M. STOCKMAL, Esquire, KMS Law Offices, LLC, 1235 Westlakes Dr., Suite 320, Berwyn, PA 19312, atty. All persons having claims or demands against the business of the decedent, JDT Construction, LLC, to make known the same and all persons indebted to the decedent's business, JDT Construction, LLC, to make payment without delay to MAUREEN THIR, EXECUTRIX, c/o David Smith, Esq., Smith, Kane and Holman, LLC, 112 Mores Rd., Malvern, PA 19355.

**WELSH**, Eleanor, late of Coatesville. Don R. Welsh, 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.

## 2nd Publication

**BIZAR**, Irving, late of Tredyffrin Township. Steven Bizar, care of AMY NEIFELD SHKEDY, Esquire, One Bala Plaza, Ste. 623, Bala Cynwyd, PA 19004, Executor. AMY NEIFELD SHKEDY, Esquire, Bala Law Group, LLC, One Bala Plaza, Ste. 623, Bala Cynwyd, PA 19004, atty.

**FANOK**, Anne B., late of Easttown Township. Kim Bennett, 116 Signal Hill Lane, Berwyn, PA 19312, Executor. **JOSEPH P. DiGIORGIO**, Esquire, 1800 E. Lancaster Avenue, Paoli, PA 19301, atty.

**LEVIN**, Martin, late of East Pikeland Township. Joann Wieland, 379 2nd Ave., Phoenixville, PA 19460, Executrix. **NICHOLAS R. MONTALTO**, Esquire, McBrien & Montalto, P.C., 325 Swede St., Norristown, PA 19401, atty.

**MATSON**, Claude A., late of West Caln Township. Colleen J. Hutton, care of **WILLIAM P. CULP, JR.**, Esquire, 614 Darby Rd., Havertown, PA 19083, Executrix. **WILLIAM P. CULP, JR.**, Esquire, 614 Darby Rd., Havertown, PA 19083, atty.

**McELVENNY**, Bernard J., late of West Whiteland Township. Ronald J. Owen, care of **RAYMOND L. DAVIS, IV**, Esquire, P.O. Box 1306, Doylestown, PA 18901, Administrator. **RAYMOND L. DAVIS, IV**, Esquire, Drake, Hileman & Davis, P.O. Box 1306, Doylestown, PA 18901, atty.

**MINKA**, Cindy N., late of Caln Township. Edward T. Minka and Diane B. Minka, care of **DUKE SCHNEIDER**, Esquire, 17 W. Miner St., West Chester, PA 191382, Administrators. **DUKE SCHNEIDER**, Esquire, MacElree Harvey, LTD., 17 W. Miner St., West Chester, PA 191382, atty.

**MYERS**, Katharine Downing, a/k/a Katharine D. Myers, late of Kennett Township. Hugh D. Heisler, 24 East St., Northampton, MA 01060, Executor. **DAVID M. BROWN**, Esquire, Saul Ewing Arnstein & Lehr LLP, 1500 Market St. West, 38th Fl., Philadelphia, PA 19102-2186, atty.

**SILBERBERG**, Annice Ruth, a/k/a Annice Silberberg, a/k/a Annice R. Silberberg, late of New Garden Township. Jane Youderian, care of **NANCY W. PINE**, Esquire, 104 S. Church St., West Chester, PA 19382, Executrix. **NANCY W. PINE**, Esquire, Pine & Pine, LLP, 104 S. Church St., West Chester, PA 19382, atty.

**SMITH**, Norman K., late of West Whiteland Township. Craig S. Springer, 600 Willowbrook Ln., Ste. 624, West Chester, PA 19382, Executor.

**SPRIGGS**, Samuel Charles, late of London Britain Township. Stephanie C. Mitman, care of **WILLIAM H. MITMAN, JR.**, Esquire, 111 South Church Street, West Chester, PA 19382, Administratrix. **WILLIAM H. MITMAN, JR.**, Esquire, 111 South Church Street, West Chester, PA 19382, atty.

**TRAVERS**, Marie E., late of East Vincent Township. Catherine Dustman, 1267 W. Bridge St., Spring City, PA 19475, Executrix. **ROBERT P. SNYDER**,

Esquire, Snyder Law Group, P.C., 121 Ivy Lane, King of Prussia, PA 19406, atty.

**VOEHRINGER**, Albert E., a/k/a Albert Eugen Voehringer, late of East Goshen Township. Georgette Voehringer, 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.

### 3rd Publication

**BARR**, Lynda A., late of Kennett Township. Ronald Ciarmello, care of **JOHN R. LUNDY**, Esquire, 450 N. Narberth Ave., Suite 200, Narberth, PA 19072, Administrator. **JOHN R. LUNDY**, Esquire, Lundy Beldecos & Milby, PC, 450 N. Narberth Ave., Suite 200, Narberth, PA 19072, atty.

**BOCHEY**, Barbara A., late of West Goshen Township. S&T Bank, care of **LISA COMBER HALL**, Esquire, 27 S Darlington St, West Chester, PA 19380, Executor. **LISA COMBER HALL**, Esquire, Hall Law Offices, 27 S Darlington St, West Chester, PA 19380, atty.

**CHESTER**, James Hawley, late of Newlin Township. Katherine Chester Wolfington and Hawley C. Chester, care of **L. PETER TEMPLE**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Co-Executors. **L. PETER TEMPLE**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**CUDDY**, G. Janette, late of Coatesville. Cynthia A. Cuddy, 130 Old Racetrack Rd., Coatesville, PA 19320, Executrix. **WILLIAM P. HARRINGTON, JR.**, Esquire, The Law Offices of William P. Harrington, Jr., Esq., 945 Hillcrest Dr., Kinzers, PA 17535, atty.

**DANBY**, Phyllis Creighton, late of Kennett Township. Colin Arthur Michael Danby, care of **L. PETER TEMPLE**, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. **L. PETER TEMPLE**, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**GORNEY**, Margaret P., late of Birmingham Township. Leonard S. Gorney, 881 Silverwood Drive, West Chester, PA 19382, Executor.

**HENC**, Edward Valent, late of Coatesville. Deborah H Bone, 82 Devon Rd., Paoli, PA 19301, Executor.

**JOHNSON**, Annette P., late of East Bradford Township. Lee Levicoff, 6 Galena Court, Erial, NJ 08081, Executor. **PETER E. IORIO**, Esquire, 645 W. Hamilton Street, Suite 800, Allentown, PA 18101, atty.



**LYONS**, Richard E., late of Honey Brook. Brian F. Boland, care of BRIAN F. BOLAND, Esquire, 2640 Westview Drive, Wyomissing, PA 19610, Executor. BRIAN F. BOLAND, Esquire, Kozloff Stoudt, 2640 Westview Drive, Wyomissing, PA 19610, atty.

**McMILLAN**, Edward Brian, late of East Fallowfield Township. Christopher Brian McMillan, care of DANA M. BRESLIN, Esquire, 3305 Edgmont Ave., Brookhaven, PA 19015, Executor. DANA M. BRESLIN, Esquire, Pappano and Breslin, 3305 Edgmont Ave., Brookhaven, PA 19015, atty.

**MITCHELL**, Marcella H., late of Oxford. Daina S. Wilson McLean, Esquire, P.O. Box 2410, Bala Cynwyd, PA 19004, Administratrix. DAINA S. WILSON, Esquire, P.O. Box 2410, Bala Cynwyd, PA 19004, atty.

**SNYDER**, Charlotte A., late of Honey Brook Township. John I. Shaffer, III, care of LISA COMBER HALL, Esquire, 27 S Darlington St, West Chester, PA 19380, Executor. LISA COMBER HALL, Esquire, Hall Law Offices, 27 S Darlington St, West Chester, PA 19380, atty.

**SPRINGER**, Wilbert Oscar, a/k/a Wilbert O. Springer III, late of West Grove. Deborah S. Belusa, 17201 Broadoak Dr., Tampa, FL 33647, Executor.

**ZANGARDI**, John A., a/k/a John Zangardi, late of East Vincent Township. Peter Zangardi, care of ANDREW C. LAIRD, Esquire, 360 West Main Street, Trappe, PA 19426, Executor. ANDREW C. LAIRD, Esquire, King Laird, P.C., 360 West Main Street, Trappe, PA 19426, atty.

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### FICTITIOUS NAME

*NOTICE is hereby given, pursuant to Fictitious Names Act of 1982, 54 Pa.C.S. Section 301 et seq., which repealed prior laws on the subject, any entity or entities (including individuals, corporations, partnership or other groups, which conduct any business in Pennsylvania under an assumed or fictitious name shall register such name by filing an application for registration of fictitious name with the Department of State for the conduct of a business in Chester County, Pennsylvania under the assumed or fictitious name, style or designation of*

**Dryer Vent Wizard of Chester and Delaware Counties**, with its principal place of business at 5 Springer Way, Landenberg, PA 19350. The application has been (or will be) filed on: Friday, October 30, 2020. The name(s) and address(es) of the individual(s) or entity(ies) owning or interested in said business: 302 Spring Mountain, LLC, 5 Springer Way, Landenberg, PA 19350.

Raymond A. Durkin, Jr., Esq.  
Appel, Yost & Zee LLP  
33 N. Duke Street  
Lancaster, PA 17602

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Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on October 19, 2020 for **Sharyn's Yoga Space** at 2185 Kimberton Rd. Phoenixville, PA 19460. The name and address of each individual interested in the business is Sharyn Herman at 2185 Kimberton Rd. Phoenixville, PA 19460. This was filed in accordance with 54 Pa.C.S. 311.

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### FOREIGN REGISTRATION STATEMENT

Notice is hereby given that **NOVATEC, INC DBA NOVATEC OF MARYLAND, INC.** a foreign corporation formed under the laws of the State of Maryland, where its principal office is located at 222 East Thomas Ave., Baltimore, MD 21225, has or will register to do business in Pennsylvania with the Department of State of the Commonwealth of PA, at Harrisburg, PA, on Friday, December 4, 2020, under the provisions of the Pennsylvania Business Corporation Law of 1988. The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located at 11 Aldan Ave, Concord, PA 19342.

Eva H. Hill, Esq., Solicitor  
Whiteford, Taylor & Preston L.L.P.  
Seven St. Paul St.  
Suite 1500  
Baltimore, MD 21202

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### NONPROFIT CORPORATION NOTICE

**Vision Academy Charter School of Innovation** has been incorporated under the provisions of the PA Nonprofit Corporation Law of 1988.  
MacMain, Connell & Leinhauser  
433 West Market Street  
Suite 200  
West Chester, PA 19382

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**NOTICE OF SUSPENSION**

Notice is hereby given that by Order of the Supreme Court of Pennsylvania issued December 1, 2020, Albert M. Sardella from Coatsville, PA, is Suspended from the practice of law for a period of two years, effective December 31, 2020.

Marcee D. Sloan  
Board Prothonotary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania

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**Public Notice**  
**Appointment of New Magistrate Judge in the**  
**United States District Court for the Eastern**  
**District of Pennsylvania**

The Judicial Conference of the United States has authorized the appointment of a full-time United States magistrate judge for the Eastern District of Pennsylvania at Allentown. The appointee may be required to preside at court sessions to be held at Philadelphia, Allentown, Reading, and Easton. The essential function of courts is to dispense justice. An important component of this function is the creation and maintenance of diversity in the court system. A community's belief that a court dispenses justice is heightened when the court reflects the community's diversity.

The duties of the position are demanding and wide-ranging, and will include, among others: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants. The basic authority of a United States magistrate judge is specified in 28 U.S.C. § 636.

To be qualified for appointment an applicant must:

1. Be, and have been for at least five years, a member in good standing of the bar of the highest court of a state, the District of Columbia, the Commonwealth of Puerto Rico, the Territory of Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States, and have been engaged in the active practice of law for a period of at least five years;
2. Be competent to perform all the duties of the office; be of good moral character; be emotionally stable and mature; be committed to equal justice under the law; be in good health; be patient and courteous; and be capable of deliberation and decisiveness;
3. Be less than seventy years old; and
4. Not be related to a judge of the district court.

A merit selection panel composed of attorneys and other members of the community will review all applicants and recommend to the district judges in confidence the five persons it considers best qualified. The court will make the appointment following an FBI full-field investigation and an IRS tax check of the applicant selected by the court for appointment. The individual selected must comply with the financial disclosure requirements pursuant to the Ethics in Government Act of 1978, Pub. L. No. 95-521, 90 Stat. 1824 (1978) (codified at 5 U.S.C. app. 4 §§ 101-111) as implemented by the Judicial Conference of the United States. An affirmative effort will be made to give due consideration to all qualified applicants without regard to race, color, age (40 and over), gender, religion, national origin, or disability. In 2020, the annual salary of the position is \$199,088.00 which may change in 2021. The term of office is eight (8) years.

The application is available on the court's web site at <https://www.paed.uscourts.gov/> Only applicants may submit applications and applications **must be received by Tuesday, January 19, 2021.**

All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the merit selection panel and the judges of the district court. The panel's deliberations will remain confidential.

Applications must be submitted by email to **paedhumanresources@paed.uscourts.gov** with the subject line **"Magistrate Judge Application."** An /s/ or e-signature on the application will be accepted.

Applications will only be accepted by email. Applications sent by mail will not be considered. Due to the overwhelming number of applications expected, applicants should not contact the court regarding the status of their application.

**APPLICATION FOR UNITED STATES MAGISTRATE JUDGE**

Please answer all questions. If a question is not applicable, indicate this by marking "N/A" in the relevant space. Submit the completed form via email to [paedhumanresources@paed.uscourts.gov](mailto:paedhumanresources@paed.uscourts.gov) with the subject line "Magistrate Judge Application." Applications submitted by mail will not be considered. Please do not call the court regarding the status of your application. If you are unable to sign and scan your application, an /s/ or e-signature will be accepted.

**General**

- 1. Full name: \_\_\_\_\_
- 2. All other names by which you have been known: \_\_\_\_\_
- 3. Office address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_  
 Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_
- 4. Residential address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- 5. Place of Birth: \_\_\_\_\_ Date of Birth: \_\_\_\_\_
- 6. Length of residence in state: \_\_\_\_\_
- 7. If you are a naturalized citizen, state the date and place of naturalization  
 \_\_\_\_\_
- 8. Military Service:  
 Branch: \_\_\_\_\_ Dates: \_\_\_\_\_  
 Rank or Rate at Discharge: \_\_\_\_\_ Type of Discharge: \_\_\_\_\_  
 If still a Reserve or National Guard Member, give service, branch, unit, and

present rank: \_\_\_\_\_  
\_\_\_\_\_

9. Are you related by blood or marriage to any judges of this court?

Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, give name(s) and relationship: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Health**

10. What is the present state of your health?

\_\_\_\_\_  
\_\_\_\_\_

11. Do you have any mental or physical impairment that would affect your ability to perform the duties of a magistrate judge with or without reasonable accommodation?

\_\_\_\_\_  
\_\_\_\_\_

**Education**

12. Colleges and universities attended, dates, and degree: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

13. Continuing legal education courses completed with the last 10 years: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Honors**

14. Were you a member of law review? Yes \_\_\_\_\_ No \_\_\_\_\_. If yes, describe role: \_\_\_\_\_

\_\_\_\_\_

15. If you have published any legal books or articles, list them, giving citations and dates: \_\_\_\_\_

\_\_\_\_\_

16. List any honors, prizes, or awards you have received. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Professional Admissions**

17. List all courts (including state bar admissions) and administrative bodies having special admission requirements in which you are presently admitted to practice, giving the dates of admission in each case:

**Court or Administrative Body**

**Date of Admission**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Law Practice**

18. State the names, addresses, and dates of employment for all law firms with which you have been associated in practice, all government agencies, and all private business organizations in which you have been employed. Also, provide all dates during which you have practiced as a sole practitioner.

Organization	Address	Position	Dates
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

19. Describe the general nature of your current practice including any legal specialties and character of your typical clients; also, if your practice is substantially different now than previously, give details of prior practice. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

20. Do you regularly appear in court? Yes \_\_\_\_\_ No \_\_\_\_\_

What percentage of your appearances in the last five years was in the following forums?

- 1. Federal courts? ..... \_\_\_\_\_%
- 2. State or local courts of record? ..... \_\_\_\_\_%
- 3. Administrative bodies? ..... \_\_\_\_\_%
- 4. Other? ..... \_\_\_\_\_%
- ..... \_\_\_\_\_%
- ..... \_\_\_\_\_%

- 21. During the past five years, what percentage of your practice has been trial practice? ..... %
- 22. How frequently have you appeared in court? ..... %
- 23. How frequently have you appeared at administrative hearings?  
..... times/mo.
- 24. What percentage of your practice involving litigation has been:
  - Civil ..... %
  - Criminal ..... %
  - Other ..... %
  - ..... %
  - ..... %
- 25. State the number of cases you have tried to conclusion in courts of record during the past five years, indicating whether you were sole, associate, or chief counsel. Give citations of any reported cases. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 26. Summarize your courtroom experience for the past five years. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- 27. State the names and addresses of adversary counsel against whom you have litigated your primary cases over the past five years. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Public Office**

28. Have you ever run for, or held, public office? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, give details. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Prior Judicial Experience**

29. a) Have you ever held judicial office or been a candidate for judicial office? If so, state the courts involved and the dates of service, or dates of candidacy.

\_\_\_\_\_  
\_\_\_\_\_

b) If you have held judicial office, state the names and addresses of counsel who have appeared before you who would be knowledgeable of your work, temperament, and abilities. \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c) Prior quasi-judicial service:

Names of agency: \_\_\_\_\_

Position held: \_\_\_\_\_

Hearings on what type of issues: \_\_\_\_\_  
\_\_\_\_\_

Number of cases adjudicated: \_\_\_\_\_

Dates of service: \_\_\_\_\_

**Business Involvement**

30. a) If you are now an officer, director, or otherwise engaged in the management of any business enterprise, state the name of such enterprise, the nature of the business, the nature of your duties, and whether you intend to resign such position



immediately upon your appointment to judicial office.

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b) Since being admitted to the Bar, have you ever engaged in any occupation, business, or profession other than the practice of law? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, give the details, including dates.

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c) During the past five years have you received any fees or compensation of any kind, other than for legal services rendered, from any business enterprise, institution, organization, or association of any kind? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, identify the source of such compensation, the nature of the business enterprise, institution, organization or association involved, and the dates such compensation was paid.

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31. a) Have you ever been arrested, charged, or convicted for violation of any federal law, state law, county or municipal law, regulation, or ordinance? Yes \_\_\_ No \_\_\_  
If yes, give details. (Do not include traffic violations for which a fine of \$200 or less was imposed unless it also included a jail sentence.)

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b) Have you, to your knowledge, ever been under federal, state, or local investigation for possible violation of a criminal statute? Yes \_\_\_\_\_ No \_\_\_\_\_  
If yes, give particulars. \_\_\_\_\_

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32. a) Have you ever been sued by a client? Yes \_\_\_\_\_ No \_\_\_\_\_  
 If yes, give particulars. \_\_\_\_\_  
 \_\_\_\_\_

b) Have you or your professional liability insurance carrier ever settled a claim against you for professional malpractice? Yes \_\_\_\_\_ No \_\_\_\_\_  
 If yes, give particulars, including the amounts involved. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

33. Have you ever been charged in any civil or criminal proceedings with conduct alleged to involve moral turpitude, dishonesty, or unethical conduct? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, give particulars. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

34. Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by any court, administrative agency, bar association, or other professional group? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, give particulars.  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

35. Have you filed appropriate tax returns as required by federal, state, local, and other government authorities? Yes \_\_\_\_\_ No \_\_\_\_\_ If no, explain. \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

36. Have any liens or claims ever been instituted against you by the federal, state, or local authorities? Yes \_\_\_\_\_ No \_\_\_\_\_ If yes, explain. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Professional and Other Activities**

37. a) List all bar associations and legal professional societies of which you are a member and give the titles and dates of any office you have held in such groups, and committees to which you belonged. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

b) List all organizations and clubs, other than bar associations and professional societies identified in response to Question No. 37 a), of which you have been a member during the past ten years, including the titles and dates of any offices you have held in each such organization. \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

c) Have you ever served on a merit selection panel to consider the appointment or reappointment of a United States magistrate judge in this district? If yes, please provide date(s) or appointment(s). \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Supplemental Information**

38. State any achievements or actions you have accomplished, demonstrating your commitment to equal justice under the law. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

39. State any additional education or other experiences you believe would assist you in holding judicial office. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

40. State any other pertinent information reflecting positively or adversely on you, which you believe should be disclosed to the district court and the selection panel in connection with your possible selection as United States magistrate judge.

\_\_\_\_\_

\_\_\_\_\_

41. a) List three individuals as references who are familiar with your abilities.

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Email \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Email \_\_\_\_\_

Name \_\_\_\_\_

Address \_\_\_\_\_

Telephone \_\_\_\_\_

Email \_\_\_\_\_

b) List three individuals as references who are familiar with your personal character.

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_

Name \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone \_\_\_\_\_  
Email \_\_\_\_\_

**Confidentiality Statement**

This form will be kept confidential and will be examined only by members of the merit selection panel and the judges of the district court. The individuals whom you have listed as references above may be contacted by the panel, but no other employers, colleagues, or other individuals will be contacted without your prior approval.

I declare under penalty of perjury that the foregoing is true and correct.

Signature of Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

\*If you are unable to sign and scan your application, an /s/ or e-signature will be accepted.