
Court of Common Pleas of Lancaster County
Criminal Division

Commonwealth v. Serrano
Petition for Writ of Habeas Corpus – Firearms – Mens Rea –
Notice - Knowledge of License Revocation

A pre-trial habeas corpus motion is the proper means for testing whether the Commonwealth has sufficient evidence to establish a *prima facie* case; A person who carries a firearm in any vehicle or who carries a firearm concealed on or about his person, except in his place of abode or fixed place of business, without a valid and lawfully issued license under this chapter commits a felony of the third degree. 18 Pa. C.S.A. §6106(a); To establish a violation of section 6106, the Commonwealth must establish that a defendant acted intentionally, knowingly or recklessly with respect to each element; A license to carry firearms may be revoked for good cause. Notice of the revocation shall be in writing and shall state the specific reason for revocation. Notice shall be sent by certified mail to the individual whose license is revoked. 18 Pa. C.S.A. §6109(i); Commonwealth cannot establish a *prima facie* case when it failed to show that Defendant had knowledge that his concealed firearms license had been revoked when Sheriff's Office failed to provide proper notice.

Opinion and Order. Commonwealth of Pennsylvania v. Wensy Dami-an Serrano. No. CP-36-CR-4025-2023.

Curt Schulz, Esquire for the Defendant

Kyle Linardo, Esquire for the Commonwealth

OPINION AND ORDER BY CONRAD, J., MAY 7, 2024.

OPINION AND ORDER

By Criminal Information filed November 6, 2023, Defendant was charged with firearms not to be carried without a license, 18 Pa. C.S.A. § 6106(a)(1), a felony of the third degree, and revocation of license to carry firearms, 18 Pa. C.S.A. § 6109(i), a summary offense. Both offenses are set forth in the Pennsylvania Uniform Firearms Act, 18 Pa. C.S.A. §§ 6101-6128, (“PUFA”).

On September 8, 2023, a preliminary hearing was held at which time the charges were bound over for trial. On April 25, 2024, a hearing was held on Defendant’s Petition for Writ of Habeas Corpus (“Petition”). The Petition contends that the Commonwealth is unable to establish a *prima facie* case for the charge of firearms not to be carried without a license because the Commonwealth cannot establish that the Defendant had knowledge that his license to carry firearms had been revoked. The evidence from the hearing shows the following facts.

1. Sergeant Samantha Harman of the Lancaster County Sheriff’s Office (“Sheriff’s Office”) testified at the Habeas Corpus hearing. Her testimony showed that on August 19, 2022, Defen-

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- dant applied for a Pennsylvania License to Carry Firearms, which was issued on August 29, 2022.
2. On August 8, 2023, information was received by the Sheriff's Office that showed Defendant to be a person whose character/reputation indicated danger to public safety. (See Commonwealth Exhibits 2, 4 and 7).
 3. A letter dated August 8, 2023, was sent to Defendant via certified mail. The certified mailing envelope addressed to Defendant is identified with "Article No. 7019 2280 0000 6612 701," a "Hasler" date stamp of 08/09/2023, and postage in the amount of \$008.53. (See Commonwealth Exhibit 4 and 6).
 4. U.S. Mail Form 3811, which contains the same Article No. shown on the envelope and addressed to Defendant, bears a stamp from the U.S. Post Office for the City of Lancaster showing a partially obscured date that appears to be August 11, 2023. US Form 3811 also includes boxes to be completed once the mail is received by the addressee. These boxes are blank. (See Commonwealth Exhibit 6),
 5. U.S. Mail Form 3800 (See page three of Commonwealth Exhibit 6), is the U.S. Postal Service Certified Mail Receipt and also contains the same Article No. as shown on the envelope. It does not include a postmark nor does it show the fees for the certified mail although there is handwriting that indicates the mailing is through the Lancaster County Sheriff's Office.
 6. Sheriff's Deputy Brian Melsom testified that the Sheriff's Office will send a letter notifying the holder of a license to carry a firearm that their license has been revoked via certified mail and U.S. mail first class, which he testified was done in this case. The photocopy of the first class mailing envelope introduced as an exhibit, however, does not show postage affixed. (See Commonwealth Exhibit 6, page 4).
 7. Mail sent from the Sheriff's Office is sent to a central mail room for the County government and from there it is taken to the U.S. Post Office located in Lancaster City. It is unclear from the record who is responsible for affixing the postage to the article of mail.
 8. Deputy Melsom testified that on August 29, 2023, the certified letter was returned to the Sheriff's Office as unclaimed. (See Commonwealth Exhibits 6, 7 and 9). Deputy Melsom confirmed that the address the certified letter was sent to is the same address as appears on Defendant's driver's license. (See Commonwealth Exhibits 7 and 8).
 9. There was also testimony from the Sheriff's Office that an email was sent to Defendant on August 8, 2023, at 10:13 a.m. informing him that, "Your application for a license to carry a handgun has been denied for the following reasons:" No reason appears in the email. The email appears to be sent from "County Sheriff" as opposed to the Lancaster County Sheriff.

(See Commonwealth Exhibit 5). On Exhibit 5, at the top of the email, the following message appears:

Be careful with this message

This may be a spoofed message. The message claims to have been sent from your account, but Permitium LLC Mail couldn't verify the actual source. Avoid clicking links or replying with sensitive information, unless you are sure you actually sent this message. (No need to reset your password, the real sender does not actually have access to your account).

There was no evidence to show that Defendant received this email or read it.

10. The tracking information for the certified mail shows that it arrived at the USPS Regional Facility on August 9, 2023 at 10:22 p.m. The following entries on the tracking information report then state that on August 11, 2023, at 4:18 p.m. "Notice Left (No Authorized Recipient Available); that on August 16, 2023, a reminder to schedule redelivery of the item was left; that on August 26, 2023, the item was unclaimed and being returned to sender; that on August 28, 2023, the item arrived at Post Office and was delivered to the original sender.
11. Testimony from the Sheriff's Office was that the first class U.S. mail letter sent to Defendant at the same address as used for the certified mail was not returned to the Sheriff's Office.
12. Sergeant Harman testified Defendant's firearms license was revoked on August 22, 2023.
13. The letter of revocation dated August 8, 2023, from Sheriff Christopher R. Leppler of the Lancaster County Sheriff's Office states as follows:

Dear License Holder:

This correspondence is to advise you that your active License to Carry a firearm permit number 86838 issued August 29, 2022 has been revoked due to the following reason(s):

A person whose character/reputation indicates danger to public safety.

You must return your permit to our office within five(5) days from the date of this notice, as required by law. Failure to do so will result in criminal charges being filed against you.

14. On August 30, 2023, Defendant, was an occupant in a vehicle that was pulled over for a traffic violation. During that vehicle stop, Defendant was found to be in possession of a .40 cal. Glock 23 and found to be in possession of his license to carry a concealed firearm issued by the Lancaster County Sheriff's Office. (See Affidavit of Probable Cause).

DISCUSSION

A pre-trial habeas corpus motion is the proper means for testing whether the Commonwealth has sufficient evidence to establish a *prima facie* case. Commonwealth v. Santos, 583 Pa. 96, 876 A.2d 360 (2005). “A *prima facie* case exists when the Commonwealth produces evidence of each of the material elements of the crime charged and establishes probable cause to warrant the belief that the accused committed the offense. Further, the evidence must be considered in the light most favorable to the Commonwealth so that inferences that would support a guilty verdict are given effect.” Commonwealth v. Hillard, 172 A.3d 5, 10 (Pa. Super. 2017) (internal citations omitted). In addition, “the evidence should be such that if presented at trial, and accepted as true, the judge would be warranted in allowing the case to go to the jury.” Id.

Here, the court must decide whether the Commonwealth met its pre-trial *prima facie* burden to make out the elements of Firearms Not to be Carried Without a License. The statute provides as follows:

§ 6106. Firearms not to be carried without a license

(a) Offense defined.--

(1) Except as provided in paragraph (2), any person who carries a firearm in any vehicle or any person who carries a firearm concealed on or about his person, except in his place of abode or fixed place of business, without a valid and lawfully issued license under this chapter commits a felony of the third degree.

18 Pa. C.S.A. §6106(a)(1).¹

A. *Mens Rea* Requirement

Although the statute does not contain an express *mens rea* requirement, the Superior Court in Commonwealth v. Scott, 176 A.3d 283, 291 (Pa. Super. 2017), held that to establish a violation of section 6106, the Commonwealth must establish that a defendant acted “intentionally, knowingly or recklessly” with respect to each element. See also, Commonwealth v. Johnson, 192 A.3d 1149, 1155 (Pa. Super. 2018); Commonwealth v. Montgomery, 192 A.3d 1198, (Pa. Super. 2018), affirmed 660 Pa. 439, 234 A.3d 523 (2020) (*prima facie* evidence of concealment was established).

The issue of Defendant’s knowledge as to the revocation of his firearms license was the only issue at the habeas corpus hearing as stipulated to by counsel. The Commonwealth argued that it met its burden by showing that the letter informing Defendant his firearms license had been revoked was sent by United States first-class mail to Defendant’s address, his address was shown to be current according to his driver’s license, and the letter was not returned even though the letter sent by certified mail was unclaimed. The Commonwealth bolstered its contention that Defendant had notice of the revocation with the email that was sent to Defendant. Based upon these circumstances, the Commonwealth contends that it has established a *prima facie* case with respect to the *mens rea* requirement and it would be up to a jury

¹ The exception found in paragraph (2) pertains to a person who is eligible to have a license but has no license and is not applicable here.

to decide whether Defendant had knowledge that his firearms license had been revoked.

Defendant argued that he had no notice that his firearms license had been revoked. Further, he contended that the statute regarding revocation of the firearms license was not followed by the County Sheriff's Office and therefore, Defendant cannot have had the requisite knowledge. The subsection of the statute Defendant relies upon provides in relevant part as follows:

(i) Revocation.--A license to carry firearms may be revoked by the issuing authority for good cause. A license to carry firearms shall be revoked by the issuing authority for any reason stated in subsection (e)(1) which occurs during the term of the permit. Notice of revocation shall be in writing and shall state the specific reason for revocation. Notice shall be sent by certified mail to the individual whose license is revoked....An individual whose license is revoked may appeal to the court of common pleas for the judicial district in which the individual resides. An individual who violates this section commits and summary offense.

18 Pa. C.S.A. § 6109(i).

Based upon the evidence presented, Defendant did not receive notice of revocation by certified mail as required by statute thereby implicating procedural due process concerns.² The question thus becomes when proper notice is not given, can there be other circumstances by which it can be shown that Defendant had knowledge that his license had been revoked.

B. Other Circumstances Establishing Knowledge of License Revocation

Despite the Sheriff's Office not following the express mandates of the statute that notice of revocation must be sent by certified mail, the Commonwealth argues that it has met its burden of making a *prima facie* case for establishing the requisite *mens rea* because the Defendant would have received the notice sent U.S. first class mail. The Commonwealth, however, cites no authority for providing notice in this manner nor, did the Commonwealth present any evidence whereby the Sheriff's Office applied for and received judicial authorization for providing notice by alternate means.

The unpublished Superior Court opinion in Commonwealth v. Goldstrum, 301 A.3d 874 (Pa. Super. 2023), is instructive in a reverse sense. There, the Superior Court vacated the defendant's conviction for carrying firearms without a license because the jury instruction did not include a *mens rea*.

The facts in that case showed that the certified mail containing the ² See Caba v. Weaknecht, 64 A.3d 39 (Pa. Cmwlth. 2017) in which the Commonwealth Court found that revocation of a license to carry firearms implicates one's liberty interest sufficient to trigger procedural due process in a proceeding to revoke firearms license. The Commonwealth Court further found that the revocation letter sent by the sheriff's office in that case was inadequate because it only paraphrased the statutory language: "A person whose character/reputation indicates danger to public safety." Id. at 42. The same paraphrased statutory language appears in the revocation letter sent to Defendant in this case and without any actual reason.

letter of revocation from the sheriff's office was delivered to the defendant's address but that someone else signed for the mail. The defendant in that case was a Pagans motorcycle gang member who shot two members from the Outlaws motorcycle gang. At the time of the shooting, the defendant's license to carry firearms had been revoked when a temporary protection from abuse order was entered against him. The defendant contended that he did not know his license had been revoked.

The certified mail card returned to the sheriff's office showed that the letter was delivered to the defendant's address and left with an individual. The initials of "M.S." were written on the card. It was learned that at the height of the COVID-19 pandemic, the postal service changed their practice to mark certified mail as delivered themselves instead of having the actual person served sign for it, and that when a letter is marked as delivered to a particular address, it means that it was given to an individual at the residence.

The Superior Court, upon review of whether the jury instruction should have included a culpability requirement, stated that the Commonwealth was required to establish that Goldstrum had "actual notice" that his license to carry a firearm had been revoked. The Court further stated that this could be proven by a "collection of facts and circumstances that a defendant has knowledge of the suspension." *Id.* at p. 8.

The facts of that case and this case, however, are very different. In Goldstrum, the sheriff followed the statutory mandate and sent the revocation by certified mail. The certified mail was delivered and left at the defendant's address. Whereas here, the certified mail was unclaimed and obviously not left at Defendant's address. Additionally, there was no evidence from the hearing indicating the existence of an underlying matter known to the Defendant for which his license will be revoked such as a temporary protection from abuse order as had been entered against the defendant in Goldstrum.

C. Mailbox Rule

The court next turns to the question whether sending the revocation notice by U.S. first class mail, without statutory authorization or court approval, can establish circumstances to show that Defendant had knowledge of the license revocation sufficient to meet the Commonwealth's *prima facie* burden.³ Presumably the Commonwealth bases its argument upon the mailbox rule.

The venerable common law 'mailbox rule' has long been the law of this Commonwealth. This evidentiary rule, succinctly stated, provides that 'the depositing in the post office of a properly addressed letter with prepaid postage raises a natural presumption, founded in common experience, that it reached its destination by due course of mail.

³ The court will not devote unnecessary discussion to the email sent by the Sheriff's Office as email is a patently unreliable method of communication in this day of internet scams, spoofing, phishing and the like as stated in the email sent to Defendant marked Commonwealth Exhibit 5. Additionally, Commonwealth Exhibit 5 provides incorrect information and does not even reference the Lancaster County Sheriff's Office.

Commonwealth v. Thomas, 814 A.2d 754, 758 (Pa. Super. 2002) (internal citations omitted).

In Thomas, the Superior Court held that the Commonwealth failed to meet the evidentiary predicate necessary for application of common law “mailbox rule” of showing that notice of defendant’s summary hearing date was properly mailed, and thus, service of notice on the defendant was invalid. In that case, the trial court took testimony to determine whether the appellant received notice. An employee who worked in the court administrator’s office testified that she was responsible for sending out summary court hearing notices. She testified generally to the standard practices and procedures in that county which existed for the preparation and mailing of such notices. The court also heard testimony from an employee of the courthouse mail room who also testified as to the general procedures for receiving and mailing materials from other courthouse offices, and the procedures for handling returned letters. Finally, evidence showed that in the Clerk of Court’s File there was a notice of summary appeal hearing dated October 31, 2001, but the notice did not bear an official timestamp. There was no written indication on the notice as to when or if it had ever been mailed.

The Superior Court found that the trial court erred in applying the mailbox rule based on this evidence. The Court stressed that the employee acknowledged that there was no official record kept of any of the notices which had been prepared on October 31, 2001, and further, there was no record kept of the notices which had been prepared and given to the tipstaff for delivery to the mail room on that day.

Applying Thomas to the facts of this case, it is evident that the testimony and documentary evidence from the Sheriff’s Office does not support application of the mailbox rule. Commonwealth Exhibit 6 shows a photocopy of the envelope purportedly used to send the revocation notice by U.S. first class mail. The envelope bears no postage stamp or postal meter marking. The testimony from the hearing was that the Sheriff’s Office would deliver all of its mail to the mail room used for the County government who would then send out the mail.

Commonwealth Exhibit 7 is a record of actions taken by the Sheriff’s Office with reference to Defendant’s license. Notably absent from that record is any record showing how and when the revocation letter was sent and instead the record only shows that the certified letter was returned as unclaimed. This exhibit undermines any testimony that the Sheriff’s Office has a regular procedure or custom for writing and for mailing revocation notices. Additionally, there was no testimony from anyone in the mail room regarding its procedures for mailing.

As the Court explained in Thomas:

Simply adducing testimony as to general office procedures for preparing items and mailing them is manifestly insufficient to meet the evidentiary threshold for raising the presumption that a specific individual received a specific mailed item. Evidence of how an office mails letters or notices, generally, does not demonstrate that an individual

letter or notice was in fact mailed on one (1) particular occasion. The question of whether an individual item was actually prepared and mailed is a purely factual determination and, as the Supreme Court has made clear, there is no presumption applicable to the resolution of such a question.

Id. at 761 (internal citation omitted). The evidence in this case fails to support the application of the mailbox rule. Even assuming that all of the steps were taken by the Sheriff's Office for the mailbox rule to apply, the court would still have reservations. The lack of compliance with the revocation statute along with the failure to obtain court approval for an alternative method of notice poses significant risks of criminalizing behavior of which a person might otherwise be unaware.

D. Conclusion

Both the Second Amendment of the United States Constitution and Article 1, § 21 of the Pennsylvania State Constitution State guarantee the right to bear arms. Neither, however, bestows on any person the right to carry a concealed firearm or transport a loaded firearm in a vehicle as the right to keep and bear arms is not absolute, and governmental restrictions on possession of firearms are permitted. Commonwealth v. McKown, 79 A.3d 678, 690 (Pa. Super. 2013) (holding that 18 Pa. C.S.A. § 6106 does not violate state and federal constitutions based on District of Columbia v. Heller, 554 U.S. 570, 626–627 (2008)).

“The purpose of the Uniform Firearms Act is to regulate the possession and distribution of firearms, which are highly dangerous and are frequently used in the commission of crimes, and to prohibit certain persons from possessing a firearm within the Commonwealth.” Commonwealth v. Ford, 175 A.3d 985, 992 (Pa. Super.), appeal denied 647 Pa. 522, 190 A.3d 580 (2017). It may be that the Sheriff's Office had good reason to revoke Defendant's firearms license in this case, although the exact circumstances are unknown. The court finds, however, that the Commonwealth cannot establish a *prima facie* case with respect to the necessary *mens rea* due to lack of proper notice as well as the notice itself being ineffective. The record is also devoid of any other reliable evidence which could establish circumstances from which knowledge of the license revocation can be found.

Based on the above, the court enters the following order:

ORDER

AND NOW, this 7th day of May, 2024, after a hearing on Defendant's Petition for Habeas Corpus was held on April 25, 2024, and for the reasons set forth in the foregoing opinion, it is hereby ORDERED that Defendant's Petition is GRANTED. It is further ordered that the charges against Defendant are quashed and he is discharged from custody.

BY THE COURT:

/s/JEFFREY A. CONRAD, J.

ESTATE AND TRUST NOTICES

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION

Archard, Denyse M., dec'd.

Late of Lancaster City.
Executor: David Archard c/o May Herr & Grosh, LLP, 234 North Duke Street, Lancaster, PA 17602.
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Augustine, Catherine B., dec'd.

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Cole, Dolores B., dec'd.

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Groff, Gladys H., dec'd.

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Lapham, Robert W., dec'd.

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Leid, Levi B., dec'd.

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SECOND PUBLICATION

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TRUST

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Robert R. Gitt and Lois M. Gitt Living Trust dtd. 03/07/1995, as amended (the "Trust").

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c/o Blakinger Thomas, PC, 28 Penn Square, Lancaster, PA 17603.
Attorneys: Blakinger Thomas, PC.

Ressler, Norman W., dec'd.

Late of Ephrata Township.
Personal Representative: Laurie L. Rogers c/o John W. Metzger, Esquire, 901 Rohrerstown Road, Lancaster, PA 17601.
Attorney: Metzger and Spencer, LLP.

Scanlin, Margery M., dec'd.

Late of Manheim Township.
Executor: Michael K. Scanlin c/o Law Office of Shawn Pierson, 105 East Oregon Road, Lititz, PA 17543.
Attorney: Shawn M. Pierson, Esq.

Shoener, Martha R., dec'd.

Late of Manor Township
Executor: Patricia Shoener, 32 Knollwood Road, Millersville, PA 17551 or James E. Crossen, III, Williamson, Friedberg & Jones, LLC, 10 Westwood Road, Pottsville, PA 17901.
Attorney: James E. Crossen, III.

Steele, David Logan, dec'd.

Late of East Hempfield Township.
Executrix: Elizabeth P. Kenyon c/o John H. May, Esquire, 49 North Duke Street, Lancaster, PA 17602.
Attorney: May, Herr & Grosh, LLP.

Weaver, Esther M., dec'd.

Late of Manheim Township.
Executor: Thomas R. Hoover c/o John R. Gibbel, Attorney,

P.O. Box 5349, Lancaster, PA 17606.
Attorney: Gibbel Kraybill & Hess, LLP.

THIRD PUBLICATION

Badillo, Catherine, dec'd.

Late of Lancaster City.
Executor: Natal Badillo c/o Golin & Bacher, 53 North Duke Street, Suite 309, Lancaster, PA 17602.
Attorney: Robert Bacher, Esquire.

Beck, Donald R., dec'd.

Late of Lititz Borough.
Executrix: Judith Beck Lobos, 809 Tanglegate Place, Millersville, PA 17551.
Attorney: None.

Bruhns, William H., dec'd.

Late of Township of West Lampeter.
Executor: James R. Bruhns, David M. Bruhns c/o Gibble Law Offices, P.C., 126 East Main Street, Lititz, PA 17543.
Attorney: Stephen R. Gibble.

Campbell, Kaitlyn D., dec'd.

Late of Lancaster.
Executor: Joan F. Small c/o Byler & Winkle, P.C., 363 West Roseville Road, Lancaster, PA 17601.
Attorney: Lindsay A. Casadei.

Eshleman, Debra B., dec'd.

Late of Hempfield Township.
Executor: Diana BE Griffith c/o Law Office of Shawn Pierson, 105 East Oregon Road, Lititz, PA 17543.
Attorney: Shawn M. Pierson, Esq.

Fair, Benedicta, dec'd.

Late of Clay Township.
Executor: David Maldonado, Jr.
c/o Jeffrey C. Goss, Esquire,
480 New Holland Avenue, Suite
6205, Lancaster, PA 17602.
Attorneys: Brubaker Con-
naughton Goss & Lucarelli LLC.

Frantz, Della Mae, dec'd.

Late of Sadsbury Township.
Executor: Randon T. Frantz c/o
Good Law Firm, 132 West Main
Street, New Holland, PA 17557.
Attorneys: Good Law Firm.

Gillespie, Mary Ann, dec'd.

Late of West Earl Township.
Executors: Constance V.
Hutchins, Wendy Sauer c/o
May Herr & Grosh, LLP, 234
North Duke Street, Lancaster,
PA 17602.
Attorney: Matthew A. Grosh.

Hoxie, Ann D., dec'd.

Late of East Lampeter Town-
ship.
Executrix: Erin Hoxie c/o Ni-
kolaus & Hohenadel, LLP, 222
South Market Street, Suite 201,
Elizabethtown, PA 17022.
Attorney: Jeffrey S. Shank, Es-
quire.

Hufcut, Doris E., dec'd.

Late of Paradise Township.
Executrix: Gretchen M. Cur-
ran, Esquire c/o Law Offices
of Gretchen M. Curran, LLC,
1337 Byerland Church Road,
P.O. Box 465, Willow Street, PA
17584.
Attorney: Gretchen M. Curran.

**Hunter, Paul M. a/k/a Paul Mar-
shall Hunter**, dec'd.

Late of Ephrata.
Co-Executrices: Valerie Cart-
wright, 431 Middle Creek Road,
Lititz, PA 17543; Cindy Michael,
7541 Bond Street, Saint Leon-
ard, MD 20685 c/o John R.
Ryan, Esquire, Kubista, Ryan &
Valenza LLP, 202 South Front
Street, Clearfield, PA 16830.
Attorney: John R. Ryan, Es-
quire.

Johnstin, Janet B., dec'd.

Late of Penn Township.
Administratrix: Susan Young
Nicholas c/o Young and Young,
44 S. Main Street, P.O. Box 126,
Manheim, PA 17545.
Attorneys: Young and Young.

Jones, Barbara M., dec'd.

Late of West Donegal Township.
Executrix: Gretchen M. Cur-
ran, Esquire c/o Law Office
of Gretchen M. Curran, LLC,
1337 Byerland Church Road,
P.O. Box 465, Willow Street, PA
17584.
Attorney: Gretchen M. Curran.

**Kuklis, Norma J. a/k/a Norma
Jane Kuklis**, dec'd.

Late of Warwick Township.
Co-Executors: Deborah V. De-
guzman, Cathryn M. Jarrett c/o
John R. Gibbel, Attorney, P.O.
Box 5349, Lancaster, PA 17606.
Attorney: Gibbel Kraybill &
Hess, LLP.

McComsey, Kathy Ann, dec'd.

Late of Warwick Township.
Administrators: Kerry W. Kneis-
ley, Scott A. Kneisley c/o Thom-
as M. Gish, Sr., Attorney, P.O.
Box 5349, Lancaster, PA 17606.
Attorneys: Gibbel Kraybill &
Hess, LLP.

TRUST

McElhinny, Wilson D., dec'd.

Late of West Lampeter Township.

Executor: David A. McElhinny.
Wilson D. McElhinny Revocable Trust dtd. May 1, 2018, As Amended.

Trustee: David A. McElhinny c/o Theodore L. Brubaker, Esquire, 480 New Holland Avenue, Suite 6205, Lancaster, PA 17602.

Attorneys: Brubaker Connaughton Goss & Lucarelli LLC.

Miller, Ethel M. a/k/a Ethel Marie Miller, dec'd.

Late of East Hempfield Township.

Executor: Dean R. Miller c/o Douglas A. Smith, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

Miller, Robert P., dec'd.

Late of Manheim Borough.

Executors: Lee A. Miller, Lynn M. Miller c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorneys: Young and Young.

Miller, Shirley M., dec'd.

Late of East Hempfield Township.

Executrix: Sandra J. Miller c/o Sarah Rubright McCahon, Esquire, Barley Snyder LLP, 126 East King Street, Lancaster, PA 17602.

Attorney: Sarah Rubright McCahon – Barley Snyder LLP.

Neff, Earl L., dec'd.

Late of East Drumore Township.

Executrix: Carol J. Horst c/o Law Office of James Clark, 277 Millwood Road, Lancaster, PA 17603.

Attorney: James R. Clark.

TRUST

Neff, Earl L., dec'd.

Late of East Drumore Township.

Trustee: Carol J. Horst c/o Law Office of James Clark, 277 Millwood Road, Lancaster, PA 17603.

Attorney: James R. Clark.

Peters, Michael E., dec'd.

Late of Lancaster City.

Executor: James Elwood Jackson, Jr. c/o Scott Allen Mitchell, Esq., Saxton & Stump, LLC, 280 Granite Run Dr., Ste. 300, Lancaster, PA 17601.

Attorney: Saxton & Stump, LLC.

Preston, Marissa A., dec'd.

Late of Gap.

Executrix: Monica Sanguinetti, 738 Farmview Lane, Gap, PA 17527.

Attorney: None.

Propsner, Dolores J. a/k/a Dolores Joan Propsner a/k/a Dolores Propsner, dec'd.

Late of Elizabethtown Borough.

Executors: Douglas Alan Propsner, Cheryl L. Costello c/o D. Rodman Eastburn, Esq., 60 E. Court St., Doylestown, PA 18901.

Attorney: D. Rodman Eastburn, Atty., Eastburn & Gray, PC, 60 E. Court St., P.O. Box 1389, Doylestown, PA 18901.

Siegrist, Wayne S., dec'd.

Late of Warwick Township.
Executors: Haylee E. Laske,
Kathleen S. Esbenshade c/o
Justin J. Bollinger, Attorney,
P.O. Box 5349, Lancaster, PA
17606.
Attorneys: Gibbel Kraybill &
Hess LLP.

Stillwell, Gloria D., dec'd.

Late of Ephrata Township.
Executors: Dean A. Pannebeck-
er, Patti L. Pannebecker c/o A.
Anthony Kilkuskie, 117A West
Main Street, Ephrata, PA 17522.
Attorney: A. Anthony Kilkuskie,
117A West Main Street, Ephra-
ta, PA 17522.

Tierney, Ann Vivian, dec'd.

Late of New Holland.
Executor: Blane C. Tierney, 21
Cheyenne Road, Lafayette, NJ
07848.
Attorney: None.

**Weber, Leon a/k/a Leon S. We-
ber**, dec'd.

Late of Brecknock Township.
Executors: Annette Gehman,
David R. Weber c/o Robert E.
Sisko, Esquire, 700 North Duke
Street, P.O. Box 4686, Lancast-
er, PA 17604-4686.
Attorney: Morgan, Hallgren,
Crosswell & Kane, P.C.

Wentzel, Leroy G., dec'd.

Late of West Cocalico Township.
Administrators: David L. Went-
zel, Michael K. Wentzel, 33 Peb-
ble Creek Dr., Lititz, PA 17543.
Attorney: None.

ACTION TO QUIET TITLE

IN THE COURT OF COMMON

PLEAS

CIVIL ACTION – LAW

NO.: CI-24-03116

TO: Heirs of John E. Stoltzfus,
personal representatives, execu-
tors, administrators, successors
and assigns and all persons having
or claiming to have any right, lien,
title, interest in or claim against
Limeville Road Tract, Township of
Salisbury, County of Lancaster,
Commonwealth of Pennsylvania.

TAKE NOTICE THAT the Estate
of Marliene N. Hillard has filed a
Complaint in Action to Quiet Title
in the aforesaid Court as of
the above term and number, and
praying the Court to adjudicate
and decree their title and right of
possession to said premises, more
particularly described in the said
Complaint, indefeasible as against
all rights and claims whatsoever,
and you are hereby notified to file
an Answer within twenty (20) days
following the date of this publica-
tion, in default of which an Or-
der may be entered as prayed for
against you, requiring you to take
such action as may be ordered by
the Court within thirty days after
the entry of such Order in default
of which final judgment shall be
entered.

If you wish to defend, you must
enter a written appearance per-
sonally or by attorney and file
your defenses or objections in
writing with the Court. You are
warned that if you fail to do so
the case may proceed without you
and a judgment may be entered
against you without further notice
for the relief requested by Plaintiff.
You may lose money or property
or other rights important to you.

YOU SHOULD TAKE THIS
NOTICE TO YOUR LAWYER AT
ONCE. IF YOU DO NOT HAVE A

LAWYER AND WISH TO RETAIN ONE, PLEASE CALL THE NUMBER LISTED BELOW:

LAWYER REFERRAL SERVICE
717-393-0737

CLYMER MUSSER & SARNO PC
Christopher A. Sarno, Esq.
408 West Chestnut Street
Lancaster, PA 17603
Attorneys for Plaintiff

J-19

ARTICLES OF DISSOLUTION

NOTICE IS HEREBY GIVEN that **SCOTT'S ACRES FAMILY LIMITED PARTNERSHIP**, a Pennsylvania limited partnership, has voluntarily dissolved and is now engaged in the process of winding up and settling its affairs under the provisions of Subchapter H (15 Pa.C.S. §8681 et seq.) of the Pennsylvania Uniform Limited Partnership Act of 2016, as amended. As part of that process, under 15 Pa. C.S. 8687, **SCOTT'S ACRES FAMILY LIMITED PARTNERSHIP** now gives notice that any persons having claims against **SCOTT'S ACRES FAMILY LIMITED PARTNERSHIP** present them in a detailed writing to the limited partnership, setting for the amount and exact basis for the claim. The written notice describing the details of the claim shall be mailed to **SCOTT'S ACRES FAMILY LIMITED PARTNERSHIP**, 104 Magnolia Drive, Leola, PA 17540. A claim against **SCOTT'S ACRES FAMILY LIMITED PARTNERSHIP** is barred unless an action to enforce the claim is commenced within two years after publication of this Notice.
LEGACY LAW PLLC

Attorneys for
Scott's Acres Family Limited Partnership

J-19

ARTICLES OF INCORPORATION

Notice is hereby given that Articles of Incorporation have been filed with and approved by the Department of State of the Commonwealth of Pennsylvania in Harrisburg, PA, on July 11, 2024, for the purpose of obtaining Articles of Incorporation pursuant to the provisions of the Business Corporation Law of 1988. The name of the corporation is:

EEC HOLDINGS, INC.

BARLEY SNYDER LLP
Attorneys

J-19

TVI VALVES, INC. was incorporated on or about May 10, 2024, under the provisions of the Pennsylvania Association Transactions Act of 2015.

Matthew C. Samley
APPEL, YOST & ZEE LLP
Attorneys

J-19

CHANGE OF NAME NOTICE

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Lancaster County, Pennsylvania, seeking to change the name of minor child, **Allyson Faith Hall** to Allyson Faith Champagne. A hearing on the Petition will be held on Monday, September 23, 2024, at 1:30 P.M. in Courtroom No.4 of the Lancaster County Courthouse, 50 North Duke

Street, Lancaster, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.

Anne M. Gibson, Esq. (Attorney ID:206008)
 Attorney for Petitioner, Kimberly Champagne
 Gibson Law Group, LLC
 313 W. Liberty Street, Suite 113
 Lancaster, PA 17603
 717.344.5525

Attorneys

J-19

ORPHANS' COURT DIVISION

IN THE COURT OF COMMON PLEAS

ORPHANS' COURT DIVISION
**IN RE: LANCASTER AIRPORT
 AUTHORITY, PETITION FOR
 DISINTERMENT AND
 REINTERMENT OF REMAINS
 2024-01044.**

Notice is hereby given that on June 12, 2024, a Court Order was issued in response to a Petition for Disinterment and Reinterment of Remains scheduling a Hearing for July 29, 2024 at 10:00 a.m. at the Lancaster County Courthouse. The relief requested is to disinter and reinter any remains that may be located on the property known as 500 Airport Road, Lititz, PA 17543. The property was previously owned by Johannes Meister.

NOTICE - If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF

J-19

CORPORATE NOTICE

Registration Of Foreign Corporation: Notice Is Hereby Given **STRATEGIC BUSINESS SYSTEMS, INC.** Filed Articles of Foreign Registration on 08/10/2012 under the Pennsylvania BCL of 1988. Principal office is 5180 Parkstone Dr., Chantilly, VA 20151. Commercial registered office provider is Harbor Business Compliance Corporation.

J-19

FICTITIOUS NAME NOTICE

TVI Valves, Inc., 362 Amber Drive, Lititz, PA 17543, did file in the office of the Secretary of the Commonwealth of Pennsylvania, on or about June 24, 2024, registration of the name:

THERMOPLASTIC VALVES, INC. under which it intends to do business at: 53 South 7th Street, Emmaus, PA 18049, pursuant to the provision of the Act of Assembly of December 16, 1982, Chapter 3, known as the "Fictitious Name Act".

Matthew C. Samley
 APPEL, YOST & ZEE LLP

YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE. Lancaster Bar Association Lawyer Referral Service 28 E. Orange St. Lancaster, PA 17602 (717) 393-0737

J-19

SUITS ENTERED

Defendant's name appears first in capitals, followed by plaintiff's name, number and plaintiff's or appellant's attorney.

**June 5, 2024
to July 10, 2024**

BAUMA, MYRON, BAUMAN, MYRON L, DB FURNITURE LLC, DAYBREAK POLY; American Express National Bank; Felzer

BAUMA, MYRON, BAUMAN, MYRON L, FACIO CONCEPTS LLC; American Express National Bank; 04691; Felzer

BUONOCORE JR, BERNARD; Samia Kreiser; 04722; Kline

COMMONWEALTH OF PENNSYLVANIA; AJ House Solutions LLC; 04815

DEVINE, AMBER; Mariner Finance LLC; 04729; Flink

DUFFY, MELANIE; Mariner Finance LLC; 04725; Flink

ECHAVARRIA, CHRISTOPHER, MCKINNE, SABEL LEE; Amica Mutual Insurance Company; 04688; Tsarouhis

GONZALEZ, LEIGHANA J.; Alexandra Flick, Liberty Mutual Personal Insurance Co.; 04716; Flink

HORST, GLENDON D., HORST HOMESTEAD LLC, FE HORST MASONRY LLC, RICHLAND RAILROAD DINER LLC, HORST, JEREMY D.; Patrick W. Mercer; 04816; McDonald

HUCH, FREDERICK; Capital One NA; 04764; Ratchford

KOLLE, ELAINE; Mariner Finance LLC; 04726; Flink

LONGENECKER, DAVID; Mt Hope Nazarene Retirement Community; 04733; Spahr

LOWE CONSTRUCTION INC., LOWE, CRAIG H.; G R Mitchell Inc; 04826; Peipher

MERCARDO, ISIAH, CONGO KYAIRHA; Seth Tran, Ayana Tran; 04744; Muller

MOORE, MARY ANN; Conestoga View SNF Operations LLC, Lancaster Nursing and Rehabilitation Center; 04784; Reavey

PEREZ, JOSHUA, PEREZ, ROSA L.; Woodson Dorsainville, Marilyn Pierre; 04711

RIVERO, KARLA, VAZQUEZ-BUTTS, IAN; Bradford Owners LLC; 04752; Settle

SANCHEZ, ELVIS; Mariner Finance LLC; 04720; Flink

SANDERS, OLIVIA M.; B&F Partners; 04827

SCHAUER, JERRY, JERRY SCHAUER LLC; Zachary Rockmore; 04690

SHENIGO, CRAIG S., SHENIGO, TRIS A.; C. Richard Pentz, Mary Ellen Pentz; 04713; Bollinger

TYSON, HARRY JR., Conestoga View SNF Operations LLC, Lancaster Nursing and Rehabilitation Center; 04787; Reavey

VEGA, MILTA ROSA; Convergys Specialty Insurance Company; 04790; Mcelhaney, Adkins

WALKER, SHAWN TA MAURICE; BCG Equities LLC; 04774; Tsarouhis

WILLIAMS, SUSIE, AREA WIDE PROTECTIVE; Masyn Jones; 04829; Larsen