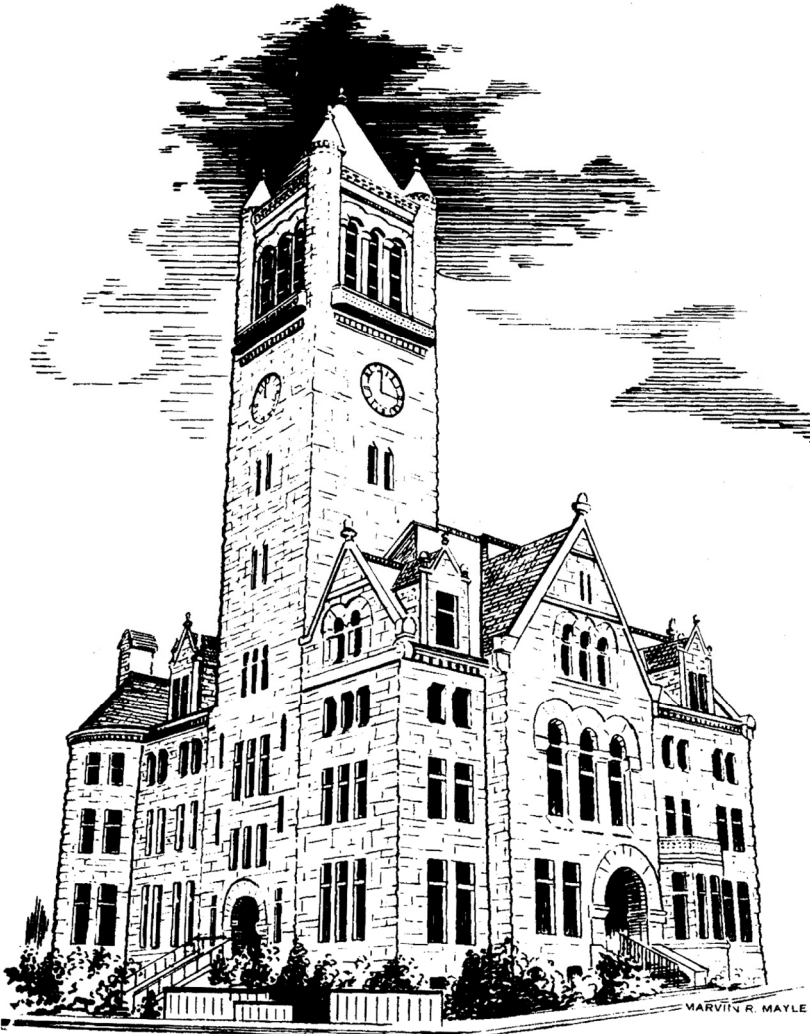


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FAYETTE LEGAL JOURNAL

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

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ESTATE NOTICES

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

Third Publication

ANNA E. BERTOVIICH, a/k/a ANNA ELICABETH BERTOVIICH, a/k/a ANNE E. BERTOVIICH, late of Masontown, Fayette County, PA (3)

Executrix: Susan Fyock
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

CLARENCE C. CARSON, late of Perryopolis, Fayette County, PA (3)

Executrix: Karen E. Mimnaugh
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

HELEN M. EXLEY, late of Perryopolis, Fayette County, PA (3)

Executrix: Megan L. Pierce
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

EDYTHE C. FERENCZ, a/k/a EDYTH C. FERENCZ, late of Washington Township, Fayette County, PA (3)

Executor: Michael H. Ferencz
c/o Goodwin Como, P.C.
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401
Attorney: Benjamin Goodwin

SHIRLEY FRANCES SMITH, a/k/a SHIRLEY F. SMITH, late of Jefferson Township, Fayette County, PA (3)

Executor: Lester Smith
c/o Adams Law Offices, PC
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason Adams

WILLIAM H. SOISSON, III, late of Fayette County, PA (3)

Executor: William H. Soisson, IV
c/o 223 4th. Avenue
9th Floor Benedum Trees Building
Pittsburgh, PA 15222
Attorney: Dennis Blackwell

Second Publication

LORNA ADCOCK, a/k/a LORNA K. ADCOCK, late of Franklin Township, Fayette County, PA (2)

Co-Administrators: Joyce C. Kutzavitch
and Sharon Neville
c/o 763 Merchant Street
Ambridge, PA 15003
Attorney: Steven Kocherzat

ADA C. AMANDOLA, late of South Union Township, Fayette County, PA (2)

Executor: Carl Paroda
c/o Davis & Davis
107 East Main Street
Uniontown, Pa 15401
Attorney: Gary J. Frankhouser

DANIEL DIVERS, late of Fayette County, PA

Administratrix: Bernice Divers (2)
102 1st. Street
Confluence, PA 15424
c/o 1870A Homeville Road
P.O. Box 335
West Mifflin, PA 15122
Attorney: Eric Randolph

RAYMOND HIKO, late of Fayette County, PA

Executrix: Bernice Divers (2)
102 1st. Street
Confluence, PA 15424
c/o 1870A Homeville Road
P.O. Box 335
West Mifflin, PA 15122
Attorney: Eric Randolph

JERROLD R. HOLLIDAY, late of Smithfield, Fayette County, PA (2)

Executrix: Nancy Rockwell
c/o P.O. Box 622
Smithfield, PA 15478
Attorney: Charity Grimm Krupa

NANCY G. JENKINS, late of Uniontown, Fayette County, PA (2)

Co-Executors: Carol Jenkins and
Russell Jenkins
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

**CARMELLA M. LOCKE, a/k/a
CARMELLA MARIE LOCKE**, late of North Union Township, Fayette County, PA (2)

Executrix: Lisa Locke
c/o 39 Francis Street
Uniontown, PA 15401
Attorney: Jack R. Heneks, Jr.

BERTHA M. MONTGOMERY, late of Uniontown, Fayette County, PA (2)

Executrix: Anna M. Shannon
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brien

HARVEY J. MOUNTAIN, late of Lower Tyrone Township, Fayette County, PA (2)

Executor: Harry J. Mountain, Jr.
c/o Adams Law Offices, PC
55 East Church Street, Suite 101
Uniontown, PA 15401
Attorney: Jason Adams

**KENNETH OTT, a/k/a KENNETH
GEORGE OTT**, late of Acme, Fayette County, PA (2)

Executrix: Kimberly Myers
39801 Sunburst Drive
Dada City, Florida 33525

KHERESTINE RISHA, late of Uniontown, Fayette County, PA (2)

Personal Representative: John J. Risha
c/o George & George
92 East Main Street
Uniontown, PA 15401
Attorney: Joseph M. George

DORIS J. REYNOLDS, late of Connellsville, Fayette County, PA (2)

Administratrix: Penny Younkin
c/o 11 Pittsburgh Street
Uniontown, PA 15401
Attorney: Thomas W. Shaffer

First Publication

**JOYCE ANN BREAKWELL, a/k/a JOYCE
A. BREAKWELL**, late of Georges Township, Fayette County, PA (1)

Executrix: Wendy L. Witham
273 Syringa Ridge Drive
Sandpoint, Idaho 83864
c/o Newcomer Law Offices
4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Ewing D. Newcomer

GEORGE J. FRANGOS, late of South Union Township, Fayette County, PA (1)

Executor: Jeffrey M. Tomi
P.O. Box 188
Bacliff, Texas 77518
c/o Newcomer Law Offices
4 North Beeson Boulevard
Uniontown, PA 15401
Attorney: Ewing D. Newcomer

**RONNIE JAMES FREED, a/k/a RONNIE J.
FREED**, late of Saltlick Township, Fayette County, PA (1)

Executor: Ronnie Ray Freed
c/o 208 South Arch Street, Suite 2
Connellsville, PA 15425
Attorney: Richard A. Husband

LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION – LAW
No. 781 of 2021 G.D.
JUDGE: LINDA R. CORDARO

**GLENDA L. FARQUHAR and,
STEVEN L. BANASICK**
Plaintiff,

vs.

**MICHAEL S. HENSEL, and his heirs
successors, and/or, assigns generally**

Defendants.

**NOTICE TO DEFENDANTS, MICHAEL S.
HENSEL, AND HIS HEIRS, SUCCESSORS,
AND/OR, ASSIGNS GENERALLY**

You, your heirs, successors, and assigns have been named as Defendants in an action instituted by Plaintiffs, Glenda L. Farquhar, against you in this Court. Plaintiffs allege in the Complaint in Action to Quiet Title, that they should be named as the rightful owner to the title of said property and that the Defendant Michael S. Hensel, his heirs, successors, and assigns should be forever barred from asserting any right, title, interest, or claim in said property located at 331 North Pittsburgh Street, Connellsville, Fayette County, Pennsylvania 15425, Fayette County Tax Parcel ID 05-06-0286.

The service of this Complaint by publication is made pursuant to an Order of Court dated April 29, 2024 and filed at the above term and number.

You are hereby notified to plead to the Complaint in this action of which the above is a brief summary within twenty (20) days from today.

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the

ANDREW A. LANCASTER, late of
Uniontown, Fayette County, PA (1)
Administrator: Neil M. Lancaster
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Anthony S. Dedola, Jr.

BERTHA M. MONTGOMERY, late of
Uniontown, Fayette County, PA (1)
Executrix: Anna M. Shannon
c/o Proden & O'Brien
99 East Main Street
Uniontown, PA 15401
Attorney: Wendy L. O'Brian

**SHERYN PORUPSKI, a/k/a SHERYN A.
PORUPSKI**, late of Nicholson Township,
Fayette County, PA (1)
Executor: Jana Duff
10350 Gorsuch Road, Galena, OH 43021
c/o 76 East Main Street
Uniontown, PA 15401
Attorney: Douglas S. Sholtis

ANDREW J. SABULA, late of Luzerne
Township, Fayette County, PA (1)
Administrator: Nick Sabula
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: James T. Davis

**JANICE L. SMILEY, a/k/a JANICE LYNN
SMILEY**, late of North Union Township,
Fayette County, PA (1)
Administrator: (C.T.A.) Jeffrey D. Dulik
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

**MARY URSULA VOZAR, a/k/a MARY
URSULA OPPMAN**, late of Connellsville,
Fayette County, PA
Co-Executors: Marianne Oppman and
Christopher Oppman
c/o Molinaro Law Offices
141 West Peach Street
P.O. Box 799
Connellsville, PA 15425
Attorney: Carmine V. Molinaro, Jr.

Court without further notice for any money claimed in the complaint or for any other claim or 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.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

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REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET
P. O. BOX 186
HARRISBURG, PA 17108
PHONE: 1-800-692-7375**

By: David D. Tamasy, Esquire
Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Phone: 724-626-8882

NOTICE

Notice is hereby given that the Certificate of Organization has been approved and filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on April 30 , 2024, for a limited liability company known as C&L Sportsman Supply LLC.

Said limited liability company has been organized under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The purpose or purposes of the limited liability company is/are: sporting goods sales and any other lawful purpose related thereto for which the corporation may be organized under the Business Corporation Law.

DAVIS & DAVIS
BY: Gary J. Frankhouser, Esquire
107 East Main Street
Uniontown, PA 15401

NOTICE

Notice is hereby given that the Certificate of Organization has been approved and filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on April 30 , 2024, for a limited liability company known as Mahoney Uniontown LLC.

Said limited liability company has been organized under the provisions of the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The purpose or purposes of the limited liability company is/are: real estate holdings, restaurant and any other lawful purpose related thereto for which the corporation may be organized under the Business Corporation Law.

DAVIS & DAVIS
BY: Gary J. Frankhouser, Esquire
107 East Main Street
Uniontown, PA 15401

CORPORATE DISSOLUTION

NOTICE IS HEREBY GIVEN that Normalville United Methodist Church, a Pennsylvania non-profit corporation, having its registered office located at 3720 Springfield Pike, Normalville, PA 15469, has filed Articles of Dissolution with the Department of State of the Commonwealth of Pennsylvania, and that the said corporation is winding up its affairs in the manner prescribed by said law, so that its corporate existence shall cease.

SHERIFF'S SALE

Date of Sale: July 18, 2024

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday July 18, 2024, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realauction on-line registration process at <https://fayette.pa.realforeclose.com> to participate in the auction.

All bidders must place a 10% deposit equal to the successful bid for each property purchased to Realauction via wire transfer or ACH per Realauction requirements. Upon the auction's close, buyer shall have 10 business days to pay the remaining balance to the Fayette County Sheriff's Office via cashier's check. No cash will be accepted. Failure to comply with the Conditions of Sale, shall result in a default and the down payment shall be forfeited by the successful bidder and applied to the costs and judgments. The schedule of distribution will be filed no later than 30 days after the sale of real property. If no petition has been filed to set aside the sale or objections to the distribution are filed within 10 days of filing the distribution, the Sheriff will prepare and record a deed transferring the property to the successful bidder.

(1 of 3)

James Custer
Sheriff of Fayette County

McCABE, WEISBERG & CONWAY, LLC
1420 Walnut Street, Suite 1501
Philadelphia, PA 19102
215 790-1010

No. 2150 of 2021 GD
No. 80 of 2024 ED

Longbridge Financial, LLC
Plaintiff

v.

Suzanne Tate, Known Surviving Heir of Doralyn J. Oldland, Denise Briones, Known Surviving Heir of Doralyn J. Oldland, and Unknown Heirs of Doralyn J. Oldland

ALL that certain piece or parcel of land situate in the Third Ward of the city of Uniontown, Fayette County, Pennsylvania, and known as lot no. 65 in the plan of lots laid out by Markle, Ely and Douglas as the Uniontown Land Company, which said plan of lots is recorded in plan book volume I, page 59, in the recorder's office of said county, said lot being bounded and described as follows.

BEGINNING at corner of Lot No. 65 and Douglas Street, formerly an alley; thence South 9 degrees 30 minutes east, 120 feet to a 20 foot alley; thence along said alley, north 80 degrees 30 minutes east, 40 feet to line of lot no. 64; thence along the line of lot no. 64, north 9 degrees 30 minutes West, 104.35 feet to said Douglas Street; thence North 71 degrees 57 minutes West 33.7 feet to a point; thence South 80 degrees 30 minutes west 10 feet to a point, the place of beginning.

All that certain piece or parcel or Tract of land situate in the Union Town, Fayette County, Pennsylvania, and being known as 16 Trader Street, Uniontown, Pennsylvania 15401.

Being known as: 16 Trader Street, Uniontown, Pennsylvania 15401

Title vesting in Doralyn J. Oldland by deed from Lillian P. Oldland dated February 22, 1999 and recorded February 23, 1999 in Deed Book 2269, Page 0262 Instrument Number 9900002858. The said Doralyn J. Oldland died on December 21, 2020 without a will or appointment of an Administrator, thereby vesting title in Suzanne Tate, Known Surviving Heir of Doralyn J. Oldland, Denise Briones, Known Surviving Heir of Doralyn J. Oldland, and Unknown Heirs of Doralyn J. Oldland by operation of law.

Tax Parcel Number: 38.03.0345

Brock & Scott, PLLC

No. 1733 of 2020 GD
No. 82 of 2024 ED

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BNC MORTGAGE LOAN TRUST 2007-2 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-2
v.
JOHN ALBERT CLAY; JILLIAN N. CLAY

By virtue of a Writ of Execution No. 1733 of 2020 GN

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR BNC MORTGAGE LOAN TRUST 2007-2 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-2 v. JOHN ALBERT CLAY; JILLIAN N. CLAY owner(s) of property situate in the PERRY TOWNSHIP, FAYETTE County, Pennsylvania, being 46 MEMORIAL DRIVE, PERRYOPOLIS, PA 15473

Tax ID No. 21-10-0011

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$106,673.71

STERN & EISENBERG PC
MATTHEW C. FALLINGS, ESQ.

No. 627 of 2023 GD
No. 97 of 2024 ED

R3P, LLC

Plaintiff

v.

Christina L. Cocciardo and Brenda L Churilla and James E Churilla, Jr. and United States of America

Defendant(s)

SITUATE IN HOPWOOD, FAYETTE COUNTY, PENNSYLVANIA, BEING KNOWN AS RR 1 BOX 47D1 WATSON DRIVE A/K/A 142 WATSON DRIVE, HOPWOOD, PA 15445

PARCEL NO. 34-12-0119

IMPROVEMENTS- RESIDENTIAL REAL ESTATE

SOLD AS THE PROPERTY OF-BRENDA L CHURILLA AND CHRISTINA L. COCCIARDO AND JAMES E CHURILLA, JR AND UNITED STATES OF AMERICA

No. 97 of 2023 GD
No. 108 of 2024 ED

SOMERSET TRUST COMPANY

v.

Rachel Lynn Hope Frazee a/k/a Rachel L. Walls a/k/a Rachel Dean

All the real property described in the Writ of Execution the following of which is a summary.

SOMERSET TRUST COMPANY

v.

Rachel Lynn Hope Frazee a/k/a Rachel L. Walls a/k/a Rachel Dean

Property of: Rachel Lynn Hope Frazee

Located in: TOWNSHIP OF

SPRINGHILL, FAYETTE COUNTY

Street Address: 680 HOPE HOLLOW ROAD, POINT MARION, FAYETTE COUNTY, PENNSYLVANIA 15474.

Brief Description of Property: Residential, Single-Family home

Improvements thereon: RESIDENTIAL DWELLING/AFFIXED MOBILE HOME

Record book Volume: 3236, Page 1680

Tax Assessment Number(s): MAP NO.: 36 -07-0174

Attorneys for the Plaintiff
1325 Franklin Avenue, Suite 160
Garden City, NY 11530
(212) 471-5100

No. 2289 of 2023 GD
No. 74 of 2024 ED

NewRez LLC d/b/a Shellpoint Mortgage Servicing

v.

Jaden M. Hall, Jennifer Donnell

By virtue of Writ of Execution No. _____
NewRez LLC d/b/a Shellpoint Mortgage Servicing v Jaden M. Hall, Jennifer Donnell
Docket Number: 2289 of 2023

Property to be sold is situated in the borough/township of Connellsville, County of Fayette and State of Pennsylvania.

Commonly known as: 121 Narrows Road, Connellsville, PA 15425 Parcel Number: 06-02-0084

Improvements thereon of the residential dwelling or lot (if applicable):

Judgment Amount: \$123,260.37

DWALDMANLAW, P.C.,
ATTORNEY FOR PLAINTIFF
BY: JENNIE C. SHNAYDER, ESQUIRE-
ID #315213
4900 CARLISLE PIKE, #182
MECHANICSBURG, PA 17050
TELEPHONE: (844) 899-4162
FACSIMILE: (844) 882-4703

No. 2000 of 2017 GD
No. 72 of 2024 ED

ANTHIUM, LLC
PLAINTIFF
v.

LENORA S. HARFORD
THOMAS E. WINGARD, IN HIS
CAPACITY AS HEIR OF WILMA JEAN
WINGARD, DECEASED
TAMMY M. LYNCH, IN HER CAPACITY
AS HEIR OF WILMA JEAN WINGARD,
DECEASED
RICHARD A. WINGARD, IN HIS
CAPACITY AS HEIR OF WILMA JEAN
WINGARD, DECEASED
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS,
OR ASSOCIATIONS CLAIMING RIGHT,
TITLE OR INTEREST FROM OR UNDER
WILMA JEAN WINGARD, DECEASED
DEFENDANTS

All That Certain lot of land situate in
Luzerne Township, Fayette County,
Commonwealth of
Pennsylvania.

TAX PARCEL# 19-32-0017
PROPERTY ADDRESS: 636 Palmer Adah
Road, Adah, PA 15410

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 459 of 2023 GD
No. 109 of 2024 ED

LAKEVIEW LOAN SERVICING, LLC
c/o Nationstar Mortgage LLC 8950 Cypress
Waters Boulevard Coppell, TX 75019

Plaintiff
vs.
KRYSTAL L. JENNINGS
BRIAN A. WOLFE
Mortgagor(s) and Record Owner(s)
133 Emery Heights Road

Masontown, PA 15461
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN GERMAN TOWNSHIP,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 133 EMERY
HEIGHTS ROAD, MASONTOWN, PA 15461
TAX PARCEL# 15-35-0192
IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
KRYSTAL L. JENNINGS AND BRIAN A.
WOLFE

Jill M. Fein, Esquire
Hill Wallack LLP
1000 Floral Vale Blvd., Suite 300
Yardley, PA 19067
(215) 579-7700

No. 2009 of 2023 GD
No. 94 of 2024 ED

WILMINGTON SAVINGS FUND
SOCIETY, FSB, AS TRUSTEE OF UPLAND
MORTGAGE LOAN TRUST A
Plaintiff

v.
PHYLLIS E. KIMMEL
Defendant

By virtue of a writ of execution case
number: 2023-02009

Plaintiff: WILMINGTON SAVINGS
FUND SOCIETY, FSB, AS TRUSTEE OF
UPLAND MORTGAGE LOAN TRUST A
v.

Defendant: PHYLLIS E. KIMMEL
Owners of property situate in the Borough
of South Connellsville, Fayette County,
Pennsylvania, being pin number 33-03-0090.
Property being known as: 1419 EAST
GIBSON AVE, CONNELLSVILLE, PA 15425
Improvements thereon: RESIDENTIAL
PROPERTY

No. 1492 of 2023 GD
No. 70 of 2024 ED

CARRINGTON MORTGAGE SERVICES, LLC
PLAINTIFF
vs.
Teri Martin
DEFENDANT

All that certain tract of land, and the improvements thereon erected, situate in the Township of North Union, County of Fayette and Commonwealth of Pennsylvania, more specifically bounded and described as follows:

Beginning at a point in Bennington Road; thence South 21° 26' 30" East 234.34 feet to a point; thence South 68° 33' 30" West 265.45 feet to a point on property now or formerly of W. T. Guseman; thence along property now or formerly of W. T. Guseman, North 21° 26' 30" West 234.34 feet to a point; thence North 68° 33' 30" East 265.45 feet to the place of beginning, containing 1.428 acres.

UNDER AND SUBJECT to any exceptions or reservations as appear in prior deeds of record. Property Address: 279 Bennington Road, Hopwood, PA 15445

Tax ID: 25530068 / 25-53-0068

FOR INFORMATIONAL PURPOSES ONLY: Being known as 279 Bennington Road, Hopwood, PA 15445

B
COMMONLY KNOWN AS: 279
Bennington Road, Hopwood, PA 15445
TAX PARCEL NO. 25530068

No. 174 of 2023 GD
No. 106 of 2024 ED

PENNY MAC LOAN SERVICES, LLC
Plaintiff
vs.
Christopher Miller
Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN SOUTH UNION TOWNSHIP, FAYETTE COUNTY, PENNSYLVANIA, BEING LOT NO. 16 IN THE SOUTH UNIONTOWN PLAN OF LOTS, A PLOT WHEREOF IS OF RECORD IN THE OFFICE OF THE RECORDER OF DEEDS OF SAID FAYETTE COUNTY.

BEING THE SAME PREMISES which Joseph M. Trimboth, Jr. And Karen S. Trimboth, His Wife, by Deed dated 4/12/2016 and

recorded in the Office of the Recorder of Deeds of Fayette County on 4/18/2016 in Deed Book Volume 3306, Page 1075, Instrument No. 201600004154 granted and conveyed unto Christopher Miller.

BEING known as 61 Dixon Blvd., Uniontown, Pennsylvania 1540 I
PARCEL # 34-13-0020

Brock & Scott, PLLC

No. 263 of 2024 GD
No. 107 of 2024 ED

FREEDOM MORTGAGE CORPORATION
v.
JEREMY A. MILLER

By virtue of a Writ of Execution No. 2024-00263 FREEDOM MORTGAGE CORPORATION

v.
JEREMY A. MILLER
owner(s) of property situate in the GERMAN TOWNSHIP, FAYETTE County, Pennsylvania, being 3245 OLD MCCLELLANDTOWN RD, MCCLELLANDTOWN, PA 15458

Tax ID No. 15220063 aka 15-22-0063
Improvements thereon: RESIDENTIAL DWELLING
Judgment Amount: \$106,690.10

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 200 of 2024 GD
No. 101 of 2024 ED

PNC BANK, NATIONAL ASSOCIATION
3132 Newmark Drive
Miamisburg, OH 45342
Plaintiff

vs.
DONNA OBRIEN AKA DONNA R. O'BRIEN
Mortgagor(s) and Record Owner(s)
115 6th Ave aka 115 Sixth Avenue
Brownsville, PA 15417
Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN BROWNSVILLE BOROUGH,

COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 115 6TH AVE AKA
115 SIXTH AVENUE, BROWNSVILLE, PA
15417

TAX PARCEL #02-06-0271

IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF: DONNA
OBRIEN AK.A DONNA R. O'BRIEN

No. 2349 of 2023 GD

No. 115 of 2024 ED

Somerset Trust Company

vs.

**David B. Stoots, Lacey N. Stoots and Andra
Sledge a/k/a Andra R. Sledge, Sr.**

Premises: 506 E. Francis Avenue
Connellsville, PA 15425

All the right, title, interest and claim of:
David B. Stoots, Lacey N. Stoots and Andra
Sledge a/k/a Andra R. Sledge, Sr., of, in and to:

506 E. Francis Avenue Connellsville, PA
15425

Fayette County

Improvements: Lot 14, house, garage

Record Book 3372, Page 746 (Instrument
201800005071) AND

Record Book 3461, Page 1061 (Instrument
202100000658)

Parcel No. 05-02-0003

*** END SHERIFF'S SALE ***

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN

518 Madison Drive

Smithfield, PA 15478

724-322-6529

johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

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JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION

JESSICA RAE PLEASANT, :
 Plaintiff, :
 v. :
 MAGGIE HARDY-KNOX, 84 LUMBER :
 CO., NEMACOLIN WOODLANDS, INC., :
 and NWL, Co. : No. 434 of 2023, G.D.
 Defendants. : President Judge Steve P. Leskinen

OPINION AND ORDER

Before the Court is an Amended Petition to Proceed In Forma Pauperis (IFP) (which was delivered to the Court's chambers but not filed of record and is attached for reference) and a "Narrative of Claims" filed by Plaintiff, pro se, on March 6, 2023. The action arises out of Plaintiff's time as an Artist-in-Residency at Nemacolin Woodlands Resort in April and May of 2019. Plaintiff originally initiated an action against "Nemacolin" in the Magisterial District Courts in September of 2021, for a claim of \$12,000, which was dismissed without prejudice prior to any resolution. In March of 2023, Plaintiff initiated this action against the named Defendants, by filing a "Narrative of Claims," seeking \$1,000,000 in damages for claims including fraud, negligence, unjust enrichment, unfair trade practices, breach of contract, unjust enrichment, false imprisonment, tort, and (on a cover sheet) civil rights violations.

At the time the case was filed in March of 2023, Plaintiff paid the filing fee for a civil action, and the Prothonotary issued copies to the Sheriff for service. However, Plaintiff did not pay the fees for service and no service of process was attempted. On February 22nd, 2024, Plaintiff filed a Praecipe to Reinstate the Complaint and the Petition for IFP, most of which was left blank. The Court entered an Order dated April 2nd, 2024, Denying the IFP Petition for incomplete information, with leave to refile. Approximately ten days later, an Amended Petition for IFP was delivered to the Court's Chambers but not filed of record. Though this Amended Petition completed each section in full, as directed, Plaintiff still claimed \$0 in income in the last twelve months, a checking account balance of \$1, and under "Persons dependent on you for support" listed, "Cat."

Though the financial figures provided by Plaintiff are dubious, the larger issue is that 21-page "Narrative of Claims," lacks any viable causes of action on which Plaintiff can claim relief. Even when viewed in the light most favorable to Plaintiff, the issues Plaintiff raises are primarily complaints about aspects of the artist residency that did not live up to her expectations that would not be actionable even if true. Some of these complaints are directly contradicted by the Artist in Residence Application and Prospectus Plaintiff attached to her claim (for example, the Application clearly states that the accommodations would be in a house (not the Chateau/hotel) and that artists are not guaranteed gallery exhibitions).

Though the Court may not dismiss a prose complaint as frivolous under Rule 240 simply because it is not artfully drafted, Plaintiff still has the burden to set forth an identifiable cause of action and allege sufficient facts to support that action. Plaintiff acknowledges there was no written contract and does not allege sufficient facts that, if proven, would establish the existence of an oral contract with the essential terms she now challenges. It is not even clear that the named Defendants are the proper parties to this action. If the Court granted Plaintiff leave to amend her pleading, she may be able to cobble together an argument for fraudulent or negligent misrepresentation from the contents of her original pleading. However, any claims grounded in fraud and negligence would already have been barred by the two-year statute of limitations at the time she originally filed in March of 2023, as the residency took place in April and May of 2019. Any new claims grounded in contract (or based on new facts) would also be precluded as the four-year statute of limitations for breach of contract has since expired as well. There is no cause of action left under which Plaintiff could establish a basis in law or fact that would not be precluded by the applicable statute of limitations even if Plaintiff were permitted to amend her pleadings.

WHEREFORE, the Court issues the following Order:

ORDER

AND NOW, this 18th day of April, 2024, upon the consideration of the Plaintiff's Amended Petition to Proceed In Forma Pauperis and Affidavit (which was sent to the Court's chambers but not filed of record), and the "Narrative of Claims" Plaintiff filed to initiate this matter, the Court hereby ORDERS and DIRECTS that the action is DISMISSED with prejudice as frivolous (defined in the note to Rule 2400)(1) as lacking an arguable basis either in law or in fact) pursuant to Pa. R.C.P. 240(j)(1).

BY THE COURT:

STEVE. P. LESKINEN, PRESIDENT JUDGE

ATTEST:

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