

Franklin County Legal Journal

Vol. 28, No. 41

April 15, 2011

Designated by Order of the Court for the publication of court and other legal notices, the Franklin County Legal Journal (USPS 378-950), 100 Lincoln Way East, Chambersburg, Franklin County, PA 17201-2291, contains reports of cases decided by the various divisions of the Franklin County Branch of the Court of Common Pleas of the 39th Judicial District of Pennsylvania and selected cases from other counties.

39th Judicial District of Pennsylvania Court Calendar for the Week of April 18, 2011

Monday, April 18

9 a.m. — Call of the criminal trial list
9 a.m. — Bingaman v. Sommerville, custody trial
10 a.m. — (Fulton County) Mellott v. Fulton, custody contempt
1:15 p.m. — Bench warrants
2:30 p.m. — Cook v. Cook, interview of children

Tuesday, April 19

9 a.m. — Brammer v. Brammer, support action
9 a.m. — Bingaman v. Sommerville, custody trial continues
9 a.m. — Fulton County miscellaneous court

Wednesday, April 20

9 a.m. — Sentences
9 a.m. — Houser v. Houser, petition for special relief
9 a.m. — Garcia v. Garcia, petition for special relief
11 a.m. — In Re: Warner, petition for appointment of permanent guardian of the estate
1:30 p.m. — Windhorst v. Windhorst, custody hearing
1:30 p.m. — Arraignments/dispositions/violations
1:30 p.m. — Balogh v. Paskewicz, petition for civil contempt

Thursday, April 21

8:30 a.m. — Custody presentations
9 a.m. — Summary appeals
9 a.m. — PFA matters
9:30 a.m. — Commonwealth v. Imes Jr., hearing on competency to stand trial
11 a.m. — Commonwealth v. Morgan, hearing
1:30 p.m. — Bench warrants
2:30 p.m. — Loy v. Darty, civil scheduling conference

Friday, April 22

Courthouse closed for Good Friday holiday



Franklin County Bar Association 2011 Calendar of Events

APRIL

- 21 **CLE: PBI course**, "An Attorney's Work and Taran's Wanderings: Lessons for Lawyers from the Chronicles of Prydain," noon – 1 p.m., bar office and law library.
- 21 **Bench-Bar Partnership Committee**, noon, bar office and law library.
- 21 **Law library board**, 3 p.m., bar office and law library.
- 22 **Bar office closed** for Good Friday holiday.

MAY

- 5 **Young Lawyers Division meeting and social**, 5 p.m., Chambersburg.
- 6 **Law Day**, 9 a.m., courthouse.
- 6–8 **27th annual Book Sale to benefit Legal Services**, Wilson College, Chambersburg.
- 13 **CLE: PBI course**, "Tough Problems in Workers' Compensation 2011," 8:30 a.m. – 12:45 p.m., bar office and law library.
- 20 **Board of Directors**, noon, bar office and law library.
- 25 **CLE: PBI course**, "Pennsylvania's New Adoption Amendments," 9 a.m. – 12:15 p.m., bar office and law library.
- 30 **Bar office closed** for Memorial Day holiday.

Franklin County Legal Journal

The Franklin County Legal Journal is published by the Franklin County Bar Association, 100 Lincoln Way East, Suite E, Chambersburg, PA 17201-2291. Subscriptions for the weekly advance sheets are \$35 per year.

Legal notices and all other materials must be received by noon on Monday of the week of publication. Send all materials to Carolyn Seibert-Drager, editor, at legaljournal@franklinbar.org or by mail to the above address.

POSTMASTER: Send address changes to the Franklin County Legal Journal, 100 Lincoln Way East, Suite E, Chambersburg, PA 17201-2291.

PUBLIC NOTICES

ESTATE 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. All persons having claims or demands against any of said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay, to the respective personal representatives thereof or their attorneys named below.

First Publication

Estate of Garnet N. Bitner, late of Guilford Township, Franklin County, Pennsylvania.

Personal representative:
Constance D. Shalzer
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/15,4/22,4/29/2011

Estate of Janet E. Hege, a/k/a Janet Edith Hege, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representative:
Farmers and Merchants Trust Co.
of Chambersburg
20 S. Main St.
Chambersburg, PA 17201
Attorney:
George E. Wenger Jr.
Hoskinson & Wenger
147 E. Washington St.
Chambersburg, PA 17201

4/15,4/22,4/29/2011

Estate of Patricia Johnson-Auchenbaugh, a/k/a Patricia A. (Sullivan) Auchenbaugh, late of Guilford Township, Franklin County, Pennsylvania.

Personal representative:
Mary I. Wolff
54 Riggs Road
Fredericksburg, VA 22405
Attorney:
Stephen E. Patterson
Salzmann Hughes, P.C.
239-B E. Main St.
Waynesboro, PA 17268

4/15,4/22,4/29/2011

Estate of Kathryn M. Jones, late of Guilford Township, Franklin County, Pennsylvania.

Personal representatives:
Shirley M. Monn-Myers and Bruce E. Jones
c/o Sharpe & Sharpe, LLP
257 Lincoln Way East
Chambersburg, PA 17201
Attorney:
Mary Beth Shank
Sharpe & Sharpe, LLP
257 Lincoln Way East
Chambersburg, PA 17201

4/15,4/22,4/29/2011

Estate of Margaret L. Martin, late of Montgomery Township, Franklin County, Pennsylvania.

Personal representative:
Judy L. Daley
5685 Montgomery Church Road
Greencastle, PA 17225
Attorney:
Stephen E. Patterson
Salzmann Hughes, P.C.
239-B E. Main St.
Waynesboro, PA 17268

4/15,4/22,4/29/2011

Estate of Elizabeth B. Oberholzer, late of Greene Township, Franklin County, Pennsylvania.

Personal representative:
Benjamin L. Martin
5481 Oakwood Drive
Mercersburg, PA 17236
Attorney:
Steiger and Steiger
120 N. Main St.
Mercersburg, PA 17236

4/15,4/22,4/29/2011

Estate of Jane Rigdon Pledger, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representative:
Victoria P. Krenitsky
6539 Little Mountain Terrace
Chambersburg, PA 17202
Attorney:
W. Scott Arnoult
Arnoult Law Office, LLC
14 N. Main St., Suite 314
Chambersburg, PA 17201

4/15,4/22,4/29/2011

Estate of Louise G. Powell, late of Southampton Township, Franklin County, Pennsylvania.

Personal representatives:
Donald R. Powell II and Lori A. Powell
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/15,4/22,4/29/2011

Estate of Nancy Ann Ross, a/k/a Nancy A. Ross, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representative:
Lisa Ann Foreman
c/o 10 E. High St.
Carlisle, PA 17013
Attorney:
Christopher E. Rice
Marison Law Offices
10 E. High St.
Carlisle, PA 17013

4/15,4/22,4/29/2011

PUBLIC NOTICES

Estate of Dorothy B. Schwamb, late of Greene Township, Franklin County, Pennsylvania.

Personal representative:
James D. Schwamb
P.O. Box 1565
Oldsmar, FL 34677
Attorney:
None

4/15,4/22,4/29/2011

Estate of Viola M. Shatzer, a/k/a Viola Mae Shatzer, late of Quincy Township, Franklin County, Pennsylvania.

Personal representatives:
Joyce A. Hykes, Lois A. Knott and
A. Maxine Stahley
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/15,4/22,4/29/2011

Estate of Catherine E. Six, a/k/a Catherine Elizabeth Six, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representative:
David S. Morningstar
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/15,4/22,4/29/2011

Estate of Arlene C. Staley, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representatives:
Gregory A. Greenwood
4745 Carbaugh Road
Fayetteville, PA 17222
and
Jeffrey L. Greenwood
507 Hickory St.
Mont Alto, PA 17237
Attorney:
Timothy W. Misner
38 S. Broad St.
Waynesboro, PA 17268

4/15,4/22,4/29/2011

Estate of Ann Talian, a/k/a Ann H. Talian, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representatives:
Mark T. Talian
1776 Shine Hill Road
RR1, Box 1776
Henryville, PA 18332
and
James Talian
2609 Hurdie Hill Road
Lynchburg, VA 24503
Attorney:
None

4/15,4/22,4/29/2011

Estate of Irene Zepka, late of Fannett Township, Franklin County, Pennsylvania.

Personal representative:
Frank P. Zepka
22466 Maple Ave.
Amberson, PA 17210
Attorney:
Richard L. Bushman
16767 Path Valley Road
P.O. Box 51
Spring Run, PA 17262

4/15,4/22,4/29/2011

Second Publication

Estate of Ira M. Fleagle, late of Metal Township, Franklin County, Pennsylvania.

Personal representative:
Peggy A. Davis
11532 Creek Road
P.O. Box 287
Fannettsburg, PA 17221
Attorney:
William S. Dick
Dick, Stein, Schemel, Wine & Frey, LLP
119 E. Baltimore St.
Greencastle, PA 17225

4/8,4/15,4/22/2011

Estate of Elwood U. Keefer, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representative:
Regina Yeager
4260 Mercersburg Road
Mercersburg, PA 17236
Attorney:
Steiger & Steiger
120 N. Main St.
Mercersburg, PA 17236

4/8,4/15,4/22/2011

Estate of Nellie E. Keefer, late of Antrim Township, Franklin County, Pennsylvania.

Personal representative:
Ronald E. Keefer
15642 Pennsylvania Ave. North
P.O. Box 144
State Line, PA 17263
Attorney:
Wertime & Guyer LLP
35 N. Carlisle St., Suite A
Greencastle, PA 17225

4/8,4/15,4/22/2011

PUBLIC NOTICES

Estate of Ida B. Leininger, late of Greencastle Borough, Franklin County, Pennsylvania.

Personal representatives:
Dennis L. Myers
1823 McDowell Road
Greencastle, PA 17225
and
Judy L. Myers
1823 McDowell Road
Greencastle, PA 17225
Attorney:
Paul T. Schemel
Dick, Stein, Schemel, Wine & Frey, LLP
119 E. Baltimore St.
Greencastle, PA 17225

4/8,4/15,4/22/2011

Estate of Mary A. McCoy, a/k/a Mary Arlene McCoy, late of Quincy Township, Franklin County, Pennsylvania.

Personal representatives:
Mary E. Black and Robert James McCoy
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/8,4/15,4/22/2011

Estate of Rhoda A. Newman, late of Quincy Township, Franklin County, Pennsylvania.

Personal representative:
Glenn R. Phenicie
17 Starlight Drive
Greencastle, PA 17225
Attorney:
J.L. Doyle
Dick, Stein, Schemel, Wine & Frey, LLP
13 W. Main St., Suite 210
Waynesboro, PA 17268

4/8,4/15,4/22/2011

Estate of Louise G. Powell, late of Southampton Township, Franklin County, Pennsylvania.

Personal representatives:
Donald R. Powell II and Lori A. Powell
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/8,4/15,4/22/2011

Estate of Ethel Mae Shockey, a/k/a Ethel M. Shockey, late of Guilford Township, Franklin County, Pennsylvania.

Personal representative:
Jayne S. Lorah
1155 Cider Press Road
Chambersburg, PA 17202
Attorney:
Robert C. Schollaert
82 W. Queen St.
Chambersburg, PA 17201

4/8,4/15,4/22/2011

Estate of Ruby M. Voyles, a/k/a Ruby Marie Voyles, late of Washington Township, Franklin County, Pennsylvania.

Personal representative:
Dianna L. Bonebrake
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/8,4/15,4/22/2011

Estate of Harry M. Wagaman, a/k/a Harry Marion Wagaman, late of Guilford Township, Franklin County, Pennsylvania.

Personal representative:
Teresa D. Barbuzanes
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/8,4/15,4/22/2011

Estate of Douglas G. Wagner, late of Chambersburg, Franklin County, Pennsylvania.

Personal representative:
Alice S. Wagner
2259 Falling Spring Road
Chambersburg, PA 17202
Attorney:
Eileen C. Finucane
Salzmann Hughes, P.C.
79 St. Paul Drive
Chambersburg, PA 17201

4/8,4/15,4/22/2011

Estate of Dorothy P. Wilson, late of Greene Township, Franklin County, Pennsylvania.

Personal representative:
Anthony C. Wilson
101 E. Main St.
Fayetteville, PA 17222
Attorney:
Timothy S. Sponseller
Sponseller/Graham, LLC
223 Lincoln Way East
Chambersburg, PA 17201

4/8,4/15,4/22/2011

PUBLIC NOTICES

Third Publication

Estate of Elizabeth E. Andrew, late of Guilford Township, Franklin County, Pennsylvania.

Personal representatives:
Maribeth K. Andrew
521 Nottingham Drive
Chambersburg, PA 17201
and
Barbara A. Bowers
2108 Edgar Ave.
Chambersburg, PA 17201
Attorney:
Richard K. Hoskinson
Hoskinson & Wenger
147 E. Washington St.
Chambersburg, PA 17201

4/1,4/8,4/15/2011

Estate of Geraldine F. Clever, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representative:
Farmers and Merchants Trust Co.
of Chambersburg
20 S. Main St.
Chambersburg, PA 17201
Attorney:
George E. Wenger Jr.
Hoskinson & Wenger
147 E. Washington St.
Chambersburg, PA 17201

4/1,4/8,4/15/2011

Estate of William Winston Coleman Sr., late of Waynesboro Borough, Franklin County, Pennsylvania.

Personal representatives:
Larry Lee Coleman and
William Winston Coleman Jr.
c/o Jeffrey S. Evans
2025 E. Main St.
Waynesboro, PA 17268
Attorney:
Jeffrey S. Evans
2025 E. Main St.
Waynesboro, PA 17268

4/1,4/8,4/15/2011

Estate of Miriam A. Eberly, late of Guilford Township, Franklin County, Pennsylvania.

Personal representatives:
Carolyn A. Bricker
282 Martina Drive
Chambersburg, PA 17201
and
Kay D. Stewart
1208 Progress Road
Chambersburg, PA 17201
and
Candace J. Gaver
326 Rose Ann Drive
Chambersburg, PA 17201
and
Kenneth J. Eberly Jr.
9742 Southwest 75th Loop
Ocala, FL 34481
Attorney:
Richard K. Hoskinson
Hoskinson & Wenger
147 E. Washington St.
Chambersburg, PA 17201

4/1,4/8,4/15/2011

Estate of Emma S. Feaster, a/k/a Emma Louise Feaster, a/k/a Emma S. Deatrich, late of Washington Township, Franklin County, Pennsylvania.

Personal representative:
Randall W. Sprenkle
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/1,4/8,4/15/2011

Estate of Katharine E. Florence, late of Quincy Township, Franklin County, Pennsylvania.

Personal representative:
Wendy J. Mohn
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
R. Thomas Murphy
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/1,4/8,4/15/2011

PUBLIC NOTICES

FICTITIOUS NAME NOTICE

Notice is hereby given, pursuant to the provisions of the Fictitious Name Act, Act No. 1982-295, of the filing of an application with the Department of State of the Commonwealth of Pennsylvania on March 23, 2011, for a certificate for the conducting of a business under the assumed fictitious name of Knollway Farms, with its principal place of business at 197 Brechbill Road, Chambersburg, Pennsylvania. The names and address of the persons owning or interested in said business are Timothy W. Knoll and Krista K. Knoll, 197 Brechbill Road, Chambersburg, Pennsylvania.

George E. Wenger Jr., attorney
Hoskinson & Wenger
147 E. Washington St.
Chambersburg, PA 17201

4/15/2011

NAME CHANGE NOTICE

**IN THE COURT OF COMMON PLEAS OF THE
39TH JUDICIAL DISTRICT OF PENNSYLVANIA,
FRANKLIN COUNTY BRANCH**

**IN RE: Jason Michael Laidig
No. 2011-1346, Judge Angela R. Krom**

NOTICE

Notice is hereby given that on March 30, 2011, the petition of Jason Michael Laidig was filed in the above-named Court, requesting an order changing the name of Jason Michael Laidig to Jason Michael Mayo.

The Court has fixed Thursday, April 28, 2011, at 9:30 a.m. in the assigned courtroom of the Franklin County Courthouse, 157 Lincoln Way East, Chambersburg, Pennsylvania, as the time and place for the hearing on said petition, when and where all interested parties may appear and show cause, if any, why the request of petitioner should not be granted.

Mary Beth Shank, attorney for petitioner
Sharpe & Sharpe, LLP
257 Lincoln Way East
Chambersburg, PA 17201

4/15/2011

Estate of Mary L. Guyer, late of Washington Township, Franklin County, Pennsylvania.

Personal representatives:
Dawn D. Sheeley
13140 Grandview Drive
Waynesboro, PA 17268
and
Michael G. Guyer
10856 Mentzer Gap Road
Waynesboro, PA 17268
Attorney:
Nancy H. Meyers
Salzmann Hughes, P.C.
239-B E. Main St.
Waynesboro, PA 17268

4/1,4/8,4/15/2011

Estate of Daniel L. Kirk, late of Waynesboro Borough, Franklin County, Pennsylvania.

Personal representative:
Betty B. Kirk
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
Jared S. Childers
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/1,4/8,4/15/2011

Estate of Ellen L. Stine, late of Quincy Township, Franklin County, Pennsylvania.

Personal representative:
Ramsey L. Frank
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
R. Thomas Murphy
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

4/1,4/8,4/15/2011

PUBLIC NOTICES

GRAYSTONE TOWER BANK,
successor in interest to THE FIRST
NATIONAL BANK OF GREENCASTLE,
Plaintiff, v. CARL L. LEWIS and
TAMBRA J. LEWIS, Defendants
IN THE COURT OF COMMON PLEAS
OF THE 39TH JUDICIAL DISTRICT
OF PENNSYLVANIA,
FRANKLIN COUNTY BRANCH
CIVIL ACTION — LAW, NO. 2011-908,
Judge Angela R. Krom

NOTICE

To: Carl L. Lewis

A complaint in mortgage foreclosure has been filed against you in Franklin County, Pennsylvania. 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 by the Court without further notice for the relief requested by Plaintiff. You may lose money or property and 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 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.

Pennsylvania Bar Association
Lawyer Referral Service
100 South St.
P.O. Box 186
Harrisburg, PA 17108
Telephone: 800-692-7375

Donald L. Kornfield, attorney for plaintiff
Kornfield and Benchoff, LLP
17 N. Church St.
Waynesboro, PA 17268

4/15/2011

PBA Judicial Evaluation Commission Issues Ratings for Judicial Candidates

In just a few weeks, voters will be selecting candidates seeking election to the state's appellate courts in November. Candidates are seeking to fill one seat on the Superior Court and one seat on the Commonwealth Court.

The Pennsylvania Bar Association Judicial Evaluation Commission recently issued its ratings for all appellate judge candidates appearing on the May 17 primary ballots.

Each candidate seeking to fill a vacancy and requesting an evaluation by the PBA JEC is eligible to receive a rating of "Highly Recommended," "Recommended" or "Not Recommended." The commission's ratings are:

Superior Court of Pennsylvania — Highly Recommended, Judge David N. Wecht, Allegheny County; Recommended, Judge Paula A. Patrick, Philadelphia County; and Victor P. Stabile, Dauphin County.

Commonwealth Court of Pennsylvania — Highly Recommended, Judge Paul P. Panepinto, Philadelphia County; Recommended, Kathryn Boockvar, Bucks County, and Anne E. Covey, Bucks County; Not Recommended, Barbara Behrend Ernsberger, Allegheny County (for failure to participate in evaluation process).

The PBA JEC based its ratings for each candidate on a two-part evaluation process. Investigative panels conducted the first phase of the process, which included personal interviews with the candidates and with individuals who have had professional or personal dealings with them. Upon completion of the investigative process, the panels submitted confidential reports to the commission. After reviewing the investigative panels' reports, the commission interviewed each candidate in Harrisburg, discussed his or her qualifications and reached consensus on each candidate's rating.

"The PBA JEC provides information to help voters choose candidates best suited to serve as fair, impartial and knowledgeable judges," said Pittsburgh lawyer Chris F. Gillotti, chairperson of the PBA JEC. "By its own definitions, the PBA JEC only recommends potential candidates with the legal ability, experience, integrity and temperament to provide satisfactory or outstanding performance as judges on our appellate benches."