

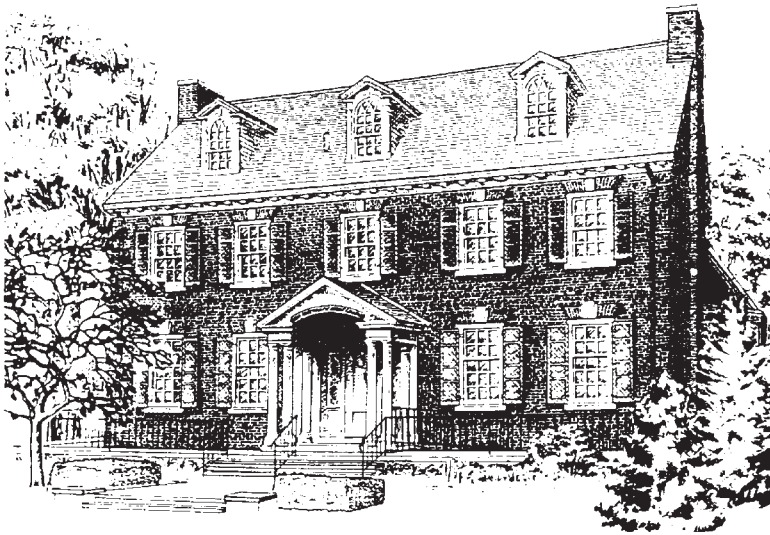
Lehigh Law Journal

(USPS 309560)

Vol. LVI

Allentown, PA Friday, July 24, 2015

No. 56



Barristers' Club

The Bar Association of Lehigh County

1114 W. Walnut Street

Allentown, Pennsylvania 18102

<http://www.lehighbar.org>

THE COURT

The Hon. Carol K. McGinley, President Judge
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The Hon. James T. Anthony, Judge
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The Hon. Michele A. Varricchio, Judge
The Hon. Douglas G. Reichley, Judge
The Hon. Lawrence J. Brenner, Senior Judge
The Hon. Alan M. Black, Senior Judge

LEHIGH LAW JOURNAL
(USPS 309560)

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THE BAR ASSOCIATION OF LEHIGH COUNTY
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FOR THE EASTERN DISTRICT OF PENNSYLVANIA

CHAMBERS OF
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MAGISTRATE JUDGE

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A Dialogue with the Judges of the Northern Tier: Advice and Guidance on Federal Practice

Dear Colleagues and Friends:

History was made in January 2015 with the appointment of Judge Joseph F. Leeson, Jr. as a United States District Judge for the United States District Court for the Eastern District of Pennsylvania. This is the first time the northern tier of the district, consisting of Northampton, Lehigh, Berks and Lancaster counties, has five District Court Judges and one Magistrate Judge. Please join us for a one hour CLE on September 10, 2015 at 4:30 P.M. for **A Dialogue with the Judges of the Northern Tier: Advice and Guidance on Federal Practice**. *There will be no charge for this program.*

The program panel will consist of Judges James Knoll Gardner, Lawrence F. Stengel, Jeffrey L. Schmehl, Edward G. Smith, Joseph F. Leeson, Jr. and myself. While the judges will discuss specific topics, the audience will have an opportunity to ask questions.

Even if you have never practiced in the Federal Courts, you will find this program of importance and interest to you. It will give you a glimpse of how the Federal Courts operate so that you can better serve your clients by determining whether the filing or removal of a case to the United States District Court is an appropriate option.

Please join us on September 10, 2015. The program will be followed by dinner courtesy of the Judge Donald E. Wieand Barristers Inn.

Sincerely,

Henry S. Perkin

**SPECIAL EVENT
September 10, 2015**

**"A Dialogue with the Judges of the Northern Tier:
Advice and Guidance on Federal Practice"**

*The Honorable James Knoll Gardner
The Honorable Lawrence F. Stengel
The Honorable Jeffrey L. Schmehl
The Honorable Edward G. Smith
The Honorable Joseph F. Leeson, Jr.
The Honorable Henry S. Perkin*

Proudly hosted by The Bar Association of Lehigh County

Please join us for this one-hour CLE program that will give insight on Federal Practice in the Northern Tier. The Honorable Henry S. Perkin, acting as moderator, will direct questions to 'The Bench', giving attendees invaluable information on each Judges' practice and procedures.

Enjoy an opportunity to mix and mingle with the Judges after the program while enjoying dinner as our guest.

Registration: 4:00 PM

Seminar: 4:30 PM – 5:30 PM

Judges reception to follow immediately after
CLE Credit and Dinner are free for all who attend

Sponsored by:

*The Federal Practice Committee of The Bar Association of Lehigh
County*

*The Federal Practice Committee of the Northampton County Bar
Association*

The Judge Donald E. Wieand Barristers' Inn

*The Federal Bar Association, Eastern District of Pennsylvania
Chapter*

Pennsylvania Bar Association Federal Practice Committee

To register: Call Nancy @ 610.433.6401 Ext: 16 or
E-mail: cle@lehighbar.org

Limited Seating:

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Zator Law has been a respected member of the Lehigh Valley legal community for over 20 years. We are a past winner of the Chamber of Commerce Excellence in Business Award as well as recently voted the Best of the Valley Business Law Attorneys, an award presented by Lehigh Valley Magazine, for the 4th straight time ! Our firm motto is "Integrity. Dedication. Trust.", and it's how we conduct ourselves and our business every day. We also believe in providing a healthy work-life balance for our employees. If this sounds like a place you'd like to work, and you meet the qualifications set forth below, please follow the instructions on how to apply for this position.

The qualifications for this position are:

- Real estate experience: preparing all title closing documentation and communication for residential and commercial purchases, sales, and refinance transactions.
- Ability to handle transactions from contract/loan commitment to post closing with minimal supervision.
- Background should include examination of title reports; preparation of title commitments and policies; drafting and review of various closing documents, including escrow agreements, settlement statements, deeds, mortgages, satisfactions, easements, and conveyance tax statements.
- Review and understanding of subdivision plans a plus
- Experience in land development work, corporate work, litigation, and municipal a plus.
- Proficient in MS Word, Title Express, Deed Plotting software.
- Outstanding oral, written communication, and interpersonal skills.

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FOR IMMEDIATE RELEASE:

Graeme E. Hogan Joins Gross McGinley, LLP As Associate Attorney



Allentown, PA (July 2015) – Gross McGinley, LLP is pleased to announce that Graeme E. Hogan has joined the firm as an Associate Attorney. Hogan will be based out of Gross McGinley’s Allentown office and will serve clients in the following areas of practice: employment law, insurance defense, intellectual property, litigation, medical malpractice defense and municipal law.

“We are delighted to add Graeme’s talents and energy to Gross McGinley,” said founding partner, Malcolm Gross.

Hogan, a resident of Easton, concentrates his practice in all areas of civil litigation, including commercial litigation, insurance defense and medical malpractice defense. He has experience working with businesses, both small and large, in all phases of the litigation process. Additionally, part of his practice includes providing counseling to municipalities on a wide variety of matters.

Hogan also focuses his practice on matters involving employment law and intellectual property. During law school, he clerked for an intellectual property firm where he co-authored an article that was published in *The Legal Intelligencer* titled “Real-World Trademark Rights for Fictional Brands.”

Prior to joining Gross McGinley, Hogan gained experience as an Associate with a firm in the Philadelphia area.

Hogan is currently a volunteer at the Easton Farmers’ Market and the Easton Main Street Initiative, an organization that works with Easton’s business and building owners, city government, the Chamber of Commerce and the community to promote Downtown Easton as a shopping and browsing destination.

He earned his J.D. in 2014 from Villanova University School of Law and his B.A. in 2011 from Millersville University.

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NOTICE

The Judges of the Court of Common Pleas of Lehigh County greatly appreciate all the service offered by members of the Lehigh County Bar Association in serving as arbitrators for civil cases. Your hard work and dedication assist us to streamline the cases coming before the Court, and provide for a more responsive and timely resolution of our caseload. In addition, serving as an arbitrator can serve as a useful learning experience for younger attorneys and a valuable mentoring opportunity for more senior counsel.

In recent months, a number of attorneys have retired from practice or indicated their schedules no longer allow them the time to participate as arbitrators. The Court strongly encourages all those who have not yet applied to be considered as arbitration panelists to contact Melissa Redline in the Lehigh County Court Administrator's Office at (610) 782-3014 or at melissaredline@lehighcounty.org.

7-17, 24

LEGAL SECRETARY/PARALEGAL

Position available for busy Allentown personal injury law firm. Experience preferred.

Fax Resume to KNAFO LAW OFFICES at (610) 395-7776.

7-24

**BAR ASSOCIATION OF LEHIGH COUNTY
WELCOMES NEW MEMBER**

The following attorney submitted an application for membership to the Bar Association of Lehigh County and was approved at the July 16, 2015 Board Meeting. Please join us in welcoming her to the Bar Association:

Attorney:

Abigail M. Martin, Esq.—Fitzpatrick Lentz & Bubba PC

7-24

COMMONWEALTH OF PENNSYLVANIA vs.
JAVIER TORO DELGADO, DEFENDANT/APPELLANT

*Post Conviction Relief Act—Ineffective Assistance of Counsel—
Guilty Plea—Sentencing—Knowing and Voluntary Plea—
Concurrent Sentences—Length of Sentence.*

Defendant could not establish the elements of ineffective assistance of counsel under the Post Conviction Relief Act (PCRA) because both his attorney at the time of his guilty plea and the judge in his case adequately explained the potential sentence he was facing prior to the plea.

In the Court of Common Pleas of Lehigh County, Pennsylvania—Criminal Division. Nos. CP-39-CR-4647-2012, CP-39-CR-4650-2012, CP-39-CR-4656-2012, CP-39-CR-1159-2013, Superior Ct. No. 752 EDA 2015. Commonwealth of Pennsylvania vs. Javier Toro Delgado, Defendant/Appellant.

KEVIN P. McCLOSKEY, ESQUIRE, ASSISTANT DISTRICT ATTORNEY, on behalf of the Commonwealth.

KATHRYN R. SMITH, ESQUIRE, ASSISTANT PUBLIC DEFENDER, on behalf of the Defendant/Appellant.

FORD, J., April 7, 2015. Defendant/appellant, Javier Toro Delgado, appeals from an order denying his petitions filed under Pennsylvania’s Post Conviction Relief Act (PCRA), 42 Pa. C.S. §§9541-46. Through these petitions, appellant claimed that he was denied effective assistance of counsel in his guilty plea negotiations and that this ineffectiveness caused him to enter unknowing and involuntary pleas. As I now explain, appellant did not prove these allegations so this appeal should be denied.

PROCEDURAL HISTORY

On September 19, 2013, appellant entered his guilty pleas. In case CP-39-CR-4647-2012, appellant pled guilty to two counts of robbery graded as felonies of the first degree. In case CP-39-CR-4650-2012, appellant pled guilty to one count of disorderly conduct, a summary offense. In case CP-39-CR-4656-2012, appellant pled guilty to one count of driving with a suspended license, a summary offense. In case CP-39-CR-1159-2013, appellant pled guilty to one count of theft by unlawful taking and one count of

simple assault, both misdemeanors of the second degree. Attorney Steven R. Mills was appellant's plea counsel.

Appellant's charges stemmed from several armed robberies of mini-markets in Allentown, Lehigh County, in September of 2012. In each robbery, appellant was masked, brandished a firearm and demanded money from a mini-market employee. During one of the robberies, appellant pistol whipped an employee who then required medical attention.

Appellant entered these pleas pursuant to a plea bargain with the Commonwealth. In exchange for the guilty pleas, the Commonwealth agreed to withdraw all remaining counts in the four cases. Some of the withdrawn charges were felonies. The parties agreed that all of appellant's sentences would be served concurrently. There was no agreement as to the length of the sentences to be imposed.

On November 4, 2013, I imposed an aggregate confinement sentence on appellant of ten years to twenty years. The confinement for each of the two robberies was the statutory maximum sentence. I ordered that all sentences be served concurrently. The sentences complied with the plea bargain. In imposing the sentences, I considered the sentencing guidelines, the evidence from the guilty plea and sentencing hearings and the information in the presentence investigation report (PSI) prepared on appellant. Appellant did not file a direct appeal of his sentences.

Appellant filed a *pro se* PCRA petition on October 31, 2014. Because this was appellant's first PCRA petition, I appointed Assistant Public Defender Kathryn R. Smith to represent him by order filed on November 7, 2014. Attorney Smith filed an amended PCRA petition for appellant on December 24, 2014. On February 6, 2015, I conducted a hearing on the two PCRA petitions.

On February 17, 2015, I entered an order denying and dismissing appellant's *pro se* PCRA petition and the amended PCRA petition. My reasons for entering the order were stated in an accompanying opinion.

Appellant filed the current notice of appeal on March 16, 2015. In response to an earlier order, appellant filed a "Statement

NewLine _____ July 24, 2015

Lehigh County Paralegal Association's

5th Annual Luncheon
in celebration of Paralegal Week
Friday, July 31, 2015 - 12:00 to 1:00 pm

at The Barristers Club
1114 West Walnut Street, Allentown, PA

Keynote Speaker

Dr. Katherine Ramsland

Behavioral Evidence, Investigations and the Courtroom

Dr. Ramsland is the Director of the Master of Arts in Criminal Justice Program at DeSales University and prolific author.

Please RSVP to Karen Mesch by July 24, 2015
kmesch@thebarristersclub.com or 610-433-6088 ext. 12

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SAVE THE DATE
for the following BALC Events

October 16-18
Bench Bar Conference in Gettysburg

December 4
CLE ON WHEELS to New York City for
the Radio City Christmas Spectacular
\$75 for Show Ticket & Bus Ride
\$90 for Show Ticket, Bus & 1 CLE Ethics Credit

More Information Coming Soon

CLE UPDATE for the week of: July 24, 2015

PBI Group Cast Seminar "Family Law 101"

Monday, July 27, 2015

Receive practical step-by-step instruction on approaching domestic relations practice. Topics include:

- Pre-nuptial agreements; Divorce
- Support; Custody; Equitable distributions
- Interim relief; Appeals

Discover proven methods of lines of attack when beginning your case. Get practice pointers from seasoned practitioners and learn the questions to ask – and when you should ask them. Ascertain the most effective means to effectively represent your client.

Registration and Breakfast: 8:00 AM

Seminar: 8:30 AM – 4:00 PM

Boxed Lunch included with tuition

5 Substantive & 1 Ethics Credits

Early tuition: \$229.00; Standard tuition: \$254.00

To Register Call PBI @ 1.800.932.4637

PBI Group Cast Seminar "Snapshots of Special Education Law"

Tuesday, July 28, 2015

Introduction to Special Education Law:

The perfect starting place, this session introduces you to -
Eligibility for services; FAPE and LRE; The IEP
Evaluations/re-evaluations

Discipline and Behavioral Intervention:

Practical and procedural issues will be explored -
Who is protected and why?; Manifest determinations
Functional behavioral assessments
Parent challenges, risk assessment, and district policy

Top 10 Tips for Legally-Defensible Monitoring:

Countdown! This panel will analyze progress monitoring –
What should it look like?; How often should it be done?
Is there a correct format?

The Truant Disabled Student:

The complicated issues associated with truancy reflect the confluence of special education and compulsory attendance laws in Pennsylvania. Study fact patterns to determine where "things went wrong" and identify what could have been done to reengage the child in school. Also covered:

PA truancy laws

How the laws conflict with special education mandates

Registration and Breakfast: 8:00 AM

Seminar: 8:30 AM – 3:45 PM

Boxed Lunch included with tuition

6 Substantive Credits; Early tuition: \$249.00

Standard tuition: \$274.00

To Register Call PBI @ 1.800.932.4637

CLE Update 2

SPECIAL BALC LIVE SEMINAR

**"Growing into a Strong Female Force in this World:
Being the Best 'You' for the Benefit of Your Clients"**

Thursday, July 30, 2015

This seminar is designed to help women lawyers grow as professionals, learning how to maintain a healthy attitude in a very stressful field. Attendees will be provided tools to learn how to best take care of themselves for the benefit of their clients.

There will be some discussion with an esteemed panel on what steps can be taken to pursue other career paths, including judicial positions and others. There will be an opportunity to discuss barriers to women for professional success and how to overcome them. Finally, there will be an opportunity to hear from women who have a proven track record of networking and then to utilize those pointers in the networking reception that will follow the program.

Presenters: Alexandra Milspaw, PhD, M.Ed., LPC; Karen M. Sciascia, DO; Miriam Zettlemoyer; The Honorable F.P. Kimberly McFadden; The Honorable Jeannine Turgeon; The Honorable Michele A. Varricchio; Joanne Kelhart, Esq.; Jill Kelly McComsey, Esq.; Gladys Wiles, Esq.; Candy Barr Heimbach, Esq., et al. TBD

2:00 – 3:15 PM: Women's Health and Wellness:
Listening to your Body;
Signs of Heart Attack;
Women's Health;
Mindfulness and Meditation Exercise
and Quick, Healthy Meals

3:15: Break

3:30 – 5:15 PM Professional Development Panel Discussions:

- (1) Are you thinking of aspiring to public office or the bench? Hear from some Pennsylvania judges and others who have left the practice of law about their journey and advice they might provide
- (2) Overcoming hurdles as a Professional Female to Find Success. The panel will be asked to touch on issues that they may have had to face as a professional female, including discrimination, being treated differently, different expectations and the like. They will provide advice to young female professionals on how to respond to different scenarios.
- (3) Tools for networking

Special BALC Seminar - 3 Ethics Credits

Registration: 1:30 PM; Seminar: 2:00 PM – 5:15 PM

Immediately followed by a Happy Hour Networking Session

Tuition: \$50.00 for all who attend

To Register Call Nancy @ 610.433.6401 Ext: 16

E-mail: cle@lehighbar.org

CLE Update 3

**PBI Group Cast Seminar
"ADA Workshop 2015:
Getting Up to Speed with
Reasonable Accommodations"
Monday, August 3, 2015**

Delve into one of ADA's most important statutory requirements. The duty to provide a reasonable accommodation in the workplace to a qualified individual with a disability is considered one of the most important statutory requirements of the Americans with Disabilities Act. It is also one of the most confusing.

Walk through the Do's and Don'ts of the ADA while receiving answers to these questions (and more):

- What triggers the interactive process?
- What happens when doctors' notes conflict?
- How much leave is required for a disabled employee (extended leave policies and interplay of the ADA and the FMLA)?
- Are "no-fault" attendance policies legal?
- Is an accommodation required for pregnant workers?
- What challenges do employers and public accommodations confront with service dogs?
- What are your ethical obligations when it relates to your client making inconsistent disability statements?

Registration and Boxed Lunch: 12:30 PM

Seminar: 1:00 PM – 4:15 PM

2 Substantive & 1 Ethics Credits (Integrated)

Early tuition: \$229.00; Standard tuition: \$254.00

To Register Call PBI @ 1.800.932.4637

**PBI Group Cast Seminar
"Lincoln on Professionalism"
Tuesday, August 4, 2015**

Calling All Abraham Lincoln and History Buffs!

Prepare for 3 "power hours": Lincoln's lessons to live by, all wrapped up in "wild card" ethics credits! The perfect blend of entertainment and education, this program demonstrates the value of living by Lincoln's teachings – professionally and personally.

Among other things, Lincoln is well-known throughout history for the exemplary qualities of legal ethics and professionalism that he demonstrated in every aspect of his life. The examples he set more than 150 years ago remain stalwart models for all professionals to follow today.

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM – 12:15 PM; 3 Ethics Credits

Early tuition: \$199.00; Standard tuition: \$224.00

To Register Call PBI @ 1.800.932.4637

**PBI Group Cast Seminar
"A Day on Real Estate - East"
Wednesday, August 5, 2015**

As real estate lawyers, you know that areas of your practice have changed dramatically over the last several years. Now, more than ever, you'll want and need the information that A Day on Real Estate will provide.

You will gather a fresh perspective on various issues. This seminar will offer a variety of sessions as well as the opportunity for updates on many different real estate law topics. This program provides one hour segments packed full of practice tips as well as the latest legal information.

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM – 4:20 PM

Boxed Lunch included with tuition

5 Substantive & 1 Ethics Credits

Early tuition: \$249.00; Standard tuition: \$274.00

To Register Call PBI @ 1.800.932.4637

**PBI Group Cast Seminar
"Winning Numbers"
Thursday, August 6, 2015**

**Make sense of accounting concepts and
practices to resolve legal problems.**

Financial, business and accounting issues are at the heart of many legal problems. This nationally-acclaimed seminar goes well beyond traditional 'debit and credit' to offer you a refreshing perspective and simple solutions for wading through complicated rules, terminology and analysis. The comprehensive course materials are carefully designed with numerous checklists and worksheets to help you make your practice more effective and self-assured.

Discover how common business transactions are summarized in financial statement form. A carefully constructed series of informative aids will assist you in the prevention and detection of financial statement manipulation and John Moore's simple, but insightful checklist will help you analyze a complete set of "time value of money" concepts.

You will review case studies to reveal hidden pitfalls in financial statements. The practical illustrations used throughout the day will shed new light on accounting concepts as they are applied to legal issues.

Registration and Breakfast: 8:00 AM

Seminar: 8:30 AM – 3:30 PM; 6 Substantive Credits

Boxed Lunch included with tuition

Early tuition: \$299.00; Standard tuition: \$324.00

To Register Call PBI @ 1.800.932.4637

PBI Group Cast Seminar
"Tech Skills Series: Privacy and Security of the
Internet of Things and Wearable Technology – Legal
Implications for Your Client"
Friday, August 7, 2015

Attorneys are now tackling legal issues relevant to the "Internet of Things" (IoT) and wearable technology with their clients. Wearable technologies are items that can be worn and are connected to a network. These items collect data, track activities and customize the experiences of the user. IoT refers to the growing ability of every day devices to monitor and communicate information through the Internet. This program will outline the privacy and security rights and responsibilities that arise with wearables and discuss how to tackle the legal issues.

The proliferation of wearable technology tests privacy and security limits and challenges existing social, economic and legal norms. Consumers who use wearables could be putting themselves at risk for identity theft, profiling, extortion and misuse. What rights do businesses possess to the data collected by wearables? What rights do consumers retain to prevent exploitation of their personal information?

Registration and Boxed Lunch: 12:00 PM

Seminar: 12:30 PM – 2:30 PM

1 Substantive & 1 Ethics Credits (Integrated)

Early tuition: \$119.00; Standard tuition: \$144.00

To Register Call PBI @ 1.800.932.4637

PBI Group Cast Seminar
"The New PA Law on Entity Transactions"
Wednesday, August 12, 2015

Pennsylvania's new Entity Transactions Law modernizes the law on corporations and unincorporated associations by creating a comprehensive statutory framework for a business entity to use when engaging in a transaction with another form of entity. The new law governs five fundamental kinds of transactions: the very deals you negotiate every day:

Mergers

Conversions

Interest exchanges

Divisions

Domestication of an entity originally organized in another state

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM – 12:15 PM; 3 Substantive Credits

For tuition fees and to register: Call PBI @ 1.800.932.4637

CLE Update 6

BALC LUNCH AND LEARN SEMINAR

"New Rules for Lehigh County Family Court"

Presented by: Vivian Appel, Esq.

Thursday, August 13, 2015

Lehigh County Family Court Rules have been revised. Support rules went into effect at the end of 2014; custody and divorce rules have just been adopted. Vivian Appel, Family Court Administrator, will review the changes, highlighting new requirements. Ms. Appel will also provide an update on the PA Rules of Civil Procedure 1920 on divorce, and the new Victims of Sexual Violence and Intimidation Act.

Vivian M. Appel, Lehigh County Family Court Administrator, oversees the custody, divorce, domestic relations, and protection from abuse offices. From time to time she serves as conciliator and hearing officer for child custody cases. She works with the judges to establish Family Court objectives, and develops programs and procedures to educate and assist pro se litigants involved in Family Court matters. She represents the Pennsylvania Association of Court Management (PACM) on the Supreme Court Domestic Relations Procedural Rules Committee. Following her graduation from Temple Law School in 1988, Ms. Appel established a private practice in family law, which she maintained for 15 years. She also served as a court appointed guardian ad litem for abused and neglected children in Northampton County.

BALC Lunch & Learn Seminar

Registration & Lunch: 11:45 AM; 1 Substantive Credit

Seminar: 12:15 PM – 1:15 PM

Tuition: Members \$40.00; Non-members \$55.00

To Register Call Nancy @ 610.433.6401 Ext: 16

E-mail: cle@lehighbar.org

PBI Group Cast Seminar

"Advanced Issues in Civil Practice and Procedure in Pennsylvania Courts"

Friday, August 14, 2015

From asserting and resisting waiver arguments to determining standing, jurisdiction and selecting the proper form of action, this program examines advanced concepts impacting your Pennsylvania practice. Providing you with an overview of litigation procedures as well as tips and tricks to ensure your case gets heard, you will receive practical advice on difficult concepts and procedures from a panel of experienced practitioners.

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM – 1:15 PM

3 Substantive & 1 Ethics Credits (Integrated)

Early tuition: \$249.00; Standard tuition: \$274.00

To Register Call PBI @ 1.800.932.4637

CLE Update 7

**PBI Group Cast Seminar
"Instant Access: Making Great & Lasting
First Impressions (AM Session)"**

**"Influence: the Art and Science of
Changing Minds (PM Session)"
Tuesday, August 18, 2015**

Morning Session: "Instant Access: Making Great and Lasting First Impressions" – 3 Substantive Credits

Learn how to make immediate, positive impressions with people you meet.

- Let your first impression become your building block for an expanding network of new business and referrals
- Discover the simple things you can do to improve the way people perceive you
- Elevate the comfort level of those around you while building stronger relationships with clients and colleagues
- Start a conversation with anyone and turn small talk into meaningful opportunities

Afternoon Session: "Influence: The Art and Science of Changing Minds" – 3 Substantive Credits

Hear what the number one mistake is that attorneys make when persuading others.

- Review the five decision making styles and how to engage each one
- Learn to disarm the reluctant client
- Become more convincing in everyday situations
- Overcome resistance more effectively

Registration and Breakfast: 8:30 AM

6 Substantive Credits for full day

AM Session: 9:00 AM – 12:15 PM;

PM Session: 1:15 PM – 4:30 PM

Early Tuition for AM or PM: \$249.00

Standard Tuition for AM or PM: \$274.00

Early Tuition for Full Day: \$349.00

Standard Tuition for Full Day: \$374.00

To Register Call PBI @ 1.800.932.4637

CLE Update 8

BALC LUNCH AND LEARN SEMINAR

“The Essential Building Blocks of a Successful Solo or Small Practice”

Presented by: Ellen Freedman, CLM

Wednesday, August 19, 2015

Whether solo or small, a successful firm must have procedures and tools which support client service, financial well-being, effective internal and external communications, retention of good employees, and make you want to go to work each day. Find out what your firm can tweak to improve.

Ellen Freedman serves as the Law Practice Management Coordinator for the Pennsylvania Bar Association. In that capacity she assists PBA's members with management issues and decisions on the business side of their practice, including areas like technology, bookkeeping procedures, human resources, risk management, setting up a practice and so forth. PBA members are encouraged to contact Ellen through the 800 "Hot Line" at PBA headquarters, (800.932.0311 Ext: 2228) or through e-mail (lawpractice@pabar.org).

Ellen Freedman is founder and President of Freedman Consulting, which assists Delaware and Lehigh Valley law firms with mergers, partner compensation issues, strategic planning, management of projects in such areas as technology, financial management, time and billing, facilities, human resources, and providing computer training ad hoc or in a classroom setting.

Ellen holds the designation of Certified Legal Manager through the Association of Legal Administrators (ALA), the credentialing body for the CLM degree. She was one of the first 20 in the nation to have achieved this designation. (Currently less than 200 in the nation have earned the degree.) She holds a Certification in Computer Programming from Maxwell Institute, a Certification in Web Site Design from Temple University, and a B.A. from Temple University, where she also did two years of graduate studies in Criminology.

Ellen managed inside law firms for twenty years. Most of that time was spent in a mid-size (35+ attorney) firm environment. She launched her consulting practice in 1998, and joined the Pennsylvania Bar Association in 1999.

Ellen has been a frequent author and speaker on law firm management issues on a national, regional and local level.

BALC Lunch & Learn Seminar

Registration & Lunch: 11:45 AM; 1 Ethics Credit

Seminar: 12:15 PM – 1:15 PM

Tuition: Members \$40.00; Non-members \$55.00

To Register Call Nancy @ 610.433.6401 Ext: 16

E-mail: cle@lehighbar.org

CLE Update 9

PBI Group Cast Seminar
"Hot Topics in Capital Cases – Part II"
Thursday, August 20, 2015

4 RULE 801 CAPITAL CASE CREDITS

Criminal Procedure Rule 801 calls for counsel to complete training relevant to representation in capital cases. This course provides four (4) Rule 801 capital case credits to help lawyers meet qualification standards to represent defendants in death penalty cases.

Get the latest updates:

- A capital case law update
- How to attack eye witness identifications
- A discussion on governor Wolf's moratorium on the death penalty

Gain judicial insight:

- Hear what most impacts the judges in capital cases
- Learn what juries tell the court after the trial is over
- Pose your questions to a panel of judges who try death penalty cases

Pick up skills and strategies while gaining practice tips from outstanding lawyers who successfully handle these cases and insights from the experienced judges who preside over them.

Registration and Boxed Lunch: 11:30 AM
Seminar: 12:00 Noon – 4:15 PM; 4 Substantive Credits
Early tuition: \$249.00; Standard tuition: \$274.00
To Register Call PBI @ 1.800.932.4637

New Jersey CLE credits may be earned by submitting to the New Jersey CLE Board upon an audit request, your Pennsylvania CLE Board report as documentation of programs attended and credits earned. You can get a copy of this report at www.pacle.org.

All courses accredited through the Bar Association of Lehigh County and courses accredited through the PBI being held at BALC qualify toward New Jersey requirements.

Unless you are audited, the NJ CLE Board does NOT want you to provide documentation of CLE programs you have attended. If you are audited, your Pennsylvania Annual CLE Report obtained from the Pennsylvania CLE Board will provide the documentation you need of courses attended and credits earned.

CLE Update 10

CLE MINI VIDEO COMPLIANCE CAMP
Friday, August 21, 2015

Earn up to 2 Substantive & 1 Ethics Credits in one afternoon.

Three videos, originally taped during live seminars held at BALC will be re-played for viewers to earn one credit for each video. Pick and choose however many you care to view. Add these credits to the 9 possible credits you can earn at next week's Video Compliance Camp and you can fulfill an entire year's CLE requirements.

If you attended any of these seminars live, or viewed the DVD's in the past, you still qualify to earn CLE credit at this offering.

The tuition for EACH one-credit program is \$30.00 for BALC or NCBA members and \$45.00 for non-members.

To register: FAX the form below; 610.770.9826
e-mail: cle@lehighbar.org or
Call: Nancy @ 610.433.6401 Ext: 16

Mini Video Compliance Camp
August 21, 2015

NAME: _____

PasUP.Ct.ID#: _____

Phone: _____

[] 1:00 PM – "Hot Topics in Pediatrics: Sudden Cardiac Arrest Prevention and Concussions in Young Athletes"

[] 2:10 PM – "Reclaiming a Life – From Ruin to Recovery"

[] 3:20 PM – "Declaration of Independence"

The CLE Department, whenever possible, sends a blast fax out to all members reminding them of upcoming BALC Lunch & Learn seminars a few days before the program.

If you are not receiving these faxes and would like to, please contact Nancy at 610.433.6401 Ext: 16, or e-mail to cle@lehighbar.org the fax number you would like to have registered.

If you are receiving the faxes and no longer wish to, please let us know the fax number you would like removed from the list.

CLE Update 11

PBI Group Cast Seminar
AM and PM Sessions:
AM: "Excel for Lawyers"
PM: "Lawyers Guide to Adobe Acrobat"
Monday, August 24, 2015

Morning Session: "Excel for Lawyers"

If you have any version of Microsoft Office, then you already own Microsoft Excel. If you are like most lawyers, you're either underutilizing it or not using it at all. In this program, you'll start with the basics and work your way up from there. Discover powerful ways that a spreadsheet program can improve your work product and make your life easier. Learn how Excel can help you.

Afternoon Session: "Lawyers Guide to Adobe Acrobat"

PDF files have become the file format of choice when trading documents with other lawyers and clients. Many courts now require that all pleadings be filed as PDFs; and most governmental forms are available exclusively in PDF format. Because of their prevalence, everyone in your office needs to understand the risks and benefits of PDF files.

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM – 4:15 PM

Boxed Lunch included with tuition

6 Substantive Credits for full day

Early tuition for AM or PM Sessions: \$199.00

Standard tuition for AM or PM Sessions: \$224.00

Early tuition for Full Day: \$299.00

Standard tuition for Full Day: \$324.00

PBI @ 1.800.932.4637

PBI Group Cast Seminar
"Fourth Annual Supreme Court Roundup"
Tuesday, August 25, 2015

You will learn about important rulings on issues such as free speech, same sex marriage equality, the Affordable Care Act, religious freedom, as well as updates on habeas and criminal law. Let the experts fill you in on the essentials and how they will impact your practice as well as our culture and society. Let PBI's panel do the heavy lifting to get you the critical facts and parse the analysis so you take away the most relevant information and know why it matters. Take advantage of this unique opportunity to listen to vigorous discussion amongst renowned scholars and practitioners as they elucidate the Supreme Court's October 2015 term.

Registration and Breakfast: 8:30 AM

Seminar: 9:00 AM – 12:15 PM

Early tuition: \$229.00; 3 Substantive Credits

Standard tuition: \$254.00

To Register Call PBI @ 1.800.932.4637

CLE Update 12

BALC CLE REGISTRATION FORM

Name: _____

PA Sup.CT.ID _____

Member of the Bar Association of: [] Lehigh [] Northampton
[] Other _____ [] Legal Support Staff

Register by: **Phone** 610.433.6401, Ext. 16; **FAX** 610.770.9826;

E-Mail cle@lehighbar.org or **Mail** your registration to:

BALC, 1114 Walnut Street, Allentown PA 18102.

[] **July 30: "Growing into a Strong Female Force in this World:
Being the Best "You" for the Benefit of Your Clients"**

Registration: 1:30 PM; Seminar: 2:00 PM – 5:15 PM

Followed by a Catered Networking Session

See Ad for Details

[] **August 13: "New Rules for Lehigh County Family Court"**

Lunch: 11:45 AM; Seminar: 12:15 – 1:15 PM

[] **August 19: "The Essential Building Blocks of a Successful
Solo or Small Practice"**

Lunch: 11:45 AM; Seminar: 12:15 – 1:15 PM

[] **August 21: "Mini Video Compliance Camp – August 2015"**

Earn up to 2 Substantive & 1 Ethics Credits

[] **August 27: "Video Compliance Camp – August 2015"**

Earn up to 7 Substantive & 2 Ethics Credits

[] **September 10: "A Dialogue with the Judges of the
Northern Tier: Advice and Guidance on
Federal Practice:**

Registration: 4:00 PM; Seminar: 4:30 – 5:30 PM

Followed by a Catered Social Session with the Judges

See Ad for Details when available

TOTAL **AMOUNT ENCLOSED** \$ _____

Please make checks payable to & mail to: **BALC**, 1114 W Walnut St, Allentown PA 18102.

**Extra Ethics Credits can be used to meet an
attorney's substantive law CLE requirements**

2015 Calendar

July

July 27: Bankruptcy Committee Meeting 12pm

July 31: LCPA 5th Annual Luncheon

August

August 12: Membership Committee Meeting 12pm

August 24: Finance Committee Meeting 12pm

September

September 7: BALC Office Closed

September 10: Solo Practice Committee Meeting 12pm

September 10: Barristers Inn 4:30pm

September 17: Board Meeting 4:30pm

NewLine 4

NOTES

of Matters Complained of on Appeal” (Concise Statement) as required by Pa. R.A.P. 1925(b) on March 25, 2015.

DISCUSSION AND CONCLUSION OF LAW

Appellant makes some nonspecific allegations in the Concise Statement including an incorporation of the entire amended PCRA petition into the Concise Statement. On the other hand, he makes specific contentions about the plea bargain so I am able to address those.

Appellant maintains that I erred in denying his PCRA petitions in which he contended that his plea counsel, Attorney Mills, was ineffective. He accused Attorney Mills of deceiving him about the sentences he would receive under the plea bargain. He also faulted Attorney Mills for his confusion about other components of the plea bargain although he did not state what he did not understand.

In order to establish eligibility for PCRA relief, appellant must prove by a preponderance of the evidence that the conviction or sentence resulted from “[i]neffective assistance of counsel which, in the circumstances of the particular case, so undermined the truth-determining process that no reliable adjudication of guilt or innocence could have taken place.” 42 Pa. C.S. §9543(a)(2)(ii).

In order to be entitled to relief on a claim of ineffective assistance of counsel, the PCRA petitioner must plead and prove by a preponderance of the evidence that (1) the underlying claim has arguable merit; (2) counsel whose effectiveness is at issue did not have a reasonable basis for his action or inaction; and (3) the PCRA petitioner suffered prejudice as a result of counsel’s action or inaction.

Commonwealth v. Steele, 599 Pa. 341, 360, 961 A.2d 786, 796 (2008). A defendant’s failure to meet any prong of this test defeats his claim. *Commonwealth v. Wright*, 599 Pa. 270, 321, 961 A.2d 119, 149 (2008) (citation omitted). Counsel is presumed to be effective and the defendant must prove otherwise. *Commonwealth v. Rivers*, 567 Pa. 239, 246, 786 A.2d 923, 927 (2001) (citation omitted).

The Superior Court explained:

A criminal defendant has the right to effective counsel during a plea process as well as during a trial. ... Allegations of ineffectiveness in connection with the entry of a guilty plea will serve as a basis for relief only if the ineffectiveness caused the defendant to enter an involuntary or unknowing plea. ... Where the defendant enters his plea on the advice of counsel, ‘the voluntariness of the plea depends on whether counsel’s advice “was within the range of competence demanded of attorneys in criminal cases.”’

Commonwealth v. Hickman, 799 A.2d 136, 141 (Pa. Super. 2002) (internal citations omitted).

At the PCRA hearing on February 6, appellant and his mother, Aracelly Delgado, testified that, on a number of occasions before the guilty pleas were entered, Attorney Mills assured them that appellant’s total prison sentences in these cases would be five and one-half to eleven years.

In his PCRA testimony, Attorney Mills denied that such assurances were made. He stated that he never told appellant a specific sentence that he would receive. Attorney Mills had discussions with appellant about the plea bargain before the pleas were entered and the various considerations that would be factored into the sentences. He explained the sentencing guidelines to appellant. He told appellant that the district attorney would be asking for a minimum sentence in the aggravated range, namely, eighty-four months. He also told appellant that he was facing a ten-year to twenty-year confinement sentence under the plea bargain. The attorney found appellant knowledgeable on sentencing topics. He reviewed the PSI with appellant which, interestingly, contains a five-and-one-half-year to *twelve*-year confinement recommendation by the PSI probation officer (as opposed to the five-and-one-half-year to *eleven*-year promise that appellant said was made to him). Attorney Mills believed that he had appellant fully prepared for sentencing.

Attorney Mills’ testimony was corroborated by the record of the guilty plea and sentencing hearings. The record from those hearings shows that appellant understood the plea bargain, that he

knew that he was facing a ten-year to twenty-year aggregate confinement sentence, and that there were no assurances to him of some other specified lesser aggregate sentence. A defendant is bound by the statements he makes “during a [guilty] plea colloquy, and may not successfully assert claims that contradict such statements.” *Commonwealth v. Muhammad*, 794 A.2d 378, 384 (Pa. Super. 2002) (citation omitted).

In setting forth the plea bargain at the plea hearing with appellant present, Assistant District Attorney Kevin McCloskey said, “All of the charges I have mentioned will run concurrent and no agreement on sentence, so open pleas to all these counts.” I then asked “But all must run concurrent?” Attorney McCloskey responded, “Yes, Judge, but basically an open plea.” N.T., 9/19/13, p. 3.

A bit later in the hearing, the assistant district attorney repeated what appellant was facing with this plea bargain. “Again, Your Honor, no agreement on sentence, but all charges, all counts to run concurrent. So his exposure, what he’s looking at, is a possible ten to twenty years.” N.T., 9/19/13, p. 5.

A colloquy then ensued between appellant and me. After I explained the concurrent sentence aspect of the plea bargain, I said to him,

And then, finally, there’s no plea bargain on what your sentences should be, though, as to each one of these. That’s left up to the court. And I will consider—by the court I mean the judge—and I will consider everything I hear in this hearing and the next hearing and also the pre-sentence [sic] report in deciding what the appropriate sentence should be.

N.T., 9/19/13, p. 10. I then asked appellant if he wanted to plead guilty with the plea bargain as I explained it to him. He answered, “Yes, Your Honor.” N.T., 9/19/13, p. 10.

After the assistant district attorney, and then I, explained the plea bargain to appellant, I asked appellant, “Other than the plea bargain, have any promises been made to get you to plead guilty?” Appellant answered, “No.” N.T., 9/19/13, p. 13.

Just before appellant entered his pleas I stated to him, “Each of the two robberies has a maximum prison sentence you could get of twenty years in prison. Do you understand that?” Appellant answered, “Yes.” N.T., 9/19/13, p. 21.

At the start of the sentencing hearing on November 4, 2013, Assistant District Attorney McCloskey reiterated the plea bargain. That included his statement, “Your Honor, our agreement is that all charges in all cases run concurrent, but it would basically be an open plea, Judge.” N.T., 11/04/13, p. 2. Appellant offered no objection to that statement. Appellant testified at the PCRA hearing that he did not know what “open plea” meant. Whether that was true or not, I found that appellant did know at that point and well before that point that he could receive confinement of ten years to twenty years.

During the guilty plea and sentencing hearings, appellant did not give any indication that he was promised a five-and-one-half-year to eleven-year sentence despite the many opportunities to tell me that.

What I now explain provided some insight on the credibility of appellant. Appellant testified at the PCRA hearing that he did not understand the sentence when it was pronounced. Appellant gave this testimony even though, at the end of the sentencing hearing, I explained to appellant:

What’s the bottom line, sir? The bottom line is you serve confinement in the state penitentiary of not less than ten years to not more than twenty years. You do get credit for the time you spent in custody toward that. That’s all the sentences combined. That is the bottom line. Do you understand that?

N.T., 11/4/13, p. 19. The record reflects that appellant did not verbally respond to my question but he gave an affirmative nod.

Appellant met with Attorney Mills after the sentencing. He claims that he still did not understand the sentences he received when he was meeting with his attorney. He claims that he only knew that he received a ten-year to twenty-year sentence after a telephone conversation with his mother following the sentencing hearing and the meeting with Attorney Mills. I find this difficult

to believe in light of my pronouncement of sentence directly to appellant and then the last quoted explanation of his sentence which I gave appellant right after I imposed the sentence.

The PSI probation officer restated the plea bargain on page two of the PSI: “A plea agreement, entailing that the present sentences run concurrent to each other, was made between the District Attorney’s Office and the [appellant].” He repeated on page ten of the PSI: “A plea agreement, entailing that the present sentences run concurrent to each other, was made between the District Attorney’s Office and the [appellant].” There was no mention in the PSI of a promised five-and-one-half to eleven-year sentence. Attorney Mills reviewed the PSI with appellant. These statements by the probation officer in the PSI should have prompted appellant to question his attorney or the court at the sentencing hearing, but appellant did not raise the topic.

In addition to appellant’s allegation of a promise by his counsel of a sentence less than what he actually received, appellant complained that he was generally confused about the provisions of the plea bargain. Appellant does not point to any specific subject about which he was confused. Be that as it may, the record just referenced illustrates an accused who was fully aware of every significant aspect of his pleading and sentencing consequences.

Appellant failed to show ineffectiveness on the part of Attorney Mills. The record establishes that appellant knowingly and voluntarily entered his guilty pleas and understood what he faced as sentences. Therefore, this appeal lacks merit and should be denied.

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

Clause, Mary A. a/k/a Mary Alice Clause, dec'd.

Late of 5248 W. State St., Coopersburg.

Personal Representative: James R. Clause c/o James A. Ritter, Esquire, Gross McGinley, LLP, 111 E. Harrison St., Suite 2, Emmaus, PA 18049-2916.

Attorneys: James A. Ritter, Esquire, Gross McGinley, LLP, 111 E. Harrison Street, Suite 2, Emmaus, PA 18049-2916.

Fabik, Doris M., dec'd.

Late of Allentown.

Executrix: Margaret A. Lacher, 857 Lamplight Lane, Virginia Beach, VA 23452.

Gesoff, Hilda Ida Merkin a/k/a Hilda I. Gesoff a/k/a Hildi Gesoff, dec'd.

Late of Macungie.

Executor: Stephen J. Gajda c/o Kathleen M. Collins, Esquire, 1125 S. Cedar Crest Boulevard, Suite 205, Allentown, PA 18103.

Attorney: Kathleen M. Collins, Esquire, 1125 S. Cedar Crest Boulevard, Suite 205, Allentown, PA 18103.

Grove, Roy Hastings, Jr. a/k/a Roy H. Grove, Jr. a/k/a Roy H. Grove, dec'd.

Late of Allentown.

Executor: Jeffrey M. Grove c/o John O. Stover, Jr., Esquire, 537 Chestnut Street, Emmaus, PA 18049.

Attorney: John O. Stover, Jr., Esquire, 537 Chestnut Street, Emmaus, PA 18049.

Huff, Gary L., dec'd.

Late of Macungie.

Administratrix: Gayle C. Getz c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Attorneys: Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Hysick, Charles M., dec'd.

Late of Allentown.

Executrices: Pamela L. Hysick and Angela M. Roth c/o The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102.

Attorneys: Larry R. Roth, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102.

Miller, Earl B., dec'd.

Late of New Tripoli.

Executors: Charlotte M. Miller, 7947 Kings Highway, New Tripoli, PA 18066, Earl L. Miller, 7505 Behler Road, New Tripoli, PA 18066 and David H. Miller, 7493 Behler Road, New Tripoli, PA 18066.

Attorneys: Charles W. Stopp, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

Mosser, Kenneth S., Jr. a/k/a

Kenneth S. Mosser, dec'd.

Late of Center Valley.

Administrators: Donald A. Mosser and Thomas F. Mosser c/o Elizabeth Kapo, Esquire, 2123 Pinehurst Road, Bethlehem, PA 18018.

Attorney: Elizabeth Kapo, Esquire, 2123 Pinehurst Road, Bethlehem, PA 18018.

Schultz, Mary A. a/k/a Mary

Aileen Schultz, dec'd.

Late of Whitehall.

Co-Executors: Gerard R. Schultz and Jane M. Varner c/o Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.

Attorneys: Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.

Wyllie, David P., dec'd.

Late of Catasauqua.

Administrator: David N. Wyllie, 320 Peach St., Catasauqua, PA 18032.

Wyllie, Gerry A., dec'd.

Late of Catasauqua.

Administrator: David N. Wyllie, 320 Peach St., Catasauqua, PA 18032.

Zamadics, Mary, dec'd.

Late of Bethlehem.

Executor: Dennis R. Ridgick c/o Michael E. Riskin, Esquire, 18 E. Market St., P.O. Box 1446, Bethlehem, PA 18016-1446.

Attorneys: Michael E. Riskin, Esquire, Riskin and Riskin, 18 East Market Street, P.O. Box 1446, Bethlehem, PA 18016-1446.

SECOND PUBLICATION

Beck, Ralph H. a/k/a Ralph F. Beck, dec'd.

Late of the City of Allentown.

Executor: Jeffrey A. Beck c/o Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020.

Attorneys: Dionysios C. Pappas, Esquire, Vasiliadis & Associates, 2551 Baglyos Circle, Suite A-14, Bethlehem, PA 18020.

Beltz, Arlington K., dec'd.

Late of Whitehall Township.

Executrix: Caroline Frantz a/k/a Caroline A. Frantz c/o James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.

Attorney: James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.

Dougherty, Mary A., dec'd.

Late of the City of Allentown.

Co-Executrices: Donna Dougherty and Colleen Dougherty c/o Amanda Racines Lovett, Esquire, Gardner, Racines & Sheetz, 3968 Maulfair Place, Allentown, PA 18103.

Attorneys: Amanda Racines Lovett, Esquire, Gardner, Racines & Sheetz, 3968 Maulfair Place, Allentown, PA 18103.

Fogel, Thomas, dec'd.

Late of Emmaus.

Executrix: Catherine Anna Bankowski c/o Samuel R. Kasick, Esquire, 523 W. Linden St., Allentown, PA 18101-1415.
Attorney: Samuel R. Kasick, Esquire, 523 W. Linden St., Allentown, PA 18101-1415.

Administrator: John C. Peischler c/o Dean C. Berg, Esquire, 1820 Main Street, P.O. Box 10, Northampton, PA 18067.

Attorney: Dean C. Berg, Esquire, 1820 Main Street, P.O. Box 10, Northampton, PA 18067.

Heffner, Elizabeth J. a/k/a

Bette J. Heffner, dec'd.
Late of 4509 N. Hedgerow Drive #5, Allentown.

Personal Representatives: Linda Jo Heffner and Thomas S. Heffner c/o James A. Ritter, Esquire, Gross McGinley, LLP, 111 E. Harrison St., Suite 2, Emmaus, PA 18049-2916.

Attorneys: James A. Ritter, Esquire, Gross McGinley, LLP, 111 E. Harrison Street, Suite 2, Emmaus, PA 18049-2916.

Salivonchik, Serges J., dec'd.

Late of Whitehall.

Executrix: Fay Salivonchik c/o James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.

Attorney: James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.

Hood, George R. a/k/a George R. Hood, Sr., dec'd.

Late of Allentown.

Executrix: Carol M. Hood, 362 N. Church St., West Chester, PA 19380.

Smith, Althea K. a/k/a Althea Smith, dec'd.

Late of Allentown.

Executrix: Dolores K. Ziegenfus c/o Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Attorneys: Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Leach, Danforth H., dec'd.

Late of the Borough of Macungie.

The Danforth H. Leach Revocable Living Trust Agreement dated July 6, 1990.

Co-Trustees: Ann H. Biernat-Rucker and Katherine H. Voshell c/o Edward H. Butz, Esquire, Lesavoy Butz & Seitz, LLC, 7535 Windsor Dr., Ste. 200, Allentown, PA 18195.

Attorneys: Edward H. Butz, Esquire, Lesavoy Butz & Seitz, LLC, 7535 Windsor Dr., Ste. 200, Allentown, PA 18195.

Straka, Beatrice J. a/k/a Beatrice Straka, dec'd.

Late of Bethlehem.

Executor: Stephen R. Straka, Jr. c/o Sarah M. Andrew, Esquire, Schoffstall Elder Law, 2987 Corporate Court, Suite 200, Orefield, PA 18069.

Attorneys: Sarah M. Andrew, Esquire, Schoffstall Elder Law, 2987 Corporate Court, Suite 200, Orefield, PA 18069.

Peischler, Frieda Irene, dec'd.

Late of the Township of North Whitehall (Coplay).

Updegrove, Dolores M., dec'd.

Late of 1661 32nd Street, SW, Apt. A, Allentown.

Executor: Alan R. Flamish c/o Linda S. Luther-Veno, Esquire, 1605 N. Cedar Crest Blvd., Suite 106, Allentown, PA 18104.
Attorney: Linda S. Luther-Veno, Esquire, 1605 N. Cedar Crest Blvd., Suite 106, Allentown, PA 18104.

Wieder, Joseph L., dec'd.

Late of Lehigh County.
Executrix: Donna Wieder, 4294 East Texas Rd., Allentown, PA 18103.

THIRD PUBLICATION

Auch, Warren R., dec'd.

Late of 297 Alexander Drive, Allentown.
Executor: John D. Auch c/o Linda S. Luther-Veno, Esquire, 1605 N. Cedar Crest Blvd., Suite 106, Allentown, PA 18104.
Attorney: Linda S. Luther-Veno, Esquire, 1605 N. Cedar Crest Blvd., Suite 106, Allentown, PA 18104.

Biery, Dale R., dec'd.

Late of Whitehall Township.
Executor: Richard A. Biery, 655 English Rd., Bath, PA 18014.

Boyle, Michael B., Sr., dec'd.

Late of Whitehall.
Executrix: Maureen Schneck, 6429 Woodbury Drive, Slatington, PA 18080.

Buhay, Stephen, dec'd.

Late of 4555 Daisy Avenue, Orefield.
Executrices: Darleen B. Malkames, 1632 30th St. NW, Apt. #6, Washington DC, 20007-2976 and Debra P. Hockenberry, 4555 Daisy Avenue, Orefield, PA 18069.

Attorney: William K. Malkames, Esq., 509 W. Linden Street, Allentown, PA 18101-1415.

Connelly, Michael H., dec'd.

Late of Bethlehem.
Executor: Michael J. Connelly c/o James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.
Attorney: James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.

Diggs, Eugene A., dec'd.

Late of the City of Allentown.
Executrix: Denise Ruth Diggs Arnold c/o Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018.
Attorneys: Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018.

D'Imperio, Patricia S., dec'd.

Late of Allentown.
Executor: Daniel G. D'Imperio c/o Daniel K. McCarthy, Esquire, Davison & McCarthy, P.C., 702 Hamilton Street, Suite 300, Allentown, PA 18101.
Attorneys: Daniel K. McCarthy, Esquire, Davison & McCarthy, P.C., 702 Hamilton Street, Suite 300, Allentown, PA 18101.

DiPierro, Joseph Michael, dec'd.

Late of Breinigsville.
Co-Executors: Michael C. DiPierro and Christina A. DiPierro c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.
Attorneys: Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Fandl, Lewis K., dec'd.

Late of Coopersburg.
Executrix: Kathleen H. Kilian
c/o Eric R. Strauss, Esquire,
Worth, Magee & Fisher, P.C.,
2610 Walbert Avenue, Allentown,
PA 18104.

Attorneys: Eric R. Strauss, Esquire,
Worth, Magee & Fisher,
P.C., 2610 Walbert Avenue,
Allentown, PA 18104.

Gerew, Florence M., dec'd.

Late of the City of Allentown.
Co-Executors: Richard E. Steigerwalt
and Dale E. Steigerwalt
c/o Littner, Deschler & Littner,
512 North New Street, Bethlehem,
PA 18018.

Attorneys: Littner, Deschler &
Littner, 512 North New Street,
Bethlehem, PA 18018.

Haberle, Stanley T. a/k/a Stanley Haberle, dec'd.

Late of Allentown.
Executrix: Sheila J. Kunkel c/o
Craig B. Neely, Esq., 209 Main
Street, Emmaus, PA 18049.

Attorney: Craig B. Neely, Esq.,
209 Main Street, Emmaus, PA
18049.

Helinsky, Walter, dec'd.

Late of 2680 Spring Creek Road,
Macungie.
Executrix: Diane L. Albright,
2272 Kecks Road, Fogelsville,
PA 18051.

Attorneys: John T. Forry, Esquire,
Forry Ullman, 540 Court
Street, P.O. Box 542, Reading,
PA 19603.

Hirsch, Betty W., dec'd.

Late of 897 Cold Spring Road,
Apartment 9, Allentown.
Personal Representative: Ms.
Briana B. Hirsch, 9 Quincy
Street, Medford, MA 02155.

Attorneys: Stanley J. Kuter,
Esquire, Prince Law Offices,
P.C., 646 Lenape Road, Bechtelsville,
PA 19505.

Jarrett, Dennis Allen a/k/a Dennis Jarrett, dec'd.

Late of Macungie.
Executor: Scott A. Jarrett c/o
Gerald M. Barr, Esquire, 2239
Pa. Route 309, 1st Fl., Orefield,
PA 18069.

Attorney: Gerald M. Barr, Esquire,
2239 Pa. Route 309, 1st
Fl., Orefield, PA 18069.

Kivatinos, Adele M., dec'd.

Late of the Township of Upper
Macungie.

Executor: Daniel E. Kivatinos
c/o Danyi Law Offices, P.C., 133
East Broad Street, Bethlehem,
PA 18018.

Attorneys: Kevin F. Danyi, JD,
LLM, Esquire, Danyi Law Offices,
P.C., 133 East Broad
Street, Bethlehem, PA 18018.

Kivatinos, Edward T., dec'd.

Late of the Township of Upper
Macungie.

Executor: Daniel E. Kivatinos
c/o Danyi Law Offices, P.C., 133
East Broad Street, Bethlehem,
PA 18018.

Attorneys: Kevin F. Danyi, JD,
LLM, Esquire, Danyi Law Offices,
P.C., 133 East Broad
Street, Bethlehem, PA 18018.

Mann, Joan V., dec'd.

Late of the City of Allentown.
Executrix: Brenda Lee Mann
c/o Norris, McLaughlin & Marcus,
P.A., 515 West Hamilton
Street, Suite 502, Allentown, PA
18101.

Attorneys: Robert E. Donatelli,
Esquire, Norris, McLaughlin &
Marcus, P.A., 515 West Hamilton
Street, Suite 502, Allentown,
PA 18101.

McCue, Joan, dec'd.

Late of Allentown.
Executrix: Patricia Brown c/o Joseph J. Plunkett, Esquire, 2030 Tilghman Street, Suite 202, Allentown, PA 18104.
Attorneys: Joseph J. Plunkett, Esquire, Plunkett & Graver, P.C., 2030 Tilghman Street, Suite 202, Allentown, PA 18104.

Miller, Hilda H., dec'd.

Late of New Tripoli.
Administrators: Mark C. Miller, 3985 Hausman Circle, New Tripoli, PA 18066 and Ilene Lazarus, 6710 Phillips Road, Germansville, PA 18053.
Attorneys: Charles A. Waters, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

Miltenberger, Peter A. a/k/a Peter Miltenberger, dec'd.

Late of Hanover Township.
Executrix: Karen L. Miltenberger c/o Law Offices of Lawrence B. Fox, P.C., 1834 Pennsylvania Avenue, Hanover Township, Allentown, PA 18109.
Attorneys: Law Offices of Lawrence B. Fox, P.C., 1834 Pennsylvania Avenue, Hanover Township, Allentown, PA 18109.

Salinger, Jerome, dec'd.

Late of Allentown.
Executors: Alan H. Salinger, 1018 N. Broad Street, Allentown, PA 18104 and Charles W. Salinger, 700 Honey Run Road, Ambler, PA 19002.

Schaller, Luther J., dec'd.

Late of 4562 Court Street, Co-play.

Executor: Gene L. Schaller c/o Linda S. Luther-Veno, Esquire, 1605 N. Cedar Crest Blvd., Suite 106, Allentown, PA 18104.
Attorney: Linda S. Luther-Veno, Esquire, 1605 N. Cedar Crest Blvd., Suite 106, Allentown, PA 18104.

Sell, Stewart J., dec'd.

Late of New Tripoli.
Executrix: Linda S. Fields, 835 Oxbow Drive, Myrtle Beach, SC 29527.
Attorneys: Charles W. Stopp, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

Smith, Kathleen A. a/k/a Kathy A. Smith, dec'd.

Late of Whitehall.
Administratrix: Elaine A. Fink, 2428 3rd St., Whitehall, PA 18052.

Toth, Diane M. a/k/a Diane Margaret Toth, dec'd.

Late of Allentown.
Executor: Anthony C. Shurilla, Jr. a/k/a Anthony Shurilla, Jr. c/o James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.
Attorney: James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.

Weisbrod, Gertrude, dec'd.

Late of Allentown.
Executor: Irwin S. Davison c/o Andrew V. Schantz, Esquire, 702 Hamilton Street, Suite 300, Allentown, PA 18101.
Attorneys: Andrew V. Schantz, Esquire, Davison & McCarthy, P.C., 702 Hamilton Street, Suite 300, Allentown, PA 18101.

Werkheiser, Kenneth E., dec'd.

Late of Orefield.

Executrix: Carol Ann Brezan
c/o Joseph J. Plunkett, Es-
quire, 2030 Tilghman Street,
Suite 202, Allentown, PA 18104.
Attorneys: Joseph J. Plunkett,
Esquire, Plunkett & Graver,
P.C., 2030 Tilghman Street,
Suite 202, Allentown, PA 18104.

CHANGE OF NAME NOTICE

In the Court of Common Pleas of
Lehigh County
Civil Action—Law

NO. 2015-C-2273

NOTICE IS HEREBY GIVEN that
on July 17, 2015, the Petition of
Julianne V. Sosa has been filed in the
above named Court, praying for a
Decree to change the name of minor
child from Jasmine Sosa to Jasmine
Wescott.

The Court has fixed September 9,
2015 at 9:30 A.M. in Courtroom No.
2A, Lehigh County Courthouse, Al-
lentown, Pennsylvania, as the date
and place for the hearing of said
Petition. All persons interested in the
proposed change of name may appear
and show cause, if any they have,
why the prayer of said Petitioner
should not be granted.

Ju-24

FOREIGN CORPORATION

The name of the corporation is
GSC CONSULTING INC. duly incor-
porated under the laws of the State
of New York.

The address of the principal office
of the corporation under the laws of
the State of New York in which it is
incorporated is 200 E. 24th St.,
#1003, NY, NY 10010.

The proposed registered office of
the corporation in the Common-
wealth of Pennsylvania is 7708 Lang-
don Street, Philadelphia, PA 19111.

The corporation will file its ap-
plication for the Foreign Corporation
Certificate of Authority on or after
June 23, 2015.

Ju-24

NOTICE OF VOLUNTARY
DISSOLUTION

NOTICE IS HEREBY GIVEN that
GEORGE J. SPILLANE, INC., a Penn-
sylvania for-profit corporation having
its registered office at 154 Tilghman
Street, Allentown, PA 18102, has filed
Articles of Dissolution with the De-
partment of State of the Common-
wealth of Pennsylvania at Harrisburg,
Pennsylvania, pursuant to and in
accordance with the applicable pro-
visions of the Pennsylvania Corpora-
tion Law of 1988 (P.L. 1444, No. 177),
as amended and that the said corpo-
ration is winding up its affairs in the
manner prescribed by said law, so
that its corporate existence has been
terminated upon the filing of the
Articles of Dissolution with the De-
partment of State of the Common-
wealth of Pennsylvania.

JON A. SWARTZ, ESQ.
7736 Main Street
Fogelsville, PA 18051

Ju-24

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE

Lehigh County
Court of Common Pleas

Number: 2014-C-204

OneWest Bank, N.A.,

Plaintiff

v.

Karen Baranello Known Surviving
Heirs of Irene H. Bolger, Deceased
Mortgagor and Real Owner, Kim
Bolger Known Surviving Heirs of
Irene H. Bolger, Deceased
Mortgagor and Real Owner, Richard
J. Bolger Known Surviving Heirs of
Irene H. Bolger, Deceased
Mortgagor and Real Owner, William
D. Bolger Known Surviving Heirs of
Irene H. Bolger, Deceased
Mortgagor and Real Owner,
Deborah A. Downes Known
Surviving Heirs of Irene H. Bolger,
Deceased Mortgagor and Real
Owner and Unknown Surviving
Heirs of Irene H. Bolger, Deceased
Mortgagor and Real Owner,

Defendants

LEHIGH LAW JOURNAL

TO: Unknown Surviving Heirs of
Irene H. Bolger, Deceased Mort-
gagor and Real Owner
Premises subject to foreclosure:
3060 Elm Drive, Allentown, Pennsyl-
vania 18103.

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 notice 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.

Lawyer Referral Service
Lehigh County Bar Association
P.O. Box 1324
Allentown, PA 18105-1324
(610) 433-7094
McCABE, WEISBERG
& CONWAY, P.C.
Attorneys for Plaintiff
123 S. Broad St.
Ste. 1400
Philadelphia, PA 19109
(215) 790-1010

Ju-24

REALTORS
WANT TO
SELL
HOUSES ... LAWYERS
WANT TO
PROTECT
YOUR
INVESTMENT

Lawyers are the impartial participants in your real estate transaction. You want the house. The realtor wants to sell it. What if there is a legal problem at settlement? Who is watching out for you and your rights?



*Don't take a chance ...
consult your attorney.*



***“It took an accident to get me out
of jury duty.”***



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, July 27, 2015**