

The Greene Reports

Official Legal Publication for Greene County, Pennsylvania
Owned and operated by Greene County Bar Association
Greene County Courthouse, Waynesburg, PA 15370

Vol. XXXVIII, No. 70

November 23, 2023



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Serving the Legal Community of Greene County
Since October 1982

The Greene Reports

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COURT OF COMMON PLEAS
Honorable Louis Dayich, President Judge
Honorable Jeffry N. Grimes, Judge

MOTIONS

Criminal & Civil & O.C.:
November 27 and 29, 2023

CRIMINAL

Arraignments: November 27, 2023
ARDs: December 11, 2023
ARD Revocations: December 11, 2023
Parole Violations: November 27, 2023
Plea Court: December 14-16, 2023
License Suspension December 19, 2023
Argument Court: December 20, 2023

ORPHANS

Accounts Nisi: December 4, 2023
Accounts Absolute: December 14, 2023

SUPREME COURT
SUPERIOR COURT
COMMONWEALTH COURT

Convenes in Pgh.: April 8-12, 2024
Convenes in Pgh.: December 18-22, 2023
Convenes in Pgh.: February 5-9, 2024

ARGUMENTS

Argument Court: November 27, 2023

CIVIL

Domestic Relations Contempts: November 27, 2023
Domestic Relations Appeals: November 27, 2023

JUVENILE

Plea Day: December 21, 2023

THE GREENE REPORTS

Owned and published by the GREENE COUNTY BAR ASSOCIATION
Editor: Kayla M. Sammons
E-mail address: editor.greenerreports@yahoo.com

EDITORIAL POLICY

All articles published in The Greene Reports are intended to inform, educate or amuse. Any article deemed by the editorial staff to be reasonably interpreted as offensive, demeaning or insulting to any individual or group will not be published.

The views expressed in the articles represent the views of the author and are not necessarily the views of The Greene Reports or the Greene County Bar Association.

The Greene Reports welcomes letters to the Editor both for publication and otherwise. All letters should be addressed to: Editor, The Greene Reports, Greene County Courthouse, 10 East High Street, Waynesburg, PA 15370. Letters must include signature, address and telephone number. Anonymous correspondence will not be published. All letters for publication are subject to editing and, upon submission, become the property of The Greene Reports.

THE GREENE COUNTY BAR ASSOCIATION

Christopher M. Simms, President
Timothy M. Ross, Vice-President
Allen J. Koslovsky, Secretary
Lukas B. Gatten, Treasurer
Jessica L. Phillips, Ex-Officio

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DEED TRANSFERS

The following property transfers have been recorded in the Greene County Recorder of Deeds office.

CUMBERLAND TOWNSHIP

Amanda Graham, et al., to Equity Point Real Estate LLC, Lot 195, Nemaocolin, \$16,000.00 (11-15-23)

Charles T. Bokar, et ux., to Douglas Roher, et ux., Lots 120-125, Colonial Heights Addition, \$16,000.00 (11-21-23)

DUNKARD TOWNSHIP

Campbell Family Irrevocable Trust, et al., to Ricardo M. Rique-Sanchez, et ux., 2 Acres, \$202,500.00 (11-17-23)

Stephen M. Todd a/k/a Stephen Todd, et ux., to David W. Richter, et ux., 3 Tracts, \$35,000.00 (11-17-23)

Brad A. Johnson to Brad A. Johnson, et ux., 63.394 Acres, \$5,585.70 (11-20-23)

FRANKLIN TOWNSHIP

Melody L. Feezle a/k/a Melody L. Stephanik, et ux., to EQT Production Company, 10 Acres, O&G, \$946.42 (11-15-23)

Deborah G. Richner, et ux., to EQT Production Company, 4.1465 Acres, O&G, \$6,634.40 (11-15-23)

Kristopher R. Whetstone, et al., to Nicholas C. Siordia, et ux., Lot 53, Bonar Plan, \$184,900.00 (11-21-23)

GILMORE TOWNSHIP

Douglas E. Shirley, et ux., to EQT Production Company, 118.998 Acres, O&G, \$348.62 (11-15-23)

JACKSON TOWNSHIP

Earl A. Grimes to EQT Production Company, 153.894 Acres, O&G, \$21,435.47 (11-15-23)

Andrew Grimes to EQT Production Company, 153.894 Acres, O&G, \$8,574.19 (11-15-23)

Monica Levensgood to EQT Production Company, 153.894 Acres, O&G, \$8,574.19 (11-15-23)

George W. Fields, Jr., et ux., to Three Rivers Royalty III LLC, 1.85 Acres, O&G, \$14,800.00 (11-16-23)

JEFFERSON TOWNSHIP

Sandra Murray to Shannon L. Pratt, et ux., 33.044 Acres, \$34,091.58 (11-15-23)

MORGAN TOWNSHIP

Leonard John Stickovich to Ally Nicole Wilson, et ux., 138.602 Acres, \$240,000.00 (11-16-23)

SPRINGHILL TOWNSHIP

Kristi Keffer, et ux., to EQT Production Company, 84.341 Acres, O&G, \$4,696.76 (11-15-23)

WAYNE TOWNSHIP

Larry A. Hall to EQT Production Company, 14.35625 Acres, O&G, \$1,435.60 (11-15-23)

WAYNESBURG BOROUGH

Janet McGhie Estate a/k/a Janet H. McGhie Estate a/k/a Janet Helene McGhie Estate, et ux., to Costa Apostolakis, Lot 97, Ward No 1, \$76,000.00 (11-20-23)

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ESTATE NOTICES

NOTICE is hereby given of the grant of letters by the Register of Wills to the Estates of the following named decedents. All persons having claims are requested to make known the same and all persons indebted to the decedent are requested to make payment to the personal representative or his attorney without delay.

FIRST PUBLICATION

DAVIS, IRMHILD

Late of Jefferson Borough, Greene County, Pennsylvania
Co-Executor: Richard Davis, 106 Price Street, Rices Landing, PA 15357
Co-Executor: Mary Ann Ealy, 268 Washington Road, Waynesburg, PA 15370
Attorney: Dorothy A. Milovac, Esquire, Peacock Keller, LLP, 95 West Beau Street, Suite 600, Washington, PA 15301

HEADLEE, MARY LEE A/K/A MARY LEE B. HEADLEE

Late of Greene Township, Greene County, Pennsylvania
Administrator: Robert V. Headlee, 1124 N. Eighty – Eight Road, Rices Landing, PA 15357
Attorney: John R. Headley, Esquire, 76 North Richhill Street, Waynesburg, PA 15370

WAKIM, ERMA B.

Late of Rices Landing, Jefferson Township, Greene County, Pennsylvania
Executor: Lynn C. Mural, 149 Ferncliff Road, Rices Landing, PA 15357
Attorney: Spilman Thomas and Battle, 1233 Main Street, Suite 4000, Wheeling, WV 26003

THIRD PUBLICATION

MOORE, ANNA MAE

Late of Cumberland Township, Greene County, Pennsylvania
Executor: James E. Moore, Jr., 117 4th Street, Waynesburg, PA 15370
Attorney: Phillip C. Hook, Attorney, 430 East Oakview Drive, Suite 101, Waynesburg, PA 15370

PAVLIC, JOSEPHINE

Late of Morris Township, Greene County, Pennsylvania
Executor: Timothy A. Yost, 1116 Robinson Hwy, McDonald, PA 15057
Attorney: Jeffrey P. Derrico, Esquire, Greenlee Derrico Posa LLC, 122 S. McDonald Street, McDonald, PA 15057 (724) 926-3115

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FIRST AND FINAL ACCOUNT

LIST OF FIRST AND FINAL ACCOUNTS TO BE PRESENTED TO THE COURT BY SHERRY L. WISE, CLERK OF COMMON PLEAS COURT, ORPHANS' COURT DIVISION ON December 4, 2023 FOR NISI CONFIRMATION AND ON December 14, 2023 FOR FINAL CONFIRMATION.

The Fourth and Final Account of Mark E. Fox, Executrix of the Estate of James K Willison Jr, Deceased, late of Franklin Township, Greene County, PA

Attorney: Gregory C. Hook, Esquire
189 West High Street
Waynesburg, PA 15370

FIRST AND FINAL ACCOUNT

LIST OF FIRST AND FINAL ACCOUNTS TO BE PRESENTED TO THE COURT BY SHERRY L. WISE, CLERK OF COMMON PLEAS COURT, ORPHANS' COURT DIVISION ON December 4, 2023 FOR NISI CONFIRMATION AND ON December 14, 2023 FOR FINAL CONFIRMATION.

The First and Final Account of Rylee Exner, Administratrix of the Estate of Rodney Carlos Shepherd, Deceased, late of Cumberland Township, Greene County, PA

Attorney: Brandon K. Meyer, Esquire
76 North Richhill Street
Waynesburg, PA 15370

SHERIFF'S SALE

**By Virtue of a Writ of Execution (Mortgage Foreclosure)
No. ED-35-2023 AD-341-2023**

Issued out of the Court of Common Pleas of Greene County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Greene County Courthouse in the City of Waynesburg, County of Greene, Commonwealth of Pennsylvania on:

**FRIDAY, DECEMBER 15, 2023
AT 10:00 O'CLOCK A.M.**

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All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than twenty (20) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

DOCKET NO: AD-341-2023

ALL THAT CERTAIN lot or piece of ground situate in Franklin Township, County of Greene and Commonwealth of Pennsylvania.

TAX PARCEL NO: 07-11-186

PROPERTY ADDRESS: 3129 Mt. Morris Road, Waynesburg, PA 15370

SOLD AS THE PROPRTY OF: Kevin L. Mannon

Powers Kim, LLC

PROPERTY ADDRESS: 3129 Mt Morris Rd, Waynesburg, PA 15370

UPI/TAX PARCEL NUMBER: 07-11-186

Seized and taken into execution to be sold as the property of KEVIN L MANNON, KEVIN MANNON in suit of PENNYMAC LOAN SERVICES, LLC.

Attorney for the Plaintiff:

Powers Kim, LLC

Morrestown, NJ 856-802-1000

MARCUS N. SIMMS, Sheriff

Greene County, Pennsylvania

SHERIFF'S SALE

By Virtue of a Writ of Execution (Mortgage Foreclosure)

No. ED-42-2023 AD-873-2022

Issued out of the Court of Common Pleas of Greene County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Greene County Courthouse in the City of Waynesburg, County of Greene, Commonwealth of Pennsylvania on:

FRIDAY, DECEMBER 15, 2023

AT 10:00 O'CLOCK A.M.

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than twenty (20) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING V PHILIP J, BANE owner(s) of the property situate in the TOWNSHIP OF MONONGAHELA, GREENE County, Pennsylvania, being 931 MAPLETOWN ROAD, GREENSBORO, PA 15338

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Tax Id No. 16-17-106

Improvements thereon: RESIDENTIAL DWELLING

Attorney for Plaintiff: Pamela Harris-Williams, Esquire

PINCUS LAW GROUP, PLLC

2929 Arch Street, Suite 1700

Philadelphia, PA 19104

Telephone: 484-575-2201

PROPERTY ADDRESS: 931 MAPLETOWN ROAD, GREENSBORO, PA 15338

UPI/TAX PARCEL NUMBER: 16-17-106

PROPERTY ADDRESS: 931 Mapletown Road, Greensboro, PA 15338

UPI/TAX PARCEL NUMBER: 16-17-106

Seized and taken into execution to be sold as the property of PHILLIP J BANE in suit of NEWREZ, LLC D/B/A SHELLPOINT MORTGAGE SERVICING.

Attorney for the Plaintiff:

Pincus Law Group, PLLC

Philadelphia, PA 484-575-2201

MARCUS N. SIMMS, Sheriff

Greene County, Pennsylvania

SHERIFF'S SALE

By Virtue of a Writ of Execution (Mortgage Foreclosure)

No. ED-41-2023 AD-41-2023

Issued out of the Court of Common Pleas of Greene County, Pennsylvania and to me directed, I will expose the following described property at public sale at the Greene County Courthouse in the City of Waynesburg, County of Greene, Commonwealth of Pennsylvania on:

FRIDAY, DECEMBER 15, 2023

AT 10:00 O'CLOCK A.M.

All parties in interest and claimants are further notified that a proposed schedule of distribution will be on file in the Sheriff's Office no later than twenty (20) days after the date of the sale of any property sold hereunder, and distribution of the proceeds will be made in accordance with the schedule ten (10) days after said filing, unless exceptions are filed with the Sheriff's Office prior thereto.

Defendant(s): Gregory Scott Hager and Wendy Renee Hager

Address of the Property: 267 Second Street, Clarksville, PA 15322

Parcel No. 15-17-205, 15-17-208

PARCEL ONE: ALL that certain lot or piece of land situate in Jefferson Township, Greene County, Pennsylvania, and being all of Lot #263-265 in the Clyde Land Company Number 2 Plan of Lots, recorded in the Recorder's Office of Greene County, Pennsylvania, in Plan Book Volume 1, page 92, bounded and described as follows:

PARCEL TWO: ALL that certain piece of land situate in Jefferson Township, Greene County, Pennsylvania, and being Lot No. 267-269 in the Clyde Land Company No.2 Plan of Lots, bounded and described as follows:

Stern & Eisenberg, PC
1581 Main Street, Suite 200
The Shops at Valley Square
Warrington, PA 18976

PROPERTY ADDRESS: 267 Second St, Clarksville, PA 15322

UPI/TAX PARCEL NUMBER: 15/17/205, 15/17/208

Seized and taken into execution to be sold as the property of GREGORY SCOTT HAGER, GREGORY SCOTT HAGER, WENDY RENEE HAGER, WENDY RENEE HAGER in suit of DEUTSCHE BANK TRUST COMPANY AMERICAS, F/K/A BANKERTRUST COMPANY, AS TRUSTEE FOR SAXON ASSET SECURITIES TRUST 2001-1, MORTGAGELOAN ASSET BACKED CERTIFICATES, SERIES 2001-1.

Attorney for the Plaintiff:
Stern & Eisenberg, PC
Warrington, PA 215-572-8111

**MARCUS N. SIMMS, Sheriff
Greene County, Pennsylvania**

SUPREME COURT NOTICE

SUPREME COURT OF PENNSYLVANIA

APPELLATE COURT PROCEDURAL RULES COMMITTEE

NOTICE OF PROPOSED RULEMAKING

Proposed Amendment of Pa.R.A.P. 102

The Appellate Court Procedural Rules Committee is considering proposing to the Supreme Court of Pennsylvania the amendment of Pa.R.A.P. 102 to make appeals from juvenile delinquency adjudications subject to Children’s Fast Track procedures for the reasons set forth in the accompanying explanatory report. Pursuant to Pa.R.J.A. 103(a)(1), the proposal is being published in the *Pennsylvania Bulletin* for comments, suggestions, or objections prior to submission to the Supreme Court.

Any report accompanying this proposal was prepared by the Committee to indicate the rationale for the proposed rulemaking. It will neither constitute a part of the rules nor be adopted by the Supreme Court.

Additions to the text of the proposal are bolded and underlined; deletions to the text are bolded and bracketed.

The Committee invites all interested persons to submit comments, suggestions, or objections in writing to:

**Karla M. Shultz, Deputy Chief
Counsel Appellate Court
Procedural Rules Committee
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
PO Box 62635
Harrisburg, PA 17106-2635
FAX: 717-231-9551
appellaterules@pacourts.us**

All communications in reference to the proposal should be received by **January 31, 2024**. E-mail is the preferred method for submitting comments, suggestions, or objections; any e-mailed submission need not be reproduced and resubmitted via mail. The Committee will acknowledge receipt of all submissions.

By the Appellate Court Procedural Rules
Committee, Peter J. Gardner
Chair

Rule 102. Definitions.

Subject to additional definitions contained in subsequent provisions of these rules which are applicable to specific provisions of these rules, the following words and phrases when used in these rules shall have, unless the context clearly indicates otherwise, the meanings given to them in this rule:

Children's [fast track appeal.--] Fast Track Appeal. Any appeal from an order involving dependency, termination of parental rights, adoptions, custody, [or] paternity, **or delinquency except out-of-home placements under Pa.R.A.P. 1612**. See 42 Pa.C.S.

§§ 6301 *et seq.*; 23 Pa.C.S. §§ 2511 *et seq.*; 23 Pa.C.S. §§ 2101 *et seq.*; 23 Pa.C.S. §§ 5321 *et seq.*; 23 Pa.C.S. §§ 5102 *et seq.*

[**Note:**] **Comment:** Based on 42 Pa.C.S. § 102 (definitions). The definition of “determination” is not intended to affect the scope of review provided by 42 Pa.C.S. § 5105(d) (scope of appeal) or other provision of law.

The addition of “delinquency” within the definition of “Children’s Fast Track Appeal” extends expedited review to orders involving those adjudications.

**SUPREME COURT OF PENNSYLVANIA
APPELLATE COURT PROCEDURAL RULES COMMITTEE**

PUBLICATION REPORT

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Proposed Amendment of Pa.R.A.P. 102

The Appellate Court Procedural Rules Committee is considering proposing to the Supreme Court the amendment of Pennsylvania Rule of Appellate Procedure 102 to expand the definition of “Children’s Fast Track” (CFT) to include appeals from juvenile delinquency orders.

Currently, CFT procedures apply to all cases involving dependency, termination of parental rights, adoption, custody, or paternity. *See* Pa.R.A.P. 102; 210 Pa. Code § 65.14A(1). In addition, Central Legal Staff of the Superior Court has the discretion to expedite other appeals involving the parent-child relationship as “Other Family Fast Track.” 210 Pa. Code § 65.14A(2).

Under CFT, an appellant is required to file a Pa.R.A.P. 1925 statement with the notice of appeal and the judge is required to file an opinion in 30 days of receipt if the reasons for the order do not appear on the record. The clerk must transmit the record within 30 days and the briefing schedules are compressed, as well as the time requirements for other actions and filings, *e.g.*, designation of reproduced record, dispositive motions, applications for reconsideration/reargument, and petitions for allowance of appeal. Thus, both the courts and parties must act in an expedited manner.

Currently, juvenile delinquency appeals are not granted expedited treatment with the exception of out-of-home placement determinations, which are subject to specialized petition for review practice under Pa.R.A.P. 1612. A requester urged that juvenile delinquency appeals be subject to CFT procedures to afford those parties the same swift handling of their cases with a timely resolution as the other cases subject to CFT.

In evaluating the request, the Committee considered the impact adding juvenile delinquency appeals to CFT procedures could have on the Superior Court. It solicited caseload statistics from the AOPC regarding the volume of appeals for the most recent five-year period (2018-2022). The data revealed that there have been between 23 and 48 juvenile-delinquency appeals per year with an average of 35 appeals per year. In total, there were 175 appeals over the entire five-year period. The Committee concluded that the inclusion of delinquency appeals within CFT would not overly burden the Superior Court.

Accordingly, the Committee proposes an amendment to the definition to “Children’s Fast Track” to include delinquency appeals within the scope of those procedures. In addition, the amended definition would recognize the exception for out- of-home placements.

* * *

Accordingly, the Committee invites all comments, objections, concerns, and suggestions regarding this proposed rulemaking.