



Chester County Law Reporter

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Chester County Law Reporter

(USPS 102-900)

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Commonwealth vs. Frye

Hybrid representation – Waiver of issues on appeal – Discretionary aspect of sentence
– Ineffective assistance of counsel – Valid guilty plea – RRRI - PSI

1. Defendants in criminal cases possess no constitutional right to hybrid representation, and thus, any *pro se* filings while represented by counsel will not be considered by the court.
2. When an appellant fails adequately to identify in a concise manner the issues sought to be pursued on appeal, the trial court is impeded in its preparation of a legal analysis which is pertinent to those issues and the issues are deemed waived.
3. There is no absolute right to appeal when challenging the discretionary aspect of a sentence; rather, an appeal is permitted only after the appellate court determines that there is a “substantial question” that the sentence was not appropriate under the sentencing code.
4. A defendant presents a “substantial question” when he sets forth a plausible argument that the sentence violates a provision of the sentencing code or is contrary to the fundamental norms of the sentencing process.
5. In order to properly present a discretionary sentencing claim, a defendant is required to preserve the issue in either a post-sentence motion or at sentencing and in a court-ordered Pa.R.A.P. 1925(b) concise statement.
6. On appeal, a defendant must provide a separate statement specifying where the sentence falls in the sentencing guidelines, what provision of the sentencing code has been violated, what fundamental norm the sentence violates, and the manner in which it violates the norm.
7. Consecutive sentences can be warranted when each controlled buy was a completely discrete and separate crime as a defendant is not entitled to a “volume discount”.
8. Issues not raised in the trial court are waived and cannot be raised for the first time on appeal.
9. In evaluating claims of ineffective assistance of counsel, analysis begins with the presumption that counsel was effective. To overcome this presumption, a defendant must establish three factors. First, a defendant must demonstrate that the underlying claim has arguable merit. Second, a defendant must establish that counsel had no reasonable basis for his action or inaction. In determining whether counsel’s actions was reasonable, courts do not question whether there were superior courses of action which counsel could have pursued; rather, there is an examination as to whether counsel’s decisions had any reasonable basis. Finally, a defendant must establish that he has been actually prejudiced by counsel's ineffectiveness; in order to meet this burden, he must show that but for the act or omission in question, the outcome of the proceedings would have been different.

10. A claim of ineffectiveness may be denied by a showing that the petitioner's evidence fails to meet any of the prongs.
11. To be valid, a guilty plea must be knowingly, voluntarily and intelligently entered.
12. A defendant who enters a guilty plea is presumed to have been aware of what he was doing and he bears the burden of proving otherwise.
13. When a defendant states in a written guilty plea colloquy that he is satisfied with his counsel, he is precluded from later asserting that he was not.
14. Because a defendant has a duty to answer questions truthfully, he may not challenge his guilty plea by alleging that he lied while under oath even if he contends that his counsel induced the lies.
15. In cases involving pleas, the court must examine the totality of the circumstances surrounding the plea to determine its validity. Specifically, the court will look to the written guilty plea colloquy as well as the transcript of the relevant proceedings. Thus, the focus of the inquiry becomes the plea hearing in order to determine whether the defendant was misled or misinformed and acted under misguided influence on a material point.
16. A deficient plea does not *per se* establish prejudice on the order of manifest injustice.
17. To help ensure that a defendant understands the nature of the charges to which he is pleading guilty, a trial court must conduct an on-the-record examination of the defendant as outlined in the comments to Pa.R.Crim.P. 590(a). At a minimum, the judge should ask questions to elicit the following information: (a) does the defendant understand the nature of the charges to which he or she is pleading guilty?; (b) is there a factual basis for the plea?; (c) does the defendant understand that he or she has the right to trial by jury?; (d) does the defendant understand that he or she is presumed innocent until he is found guilty?; (e) is the defendant aware of the permissible range of sentences and/or fines for the offenses charged?; and (f) is the defendant aware that the judge is not bound by the terms of any plea agreement tendered unless the judge accepts such agreement?
18. Because a defendant is bound by the statements contained in his written plea colloquy and the statements he made in open court during the plea hearing, he cannot contradict those statements.
19. Courts strive to discourage entry of guilty pleas as sentence-testing devices.
20. Where a sentencing court is informed by a PSI, it is presumed that the court is aware of all appropriate sentencing factors and considerations.
21. After four open guilty pleas to delivering a controlled substance, Defendant received an aggregate sentence of 60 to 120 months of total confinement. Defendant failed to articulate the required bases for counsel's ineffectiveness; accordingly, the issue is waived. Defendant did not object during the guilty plea when the prosecutor read the weight of the drugs into the record and fails to explain how this prejudiced him. Further, the disclosure of the weight of

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the controlled substances in this case may have actually inured to Defendant's benefit based on the relatively small weight of the controlled substances at issue. Defendant contends that the Court erred in not making him eligible for the Recidivism Risk Reduction Incentive ("RRRI") program. In order to be eligible for RRRI, a defendant must not have a history of violent behavior. Defendant has a conviction of aggravated assault upon a police officer, which makes him ineligible for the RRRI program. The trial Court respectfully requested that it be affirmed.

R.E.M.

C.C.P. Chester County, Pennsylvania, Criminal Action – PCRA No. 3285-2017; Commonwealth of Pennsylvania vs. Tarance Russell Frye

Nicholas J. Casenta, Jr. for Commonwealth
Laurence Harmelin for Defendant
Mahon, J., July 7, 2021:-

[Editor's Note: Affirmed by the Superior Court on 2/11/22 at 865 EDA 2021.]

: CHESTER COUNTY, PENNSYLVANIA

VS.

: CRIMINAL ACTION - PCRA

TARANACE RUSSELL FRYE¹

: NO. 3285-2017

Nicholas J. Casenta, Jr., Chief Deputy District Attorney

Laurence Harmelin, Esquire, Attorney for Defendant

OPINION

AND NOW, this 7th day of July, 2021, pursuant to Pa. R.A.P. 1925(a), the Court offers this Opinion in response to Tarance Russell Frye’s (“Defendant”) timely appeal and Statement of Matters Complained of on Appeal (“Statement”).

FACTUAL AND PROCEDURAL HISTORY

We set forth only as much of the procedural and factual history necessary for the issuance of this Opinion. On June 19, 2019, Defendant entered an open guilty plea on four (4) counts of Delivery of a Controlled Substance.² Sentencing was deferred in this matter for the preparation of Pre-Sentence Investigation (“PSI”) report by Adult Probation.

On September 9, 2019, the Court imposed the following sentence: Count (1) 24 to 48 months incarceration; Count (2) 24 to 48 months incarceration, consecutive to Count (1); Count (3) 12 to 24 months incarceration, consecutive to Count (2); Count (4) 12 to 24 months, concurrent with Count (3). Consequently, Defendant received an aggregate sentence of 60 to 120 months of total confinement in a State Correctional Institution. See Sentencing Sheet, 9/9/19. Defendant was represented during the guilty plea and sentencing by Jonathon Luff, Esquire.

On September 16, 2019, defense counsel filed a Motion for Modification of Sentence. On September 19, 2019, Defendant filed a *pro se* Motion for Modification and/or Reduction of Sentence. On October 3, 2019, the Court denied defense counsel’s Motion for Modification of Sentence and took no action of

¹ A/K/A Terrance Rokins.

² Defendant’s convictions also violated Docket Numbers 1412-2011 (third violation and underlying charge of PWID), 2962-2015 (third violation and underlying charge of DUI), and 4034-2004 (fourth violation and underlying charge of aggravated assault). Defendant does not take issue with his violation sentences.

defendant's *pro se* Motion.³ On October 16, 2019, Defendant was allotted the credit for time served from July 9, 2017 to September 3, 2019.⁴

On November 19, 2019, Defendant filed a PCRA Petition. As this was the indigent Defendant's first PCRA petition, the Court appointed C. Curtis Norcini, Esquire, to represent Defendant in all matters pertaining to his Petition. Defendant filed *pro se* amendments to his PCRA Petition on January 24, 2020, June 15, 2020, and December 14, 2020, respectively.

On June 24, 2020, the Court ordered the Commonwealth to file an Answer with respect to whether summary dismissal is appropriate. On July 26, 2020, the Commonwealth filed an Answer. On August 17, 2020, Defendant filed a document captioned as a Petition for Writ of Habeas Corpus ("Petition"). On August 20, 2020, the Court Ordered the Commonwealth to file an Answer to the Petition. On August 23, 2020, the Commonwealth filed its Answer to Defendant's Petition. On August 25, 2020, the Court dismissed Defendant's Petition.

On December 23, 2019, Defendant filed a "Motion to Proceed Pro Se/Extension of Time to File an Amended PCRA Petition." Based on this *pro se* filing and following a series of continuances, a *Grazier* hearing was held on June 5, 2020, wherein Defendant was granted *pro se* status.

On March 18, 2021, the Court disposed of Defendant's PCRA petition and amendments thereto. Specifically, with the agreement of the Commonwealth, Defendant was granted a *nunc pro tunc*, direct appeal, to the Superior Court.

On March 30, 2021, Defendant filed a *pro se* Notice of Appeal. On April 12, 2021, Defendant filed a "Motion to Amend Bail Motion"⁵. By Order dated April 15, 2021, Laurence Harmelin, Esquire was appointed to represent Defendant on his appeal. On May 13, 2021, following a video hearing, Defendant's bail Motion was denied and bail was formally revoked. On May 4, 2021, Mr. Harmelin was directed to file a Statement of Matters Complained of on Appeal. On June 28, 2021, Mr. Harmelin filed a timely Statement.

The facts in support of Defendant's guilty plea and giving rise to this appeal are as follows: On January 2, 2017, in Coatesville, Chester County, Pennsylvania, Defendant delivered five bags of heroin weighing 0.91 grams to a confidential informant in exchange for U.S. currency.

³ We note that that during the pendency of this case, Defendant has been a prolific *pro se* filer which invoked considerable procedural complexity and delay. Defendant's *pro se* filings were not considered by this Court as he was represented by counsel at the time of their filing. See *Commonwealth v. Ellis*, 626 A.2d 1137 (Pa. 1993) (holding that defendants in criminal cases possess no constitutional right to hybrid representation, and thus, any *pro se* filings while represented by counsel will not be considered by the court.); *Commonwealth v. Hall*, 476 A.2d 7, 9-10 (Pa. Super. 1984) (citation omitted). "The proper response to any *pro se* pleading is to refer the pleading to counsel, and to take no further action on the *pro se* pleading unless counsel forwards a motion." *Commonwealth v. Jette*, 23 A.3d 1032, 1044 (Pa. 2011). Consequently, all of Defendant's *pro se* filings while represented by counsel were forwarded to counsel of record at all relevant times.

⁴ A total of 756 days.

⁵ Defendant's Motion is essentially a request for Bail Pending Appeal under Pa.R.Crim.P. 521.

On April 1, 2017, in Coatesville, Chester County, Pennsylvania, Defendant delivered five bags of cocaine weighing 1.04 grams to a confidential informant in exchange for U.S. currency.

On April 25, 2017, in East Fallowfield Township, Chester County, Pennsylvania, Defendant delivered seven bags of heroin weighing 0.16 grams to a confidential informant in exchange for U.S. currency.

On July 7, 2017, in Coatesville, Chester County, Pennsylvania, Defendant delivered 0.98 grams of cocaine to a confidential information in exchange for U.S. currency.

N.T., 6/19/19, at 7-8.

DISCUSSION

Defendant's Statement raises four (4) issues for our review. Those issues in Defendant's own words are as follows:

1. The Guilty Plea was not entered knowingly, intelligently, and voluntarily, as prior to the entry of the guilty plea, the appellant was misled by the representation of the Commonwealth's attorney, that she would not mention to the Sentencing Judge, at appellant's Sentencing, the weight of the controlled substances involved in the case at bar.
2. The sentence imposed was excessive.
3. The Sentencing Court erred in failing to consider the appellant for, and to Sentence the appellant pursuant to, the Recidivism Risk Reduction Incentive plan (R.R.R.I), for which he was eligible.
4. Guilty plea counsel was ineffective for failing to file a Motion for Reconsideration of Sentence, as requested by appellant.

Def.'s Statement, 6/28/21. As we will explain, Defendant's arguments are either waived or otherwise lack arguable merit and can form no successful basis on appeal.

Initially, we note that Statement issues two (2) and four (4) are deemed waived. The aforesaid assertions are undeveloped, confusing, or too vague, and therefore impedes meaningful review.

The Superior Court of Pennsylvania has cogently articulated that:

When a [trial] court has to guess what issues an appellant is appealing, that is not enough for meaningful review....When an appellant fails adequately to identify in a concise manner the issues sought to be pursued on appeal, the trial court is impeded in its preparation of a legal analysis which is pertinent to those issues.

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See Commonwealth v. Dowling, 778 A.2d 683, 686 (Pa. Super. 2002) (internal citations omitted); see also, Commonwealth v. Lord, 719 A.2d 306, 308 (Pa.1998) (holding that when a trial court directs a defendant to file a Concise Statement of Matters Complained of on Appeal, any issues not raised in such a statement will be waived); Commonwealth v. Lemon, 804 A.2d 34 (Pa. Super. 2002) (even if the trial court correctly guesses the issue Appellant raises on appeal and writes an opinion pursuant to that supposition, the issue is still waived).

Here, Defendant fails to articulate why he believes his sentence is excessive or how the issue was properly preserved for appellate review. Defendant's issue implicates the discretionary aspects of his sentence. "[T]here is no absolute right to appeal when challenging the discretionary aspect of a sentence." Commonwealth v. Crump, 995 A.2d 1280, 1282 (Pa. Super. 2010); 42 Pa.C.S. § 9781(b); but see Pa. Const. Art. V § 9 ("there shall also be a right of appeal from a court of record ... to an appellate court").⁶ Rather, an "[a]ppel is permitted only after the appellate court determines that there is a substantial question that the sentence was not appropriate under the sentencing code." Crump, *supra* at 1282.

A defendant presents a substantial question when he "sets forth a plausible argument that the sentence violates a provision of the sentencing code or is contrary to the fundamental norms of the sentencing process." In order to properly present a discretionary sentencing claim, a defendant is required to preserve the issue in either a post-sentence motion or at sentencing and in a court-ordered Pa.R.A.P. 1925(b) concise statement. Further, on appeal, a defendant "must provide a separate statement specifying where the sentence falls in the sentencing guidelines, what provision of the sentencing code has been violated, what fundamental norm the sentence violates, and the manner in which it violates the norm." Commonwealth v. Naranjo, 53 A.3d 66, 72 (Pa. Super. 2012) (citations omitted).

Because we are unable to discern the basis for Defendant's claimed error and whether the issue was properly preserved for appeal⁷, we are constrained to deem the issue waived. We write further only to point out that Defendant had a prior record score of five (5) at the time of sentencing. Despite Defendant's prior record score and abysmal rehabilitation history, the Court still imposed a standard guideline range sentence. Consecutive sentences were clearly warranted as each of the controlled buys was a completely discrete and separate crime. Because each crime was a separate event, Defendant is not entitled to a volume discount. However, the trial Court did impose a concurrent sentence on the Count 4 delivery charge.

Similarly, Statement issue four (4) is also deemed waived for vagueness. Defendant argues that trial counsel was ineffective for failing to file a Motion for Reconsideration, as requested by Defendant. In evaluating claims of ineffective

⁶ In a five-to-four decision, the Superior Court rejected a constitutional challenge under Article V, § 9 to 42 Pa.C.S. § 9781. Commonwealth v. McFarlin, 587 A.2d 732 (Pa. Super. 1991) (en banc). The Pennsylvania Supreme Court affirmed, without discussion, via a per curiam order. Commonwealth v. McFarlin, 530 Pa. 167, 607 A.2d 730 (1992).

⁷ It is axiomatic that issues not raised in the trial court are waived and cannot be raised for the first time on appeal. Pa.R.A.P. 302(a).

assistance of counsel, we begin our analysis with the presumption that counsel was effective. Commonwealth v. Rollins, 738 A.2d 435, 441 (Pa. 1999). To overcome this presumption, a defendant must establish three factors. First, a defendant must demonstrate that the underlying claim has arguable merit. Commonwealth v. Travaglia, 661 A.2d 352, 356 (Pa.1995). Second, a defendant must establish that counsel had no reasonable basis for his action or inaction. Id. In determining whether counsel's actions was reasonable, courts do not question whether there were superior courses of action which counsel could have pursued; rather, we examine whether counsel's decisions had any reasonable basis. Rollins, 738 A.2d at 441(quotations and citation omitted); Commonwealth v. Pierce, 527 A.2d 973, 975 (Pa. 1987). Finally, a defendant must establish that he has been actually prejudiced by counsel's ineffectiveness; in order to meet this burden, he must show that but for the act or omission in question, the outcome of the proceedings would have been different. Rollins, 738 A.2d at 441 (quotations and citation omitted).

A claim of ineffectiveness may be denied by a showing that the petitioner's evidence fails to meet any of these prongs. Pierce, 786 A.2d at 221-22; Commonwealth v. Basemore, 744 A.2d 717, 738 n. 23 (Pa. 2000); Commonwealth v. Albrecht, 720 A.2d 693, 701 (Pa.1998) (stating that "if it is clear that the [defendant] has not demonstrated that counsel's act or omission adversely affected the outcome of the proceedings, the claim may be dismissed on that basis alone and the court need not first determine whether the first and second prongs have been met.").

In the case at bar, Defendant fails to articulate what ruling he requested counsel file for reconsideration with the Court, when he made the request to counsel, and how the failure to file for reconsideration resulted in actual prejudice to Defendant. Accordingly, this issue is also waived and can form no successful basis for relief.

We will now address, Defendant's two remaining cognizable issues raised on appeal. In his first claimed error, Defendant contends that he did not enter a knowing, voluntary and intelligent guilty plea because he was misled by the prosecutor that she would not mention the weight of the drugs at issue during sentencing. Defendant's contention is belied by the record.

Defendant's contention that he was unaware of what he was doing when he plead guilty is neither supported in fact or law. It is well-established law that, to be valid, a guilty plea must be knowingly, voluntarily and intelligently entered. Commonwealth v. Shekerko, 639 A.2d 810, 813 (Pa. Super. 1994). Pennsylvania law presumes that a defendant who enters a guilty plea was aware of what he was doing and he bears the burden of proving otherwise. Commonwealth v. Stork, 737 A.2d 789, 790 (Pa. Super. 1999).

When a defendant states in a written guilty plea colloquy that he is satisfied with his counsel, he is precluded from later asserting that he was not. Commonwealth v. Stork, 737 A.2d 789, 791 (Pa. Super. 1999). Once a defendant has entered a plea of guilty, it is presumed that he was aware of what he was doing. Commonwealth v. Moser, 921 A.2d 526, 531 (Pa. Super. 2007); Stork, 737 A.2d at 790. Because a defendant has a duty to answer questions truthfully, he may not challenge his guilty

plea by alleging that he lied while under oath even if he contends that his counsel induced the lies. See Commonwealth v. Cappelli, 489 A.2d 813 (Pa. Super. 1985).

In cases involving pleas, the court must examine the totality of the circumstances surrounding the plea to determine its validity. Specifically, the court will look to the written guilty plea colloquy as well as the transcript of the relevant proceedings. Thus, the focus of the inquiry becomes the plea hearing in order to determine whether the defendant was misled or misinformed and acted under misguided influence on a material point. Flood, 627, A.2d at 1193. A deficient plea does not *per se* establish prejudice on the order of manifest injustice. Commonwealth v. Carter, 656 A.2d 463 (Pa. 1995).

To help ensure that a defendant understands the nature of the charges to which he is pleading guilty, a trial court must conduct an on-the-record examination of the defendant as outlined in the comments to Pa.R.Crim.P. 590(a). Rule 590(a) sets forth the procedure governing pleas and plea agreements, and provides that a trial court “shall not accept [a plea] unless the judge determines after inquiry of the defendant that the plea is voluntarily and understandingly tendered.” Pa.R.Crim.P. 590(a).

The comments to the Rule recommend that “at a minimum” the judge should ask questions to elicit the following information:

- (1) Does the defendant understand the nature of the charges to which he or she is pleading guilty?
- (2) Is there a factual basis for the plea?
- (3) Does the defendant understand that he or she has the right to trial by jury?
- (4) Does the defendant understand that he or she is presumed innocent until he is found guilty?
- (5) Is the defendant aware of the permissible range of sentences and/or fines for the offenses charged?
- (6) Is the defendant aware that the judge is not bound by the terms of any plea agreement tendered unless the judge accepts such agreement?

See Pa. R.Crim. P. 590 Comments; Commonwealth v. Flanagan, 854 A.2d 489, 513-514 (Pa. 2004).

These areas of inquiry are “mandatory during a guilty plea colloquy and the failure to satisfy these minimal requirements will result in reversal.” See Commonwealth v. Willis, 369 A.2d 1189, 1190 (Pa. 1977) (reversing judgment of sentence where record plea colloquy did not inform defendant of presumption of innocence); see also Commonwealth v. Chumley, 394 A.2d 497, 501 (Pa. 1978) (holding that “failure to inquire into defendant’s understanding of these subjects generally requires reversal.”); Commonwealth v. Tabb, 383 A.2d 849, 852 (Pa. 1978) (stating “absent such a dialogue

on the record, [the court] cannot conclude that the plea was entered voluntarily, intelligently, knowingly, and understandingly ... and a judgment of sentence cannot stand on such a plea.”).

We emphasize that Defendant has provided no record evidence or a stipulation in support of his self-serving contention that the prosecutor agreed not to mention the weight of the controlled substances at issue. Moreover, our review of the record, including a review of the written guilty plea colloquy and sentencing transcript, reveals that the Court complied with Pa. R.Crim. P. 590 and Defendant entered a knowing, voluntary and intelligent guilty plea.

Here, the written colloquy supporting Defendant’s pleas was not defective on the merits. It is disingenuous for Defendant to now assert that his pleas were not knowingly, intelligently, and voluntarily entered. The record evidence from the guilty plea hearing demonstrates that the Court inquired at length concerning the terms of the written plea agreement between Defendant and the Commonwealth. Specifically, during the plea hearing, Defendant acknowledged that, by entering his pleas, he was admitting to having committed each of the specified crimes. (Written Guilty Plea Colloquy, 6/19/19, at 5, 10; N.T., 6/19/19, at 7-8). Defendant also stated during the plea colloquy that he had been afforded sufficient time and opportunity to consult with counsel, and that he was satisfied with the legal representation that he had received. (Written Guilty Plea Colloquy, 6/19/19, at 5-6, 9; N.T., 6/19/19, at 9). Defendant further advised the Court that he understood what he was doing and that he was entering the pleas voluntarily and of his own free will. (Written Guilty Plea Colloquy, 6/19/19, at 5-9; N.T., 6/19/19, at 9-10).

Specifically, the record evidences that Defendant understood, acknowledged, and voluntarily what the statutory maximum and range of permissible sentence was for each conviction. (Written Guilty Plea Colloquy, 6/19/19, at 1, 8 N.T., 6/19/19, at 5-8).

Defendant was present in open-court for the entire guilty plea proceedings including a recitation of his prior record score and the sentencing guidelines. (N.T., 6/19/19, at 4-7). Defendant agreed with the factual recitation presented by the Commonwealth and the computation of his prior record score of five (5). (N.T. 6/19/19, at 5-7).

The Court even informed Defendant that he had the right to reject the agreement and proceed to trial on all of the charges brought against him. (Written Guilty Plea Colloquy, 6/19/19, 6-9; N.T., 6/19/19, at 10). Defendant acknowledged that he had the right to a jury trial and understood that, by pleading guilty, he was relinquishing this and almost all of the appeal rights he otherwise would have. (Written Guilty Plea Colloquy, 6/19/19, at 6-8; N.T., 6/19/19, at 10).

After reviewing the record in this matter, we find that Defendant had all of the information necessary to make an intelligent and informed decision on how to plead. Based on our thorough examination of the record, we find that Defendant’s primary motivation for pleading guilty was not out of coercion or ignorance of his rights but rather to receive the benefit of the charge bargain whereby Defendant agreed to plead guilty to avoid a much lengthier sentence if convicted at trial.

Because Defendant is bound by the statements contained in his written plea colloquy and the statements he made in open court during the plea hearing; he cannot contradict those statements. Commonwealth v. Pollard, 832 A.2d 517, 523 (Pa. Super. 2003). Courts strive to discourage entry of guilty pleas as sentence-testing devices. Commonwealth v. Flick, 802 A.2d 620, 623 (Pa. Super. 2002).

During sentencing, the range of permissible sentences were reiterated to Defendant without objection. (N.T., 9/3/19). Similarly, Defendant did not object during the guilty plea when the prosecutor read the weight of the drugs into the record. Furthermore, even if the prosecutor stated to Defendant that she would not disclose the weight of the controlled substances at sentencing, Defendant fails to explain how this prejudiced him. Generally, once the grading of the crime is determined by the prosecutor and agreed to by the Defendant, like in the present case; the weight of the controlled substances is of little relevance to the Court.

However, the disclosure of the weight of the controlled substances in this case may have actually inured to his benefit. The Court may have imposed what it considers to be a light sentence (for four drug deliveries) based on the relatively small weight of the controlled substances at issue. Accordingly, this claim lacks arguable merit.

In his final issue raised on appeal, Defendant contends that the Court erred in not making him eligible for the Recidivism Risk Reduction Incentive (“RRRI”) program. We disagree.

A challenge to a court's failure to impose an RRRI sentence implicates the legality of the sentence. Commonwealth v. Tobin, 89 A.3d 663, 670 (Pa. Super. 2014). “It is legal error to fail to impose a RRRI minimum on an eligible offender.” Id.

Section 4503 of the RRRI Act defines “eligible offender” in relevant part as follows: A defendant or inmate convicted of a criminal offense who will be committed to the custody of the department and who meets all of the following eligibility requirements:

(1) Does not demonstrate a history of present or past violent behavior.

* * *

(3) Has not been found guilty of or previously convicted of or adjudicated delinquent for or an attempt or conspiracy to commit a personal injury crime as defined under section 103 of the act of November 24, 1998 (P. L.882, No. 111), [] known as the Crime Victims Act, except for an offense under 18 Pa.C.S. § 2701 (relating to simple assault) when the offense is a misdemeanor *1034 of the third degree, or an equivalent offense....

61 Pa.C.S. § 4503(1), (3).

Pursuant to the above-referenced statute, in order to be eligible for RRRI, a defendant must not have committed one of several crimes or have a history of present or past violent behavior. In his Statement, Defendant fails to articulate why he believes he is eligible for RRRI. Defendant does not argue that he has not been convicted

of any crimes enumerated in the RRRI statute or contend that he has no history of violence. Rather, Defendant simply argues that the Court's failure to deem him RRRI eligible was erroneous.

Our review of the record reveals that Defendant has a history of past violent conduct, based on his past conviction of aggravated assault upon a police officer, graded as a second-degree felony, which makes him ineligible for the RRRI program.⁸

Where a sentencing court is informed by a PSI, it is presumed that the court is aware of all appropriate sentencing factors and considerations. See Commonwealth v. Ventura, 975 A.2d 1128, 1135 (Pa. Super. 2009). Because the Court was informed by a PSI, it was aware of Defendant's 2005 convictions for aggravated assault on a police officer and PIC, and, necessarily, his ineligibility for RRRI. Consequently, the court did not err in failing to deem Defendant RRRI eligible and Defendant's claim to the contrary lacks arguable merit.

For all of the foregoing reasons, it is respectfully requested that the trial Court be affirmed.

BY THE COURT:

/s/ William P. Mahon, J.

⁸ In Docket No. 4034-04, Defendant pled guilty to aggravated assault under 2702(a)(3) and Possession of an Instrument of Crime ("PIC) as a result of his admission to possessing a .9mm handgun, loaded with hollow point bullets, during the commission of the assault upon the police officer. N.T., 6/2/05, at 18-19. A copy of the relevant sentencing transcript in Docket No. 4034-14 is attached as "Court Exhibit A" for the Superior Court's review.

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NOTICES

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CHANGE OF NAME NOTICE

**IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

LAW NO. 2022-00331-NC

NOTICE IS HEREBY GIVEN that the name change petition of Andrew Luis Robles was filed in the above-named court and will be heard on Monday, May 16, 2022 at 2:00 PM, in Courtroom 5 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Friday, April 15, 2022
Name to be changed from: Andrew Luis Robles to: Drew Micheal King
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CHANGE OF NAME NOTICE

**IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION**

LAW NO. 2022-03204-NC

NOTICE IS HEREBY GIVEN that the name change petition of Sharyn Louise Gunn was filed in the above-named court and will be heard on Monday, August 8, 2022 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Friday, May 6, 2022
Name to be changed from: Sharyn Louise Gunn to: Sharyn Louise Duffy
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

CHANGE OF NAME NOTICE

**IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA
CIVIL ACTION
LAW NO. 2022-02535-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Ira J Williams, Jr. was filed in the above-named court and will be heard on Monday, August 1, 2022 at 2:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.
Date of filing the Petition: Tuesday, April 19, 2022
Name to be changed from: Ira J Williams, Jr. to: James I Williams, Jr.
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

DISSOLUTION NOTICE

NOTICE IS HEREBY GIVEN that the shareholders and directors of Kreutz Creek Winery, Inc., a Pennsylvania corporation, with an address of 553 S. Guernsey Rd., West Grove, PA 19390 have approved a proposal that the corporation voluntarily dissolve, and that the Board of Directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Business Corporation Law of 1988, as amended.
KAREN E. EICHMAN, ESQUIRE
Eichman Law, PLLC
8 Federal Road, Suite 3
West Grove, PA 1939

ESTATE NOTICES

Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.

1st Publication

ANGIER, Deirdre T., a/k/a Deirdre Louise Angier, late of Valley Township. Carol A. Tompkins, 213 Blueberry Court, Perkasio, PA 18944,

BIRNLEY, Claudia Pohl, late of Chester Springs. Timothy A. Birnley, care of DOUGLAS W. OLSHIN, Esquire, 442 North High Street, West Chester, PA 19380, Executor. DOUGLAS W. OLSHIN, Esquire,

442 North High Street, West Chester, PA 19380, atty.

BOCCELLA, Bernard M., a/k/a Bernard Boccella, Bernard M. Boccella Jr., late of Phoenixville Borough. Catherine Texter, 586 W. 6th Street, Pennsburg, PA 18073, Administratrix. **MICHELLE M. FORSELL**, Esquire, Wolf Baldwin & Associates, 570 Main Street, Pennsburg, PA 18073, atty.

CAPPELLI, John Louis, late of Devon. Deborah McLaughlin, 292 Cromwell Lane, West Chester, PA 19380, Executor.

CARPENTER, Stirling H., a/k/a Stirling Haines Carpenter, late of Westtown Township. Edward R. Carpenter, Jr., care of **KATHERINE F. THACKRAY**, Esquire, 1880 JFK Blvd., Ste. 1740, Philadelphia, PA 19103, Executor. **KATHERINE F. THACKRAY**, Esquire, Alexander & Pelli, LLC, 1880 JFK Blvd., Ste. 1740, Philadelphia, PA 19103, atty.

CONICELLO, Stephen A., a/k/a Steve Conicello, Dr. Stephen Conicello and Stephen Conicello, late of Honey Brook Township. Michelle Conicello, care of **NIKOLAOS I. TSOUROS**, Esquire, Valley Forge Square II, 661 Moore Rd., Ste. 105, King of Prussia, PA 19406, Administratrix. **NIKOLAOS I. TSOUROS**, Esquire, Law Offices of Wendy F. Bleczynski, Valley Forge Square II, 661 Moore Rd., Ste. 105, King of Prussia, PA 19406, atty.

CONNOR, Helen M., late of East Marlborough Township. John H. Connor, care of **DUKE SCHNEIDER**, Esquire, 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, Executor. **DUKE SCHNEIDER**, Esquire, MacElree Harvey, LTD., 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, atty.

GOLDENBERG, Arnold, late of West Whiteland Township. Louis S. Goldenberg and Ellen Goldenberg, care of **JOSEPH A. BELLINGHIERI**, Esquire, 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, Executors. **JOSEPH A. BELLINGHIERI**, Esquire, MacElree Harvey, LTD., 17 W. Miner St., P.O. Box 660, West Chester, PA 19381-0660, atty.

GULMANTOVICZ, Wayne, late of Honey Brook Township. Matthew Gulmantovicz, care of **MARILYN SEIDE MITCHELL**, Esquire, 200 Eagle Rd., Ste. 106, Wayne, PA 19087, Executor. **MARILYN SEIDE MITCHELL**, Esquire, Herr, Potts & Potts, 200 Eagle Rd., Ste. 106, Wayne, PA 19087, atty.

HARE, William S., late of Exton. William S. Hare, Jr., 50 Senn Drive, Chester Springs, PA 19425, Executor. **MARTIN S. KARDON**, Esquire, Martin, 1617 John F. Kennedy Blvd., Ste 1080, Philadelphia, PA 19103, atty.

KENNEDY, Dolores Ann, late of West Sadsbury Township. Francis Difonzo, 102 Buddell Dr., Exton, PA 19341, Executor.

KOUNIOS, Vasilios E., a/k/a Vasili Kounios and Vasilios Kounios, late of East Bradford Township. John Kounios, care of **NIKOLAOS I. TSOUROS**, Esquire, Valley Forge Square II, 661 Moore Rd., Ste. 105, King of Prussia, PA 19406, Executor. **NIKOLAOS I. TSOUROS**, Esquire, Law Offices of Wendy F. Bleczynski, Valley Forge Square II, 661 Moore Rd., Ste. 105, King of Prussia, PA 19406, atty.

LAMMEY, Mary H., late of West Nantmeal Township. Curtis D. Lamme, care of 234 Lamme Road, Elverson, PA 19520, Executor. **J. TIMOTHY ARNDT III**, Esquire, Lachall Cohen & Sagnor LLP, 144 West Market Street, West Chester, PA 19382, atty.

LAPP, Anna Z., late of West Caln Township. Joseph Ranck & Edith Crist, care of **LINDA KLING**, Esquire, 131 W. Main Street, New Holland, PA 17557, Executors. **LINDA KLING**, Esquire, Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

LATSHA, Marl Lynn, late of North Coventry Township. Charlene J. Latsha, 435 Kline Ave., Pottstown, PA 19465, Administrator. **MARK A. BERENATO**, Esquire, Mark A. Berenato Law Firm, 225 Wilmington - West Chester Pike, Suite 200, Chadds Ford, PA 19317, atty.

LYNCH, Nancy J., late of Newlin Township. Frank T. Lynch, care of **DENISE NORDHEIMER**, Esquire, 2001 Baynard Blvd., Wilmington, DE 19802, Executor. **DENISE NORDHEIMER**, Esquire, Law Office of Denise D. Nordheimer, LLC, 2001 Baynard Blvd., Wilmington, DE 19802, atty.

OBERTEUFFER, Kay Yvonne, late of East Bradford Township. Miranda Sturgis, 748 South Chadwick Street, Philadelphia, PA 19146, Executrix.

PONGIA, Vincent John, late of Downingtown. Tolbert Pongia, 68 Delaney Drive, Downingtown, PA 19335, Executor.

SHAW, Peggy Ann, late of West Whiteland Township. Erik W. Shaw, care of **MARILYN SEIDE MITCHELL**, Esquire, 200 Eagle Rd., Ste. 106, Wayne, PA 19087, Executor. **MARILYN SEIDE MITCHELL**, Esquire, Herr, Potts & Potts, 200 Eagle Rd., Ste. 106, Wayne, PA 19087, atty.

STEWART, Catharine M., late of Tredyffrin Township. Carol Ryan Livingood, 130 W. Lancaster Ave., P.O. Box 191, Wayne, PA 19087-0191, Executrix. **CAROL RYAN LIVINGOOD**, Esquire, Tim-

oney Knox, 130 W. Lancaster Ave., P.O. Box 191, Wayne, PA 19087-0191, atty.

STEWART, James H., late of East Goshen Township. Michael J. Stewart, 1316 Leedom Rd., Havertown, PA 19083, Executor. DENNIS P. SHEEHAN, Esquire, 30 W. Third St., 2nd Fl., Media, PA 19063, atty.

WATERS, Pauline M., late of East Caln. Patrick R. Waters, care of JENNIFER H. WALKER, Esquire, 31 S. High Street, West Chester, PA 19382, Executor. JENNIFER H. WALKER, Esquire, Peak Legal Group, Ltd., 31 S. High Street, West Chester, PA 19382, atty.

WATSON, Patricia F., late of Phoenixville Borough. Brian Watson, 316 High St., Phoenixville, PA 19460, Executor. TIMOTHY G. DALY, Esquire, Daly & Clemente, P.C., 1288 Valley Forge Rd., Ste. 72, Phoenixville, PA 19460, atty.

WEDLOCK, Patricia M., late of East Vincent. Kathleen Kimmel, care of JENNIFER H. WALKER, Esquire, 31 S. High Street, West Chester, PA 19382, Administratrix. JENNIFER H. WALKER, Esquire, Peak Legal Group, Ltd., 31 S. High Street, West Chester, PA 19382, atty.

WELCOMER, Margaret M., late of Honey Brook Township. Security National Trust Company, care of LINDA KLING, Esquire, 131 W. Main Street, New Holland, PA 17557, Executor. LINDA KLING, Esquire, Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

ZDRAZIL, Zdenek, late of West Vincent Township. Jan Zdrzil, 1783 Sheeder Mill Rd., Spring City, PA 19475, Executor. REBECCA A. HOBBS, Esquire, OWM Law, 41 E. High St., Pottstown, PA 19464, atty.

2nd Publication

ANDERSON, Nancy E., a/k/a Nancy Ellen Anderson, late of Valley Township. Kevin W. Anderson, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, Executor. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

BARI, Joseph R., late of East Vincent Township. Linda L. Sechrist, 1244 Farmington Avenue, Pottstown, PA 19464, Administrator. NEIL M. HILKERT, Esquire, 229 W. Wayne Avenue, PA 19087, atty.

BODDY, Linda Carter, late of West Grove Borough. Kimberly Boddy, PO Box 332, Nottingham, PA 19362, Administrator.

BONOMO, Frank A., a/k/a Frank Anthony Bonomo, late of West Grove. Susan D. Bonomo, 6 Violet Lane, West Grove, PA 19390, Executrix. MARK M. DALLE PAZZE, Esquire, Herdeg, du Pont & Dalle Pazzo, LLP, 15 Center Meeting Road, Wilmington, DE 19807, atty.

BOSWELL, Doris L., late of Phoenixville. Alice Corkum, care of CAROLE HENDRICK, Esquire, 3927 Mill Road, Collegeville, PA 19426, Executrix. CAROLE HENDRICK, Esquire, 3927 Mill Road, Collegeville, PA 19426, atty.

BYRNE, John P., late of Tredeyffrin Township. Sheila R. Byrne, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. ANDREW H. DOHAN, Esquire, Lentz, Cantor & Massey, LTD., 460 E. King Road, Malvern, PA 19355-3049, atty.

CHADWICK, Robert Allan, a/k/a Robert A. Chadwick, late of Pennsbury Township. Nancy W. Pine, 104 S. Church St., West Chester, PA 19382, Executrix. NANCY W. PINE, Esquire, Pine & Pine, LLP, 104 S. Church St., West Chester, PA 19382, atty.

D'ANTONIO, Lena O., late of Kennett Square. David Anthony D'Antonio, care of JOHN R. TWOMBLY, JR., Esquire, 224 East Street Road, Suite 1, Kennett Square, PA 19348, Executor. JOHN R. TWOMBLY, JR., Esquire, 224 East Street Road, Suite 1, Kennett Square, PA 19348, atty.

DOYLE, Russell G., a/k/a Dr. Russell Gordon Doyle, MD, late of Oxford Borough. Faye R. Doyle, care of WINIFRED MORAN SEBASTIAN, Esquire, P.O. Box 381, Oxford, PA 19363, Executor. WINIFRED MORAN SEBASTIAN, Esquire, Lamb McErlane, PC, P.O. Box 381, Oxford, PA 19363, atty.

EVANS, Sylvia B., late of Pocopson Township. R. Paul Evans, care of L. PETER TEMPLE, Esquire, P. O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P. O. Box 384, Kennett Square, PA 19348, atty.

FOY, Dessell D., late of East Goshen Township. Maureen F. Brown, 1428 Cooper Circle, West Chester, PA 19380, Executrix. FRANK W. HAYES, Esquire, Hayes & Romero, 31 South High Street, West Chester, PA 19382, atty.

GOODWIN, Barbara L., late of Elverson Borough. William T Keen, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

HANCOCK, John D., a/k/a John David Hancock, late of East Pikeland Township. Donna J. Devlin, 126

Orchard Hills Lane, Shamokin, PA 17872, Executrix. JOSEPH C. MICHETTI, JR., Esquire, Hiehl, Dluge, Michetti & Michetti, 1070 Market Street, Sunbury, PA 17801, atty.

HARRINGTON, John G., late of Tredyffrin Township. James J. Ruggiero, Jr., 16 Industrial Blvd., Ste. 211, Paoli, PA 19301, Executor. JAMES J. RUGGIERO, JR., Esquire, Ruggiero Law Offices, LLC, 16 Industrial Blvd., Ste. 211, Paoli, PA 19301, atty.

JOHNSON, Christina, late of Tredyffrin Township. Lisa Shema, 2020 Cahill Rd., Telford, PA 18969, Executrix. ROBERT M. SLUTSKY, Esquire, Slutsky Elder Law, 600 W. Germantown Pike, Ste. 400, Plymouth Meeting, PA 19462, atty.

PELLEGRINI, Louis P., late of Tredyffrin Township. Stacey A. Pellegrini, care of ADAM GRANDWETTER, Esquire, 100 N. 18th St., Ste. 710, Philadelphia, PA 19103, Executrix. ADAM GRANDWETTER, Esquire, Royer Cooper Cohen Braunfeld, LLC, 100 N. 18th St., Ste. 710, Philadelphia, PA 19103, atty.

PRATT, Carl R., a/k/a Carl R. Pratt, Sr., late of West Caln Township. Barbara P. Brown, 112 Hatfield Rd., Coatesville, PA 19320, Executor. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

SNIPES, Ingeborg L., a/k/a Inge Snipes, late of Kennett Square. Hannah Hogan, 664 Dolphin Ave., Key Largo, FL 33037, Executrix.

WATERS, Ann Chapman, late of Kennett Square. Paula Jane Waters, care of JOHN R. TWOMBLY, JR., Esquire, 224 East Street Road, Suite 1, Kennett Square, PA 19348, Executor. JOHN R. TWOMBLY, JR., Esquire, 224 East Street Road, Suite 1, Kennett Square, PA 19348, atty.

WHITE, Shirley U., late of West Chester Borough. John P. White and David M. White, care of ANTHONY MORRIS, Esquire, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, Co-Executors. ANTHONY MORRIS, Esquire, Buckley Brion McGuire & Morris LLP, 118 W. Market Street, Suite 300, West Chester, PA 19382-2928, atty.

YOICHEM JR., Richard James, late of East Coventry Township. Rebecca Yochem & Lance Yochem, 5216 Sapling Sprout Dr., Orlando, FL 32829, Administrators.

3rd Publication

AIKEN, Brenda A., a/k/a Brenda Ashton Aiken, late of Birmingham Township. Bank of America,

N.A., care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19382-0565, Executor. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19382-0565, atty.

ALLAN, Mary K., late of Caln Township. Patricia Dodson, care of PATRICK C. O'DONNELL, Esquire, c/o Mae Beatty, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, Executor. PATRICK C. O'DONNELL, Esquire, Gawthrop Greenwood, PC, c/o Mae Beatty, 17 E. Gay Street, Suite 100, P.O. Box 562, West Chester, PA 19381-0562, atty.

CLAUSEN, Rose Marie, a/k/a Rose M. Clausen, late of West Goshen Township. John Clausen and Cheryl McWilliams, care of RICHARD E. JAVAGE, JR., Esquire, 3350 Township Line Rd., Drexel Hill, PA 19026, Administrators. RICHARD E. JAVAGE, JR., Esquire, 3350 Township Line Rd., Drexel Hill, PA 19026, atty.

DAVIDHEISER, Maryanne B., late of North Coventry Township. Anne M. Davidheiser, care of NICOLE B. LaBLETTA, Esquire, 200 Barr Harbor Dr., Ste. 400, Conshohocken, PA 19428, Executrix. NICOLE B. LaBLETTA, Esquire, LaBletta & Walters LLC, 200 Barr Harbor Dr., Ste. 400, Conshohocken, PA 19428, atty.

GALLAGHER, Donald L., late of Downingtown Borough. Julie A. Jameson, care of BARRY S. RABIN, Esquire, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, Personal Representative. BARRY S. RABIN, Esquire, The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue, Suite 13, Downingtown, PA 19335, atty.

GARDOCKI, Jean L., a/k/a Jean Louise Allan Gardocki, late of East Nottingham Township. Amy A. Sharadin, 124 Winged Foot Court, Royersford, PA 19468, Executrix.

GRANT, James A., late of Willistown Township. Judith L. Grant, care of RONALD W. FENSTERMACHER, JR., Esquire, 1001 Conshohocken State Rd., Ste. 1-311, West Conshohocken, PA 19428, Executrix. RONALD W. FENSTERMACHER, JR., Esquire, Law Office of Ronald W. Fenstermacher, Jr., PC, 1001 Conshohocken State Rd., Ste. 1-311, West Conshohocken, PA 19428, atty.

ISAAC, Lamar, late of West Whiteland Township. Elisa Wiah, care of THOMAS J. BURKE, JR., Esquire, 15 Rittenhouse Place, Ardmore, PA 19003, Executrix. THOMAS J. BURKE, JR., Esquire, Haws

& Burke, P.C., 15 Rittenhouse Place, Ardmore, PA 19003, atty.

KERN, JR., Richard C., late of West Brandywine Township. Lynn C Kern, 19 N Hawthorne Rd., Coatesville, PA 19320, Executrix.

KING, Rachel, late of Honey Brook Township. Floyd D. King and Jay Marvin King, care of NEVIN D. BEILER, Esquire, 105 S. Hoover Ave., New Holland, PA 17557, Executors. NEVIN D. BEILER, Esquire, Beiler Legal Services, P.C., 105 S. Hoover Ave., New Holland, PA 17557, atty.

KLAPTOSKY, Pauline M., late of North Coventry Township. Todd Klaptosky, 1052 West Meadowbrook Road, Pottstown, PA 19465, Executor.

LANZILLOTTI, Francis E., late of East Caln Township. Michael DiLabio, 117 Julie Road, Sanatoga, PA 19464, Administrator. NEIL M. HILKERT, Esquire, 229 W. Wayne Avenue, Wayne, PA 19087, atty.

LEVENDIS, James Michael, late of East Marlborough Township. Carol A. Speakman, care of JOSEPH E. LASTOWKA, JR., Esquire, 300 W. State St., Ste. 300, P.O. Box 319, Media, PA 19063, Executrix. JOSEPH E. LASTOWKA, JR., Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, P.O. Box 319, Media, PA 19063, atty.

MAJESKE, Harry, late of East Goshen Township. Gregor H. Majeske, 734 Carpenter Street, Philadelphia, PA 19147-3908, Executor. TIMOTHY B. BARNARD, Esquire, 218 West Front Street, Media, PA 19063, atty.

ONIMUS, Edwin R., late of East Bradford Township. Eric S. Onimus, care of ANTHONY MORRIS, Esquire, 118 W. Market Street, Suite 200, West Chester, PA 19382-2928, Executor. ANTHONY MORRIS, Esquire, Buckley Brion McGuire & Morris LLP, 118 W. Market Street, Suite 200, West Chester, PA 19382-2928, atty.

PANKRATZ, SR., Richard R., late of East Bradford Township. Richard Pankratz, Jr., care of THOMAS A. PITT, III, Esquire, 214 S. New Street, West Chester, PA 19382, Executor. THOMAS A. PITT, III, Esquire, 214 S. New Street, West Chester, PA 19382, atty.

PARMITER, Nancy L., late of Uwchlan Township. James V. Parmiter, 538 Taylors Mill Rd., West Chester, PA 19380, Executor. CHARI M. ALSON, Esquire, Anderson Elder Law, 206 State Rd., Media, PA 19063, atty.

SERAPHIN, Ann R., late of East Goshen Town-

ship. Beth Ann Witkowski McKenna and Thomas A. Witkowski, care of RODNEY S. FLUCK, Esquire, 630 Freedom Business Center, #108, King of Prussia, PA 19406, Executors. RODNEY S. FLUCK, Esquire, Butera Beausang Cohen Brennan, 630 Freedom Business Center, #108, King of Prussia, PA 19406, atty.

SIMPSON, Betty May, a/k/a Betty M. Simpson, late of Valley Township. Dennis A. Giancola, 1341 Robin Rd., East Fallowfield, PA 19320, Executor. KATHLEEN K. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

SMITH, Bernice Waage, late of West Chester Borough. Laurie Smith Grab, 515 N Walnut St., West Chester, PA 19380, Executor.

STOTT, Stephen R., a/k/a Stephen Stott, late of West Caln Township. Dawn M. Ford, care of KRISTEN R. MATTHEWS, Esquire, 403 W. Lincoln Highway, Ste 110, Exton, PA 19341, Executrix. KRISTEN R. MATTHEWS, Esquire, Kristen Matthews Law, 403 W. Lincoln Highway, Ste 110, Exton, PA 19341, atty.

STROUSE, Norma N., late of East Nantmeal Township. Robert H. Strouse, care of MARGARET E. W. SAGER, Esquire, 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, Executor. MARGARET E. W. SAGER, Esquire, Heckscher, Teillon, Terrill & Sager, P.C., 1001 Conshohocken State Rd., Ste. 1-300, West Conshohocken, PA 19428, atty.

TAGGART, Patrick J., late of Charlestown Township. Terry Ann Taggart, care of MICHAEL F. FRISBIE, Esquire, 329A S. Main St., Doylestown, PA 18901, Executrix. MICHAEL F. FRISBIE, Esquire, Frisbie Legal Solutions, 329A S. Main St., Doylestown, PA 18901, atty.

TAYLOR, Josephine B., late of West Bradford Township. Robin F. Delehanty and Bruce B. Taylor, care of VANCE E. ANTONACCI, Esquire, 570 Lausch Ln., Ste. 200, Lancaster, PA 17601, Executors. VANCE E. ANTONACCI, Esquire, McNees Wallace & Nurick, LLC, 570 Lausch Ln., Ste. 200, Lancaster, PA 17601, atty.

THUMMEL, Elizabeth A. Garner, a/k/a Elizabeth Ann Thummel and Elizabeth A. Thummel, late of West Whiteland Township. Joseph J. Thummel, Jr. and Melissa A. Bereda, care of JOSEPH C. DE MARIA, Esquire, 237 Weadley Rd., King of Prussia, PA 19406, Executors. JOSEPH C. DE MARIA, Esquire, Law Offices OF Joseph C. De Maria, 237 Weadley Rd., King of Prussia, PA 19406, atty.

URBACH, Marie Coleman, a/k/a Marie C. Urbach, late of West Goshen Township. Anne Marie Tyre, care of NANCY W. PINE, Esquire, 104 S. Church St., West Chester, PA 19382, Executrix. NANCY W. PINE, Esquire, Pine & Pine, LLP, 104 S. Church St., West Chester, PA 19382, atty.

WANNER, Helen M., late of Honey Brook Township. Alfred M. Wanner, Jr., care of LINDA KLING, Esquire, 131 W. Main Street, New Holland, PA 17557, Executor. LINDA KLING, Esquire, Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557, atty.

WERTZ, James B., late of West Goshen Township. Jamie A. Wildermuth, care of STEPHEN D. POTTS, Esquire, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, Executrix. STEPHEN D. POTTS, Esquire, Herr, Potts & Potts, LLC, Strafford Office Bldg. #2, 200 Eagle Rd., Ste. 106, Wayne, PA 19087-3115, atty.

WRIGHT, Barry E., late of Caln Township. Witter E. Wright, care of WILLIAM B. COOPER, III, Esquire, P.O. Box 673, Exton, PA 19341, Executor. WILLIAM B. COOPER, III, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

NONPROFIT CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a charter of a Nonprofit Corporation which was organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

The name of the corporation is WORD OF LIFE CHURCH PENNSYLVANIA, INC. Articles of Incorporation were filed on Wednesday, April 6, 2022

The purpose or purposes for which it was organized are: This nonprofit corporation is organized and operated exclusively for religious, charitable, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue code, or the corresponding section of any future federal tax code.

Wesley R. Carter, Solicitor
Winters & King
2448 E. 81st Street Suite 5900
Tulsa, Oklahoma 74137

NONPROFIT CORPORATION NOTICE

NOTICE IS HEREBY GIVEN that an application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a charter of a Nonprofit Corporation which was organized under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

The name of the corporation is Unired States Vintage Model Yacht Group.

Articles of Incorporation were filed on Monday, February 28, 2022

The purpose or purposes for which it was organized are: The United State Vintage Model Yacht Group has incorporated pursuant to the Pennsylvania Nonprofit Corporation Law. The mission of the US VMYG is to honor the early years of the hobby of model yachting through the preservation of and education about older model yachts. The legal address of the US VMYG is Chester Springs, PA 19425. United States Corporation Agents, Inc., 5900 Balcones Drive, Ste 100, Austin, TX, 78731, is its registered agent.

NONPROFIT CORPORATION NOTICE

NOTICE IS HEREBY GIVEN THAT, Articles of Incorporation were filed with the Dept. of State for Montgomery County PHCC Inc., a nonprofit corp. organized under the PA Nonprofit Corp. Law of 1988, exclusively for charitable purposes. CHRIS-TOPHER P. FIORE, Solicitor, FIORE & BARBER, LLC, 418 Main St., Ste. 100, Harleysville, PA 19438

NOTICE OF ADOPTION

The County Commissioners of Chester County, Pennsylvania ("Chester") adopted Resolution No. 26-22 on April 27, 2022 authorizing: 1) incorporation of a Joint County Regional Rail Authority pursuant to the PA Municipal Authorities Act, to be known as "Schuylkill River Passenger Rail Authority" ("Authority") jointly with Berks County, Pennsylvania ("Berks") and Montgomery County Pennsylvania ("Montgomery") for the purposes of: planning for the operation, maintenance and funding of inter-county passenger rail services in Chester, Berks and Montgomery; operating, maintaining and funding inter-county passenger rail services for all facilities necessary or incidental thereto, and contracting with passenger rail providers to provide inter-county passenger rail services to the public in Chester, Berks and Montgomery; and ancillary efforts in connection therewith, including

but not limited to land acquisition and management, and bonding; 2) equal funding of the Authority by Chester, Berks and Montgomery; 3) operation and management of the Authority by Chester and Montgomery for three years; and 4) continuation of operation, management and funding of the Authority beyond three years, or termination and dissolution of the Authority and funding of such termination and dissolution in the event Chester, Berks and/or Montgomery desires to withdraw from the Authority and/or the operation, management and/or funding of the Authority. The Articles of Incorporation of the Authority will be filed with the Pennsylvania Department of State on or after May 22, 2022.
County Commissioners of
Chester County, Pennsylvania

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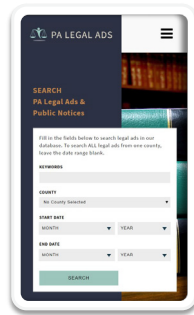
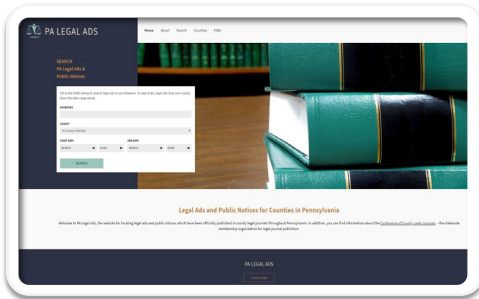
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