



Franklin County Bar Association 2010 Calendar of Events

AUGUST

- 3 **CLE Program**, PBI groupcast, "Pension Problems, Pitfalls and Solutions," 8:30 a.m., bar office and law library. To register, contact PBI at 800-932-4637 or www.pbi.org.
- 5 **CLE Program**, PBI groupcast, "A Day on Real Estate," 8:30 a.m., bar office and law library. To register, contact PBI at 800-932-4637 or www.pbi.org.
- 10 **CLE Program**, PBI video replay, "The New Wave of Title Problems and How to Solve Them," 9 a.m., bar office and law library. To register, contact PBI at 800-932-4637 or www.pbi.org.
- 11 **CLE Program**, PBI video replay, "Finding Hidden Assets," 9 a.m., bar office and law library. To register, contact PBI at 800-932-4637 or www.pbi.org.
- 19 **After-Work Social for YLD members**, 5 p.m., Chambersburg.
- 26 **CLE Program**, PBI video replay, "Officer and Director Liability," 1 p.m., bar office and law library. To register, contact PBI at 800-932-4637 or www.pbi.org.
- 27 **CLE Program**, PBI video replay, "Forfeitures and Return of Property Proceedings," 9 a.m., bar office and law library. To register, contact PBI at 800-932-4637 or www.pbi.org.

Franklin County Legal Journal

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

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

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

PUBLIC NOTICES

ESTATE NOTICES

Notice is hereby given that in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. All persons having claims or demands against any of said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay, to the respective personal representatives thereof or their attorneys named below.

First Publication

Estate of Jack F. Bonebrake, a/k/a Jack F. Bonebrake Sr., late of Montgomery Township, Franklin County, Pennsylvania.

Personal representative:
Cynthia M. Everetts
15234 Maryland Line Road
Greencastle, PA 17225
Attorney:
Wertime & Guyer LLP
35 N. Carlisle St., Suite A
Greencastle, PA 17225

7/30,8/6,8/13/2010

Estate of Carl C. Hall, a/k/a Carl Calvin Hall II, late of Antrim Township, Franklin County, Pennsylvania.

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

7/30,8/6,8/13/2010

Estate of Galen D. Powers, a/k/a Galen Powers, a/k/a Galen Dean Powers, late of Guilford Township, Franklin County, Pennsylvania.

Personal representative:
Sandra L. Powers
c/o Walker, Connor & Spang, LLC
247 Lincoln Way East
Chambersburg, PA 17201
Attorney:
David F. Spang
Walker, Connor & Spang, LLC
247 Lincoln Way East
Chambersburg, PA 17201

7/30,8/6,8/13/2010

Estate of James L. Simpson, late of St. Thomas Township, Franklin County, Pennsylvania.

Personal representative:
June P. Marlin
170 Noe St.
San Francisco, CA 94114
Attorney:
W. Scott Arnoult
Arnoult Law Office, LLC
14 N. Main St., Suite 314
Chambersburg, PA 17201

7/30,8/6,8/13/2010

Estate of Helen F. Smith, late of Washington Township, Franklin County, Pennsylvania.

Personal representative:
Barbara Ann Smith
46620 Drysdale Terrace #103
Sterling, VA 20165
Attorney:
William S. Dick
Dick, Stein, Schemel, Wine & Frey, LLP
13 W. Main St., Suite 210
Waynesboro, PA 17268

7/30,8/6,8/13/2010

Estate of D. Roy Stoner, a/k/a David Roy Stoner, a/k/a D. Roy Stoner Jr., late of Waynesboro Borough, Franklin County, Pennsylvania.

Personal representative:
Christina S. McCleary
c/o David Wagenseller
120 N. Shippen St.
Lancaster, PA 17602
Attorney:
David Wagenseller
Reese, Pugh, Samley, Wagenseller & Mecum
120 N. Shippen St.
Lancaster, PA 17602

7/30,8/6,8/13/2010

Second Publication

Estate of Irene E. Davis, late of Greencastle, Franklin County, Pennsylvania.

Personal representatives:
Darlene S. Reynolds and Gary Richard Davis
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
R. Thomas Murphy
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

7/23,7/30,8/6/2010

Estate of Mildred M. Dell, late of Dublin Township, Huntingdon County, Pennsylvania.

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

7/23,7/30,8/6/2010

PUBLIC NOTICES

Estate of Ralph C. Keiffer, late of Montgomery Township, Franklin County, Pennsylvania.

Personal representative:
Donna R. Yaros
408 Martina Drive
Chambersburg, PA 17201
Attorney:
Aaron C. Jackson
Tucker Arensberg, P.C.
P.O. Box 889
Harrisburg, PA 17108-0889

7/23,7/30,8/6/2010

Estate of Pauline E. Myers, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representative:
Evelyn Shatzer
2474 Etter Road
Chambersburg, PA 17202
Attorney:
Barbara B. Townsend
32 W. Queen St.
Chambersburg, PA 17201

7/23,7/30,8/6/2010

Estate of Ernest Edward Somers, a/k/a Ernest E. Somers, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representative:
Bernice Ledford Somers
355 Roland Ave.
Chambersburg, PA 17201
Attorney:
Jan G. Sulcove
82 W. Queen St.
Chambersburg, PA 17201

7/23,7/30,8/6/2010

Estate of William M. Trail, late of Needmore Township, Fulton County, Pennsylvania.

Personal representative:
Marion L. Trail
c/o Walker, Connor & Spang, LLC
247 Lincoln Way East
Chambersburg, PA 17201
Attorney:
David F. Spang
Walker, Connor & Spang, LLC
247 Lincoln Way East
Chambersburg, PA 17201

7/23,7/30,8/6/2010

Estate of James C. Varden Jr., late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representative:
Lisa D. Varden-Rotz
c/o R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268
Attorney:
R. Thomas Murphy
R. Thomas Murphy & Associates, P.C.
2005 E. Main St.
Waynesboro, PA 17268

7/23,7/30,8/6/2010

Estate of Shirley J. Walck, late of Antrim Township, Franklin County, Pennsylvania.

Personal representative:
Elissa M. Parsons
514 Colonial Drive
Greencastle, PA 17225
Attorney:
Wertime & Guyer LLP
35 N. Carlisle St., Suite A
Greencastle, PA 17225

7/23,7/30,8/6/2010

Estate of Randy E. Wyand Sr., late of Antrim Township, Franklin County, Pennsylvania.

Personal representatives:
Randy E. Wyand Jr.
15108 Mercersburg Road
Greencastle, PA 17225
and
Jeremy D. Wyand
15297 Bowman Court
Greencastle, PA 17225
and
Jason C. Wyand
15297 Bowman Court
Greencastle, PA 17225
Attorney:
Paul T. Schemel
Dick, Stein, Schemel, Wine & Frey, LLP
119 E. Baltimore St.
Greencastle, PA 17225

7/23,7/30,8/6/2010

Third Publication

Estate of Sue E. Byers, late of Chambersburg Borough, Franklin County, Pennsylvania.

Personal representatives:
Nora Pugh
2803 Macclay's Mill Road
Shippensburg, PA 17257
and
Faye Grove
1156 McDowell Road
St. Thomas, PA 17252
Attorney:
Steiger and Steiger
120 N. Main St.
Mercersburg, PA 17236

7/16,7/23,7/30/2010

Estate of Wilda M. Clark, late of Peters Township, Franklin County, Pennsylvania.

Personal representatives:
Randy J. Clark and Barbara Clark
3105 Path Valley Road
Fort Loudon, PA 17224
Attorney:
Steiger and Steiger
120 N. Main St.
Mercersburg, PA 17236

7/16,7/23,7/30/2010

PUBLIC NOTICES

Estate of M. Lorraine Fields, late of Guilford Township, Franklin County, Pennsylvania.

Personal representative:
William E. Fields
c/o Salzmann Hughes, P.C.
79 St. Paul Drive
Chambersburg, PA 17201
Attorney:
Nancy H. Meyers
Salzmann Hughes, P.C.
79 St. Paul Drive
Chambersburg, PA 17201

7/16,7/23,7/30/2010

Estate of Merle V. Fritz, late of Warren Township, Franklin County, Pennsylvania.

Personal representatives:
Vernon Fritz
12780 Little Cove Road
Mercersburg, PA 17236
and
Frederick Fritz
37502 Gill Ave.
Zephyrhills, FL 33541
Attorney:
Steiger and Steiger
120 N. Main St.
Mercersburg, PA 17236

7/16,7/23,7/30/2010

Estate of John Gress, a/k/a John Philip Gress, late of Waynesboro Borough, Franklin County, Pennsylvania.

Personal representative:
Laura M. Gress
254 N. Broad St.
Waynesboro, PA 17268
Attorney:
Clinton T. Barkdoll
Kulla, Barkdoll, Ullman & Painter, P.C.
9 E. Main St.
Waynesboro, PA 17268

7/16,7/23,7/30/2010

Estate of Clarence J. Marshall, late of Hamilton Township, Franklin County, Pennsylvania.

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

7/16,7/23,7/30/2010

Estate of Paul M. Mell, late of Franklin County, Pennsylvania.

Personal representative:
Ruth N. Stouffer
10992 Roxbury Road
P.O. Box 17
Roxbury, PA 17251
Attorney:
David W. Rahausser
157 E. Washington St.
Chambersburg, PA 17201

7/16,7/23,7/30/2010

Estate of Goldie Jean Moats, late of Washington Township, Franklin County, Pennsylvania.

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

7/16,7/23,7/30/2010

CORPORATION NOTICE

Notice is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on June 30, 2010.

The name of the corporation is Patterson's Diesel, Inc.

The corporation has been incorporated under the Pennsylvania Business Corporation Law of 1988 as amended.

Timothy W. Misner, attorney
39 S. Broad St.
Waynesboro, PA 17268-1610

7/30/2010

NOTICE

Notice is hereby given that on July 6, 2010, the application of Donaldo Sterling Jones for the name change of Donaldo Sterling Jones to Donaldo Sterling Jones-Fogle was filed in the Court of Common Pleas of the 39th Judicial District of Pennsylvania, Franklin County Branch, requesting a decree to change the name of Donaldo Sterling Jones to Donaldo Sterling Jones-Fogle.

The Court has fixed Wednesday, August 11, 2010, at 11 a.m. before the Honorable Angela R. Krom at the Franklin County Courthouse, Chambersburg, Pennsylvania, as the time and place for the hearing on said application, when and where all persons interested may appear and show cause, if any they have, why the prayer of the application should not be granted.

Jeffrey S. Evans, attorney for petitioner
2025 E. Main St.
Waynesboro, PA 17268

7/30,8/6/2010

PUBLIC NOTICES

**En la corte de COMMON SUPPLICAS
de la 39TH JUDICIAL DISTRICT
OF PENNSYLVANIA – FRANKLIN
condado**

**BRACH IN RE: Division de Tribunal
de huérfanos**

**De la adopción de B.S.S., adopción
Docket 35-2010**

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Y ahora, el día 19 de julio 2010 tras el examen del movimiento del peticionario para la permanencia de la presente se ordena de la siguiente manera:

La audición planificada en el antes mencionado mencionó asunto para el 19 de julio de 2010 a las 9:00 de la mañana con respecto a la Petición para la Terminación Involuntaria de Derechos de los padres de Franklin Rolando Robles será continuado hasta el 9 de septiembre de 2010 en 2:30 de la tarde.

7/30/2010

**IN THE COURT OF COMMON PLEAS
OF THE 39TH JUDICIAL DISTRICT OF
FRANKLIN COUNTY, PENNSYLVANIA,
ORPHANS' COURT DIVISION**

The following list of executors, administrators and guardian accounts, proposed schedules of distribution and notice to creditors and reasons why distribution cannot be proposed will be presented to the Court of Common Pleas of Franklin County, Pennsylvania, Orphans' Court Division, for confirmation on August 5, 2010:

BRENIZE: First and final account, statement of proposed distribution and notice to the creditors of Glenn K. Runshaw, executor of the estate of Marie E. Brenize, late of Lurgan Township, Franklin County, Pennsylvania.

PARKLAWNS: First and final account, statement of proposed distribution and notice to the creditors of U.S. Bank, National Association, resigning trustee, SCI Pennsylvania Funeral Services, inc., d/b/a Parklawns Perpetual Care Trust Fund.

STONER: First and final account, statement of proposed distribution and notice to the creditors of Jeffrey E. Stoner, executor of the estate of Eva C. Stoner, late of Antrim Township, Franklin County, Pennsylvania.

William E. Vandrew
Clerk of the Orphans' Court Division
Franklin County, Pennsylvania

7/23,7/30/2010

COMMONWEALTH OF PENNSYLVANIA

v. MARLIN F. ECKENRODE, Defendant

**Court of Common Pleas of the 39th Judicial District of Pennsylvania,
Franklin County Branch
Criminal Action No. 81–2009**

Criminal Law; Rules of Evidence; Prior Bad Acts; Generally Inadmissible to Prove Conduct. Criminal Law; Rules of Evidence; Prior Bad Acts; Proof of Facts to Show Common Scheme, Plan, or Design. Criminal Law; Rules of Evidence; Prior Bad Acts; Common Plan, Scheme or Design; Commonality of Actions, Roles and Situs; Similar Victims, Times, Locations, and Acts. Rules of Evidence; Prior Bad Acts; Probative Value; Remoteness in Time. Rules of Evidence; Probative Value; Prejudice.

1. Under the Rules of Evidence, the prior bad acts or unrelated criminal activity of a defendant are generally inadmissible to show action in conformity, or to show criminal propensity.
2. Prior acts evidence may be admissible to prove another relevant fact, such as motive, opportunity, intent, preparation, plan, design, knowledge, identity, or absence of mistake or accident.
3. The exception allowing admission of evidence demonstrating a common plan, scheme or design provides that prior bad acts, charged or uncharged, may be admissible where such acts demonstrate a common design embracing commission of two crimes so related to each other that proof of one tends to prove the other.
4. To establish a common scheme, the details of the crimes must be examined for shared similarities. If the shared details of the crime charged and the prior acts reveal a commonality of actions, roles and situs, the habits or patterns of action necessary for a common design are established.
5. In considering whether such a pattern of conduct has been demonstrated, the Court must examine the details of the incidents in their entirety, including similarity of victims, the times and locations where the crimes occurred, actions by the perpetrator, and relationships between the perpetrator and the victims.
6. Defendant's conduct in committing the acts alleged against both members of his family are so similar they indeed demonstrate a pattern of action or practice, so as to constitute a common scheme or design. The abuses alleged are not, as argued by the Defendant, isolated acts of abuse in either case. Both C.S. and his daughter allege the Defendant engaged in a recurring sequence of acts over a continuous period of time, testifying to acts so alike in character the recantation of each complainant mirrors that of the other.
7. The remoteness in time of prior bad acts should be considered in determining the probative value of other crimes evidence.
8. The importance of the time period in determining the admissibility of prior acts is inversely proportional to the similarity of the crimes in question. Matching characteristics of the prior acts and the crimes charged may serve to elevate the incidents into a unique pattern, so that remoteness in time is insufficient to significantly lessen the probative value of the testimony.
9. In the instant case, while the lapse in time is indeed lengthy, the prior acts may be admitted because of the strikingly identical nature of acts and patterns of conduct to which each minor relative was subjected. The Defendant's prior bad acts against his daughter and those alleged against C.S. are strikingly similar, especially in their allegations as to the Defendant's sexual preferences. The details of the acts, coupled with their ongoing nature and pattern of repetition, occurring at any time the Defendant was alone with his victims,