



SINCE 1792

# LANCASTER BAR ASSOCIATION

## Lancaster Law Review

The Official Legal Periodical of Lancaster County

Vol. 95

LANCASTER, PA DECEMBER 3, 2021

No. 49

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# LANCASTER LAW REVIEW

(USPS 304-080)

The Official Legal Periodical of Lancaster County –  
Reporting the Decisions of the Courts of Lancaster County

OWNED AND PUBLISHED WEEKLY BY

LANCASTER BAR ASSOCIATION

2021

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**Lancaster Bar Association**

**28 East Orange Street**

**Lancaster, PA 17602**

**[www.lancasterbar.org](http://www.lancasterbar.org)**

**Phone: 717-393-0737**

**Fax: 717-393-0221**

---

### LANCASTER BAR ASSOCIATION - STAFF

**Executive Director**

Lisa Driendl-Miller

[lisa@lancasterbar.org](mailto:lisa@lancasterbar.org)

**Lawyer Referral Service Coordinator**

Cambrie Miller

[cambrie@lancasterbar.org](mailto:cambrie@lancasterbar.org)

**Managing Editor of the Lancaster  
Law Review & Bookkeeper**

Kaitlyn Shoffstall

[kaitlyn@lancasterbar.org](mailto:kaitlyn@lancasterbar.org)

**Continuing Legal Education &  
Membership Coordinator**

Emma Goodwin

[emma@lancasterbar.org](mailto:emma@lancasterbar.org)

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LANCASTER BAR ASSOCIATION  
CALENDAR OF EVENTS

**December Events**

December 6-10, 2021

**Membership Week**

December 9, 2021

**LBA Holiday Party**  
Yorgos Restaurant & Lounge

**Mediation and ADR Solutions**

provided by **The Honorable Thomas I. Vanaskie (Ret.)**



- 24 years on the Federal bench (Third Circuit Court of Appeals and Middle District of Pennsylvania)
- Unmatched credentials and experience makes him uniquely qualified to assist parties resolve disputes with guidance that is informed, impartial, fair and objective
- Available to resolve disputes in business and commercial, class action and mass tort, employment, ERISA, insurance, antitrust, securities, intellectual property, civil rights and personal injury cases
- Serves as a Special Master in complex litigation and is highly experienced in the area of e-discovery and privilege review

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**LANCASTER BAR ASSOCIATION  
CONTINUING LEGAL EDUCATION CALENDAR**

December 9, 2021

**Municipal Bonds: Basics Plus Recent Developments**

Time: 12:00pm-1:00pm

Location: In-person at the Lancaster Bar Association and Virtual on Zoom

Speakers: David Unkovic, Esq., and Erica Wible, Esq.

1.0 Substantive Credit

Description: This course will focus first on the nuts and bolts of the process for the issuance of municipal bonds by municipalities, authorities, and school districts. Then it will explore recent developments, including the effect of low interest rates, increased use of taxable bonds, new post-closing disclosure responsibilities, pending legislation, and the emergence of green and social bond designations. Throughout the presentation, attention will be paid to the role of the issuer's solicitor in the bond process.

**Lancaster Law Review - 2021 Holiday Early Deadline Schedule**

*Submissions must be received by the dates and times below in order to publish in the follow issues:*

December 24 Publication - must be received by Wednesday, December 15 at 4:00pm

There will **not** be an early deadline for the December 31 Publication.

LANCASTER BAR ASSOCIATION  
JOB BOARD

AVAILABLE ATTORNEY POSITIONS –

**Assistant County Solicitor –Children and Youth** - County of Lancaster, Pennsylvania- This position will provide and/or supervise a full range of legal services relating to the Child Protective Services Law. This position requires a JD degree. For a detailed job description and application, refer to [www.co.lancaster.pa.us](http://www.co.lancaster.pa.us)

**Assistant Public Defender I** - Lancaster County Office of the Public Defender has an employment opportunity for an Assistant Public Defender I. Interested candidates should complete the application online through the Lancaster County Human Resources department website at: <https://co.lancaster.pa.us/1144/Employment-Opportunities> The job posting will close on December 17, 2021.

**Conflict Counsel** - The Berks County Court of Common Pleas is accepting applications for an attorney to serve as Conflict Counsel in the Criminal Court. Applicants must have criminal law experience. Preference to Rule 801 qualified applicants. Send resume to: Judge M. Theresa Johnson, Berks County Courthouse, 8th Floor, 633 Court Street, Reading, PA 19601.

**Associate Position** - Casualty Litigation Department - 1-2 years' experience Post & Schell's Casualty Litigation Department is currently seeking an attorney with 1-2 years' of litigation experience, preferably civil but criminal is also a plus, for the Firm's Lancaster Office. Top-notch academic background as well as excellent written and oral advocacy skills required. Must be licensed to practice in Pennsylvania. Competitive salary and full benefits.

*To Apply:* Resumes, with cover letter, should be sent by regular mail or electronically (preferred) to:

Hiring Partner  
Post & Schell, P.C  
Four Penn Center  
1600 John F. Kennedy Boulevard  
Philadelphia, PA 19103  
[jobs@postschell.com](mailto:jobs@postschell.com)

**Estates & Trusts Associate** - Brubaker Connaughton Goss & Lucarelli LLC, a growing entrepreneurial law firm in Lancaster, Pennsylvania, has an immediate opening for an associate with 1 to 6 plus years' experience in its prominent estates and trusts practice. This partnership track position will involve complex estate planning, drafting, and estate and trust administration. Excellent verbal and written communication skills required. Ability to work collaboratively is necessary. Lancaster, Pennsylvania was recently

rated No. 1 in the US News Best Places to Retire Rankings. Candidates must possess a desire to become integrated into a dynamic community and participate in the continued growth of this exceptional practice area. Strong academic record required. Compensation begins at \$100,000 for 1 to 3 years' experience, \$130,000 for 4 to 6 years' experience, and \$160,000 for 6 plus years' experience. Bonus opportunities available. Interested candidates should submit their resume, law school transcript, writing sample, and list of references at [www.bit.ly/ETA-02](http://www.bit.ly/ETA-02)

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**Transactional Associate** - Brubaker Connaughton Goss & Lucarelli LLC, a growing entrepreneurial law firm in Lancaster, Pennsylvania, has an immediate opening for a transactional associate with 1 to 6 plus years' experience. Areas of practice for this partnership track position include: mergers & acquisitions; complex financing transactions for lenders and borrowers; and commercial real estate transactions. Excellent verbal and written communication skills required. A strong desire to learn and the ability to work collaboratively is necessary as is the willingness to become integrated into a dynamic business community. Strong academic record required. Compensation begins at \$100,000 for 1 to 3 years' experience, \$130,000 for 4 to 6 years' experience and \$160,000 for 6 plus years' experience. Bonus opportunities available. Interested candidates submit their resume, law school transcript, writing sample, and list of references at [www.bit.ly/TA-02](http://www.bit.ly/TA-02)

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**Civil Litigation Associate** - Brubaker Connaughton Goss & Lucarelli LLC, a growing entrepreneurial law firm in Lancaster, Pennsylvania, has an immediate opening for a civil litigation associate with 1 to 6 plus years' experience. Areas of litigation practice include: commercial, premises liability, personal injury, employment, and other general litigation matters. Excellent verbal, written communication skills, and social intelligence required. Ability to work collaboratively and handle client work independently in a fast-paced environment is necessary. Strong academic record required. Compensation begins at \$100,000 for 1 to 3 years' experience, \$130,000 for 4 to 6 years' experience, and \$160,000 for 6 plus years' experience. Bonus opportunities available. Interested candidates should submit their resume, law school transcript, writing sample, and references at [www.bit.ly/CLA-02](http://www.bit.ly/CLA-02)

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## Court of Common Pleas of Lancaster County

**Criminal**

Commonwealth v. Jared Lee Downward  
PCRA — 1925 Opinion — Serial Petition — SORNA II —  
Retroactivity — Continuous Lifetime Registration Requirements  
Opinion. Commonwealth of Pennsylvania v. Jared Lee Downward. No.  
5279 - 2008.

Andrew J. Gonzalez, Assistant District Attorney  
Jared L. Downward, Pro Se.

OPINION SUR PA.R.A.P. 1925(a) BY: ASHWORTH, P.J., JULY 6, 2021. Defendant Jared Downward (“Downward”) has filed a *pro se* direct appeal to the Superior Court of Pennsylvania from the Order of May 4, 2021, which denied his Petition to Terminate Sex Offender Registration Requirements. This Opinion is written pursuant to Rule 1925(a) of the Pennsylvania Rules of Appellate Procedure, and for the following reasons, the Court requests that the appeal be denied.

**I. BACKGROUND**

Downward has a lengthy history of litigating his causes in our courts; therefore, the Court will constrain this procedural history recitation to only those facts and procedures essential to the instant appeal.

On July 23, 2009, Downward entered an open plea of guilty to three counts each of involuntary deviate sexual intercourse (IDSI), statutory sexual assault, and corruption of minors, two counts of indecent assault, and one count of rape of a child. (Notes of Testimony (N.T.), Guilty Plea at 9-11.) Following an evaluation by the Pennsylvania Sexual Offender’s Assessment Board (SOAB), a Megan’s Law hearing<sup>1</sup> was held on November 25, 2009, at which the parties stipulated to the admission of the SOAB’s report. N.T., Sentencing at 3-5. The sentencing court adopted the findings as credible and found Downward to be a sexually violent predator (SVP), subject to the lifetime registration requirements of Megan’s Law III, 42 Pa. C.S.A. § 9795.1 and § 9795.3. *Id.* at 28-29.

At the conclusion of the SVP hearing, Downward was sentenced to concurrent terms of the mandatory minimum of ten to twenty years’ incarceration for each of the three IDSI charges (Counts 1, 7 and 10), and for the rape charge (Count 5). N.T., Sentencing at 33. Downward also received concurrent sentences of 12 to 24 months for each of the three statutory sexual assault charges (Counts 2, 6 and 11), and concurrent sentences of 6 to 24 months for each of the three corruption of minors charges (Counts 3, 8 and 13). *Id.* at 33-34. With respect to the indecent assault charges, Downward was sentenced to a period of incarceration of 6 to 24 months on Count 9, and 3 to 12 months on Counts 4 and 12. *Id.* at 34. As the sentences for each type of crime were set to run consecutive to the other groups of offenses, Downward received an aggregate sentence of 12-1/2 years to 28 years. *Id.* at 34-35.

Downward filed a counseled PCRA petition on October 12, 2010,

<sup>1</sup> At the time Downward committed the underlying criminal acts, the law governing registration and reporting requirements for convicted sex offenders was 42 Pa.C.S.A. §§ 9791 - 9799.9 (“Megan’s Law III”).



which was granted in part (as to sentencing) and denied in part. Accordingly, a resentencing hearing was subsequently scheduled for February 29, 2012, to formally resentence Downward in accordance with the Court's Order of January 19, 2012. Before the Court could hold the resentencing hearing, however, Downward filed a notice of appeal to the Superior Court on February 16, 2012 regarding the portion of his PCRA that was denied. While the appeal was pending, the Court held the resentencing hearing on March 30, 2012, at the conclusion of which Downward was sentenced in accordance with the Order of January 19, 2012.<sup>2</sup> By memorandum opinion dated November 1, 2012, a three-judge panel of the Superior Court affirmed that portion of this Court's order that denied Downward's PCRA petition. A petition for allowance of appeal was denied by the Supreme Court of Pennsylvania on March 26, 2013. See *Commonwealth v. Downward*, 63 A.3d 1243 (Pa. 2013).

Over the course of the ensuing five years, Downward filed three more *pro se* PCRA petitions,<sup>3</sup> each ostensibly challenging various aspects of his conviction. The trial court denied each petition, Downward timely appealed each denial to the Superior Court, and the Superior Court affirmed each of the trial court's denials.<sup>4</sup>

On January 8, 2018, Downward filed his fifth PCRA petition, raising for the first time a challenge to the application of SORNA's sex-offender registration requirements to him in light of the Pennsylvania Supreme Court's decision in *Commonwealth v. Muniz*, 164 A.3d 1189 (2017)(plurality) (*Muniz*).<sup>5</sup> Even though it was a fifth PCRA petition, the trial court nonetheless appointed counsel, Dennis C. Dougherty, Esquire (PCRA counsel), to ensure the protection of Downward's rights amidst changing statutory and common law. On March 1, 2018, PCRA counsel filed an Amended Motion for Post-Conviction Collateral Relief and/or Motion to Bar Applicability of Sex Offender Registration and/or Petition for Writ of Habeas Corpus (2018 Amended PCRA), arguing: (1) the retroactive application of SORNA to Downward was unconstitutional, and (2) that it was unlawful to impose upon Downward the conditions attendant to a Sexually Violent Predator ("SVP") in light of the Superior Court's ruling in *Commonwealth v. Butler*, 173 A.3d 1212 (Pa.Super. 2017)(*Butler I*).<sup>6</sup>

The Commonwealth responded on April 2, 2018, arguing that Downward's claims in the 2018 Amended Petition *vis-a-vis* the retroactive application of SORNA had been rendered moot upon the legislative repeal of SORNA and subsequent enactment of the legislation commonly referred to as SORNA II,<sup>7</sup> which continued the same lifetime registration requirements for Downward as had been originally imposed at the time

<sup>2</sup> Although a trial court generally loses jurisdiction to act once an appeal is filed, the Court retained jurisdiction to enforce the order entered prior to the notice of appeal being filed. Pa. R.A.P. 1701(b)(2). 3 April 9, 2013, April 20, 2015, and October 3, 2016.

<sup>4</sup> Denied by Order of May 23, 2013, and affirmed by memorandum or opinion of three-judge panel of Superior Court May 20, 2014 (No. 1103 MDA 2013); denied by Order of May 13, 2015, and affirmed by memorandum or opinion of three-judge panel of Superior Court October 25, 2016 (1037 MDA 2015); denied by Order of November 15, 2016, and affirmed by memorandum opinion of three-judge panel of Superior Court on August 21, 2017 (No. 2010 MDA 2016).

<sup>5</sup> With *Muniz*, the Superior Court held the registration and notification requirements of SORNA's Subchapter H had a punitive effect pursuant to *Kennedy v. Mendoza-Martinez*, 372 U.S. 144, 83 S.Ct. 554, 9 L.Ed.2d 644 (1963), and retroactive application violated the *ex post facto* provisions of the United States Constitution and Pennsylvania Constitution.

<sup>6</sup> In *Butler I*, the Superior Court invalidated SORNA's mechanism for determining SVP status.

<sup>7</sup> See 10, 42 Pa. C.S. §§ 9799.10-9799.75 ("SORNA II") (amending certain provisions of SORNA I and adding new sections, 42 Pa. C.S. §§ 9799.42 and 9799.51-9799.75, which became effective immediately. The legislation explicitly states it was passed in response to *Muniz* and *Butler I*).

of his conviction in 2008 under Megan's Law III, and that had continued unchanged by SORNA I.

On April 9, 2018, the Court issued a Notice Pursuant to Pa.R.Crim.P 907 of its intent to dismiss the 2018 Amended PCRA without a hearing and providing Downward thirty days to respond to said Notice. After an extension of this deadline, Downward filed his counseled response on June 18, 2018, asserting the retroactive application of SORNA II to Downward was an unconstitutional violation of the *ex post facto* laws. Thereafter, by Order of July 9, 2018, the Court directed the parties to file supplemental briefs in accordance with the schedule contained therein.<sup>8</sup> Downward filed a timely counseled brief on August 10, 2018. In lieu of a responsive brief, however, the Commonwealth filed a Motion to Stay on August 14, 2018, citing the matter of *Commonwealth v. Lippincott*, then-pending before the Superior Court, from which the Commonwealth anticipated a forthcoming ruling. The Commonwealth believed the *Lippincott* decision would have direct implications for Downward's 2018 Amended PCRA.<sup>9</sup> The stay was granted by Order of August 20, 2018, with direction to the Commonwealth to file notice when the *Lippincott* decision had been rendered.

On April 17, 2019, the Commonwealth filed a Notice advising of a decision in *Lippincott*.<sup>10</sup> The *Lippincott* Court, however, did not reach the question of the constitutionality of the retroactive application of SORNA II, and the Commonwealth requested another stay pending a decision from the Pennsylvania Supreme Court in the matter of *Commonwealth v. LaCombe*, for which the Supreme Court had granted *certiorari* exclusively to review the constitutionality of retroactively applying SORNA II, Subchapter I. The Commonwealth anticipated *Lacombe's* outcome to be dispositive of Downward's 2018 Amended PCRA. A second stay was granted by Order of April 18, 2019, again with direction for the Commonwealth to file notice upon decision in *LaCombe*. The Supreme Court rendered its opinion on July 21, 2020. See *Commonwealth v. Lacombe*, 234 A.3d 602 (2020) (*Lacombe*). The Commonwealth did not notify this trial court, however, and neither party moved to lift the stay.

On September 4, 2020, Downward filed another *pro se* Petition to Terminate Sex Offender Registration Requirements, prompting the Court to contact counsel for both parties regarding proceeding on the 2018 Amended PCRA in light of *Lacombe*. After a review of the relevant new law regarding SORNA II and registration requirements, Downward's counsel filed on October 5, 2020, a praecipe to withdraw and discontinue both the 2018 *pro se* PCRA and the 2018 Amended PCRA, certifying

<sup>8</sup> Although Downward was represented by counsel at all times during this time period, he nonetheless submitted two additional *pro se* filings to the Court: 1) a motion on July 23, 2018, to withdraw his PCRA; and 2) yet another *pro se* PCRA petition, asserting the same grounds for relief as the 2018 Amended Petition. Such hybrid representation has been expressly precluded by our Supreme Court, whether at trial, on appeal, or during PCRA proceedings. See *Commonwealth v. Jette*, 611 Pa. 166, 23 A.3d 1032, 1038-40 (2011); *Commonwealth v. Pursell*, 555 Pa. 233, 724 A.2d 293, 302 (1999); *Commonwealth v. Ellis*, 534 Pa. 176, 626 A.2d 1137, 1139 (1993). See also *Commonwealth v. Willis*, 29 A.3d 393, 400 (Pa. Super. 2011). Consequently, the Court directed both pleadings to be docketed and copies sent to Downward's counsel, in compliance with Pa.R.Crim.P. 576(A)(4) ("In any case in which a defendant is represented by an attorney, if the defendant submits for filing a written motion, notice, or document that has not been signed by the defendant's attorney, the clerk of courts shall accept it for filing" and send a copy to the attorney of record in the case within ten days of receipt).

<sup>9</sup> The Supreme Court had directed the *Lippincott* parties to brief the issues of whether Act 10/SORNA II was punitive in nature and whether it could be applied retroactively.

<sup>10</sup> *Commonwealth v. Lippincott*, 208 A.3d 143 (Pa. Super. 2019).

that Downward was in agreement with these withdrawals. Despite this representation, however, Downward filed yet another *pro se* Petition to Terminate Sex Offender Registration Requirements (2020 Petition) on October 27, 2020, not two weeks after discontinuing the 2018 PCRA petitions. The Commonwealth responded, and on May 4, 2021, this Court entered an Order denying the 2020 Petition. Downward filed a timely Notice of Appeal on May 14, 2021, for which this Court granted *in forma pauperis* status on May 24, 2021. This Opinion issues pursuant to Rule 1925(a) of the Pennsylvania Rules of Appellate Procedure.

## II. Discussion

### A. Jurisdiction

We begin by noting this Court has jurisdiction to entertain the 2020 Petition pursuant to our Supreme Court's guidance in *Lacombe*, which directs that a challenge to the application of a sex offender registration statute need not be raised through the PCRA, where the timeliness requirement would preclude many registrants from seeking relief in the face of changes in the law. Specifically, the *Lacombe* Court held that

under the PCRA . . . many registrants . . . would be ineligible for relief on timeliness grounds. *See* 42 Pa.C.S. § 9545(b)(1) (PCRA petition must be filed within one year of judgment of sentence becoming final unless exception applies). Other registrants may be ineligible because their sentence has expired while their registration requirements continue. *See* 42 Pa.C.S. § 9543(a)(1) (PCRA petitioner must be serving sentence to be eligible for relief). Both situations arise from the fact that the registration period does not begin until registrants are released from prison, which may be well after their sentence has become final or may signal the completion of their sentence. Accordingly, we decline to find the PCRA, or any other procedural mechanism, is the exclusive method for challenging sexual offender registration statutes.

*Lacombe*, 234 A.3d at 617.

### B. The 2020 Petition

In the *pro se* 2020 Petition, Downward seeks relief from the retroactive application of SORNA II's registration requirements to him and from his classification as an SVP. Downward's argument seems to run thus: 1) Downward was convicted in 2008 and subject to the SVP criteria, registration requirements, and other procedures of Megan's Law III; 2) our Supreme Court struck down Megan's Law III in its entirety through *Commonwealth v. Neiman*, 84 A.3d 603, 607 (2013) (*Neiman*); 3) *Neiman* rendered Megan's Law III void *ab initio* and therefore Downward was freed of any legally enforceable registration requirements whatsoever; 4) Subchapter I of SORNA II only applies to defendants whose time for registering was unexpired at the time of its enactment;

5) since Megan’s Law III was stricken in its entirety, and Downward’s registration requirements no longer existed at the time of SORNA II’s enactment, he was not in the category of registrants with unexpired registration requirements; 6) therefore, SORNA II and its registration requirements cannot apply to him; and 7) in addition, since he was adjudicated an SVP under Megan’s Law III, and Megan’s Law III is void *ab initio*, Downward’s SVP designation is invalid and the Court should vacate that portion of his sentence which designates him SVP. For the reasons detailed below, Downward’s reasoning is flawed and his arguments without merit.

Before turning to the specifics of the 2020 Petition, however, it is prudent to begin this analysis with an overview of the historical development of Pennsylvania’s law regarding convicted sex offender registration. Indeed, between the General Assembly and our courts, the law surrounding reporting requirements for adjudicated sex offenders has undergone a complicated evolutionary process over the past several decades, especially concerning the application of reporting requirements to offenders whose crimes were committed prior to December 20, 2012, the date of SORNA I’s enactment. This Court is mindful of the challenges presented, even to experienced legal practitioners, when our General Assembly and Supreme Court must engage, as here, in a series of back-and-forth efforts at legislation and interpretation in order to arrive at a constitutionally permissible scheme of criminal law and procedure that properly balances the protection of the public with the Constitutional rights of individual defendants. As set forth in more detail below, Downward is and has been continually, without interruption, subject to lifetime registration, notification, and counseling (RNC) requirements under every governing law. Having pled guilty to, among other crimes, three counts IDSI and two counts of statutory sexual assault, and having been found an SVP, Downward has been and remains subject to lifetime registration under Megan’s Law III, Megan’s Law II, and every iteration of SORNA. None of the changes in the law since Downward’s conviction have freed him of these requirements.

In 1995, the Pennsylvania legislature passed the first in what would become a series of statutes requiring convicted sex offenders to register their personal information, such as their current address, with the Pennsylvania State Police (PSP) upon completion of their period of incarceration. See former 42 Pa. C.S. §§9791-9799.6 (Megan’s Law I). Megan’s Law I was subsequently revised and amended through former 42 Pa. C.S. §§9791-9799.7 (Megan’s Law II, enacted in 2000), and former 42 Pa. C.S. §§ 9791-9799.9 (Megan’s Law III, enacted in 2004), which modified certain portions of Megan’s Law II. The General Assembly replaced Megan’s Law generally on December 20, 2012, with the enactment of the Sex Offender Registration and Notification Act, former 42 Pa. C.S. §§ 9799.10-9799.41 (SORNA I).<sup>11</sup> SORNA I provided explicitly for “the expiration of prior registration requirements, commonly referred

<sup>11</sup> SORNA I was passed in response to the federal Adam Walsh Protection and Safety Act of 2006, Public Law 109-248, 42 U.S.C. §§ 16901 – 16991, which mandates that each state impose certain tier-based registration and notification requirements on sex offenders in order to maintain federal grant funding. See *In re J.B.*, 630 Pa. 408, 107 A.3d 1, 3 (2014).

to as Megan’s Law, 42 Pa.C.S. §§ 9791 - 9799.9, as of December 20, 2012, and for the effectiveness of SORNA on the same date.” *In re J.B., infra* n.11. Subsequently, the Supreme Court found in 2013 that Megan’s Law III was unconstitutional in its entirety and therefore invalid. See *Neiman, supra*. Cognizant of the potential for profound implications of its ruling for those registrants sentenced under Megan’s Law III, however, the *Neiman* Court stayed the effective date of its decision to provide the legislature the opportunity to enact clarifying and curative amendments to SORNA I regarding registrants whose crimes were committed prior to SORNA I’s enactment. In response, the General Assembly enacted legislation on March 14, 2014, modifying the language of 42 C.S. §9799.13(3) “to clarify that persons who were required to register with the state police *at any time* before SORNA’s effective date, and whose registration period had not expired, were still obligated to register with the state police as provided in Section 9799.15.” *Commonwealth v. Derhammer*, 653. Pa. 391, 396, 173 A.3d 723, 726 (2017) (emphasis added).

In 2017, the Supreme Court found in *Muniz* “that the registration requirements of Subchapter H of SORNA I, as applied retroactively, were punitive in nature under the seven-factor test set forth by the United States Supreme Court in *Kennedy v. Mendoza-Martinez*, and, thus, SORNA I was unconstitutional under the *ex post facto* clauses of both the United States and Pennsylvania Constitutions.” *Commonwealth v. Elliot*, 249 A.3d 1190 (2021). Thus, the retroactive application of SORNA’s registration requirements were found unconstitutional in so far as they operated to enhance the RNC requirements of an existing registrant. In response to *Muniz*, the General Assembly amended SORNA I by two legislative acts: Act 10 and Act 29.<sup>12</sup> Together, these amendments comprise the current sex offender registration statute in effect today, 42 Pa. C.S. §§9799.10-9799.75 (SORNA II). With Subchapter H, SORNA II modified the registration requirements for individuals who committed offenses on or after SORNA’s effective date of December 20, 2012. See 42 Pa. C.S. § 9799.11. SORNA II also creates new registration categories for individuals who committed offenses between April 22, 1996 and December 20, 2012, as well as for those who had been required to register under *any* pre-SORNA statute between April 22, 1996, and December 20, 2012, and whose registration period had not expired. See 42 Pa. C.S. § 9799.52. Our Supreme Court has determined that both amended Subchapters I and H of SORNA II impose non-punitive, administrative-type registration requirements that are “merely collateral consequences of a criminal conviction” and therefore permissibly applied retroactively. *Commonwealth v. Smith*, 240 A.3d 654, 658 (Pa. Super. 2020); see also *Commonwealth v. Lacombe*, 234 A.3d 602, 626 (2020) (rejecting *ex post facto* challenge to retroactive application of Subchapter I of SORNA II, finding requirements in Subchapter I non-punitive); *Commonwealth v. Butler*, 226 A.3d 972 (2020) (“*Butler II*”)(rejecting *ex post facto* challenge to retroactive application of Subchapter H of

<sup>12</sup>Act of February 21, 2018, P.L. 27 (Act 10); Act of June 12, 2018, P.L. 140 (Act 29).

SORNA II on same grounds as *Lacombe*).

**C. Application to Downward**

Downward's crimes were committed throughout 2007 and 2008, and he entered his guilty plea on July 23, 2009. His RNC requirements were therefore determined under Megan's Law III, as was this Court's finding that Downward met the criteria for SVP classification. Due both to the SVP designation and to the nature of the offenses to which he pled guilty (IDSI and statutory sexual assault), Megan's Law III required Downward to maintain registration with PSP for the remainder of his life. See former 42 Pa. C.S. §§ 9799.12 and 9799.14(d).

Downward is correct that the Supreme Court struck down Megan's Law III as unconstitutional in 2013 (see *Neiman, supra*). He is, however, mistaken in his belief that *Neiman's* invalidation of Megan's Law III operated to remove him from the class of "existing registrants" subject to the registration provisions of SORNA I. The *Neiman* Court anticipated complications attendant to its wholesale invalidation of Megan's Law III and wisely provided an opportunity to the legislature to proactively remedy these problems prior to the effective date of its decision. The *Neiman* Court realized that its

broad invalidation of Act 2004-152 — which, again included Megan's Law III in its entirety — would, without remedial legislation, call into question whether someone [sentenced under Megan's Law III] would be an existing registrant as of SORNA's effective date. Thus, the *Neiman* Court stayed its decision for 90 days to allow for legislative action. In March 2014, shortly before the stay expired, the General Assembly enacted Act 19 of 2014, see Act of Mar. 14, 2014, No. 19, P.L. 41 ("Act 2014-19"), which modified the wording of Section 9799.13(3) to clarify that persons who were required to register with the state police at any time before SORNA's effective date, and whose registration period had not expired, were still obligated to register with the state police as provided in Section 9799.15.

*Commonwealth v. Derhammer*, 643 Pa. 391, 396, 173 A.3d 723, 726 (2017). Under the clarifying language of Act 2014-19, Downward was clearly included in the class of persons subject to the registration requirements contained in SORNA I. Act 2014-19, enacted *before* the *Neiman* decision officially took effect and invalidated Megan's Law III, ensured that sexually violent offenders who were sentenced under Megan's Law III, like Downward, would not fall through any proverbial registration cracks created when *Neiman* took effect and invalidated Megan's Law III. As Downward had been obligated under a statute prior to SORNA I to register with PSP, and his registration period (his lifetime) had not expired, he was and is subject to SORNA I and its replacement, SORNA II.

Furthermore, even if we assume, *arguendo*, that the foregoing analysis is erroneous, and that despite the Act 2014-19 amendments to SORNA, the invalidation of Megan's Law III did in fact invalidate all RNC requirements imposed by Megan's Law III, the Court finds Downward was nonetheless subject to an unbroken chain of governing law that continually and properly categorized him as an individual required to register with PSP for his lifetime. For purposes of analyzing whether Downward was, after *Neiman*, a person subject to the registration requirements of SORNA I, the Court finds that the complete invalidation of Megan's Law III did not operate to void Downward's lifetime registration requirements. The enactment of Megan's Law III only *amended* Megan's Law II without fully repealing it. Thus, even considering Megan's Law III as void *ab initio*, Downward was subject to the applicable lifetime registration requirements found in Megan's Law II, the relevant portion of which remained unaltered in Megan's Law III. Compare former 42 Pa. C.S. §9795.1(b)(2) prior to 2006 (Megan's Law II) and after 2006 (Megan's Law III); see also Act of Nov.29, 2006, P.L. 1567, No. 178 (enacting Megan's Law III and reflecting no changes or amendments to existing 42 Pa. C.S. § 9795.1(b)(2), regarding offenses requiring lifetime registration). It has been specifically recognized that a statute which substantially reenacts its predecessor does not act to interrupt the operation of the former law if the latter is subsequently held to be unconstitutional. *Derhammer*, 134 A.3d at 1075-77 (noting that an unconstitutional statute cannot repeal a former statute). Here, Megan's Law III was found to be unconstitutional. That finding, however, did not operate to interrupt the application of the former law (Megan's Law II) as it applied to persons who committed qualifying offenses prior to the enactment of SORNA I. Persons having committed and been convicted of crimes such as Downward's have continually, without interval, been subject to sex offender registration requirements under every statutory registration scheme enacted, both prior to and since he committed his offenses in 2007. Under any analysis, Downward specifically has been and is properly categorized as a person subject to the registration requirements found in SORNA. See 42 Pa.C.S.A. §9799.14(a)(3).<sup>13</sup>

Finally, no recent development in the common law frees Downward from his lifetime RNC requirements. *Muniz* was inapplicable to Downward as the retroactive application of SORNA I's registration requirements to him did not result in any impermissible increases to his existing lifetime RNC requirements. See *Adams v. Pennsylvania State Police*, 2021 WL 2405400 (Cmwlth Ct. June 14, 2021)(SORNA I continued, but did not increase, lifetime registration requirement that applied under Megan's Law II and III for persons convicted of aggravated indecent assault and therefore retroactive application not unconstitutional violation of *ex post facto* law; *Muniz* does not change this).

Moreover, *Muniz* has now been superseded by a constitutional and

<sup>13</sup> Section 9799.14 of SORNA established a three-tiered system of specifically enumerated offenses requiring registration for sexual offenders for differing lengths of time. 42 Pa.C.S.A. §9799.14. Two offenses to which Downward pled guilty qualified him as a Tier III offender — statutory assault (18 Pa.C.S. §3122.1(b)) and involuntary deviate sexual intercourse (18 Pa.C.S. §3123). Tier III offenders were subject to lifetime registration requirements, while Tier II offenders were subject to 25 years registration, and Tier I offenders to 15 years.

curative statutory scheme whose retroactive application is entirely permissible. The Pennsylvania Supreme Court in *Commonwealth v. Lacombe*, 234 A.3d 602, 626-27 (Pa. 2020) (SORNA II reporting and registration requirements non-punitive civil remedies permissibly applied retroactively); *see also* Act of February 21, 2018, P.L. 27, No. 10 (“Act 10”); Act of June 12, 2018, P.L. 140, No. 29 (“Act 29”)(collectively SORNA II). Likewise, the Supreme Court has found that the RNC requirements applicable to SVPs under Subchapter H of SORNA II are non-punitive, explaining:

[a]lthough we recognize the RNC requirements impose affirmative disabilities or restraints upon SVPs, and those requirements have been historically regarded as punishment, our conclusions in this regard are not dispositive on the larger question of whether the statutory requirements constitute criminal punishment. This is especially so where the government in this case is concerned with protecting the public, through counseling and public notification rather than deterrent threats, not from those who have been convicted of certain enumerated crimes, but instead from those who have been found to be dangerously mentally ill. Under the circumstances, and also because we do not find the RNC requirements to be excessive in light of the heightened public safety concerns attendant to SVPs, we conclude the RNC requirements do not constitute criminal punishment.

*Commonwealth v. Butler*, 226 A.3d 972, 992-93 (2020) (citation omitted) (“*Butler II*”).<sup>14</sup> Consequently, any argument that the RNC requirements of SORNA II are unconstitutional as applied to Downward is moot. Downward’s lifetime RNC requirements remain in full force and effect; his 2020 Petition was properly denied and dismissed.

Downward’s final argument, that his SVP status is invalid because it was determined under Megan’s Law III, which is void *ab initio*, fails for the same reasons outlined above regarding RNC requirements. Downward’s SVP status is and has remained valid throughout the changing landscape of the law governing registration for sex offenders. The Supreme Court held in *Butler II* that since the RNC requirements for SVPs under Subchapter H of SORNA II do not constitute criminal punishment, the procedure for determining if a convicted sex offender is an SVP is constitutionally and permissibly applied retroactively. *See Butler II, supra* (because RNC requirements of SORNA II are not criminal punishment, procedure for designating individuals as SVPs under 42 Pa.C.S. §9799.24(e)(3) is therefore not subject to requirements of *Apprendi* . . . and *Allelyne* . . . and retroactive application remains consti-

<sup>14</sup> *Butler II* specifically held that the RNC requirements found in SORNA II do not constitute criminal punishment, such that 42 Pa.C.S. §9799.24(e)(3) is not subject to the requirements of *Apprendi v. New Jersey*, 530 U.S. 466 (2000) and *Allelyne v. United States*, 570 U.S. 99 (2013), and may be applied retroactively without violating any person’s constitutional rights. The *Butler II* Court also found constitutionally permissible SORNA II’s procedure for designating individuals as SVPs.



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tutionally permissible); *see also Lacombe*, 234 A.3d at 626-27. SORNA II and its common law progeny cure any deficiencies found in prior law and Downward is properly categorized as an SVP.

**III. CONCLUSION**

For the foregoing reasons, the Court finds that Downward is subject to the lifetime RNC requirements pursuant to the statutory dictates of SORNA II as interpreted by the Supreme Court of Pennsylvania.

Accordingly, I enter the following:

**ORDER**

AND NOW, this 6<sup>th</sup> day of July, 2021, the Court submits this Opinion pursuant to Rule 1925(a) of the Pennsylvania Rules of Appellate Procedure.

BY THE COURT:  
DAVID L. ASHWORTH  
PRESIDENT JUDGE

**ESTATE AND TRUST NOTICES**

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

**FIRST PUBLICATION**

**Bowman, Daryl Arthur a/k/a Daryl Bowman, dec'd.**

Late of Lititz Borough.

Personal Representative: Darlene F. Charles, Administratrix, c/o Angelo J. Fiorentino, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill and Hess LLP.

**Carthage, Helen A., dec'd.**

Late of Manheim Township.

Administratrix: Renie Beidleman c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.

Attorney: Dana C. Panagopoulos.

**Dewar, William R., II, dec'd.**

Late of West Lampeter Township.

Executor: c/o Meagher Ellis Law, 1018 Church Street,

Honesdale, PA 18431

Attorney: Meagher Ellis Law.

**Eisenhauer, Margaret B., dec'd.**

Late of the Township of West Donegal.

Administrator: John K. Alleman c/o Nikolaus & Hohenadel, LLP, 222 S. Market Street, Suite 201, Elizabethtown, PA 17022.

Attorney: John M. Smith, Esquire.

**Fehr, Diane J., dec'd.**

Late of West Cocalico Township.

Executrix: Denise L. Lynch c/o Vance E. Antonacci, Esquire, McNees Wallace & Nurick LLC, 570 Lausch Lane, Suite 200, Lancaster, PA 17601.

Attorney: McNees Wallace & Nurick LLC.

**Funk, James C., dec'd.**

Late of the Borough of Manheim.

Administratrix: Lori Flowers c/o James R. Clark, Esquire, 277 Millwood Road, Lancaster, PA 17603.

Attorney: James R. Clark.

**Gingrich, Mary Elizabeth a/k/a Mary E. Gingrich, dec'd.**

Late of Manheim Township.

Executrix: Sharon Umble c/o Attorney J. Elvin Kraybill, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

**Groff, Gregory Norman, dec'd.**

Late of Quarryville Borough.

Administratrix: Cinda J. Stoner c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.

Attorney: Jeffrey P. Ouellet, Es-

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quire.

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**Herold, Walter Lee a/k/a Walter L. Herold**, dec'd.

Late of Quarryville Borough.

Executor: Scot Plank, P.O. Box 906, Pocono Lake, PA 18347.

Attorney: None.

---

**Keener, Barry Lynn a/k/a Barry L. Keener**, dec'd.

Late of Elizabethtown.

Executor: Suzanne M. Keener, 188 Dogwood Drive, Elizabethtown, PA 17022.

Attorney: None.

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**Kuzmiak, Kathleen K.**, dec'd.

Late of Manheim Township.

Executrix: Julie A. Spangler c/o Nikolaus & Hohenadel, LLP, 303 West Fourth Street, Quarryville, PA 17566.

Attorney: Jeffrey S. Shank, Esquire.

---

**Landis, Marian R.**, dec'd.

Late of Manheim Township.

Personal Representative: Janet R. Frey, Executrix, c/o John R. Gibbel, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

---

**Lorentson, Nancy H.**, dec'd.

Late of the City of Lancaster.

Executor: Dennis R. Lorentson c/o James R. Clark, Esquire, 277 Millwood Road, Lancaster, PA 17603.

Attorney: James R. Clark.

---

**Marlowe, Elizabeth a/k/a Doris Elizabeth Marlowe**, dec'd.

Late of Columbia Borough.

Co-Personal Representatives:

Lisa Amelia Marlowe and Peter Matthew Marlowe c/o John W. Metzger, Esquire, 901 Rohrerstown Road, Lancaster, PA 17601.

Attorneys: Metzger and Spencer, LLP.

---

**McCune, Georgia L.**, dec'd.

Late of East Hempfield Township.

Executrix: Toni L. Tice c/o Nikolaus & Hohenadel, LLP, 222 S. Market Street, Suite 201, Elizabethtown, PA 17022.

Attorney: Kevin D. Dolan, Esquire.

---

**Miller, George H., Jr.**, dec'd.

Late of the Township of Manheim.

Personal Representative: Karen J. Donnelly, Executrix, c/o Marci S. Miller, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

---

**Russell, Doris L.**, dec'd.

Late of Lititz Borough.

Executor: Shelley A. Rohde c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorney: Young and Young.

---

**Sheirich, Amy R.**, dec'd.

Late of Columbia Borough.

Executor: Lester C. Sheirich, Jr. c/o 327 Locust Street, Columbia, PA 17512.

Attorney: John F. Markel, Esquire; Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

---

**Silverstein, Ann S.**, dec'd.

Late of East Hempfield Township.

Executrix: Paula S. Ilkhanoff, 2085 State Street, East Petersburg, PA 17520.

Attorney: Paula S. Silverstein, Esquire.

---

**Speakman, Pearl A.**, dec'd.

Late of Caernarvon Township.

Executor: Sharon A. Yost c/o Kling and Deibler, LLP, 131 W. Main Street, New Holland, PA 17557.

Attorney: Patrick A. Deibler, Esquire; Kling & Deibler, LLP.

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**Vollmar, Kay D. a/k/a Kay Dill Vollmar**, dec'd.

Late of Willow Valley.

Executrix: Kathleen V. Hawkins c/o Legacy Law, PLLC, 147 W. Airport Road, Suite 300, Lititz, PA 17543.

Attorney: Neal A. Rice, Esquire.

---

**SECOND PUBLICATION**

**Bolich, Karen L.**, dec'd.

Late of New Holland Boro.

Executrix: Crystal Tuno c/o Katherine L. McDonald, Esquire, Dethlefs-Pykosh Law Group, LLC, 2132 Market Street, Camp Hill, PA 17011.

Attorney: Katherine L. McDonald, Esquire.

---

**Breger, Judith M. a/k/a Judi Breger a/k/a Judith Marshall Breger**, dec'd.

Late of Ephrata.

Executor: Joshua Breger and Matthew Breger c/o Gregory K. Goebert, Esquire, Goebert Law LLC, 101 Lindenwood Drive, Suite 225, Malvern, PA 19355.

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Attorney: Gregory K. Goebert, Esquire.

---

**Cesaro, Julius**, dec'd.

Late of Mount Joy Borough.

Executrix: Kathleen M. Shepp c/o James N. Clymer, Esquire, 408 West Chestnut Street, Lancaster, PA 17603.

Attorney: Clymer Musser & Sarano, PC.

---

**Deppen, Mabel M.**, dec'd.

Late of Elizabethtown Borough.

Executor: Eric J. Deppen c/o Randall K. Miller, Esq., 659 East Willow Street, Elizabethtown, PA 17022.

Attorney: Randall K. Miller.

---

**DeVerter, Benjamin L. a/k/a Benjamin Leroy DeVerter, Sr.**, dec'd.

Late of East Lampeter Township.

Executor: Benjamin L. DeVerter, Jr. c/o George H. Eager, Esquire, 1347 Fruitville Pike, Lancaster, PA 17601.

Attorneys: Eager, Stengel, Quinn, Sofilka & Babic.

---

**Dinsmore, Elizabeth R. a/k/a Elizabeth Dinsmore**, dec'd.

Late of Donegal Township.

Co-Executors: Cris E. Dinsmore and Phil W. Dinsmore c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991.

Attorney: Jody Anderson Leighty, Esquire; Stock and Leader.

---

**Earhart, Christopher A.**, dec'd.

Late of East Cocalico Township.

Executrix: Rachel C. Elliott c/o James N. Clymer, Esquire, 408 West Chestnut Street, Lancaster,

er, PA 17603.

Attorney: Clymer Musser & Sar-  
no, PC.

---

**Ecenrode, Daniel E.**, dec'd.

Late of Ephrata Township.

Executrix: Karen L. Shreiner  
c/o Edward P. Seeber, Esquire,  
JSDC Law Offices, Suite C-400,  
555 Gettysburg Pike, Mechan-  
icsburg, PA 17055.

Attorney: Edward P. Seeber, Es-  
quire.

---

**Goshkey, Audrey A.**, dec'd.

Late of Warwick Township.

Executor: Timothy S. Gerhart  
c/o Russell, Krafft & Gruber,  
LLP, 101 North Pointe Blvd.,  
Suite 202, Lancaster, PA 17601.

Attorney: Lindsay M. Schoene-  
berger.

---

**Grant, Richard A., Jr. a/k/a  
Richard A. Grant**, dec'd.

Late of Little Britain Township.

Administrator: Justin L. Grant  
c/o Nikolaus & Hohenadel, LLP,  
212 North Queen Street, Lan-  
caster, PA 17603.

Attorney: Barbara Reist Dillon,  
Esquire.

---

**Harter, Mary S. a/k/a Mary Eliz-  
abeth Harter**, dec'd.

Late of West Hempfield Town-  
ship.

Executor: Fulton Bank, N.A., 1  
Penn Square, P.O. Box 7989,  
Lancaster, PA 17604.

Attorney: Thomas L. Goodman,  
Esquire.

---

**Hill, Hanna M.**, dec'd.

Late of West Lampeter Town-  
ship.

Executor: Robin D. Stauffer

---

c/o Barley Snyder LLP, 126  
East King Street, Lancaster, PA  
17602.

Attorney: Randy R. Moyer; Bar-  
ley Snyder LLP.

---

**Huber, Anna M.**, dec'd.

Late of Earl Township.

Executors: Elvin H. Huber and  
Mervin H. Huber c/o Kling  
and Deibler, LLP, 131 W. Main  
Street, New Holland, PA 17557.

Attorney: Linda Kling, Esquire;  
Kling & Deibler, LLP.

---

**Kreiser, Jean E.**, dec'd.

Late of Columbia Borough.

Executrix: Kathleen F. Hodgen  
c/o Karl Kreiser, Esquire, 553  
Locust Street, Columbia, PA  
17512.

Attorney: Mountz & Kreiser.

---

**Krepfels, Mary Agnes a/k/a  
Mary A. Krepfels**, dec'd.

Late of Lancaster Township.

Executor: Ronald K. Krepfels  
c/o Thomas A. Kauffman, Es-  
quire, Kauffman & Billilmoria,  
PLLC, 52 South Ninth Street,  
Indiana, PA 15701.

Attorney: Thomas A. Kauffman,  
Esquire.

---

**Kurtz, Paul H.**, dec'd.

Late of Manheim Township.

Personal Representatives: Carol  
A. Kline and Deborah K. Weaver,  
Executrices, c/o John R. Gibbel,  
Attorney, P.O. Box 5349, Lan-  
caster, PA 17606.

Attorneys: Gibbel Kraybill &  
Hess LLP.

---

**Leibrand, Phyllis F.**, dec'd.

Late of Ephrata Township.

Executor: John R. Nagle c/o

---

Kling and Deibler, LLP, 131 W. Main Street, New Holland, PA 17557.

Attorney: Linda Kling, Esquire; Kling & Deibler, LLP.

---

**Longenecker, Geraldine F.**, dec'd.

Late of West Cocalico Township. Co-Executors: Lorrie L. Dunn and Jason L. Longenecker c/o E. Richard Young, Jr., Esq., 1248 W. Main Street, Ephrata, PA 17522.

Attorney: E. Richard Young, Jr., Esquire.

---

**Lutz, Alberta C.**, dec'd.

Late of West Cocalico Township. Executors: Kathleen M. Lauder-milch and Michael K. Lutz c/o Robert E. Sisko, Esquire, 700 North Duke Street, P.O. Box 4686, Lancaster, PA 17604-4686.

Attorneys: Morgan, Hallgren, Crosswell & Kane, P.C.

---

**Matthews, John G.**, dec'd.

Late of Ephrata Borough.

Executrix: Debra Ann Hornberg-er c/o Anthony P. Schimaneck, Esquire, 700 North Duke Street, P.O. Box 4686, Lancaster, PA 17604-4686.

Attorneys: Morgan, Hallgren, Crosswell & Kane, P.C.

---

**Mohr, Harold A., Sr.**, dec'd.

Late of Conoy Township.

Executor: Jerry Mohr c/o Ran-dall K. Miller, Esq., 659 East Willow Street, Elizabethtown, PA 17022.

Attorney: Randall K. Miller.

---

**Pfautz, Clyde R. a/k/a Clyde R.**

**Pfautz, Jr.**, dec'd.

Late of Denver Borough.

Executor: Ronald S. Pfautz c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.

Attorney: James K. Noel, IV.

---

**Rodriguez-Santiago, Isabel**, dec'd.

Late of Lancaster City.

Executors: Elizabel Santiago and Jose L. Santiago c/o James N. Clymer, Esquire, 408 West Chestnut Street, Lancaster, PA 17603.

Attorney: Clymer Musser & Sar-no, PC.

---

**Schopf, Margaret Z.**, dec'd.

Late of Manor Township.

Executor: Eric J. Schopf c/o Cody & Pfursich, 53 North Duke Street, Suite 420, Lancaster, PA 17602.

Attorney: Stephen W. Cody.

---

**Smith, Thomas R.**, dec'd.

Late of Manheim Township.

Executrix: Ashley Scherry c/o Law Office of Shawn Pierson, 105 East Oregon Road, Lititz, PA 17543.

Attorney: Shawn M. Pierson Es-quire.

---

**Sherr, Carol Y.**, dec'd.

Late of East Hempfield Town-ship.

Executor: LuAnn Johns and Kimberly Sherr c/o Cody & Pfursich, 53 North Duke Street, Suite 420, Lancaster, PA 17602.

Attorney: Stephen W. Cody.

---

**Stephenson, Betty Jo**, dec'd.

Late of West Hempfield Town-ship.

Executor: Michael J. Stephenson c/o Cody & Pfursich, 53 North Duke Street, Suite 420, Lancaster, PA 17602.  
Attorney: Stephen W. Cody.

---

**Weaver, Mary M.**, dec'd.

Late of Upper Leacock Township.

Executor: Amy Shea and Jan E. Weaver c/o Cody & Pfursich, 53 North Duke Street, Suite 420, Lancaster, PA 17602.

Attorney: Stephen W. Cody.

---

**Zook, Elsie B.**, dec'd.

Late of Salisbury Township.

Co-Executors: Mose Stoltzfus and Alvin S. Zook c/o Nicholas T. Gard, Esquire, 121 E. Main Street, New Holland, PA 17557.

Attorneys: Smoker Gard Associates LLP.

---

**THIRD PUBLICATION**

**Armstrong, Lavon M.**, dec'd.

Late of Lancaster Township.

Executor: Glenn L. Armstrong c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorney: Young and Young.

---

**Bates, Donna**, dec'd.

Late of East Petersburg Borough.

Executrix: Carol A. Adams c/o James N. Clymer, Esquire, 408 West Chestnut Street, Lancaster, PA 17603.

Attorney: Clymer Musser & Sarano, PC.

---

**Bernas, Irene R.**, dec'd.

Late of Manheim Township.

Executor: Philip P. Bernas c/o

Angela M. Ward, Esquire, Going & Plank, 140 E. King Street, Lancaster, PA 17602.

Attorney: Angela M. Ward, Esquire; Going & Plank.

---

**Boston, Glenna Joy**, dec'd.

Late of West Lampeter Township.

Personal Representative: Rebecca A. Boston, Administratrix, c/o Douglas A. Smith, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

---

**Cummings, Patricia M.**, dec'd.

Late of Manheim Township.

Executrix: Kelly S. Shuffelbottom c/o Kevin Scott, Esquire, Barley Snyder LLP, 213 Market Street, 12th Floor, Harrisburg, PA 17101.

Attorneys: Barley Snyder LLP.

---

**D'Angelo, Bernadette M.**, dec'd.

Late of East Hempfield Township.

Executrix: Kathleen A. Sobeck c/o Vance E. Antonacci, Esquire, McNees Wallace & Nurick LLC, 570 Lausch Lane, Suite 200, Lancaster, PA 17601.

Attorney: McNees Wallace & Nurick LLC.

---

**Daubert, Sigrid A.**, dec'd.

Late of Penn Township.

Executor: Delphia G. Seese c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorney: Young and Young.

---

**Duddy, Dorothy A.**, dec'd.

Late of New Holland Borough.



Executor: Fulton Bank, N.A. c/o Kling and Deibler, LLP, 131 W. Main Street, New Holland, PA 17557.

Attorney: Patrick A. Deibler, Esquire; Kling & Deibler, LLP.

---

**Eshelman, Christine M.**, dec'd.

Late of the Borough of East Petersburg.

Personal Representative: Vincent R. Eshelman II, Executor, c/o Angelo J. Fiorentino, Attorney, P.O. Box 5349, Lancaster, PA 17606.

Attorneys: Gibbel Kraybill & Hess LLP.

---

**Etnyre, Daniel P.**, dec'd.

Late of Manheim Township.

Executrix: Jennifer E. Pradziad c/o Robert M. Slutsky, Esq., 600 W. Germantown Pike, #400, Plymouth Meeting, PA 19462.

Attorney: Robert M. Slutsky, Esquire; Slutsky Elder Law, 600 W. Germantown Pike, #400, Plymouth Meeting, PA 19462.

---

**Evans, Ronald R., Jr.**, dec'd.

Late of Manor Township.

Executor: Timothy McAdoo c/o David P. Carson, 2547 Lititz Pike, Lancaster, PA 17601.

Attorney: David P. Carson.

---

**Evans, Ronald R., Sr.**, dec'd.

Late of Manor Township.

Executor: Timothy McAdoo c/o David P. Carson, 2547 Lititz Pike, Lancaster, PA 17601.

Attorney: David P. Carson.

---

**Fischer, Lucille M.**, dec'd.

Late of Millersville Borough.

Co-Administrators: Michael R. Glath and Steven G. Glath c/o

O'Day Law Associates, 158 East Chestnut Street, Lancaster, PA 17602.

Attorney: O'Day Law Associates.

---

**Flynt, Roy A., Jr.**, dec'd.

Late of East Drumore Township.

Executors: Beverly E. Hopkins and Lola E. Nichols c/o Paterson Law LLC, 2600 Willow Street Pike N, PMB 155, Willow Street, PA 17584.

Attorney: Kim Carter Paterson.

---

**Free, Gloria A.**, dec'd.

Late of West Hempfield Township.

Executor: Eileen F. Little c/o 327 Locust Street, Columbia, PA 17512.

Attorney: Michael S. Grab, Esquire; Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

---

**Gantz, Mary L.**, dec'd.

Late of Manheim Borough.

Executors: Paul G. Gantz, Joanne L. Pickel, and John F. Gantz, Jr. c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorney: Young and Young.

---

**Gilgore, Alberta M. a/k/a Alberta Marie Gilgore**, dec'd.

Late of Salisbury Township.

Executor: Charles W. Gilgore, Jr. c/o Kling and Deibler, LLP, 131 W. Main Street, New Holland, PA 17557.

Attorney: Linda Kling, Esquire; Kling & Deibler, LLP.

---

**Hammer, Pearl M. a/k/a Pearl M. Nelson Hammer**, dec'd.

Late of Lancaster City.

Executor: Todd L. Hammer c/o Russell, Krafft & Gruber, LLP, 101 North Pointe Blvd., Suite 202, Lancaster, PA 17601.  
Attorney: Nichole M. Baer.

---

**Harting, Philip H.**, dec'd.

Late of Adamstown Borough.  
Co-Executors: Jeffrey P. Harting and David B. Harting c/o E. Richard Young, Jr., Esq., 1248 W. Main Street, Ephrata, PA 17522.  
Attorney: E. Richard Young, Jr., Esquire.

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**Hess, Wanda H.**, dec'd.

Late of Manheim Township.  
Personal Representative: Helen H. Nolt, Executrix, c/o John R. Gibbel, Attorney, P.O. Box 5349, Lancaster, PA 17606.  
Attorneys: Gibbel Kraybill & Hess LLP.

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**Hirschmann, Ozetta M.**, dec'd.

Late of Lancaster Township.  
Executor: April S. Gammache c/o Dennis L. Plank, Esq., Going & Plank, 140 E. King Street, Lancaster, PA 17602.  
Attorney: Dennis L. Plank, Esquire.

---

**Hoover, Erma V.**, dec'd.

Late of East Cocalico Township.  
Executors: Mary Ann Witmer and Philip Mark Hoover c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.  
Attorney: Young and Young.

---

**Johnson, James E.**, dec'd.

Late of Manheim Township.  
Executrix: Margie E. Johnson c/o Scott Alan Mitchell, Esq.,

Saxton & Stump, LLC, 280 Granite Run Drive, Suite 300, Lancaster, PA 17601.  
Attorney: Saxton & Stump, LLC.

---

**Leensvaart, Charles D.**, dec'd.

Late of Manheim Township.  
Executor: Amy B. Scott c/o Jeffrey C. Goss, Esquire, 480 New Holland Avenue, Suite 6205, Lancaster, PA 17602.  
Attorneys: Brubaker Connaughton Goss & Lucarelli LLC.

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**Lyons, Jon C.**, dec'd.

Late of Lancaster City.  
Executor: Marlene S. Arnold c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.  
Attorney: Young and Young.

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**McCall, Judy K.**, dec'd.

Late of East Hempfield Township.  
Executor: Jodie L. Mowrer c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.  
Attorney: Young and Young.

---

**Metzler, Ivan D.**, dec'd.

Late of Strasburg Township.  
Executor: Donald H. Metzler c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.  
Attorney: Jeffrey P. Ouellet, Esquire.

---

**Morgan, Harold C.**, dec'd.

Late of Lancaster County.  
Executor: Carlos E. Morgan, 841 Groff Avenue, Elizabethtown, PA 17022.  
Attorney: Chad J. Julius; 8150 Derry Street, Suite A, Harris-

burg, PA 17111.

---

**Mowrer, Robert R., Jr.**, dec'd.

Late of Lancaster Township.  
Executors: Denise K. Shearer, Donna K. Mowrer, Robert R. Mowrer, III, and Melanie E. Henry c/o Paterson Law LLC, 2600 Willow Street Pike N, PMB 155, Willow Street, PA 17584.  
Attorney: Kim Carter Paterson.

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**Quinn, Patrick W.**, dec'd.

Late of Manor Township.  
Executor: Colleen Quinn c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.  
Attorney: Young and Young.

---

**Rapp, Earl R.**, dec'd.

Late of W. Hempfield Township.  
Executor: Shawn Rapp c/o 327 Locust Street, Columbia, PA 17512.  
Attorney: John F. Markel; Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

---

**Readinger, Fay P.**, dec'd.

Late of Maiden creek Township.  
Executor: Doreen F. Impink c/o May Herr & Grosh, LLP, 234 North Duke Street, Lancaster, PA 17602.  
Attorney: Matthew A. Grosh.

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**Rinaldi, Lawrence W.**, dec'd.

Late of Ephrata Borough.  
Executor: Dennis M. Hartranft, Jr., 151 E. Main Street, Ephrata, PA 17522.  
Attorney: Dennis M. Hartranft, Jr., Esquire,

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**Rutt, Clarence H., Jr.**, dec'd.

Late of the Township of Manheim.

Personal Representative: Richard D. Rutt, Executor, c/o Marci S. Miller, Attorney, P.O. Box 5349, Lancaster, PA 17606.  
Attorneys: Gibbel Kraybill & Hess LLP.

---

**Sauers, Margaret A.**, dec'd.

Late of Terre Hill.  
Executor: John A. Lownes c/o Janis M. Smith, Esquire, 4203 West Lincoln Highway, Parkesburg, PA 19365.  
Attorney: Janis M. Smith, Esquire.

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**Slaugh, Gregory Paul**, dec'd.

Late of Pequea Township.  
Administrator: Alexandra Slaugh, 314 Millstone Drive, Mountville, PA 17554.  
Attorney: None.

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**ANNUAL MEETING NOTICE**

**NOTICE OF THE ANNUAL  
POLICYHOLDERS MEETING  
OF WINDSOR-MOUNT JOY  
MUTUAL INSURANCE COM-  
PANY**

Notice is hereby given that the Annual Meeting of the Policyholders of Windsor-Mount Joy Mutual Insurance Company will be held at the Corporate Office, 21 West Main Street, Ephrata PA, on Monday, January 17, 2022 commencing at 10:00 a.m., for the purpose of Election of Directors and/or the transaction of other business.

Douglas L. Underwood  
President/CEO  
Ephrata, PA

ATTEST: Jacob M. Klinefelter

Chief Risk Officer/Vice President/  
Secretary  
P.O. Box 587  
Ephrata, PA 17522

D-3, 10, 17

**ARTICLES OF DISSOLUTION**

Notice is hereby given that:  
Backhaus, Inc.

a Pennsylvania corporation, formerly with an address at 201 West Orange Street, Lancaster, PA 17603, is being dissolved and is now engaged in winding up proceedings so that its corporate existence shall be ended pursuant to Section 1975(b) of the Pennsylvania Business Corporation Law of 1988, as amended.

Charles F. Blumenstock, Jr.  
Blumenstock Legal Advisors PC  
255 Butler Avenue, Suite 102  
Lancaster, PA 17601

D-3

Notice is hereby given to all persons interested or who may be affected by:

Cedar Hollow HomeOwners  
Association

a Pennsylvania NonProfit Corporation, that the Board Members are now engaged in winding up and settling the affairs of said Nonprofit Corporation so that the corporate existence shall be ended by the filing of Articles of Dissolution on October 7th 2021 with the Department of State of the Commonwealth of Pennsylvania.

Elected Board Members  
Cedar Hollow Homeowners Association

D-3

As required by the laws governing corporations in the Commonwealth of Pennsylvania, and in

pursuance of a Resolution of Dissolution by its Board of Directors, the non-profit corporation known as:

THE CLASSICAL FOUNDATION OF LANCASTER,  
also doing business as  
THE LANCASTER CENTER FOR CLASSICAL STUDIES

hereby gives notice that it is undertaking Winding-Up Proceedings and doing so in a manner consistent with all the laws of the Commonwealth of Pennsylvania applicable thereto.

John Peter Scouton  
Executive Director  
The Classical Foundation of Lancaster  
1411 Hillcrest Road  
Lancaster, PA 17603

D-3

**ARTICLES OF INCORPORATION**

DISCERNING EYE COMMUNITY  
AGRICULTURE

has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

Brubaker Connaughton Goss & Lucarelli LLC  
Attorneys

D-3

LUKE 311 FOUNDATION  
has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

Brubaker Connaughton Goss & Lucarelli LLC  
Attorneys

D-3

**ORPHANS' COURT DIVISION  
AUDITING NOTICES**

To All Claimants, Beneficiaries, Heirs and Next of Kin, and other persons interested: NOTICE IS GIVEN that the following accounts in decedents', incapacitated persons, minors', and trust estates have been filed in the office of the Clerk of the Orphans' Court division of the Court of Common Pleas of Lancaster County and will be presented to said Orphans' Court Division for Audit and confirmation therein to the parties legally entitled thereto on

December 7, 2021

at 9 o'clock a.m. in Courtroom No. 11 on the fourth floor of the Courthouse, 50 North Duke Street, Lancaster, PA

1. MYER, BARBARA A., a/k/a BARBARA ANN MYER, decd., 2019-2272. First and Final Account, Barbara M. Sherman, Executor, Michael J. Mongiovi, atty.
2. PLEGER, DAVID E., SR., decd., 2020-0012. First and Final Account, William C. Pleger, Executor, Barbara Reist Dillon, atty.
3. TCHEOU, JIMMY S., a/k/a JIMMY SHIU TCHEOU, decd., 2021-0456. Account, Pang J. S. Tcheou, Administrator, Richard G. Greiner, atty.

Anne L. Cooper

Clerk of the Orphans' Court Division of the Court of Common Pleas.

N-26; D-3

### SUITS ENTERED

Defendant's name appears first in capitals, followed by plaintiff's name, number and plaintiff's or appellant's attorneys.

November 18, 2021

to November 23, 2021

ANDREWS, RANDALL, ASPHALT COWBOY, LLC, ANDREWS, CLAYTON; Victoria Kates; 08088; Rayne BATES, RICHARD; Michael J. O'Connor; 08133; O'Connor

BERNARD, DOUGLAS, MACODO, LLC, MAX'S EATERY, PATTERSON, CONNOR; U.S. Foods, Inc.; 08158; Wechsler

BRANCATO, JOAN ; Discover Bank ; 08164 ; Nolan

BROWN, BRANTLEY H.; Citibank, N.A.; 08136; Cavalry SPV I, LLC; 08136; Claffey

BURGER, MEREDITH L.; First National Bank of Pennsylvania; 08091; Donaher

BUSKOVITZ, BARBARA ANN; Citizens Bank, N.A.; 08065; Tsarouhis

BYRNE, EDWARD; Swift Financial, LLC; 08082; Scuteri

CELOTTO, GEORGE; Carlos Junior Almanzar Torres; 08106

COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION, BUREAU OF DRIVER LICENSING; Walter G. Harclerode, JR.; 08061; Kenneff

COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION, BUREAU OF TRAFFIC SAFETY; Grant Matthew Hoover; 08101; Patterson

CURTIS, THOMAS; Compleat Restoration & Construction Co., Inc.; 08105; Crocenzi

DUANY-GARCIA, MAIGUEL, MOYA-RAMOS, MARILEISIS; PPL Electric Utilities Corporation; 08084; Manley

EBY, CYNTHIA, EBY, CYNTHIA D.; American Express National Bank; 08177; Doyle

EYMAN, RICHARD, EYMAN FENCE COMPANY; Security Fence

Company; 08077; Roberts  
 FARABAUGH, KIMBERLY A.;  
 Portfolio Recovery Associates,  
 LLC; 08170; Babcock  
 FISHER, SOLOMON G., FISHER,  
 SYLVIA G.; Conestoga Valley  
 School District; 08070; Miller  
 FRANSEPPE ENTERPRISES,  
 LLC; Axmacher Construction,  
 LLC ; 08160 ; Schimaneck  
 HOUSING AUTHORITY OF  
 THE CITY OF LANCASTER, LAN-  
 CASTER HOUSING AUTHORI-  
 TY, LANCASTER CITY HOUSING  
 AUTHORITY, RAMOS, JUANITA  
 MALAVE; Antonio Candelaria;  
 08113; Floyd  
 JOHNSON, ANDREW R.; Capital  
 One Bank (USA), N.A.; 08063  
 JONES, DANNY E.; Solanco  
 School District; 08066; Miller  
 KING, CHRIST B., KING, MA-  
 LINDA G.; Solanco School District;  
 08068; Miller  
 KLOPP, LISA K.; Citibank, N.A.;  
 08156; Ratchford  
 LAMBERT FARMS, INC.;  
 Penn-Jersey Products, Inc.;  
 08119; Durkin  
 LANCASTER TOWNSHIP  
 BOARD OF SUPERVISORS; Ecklin  
 Properties, LLC; 08178; Newcomer  
 MAARTINA, JUSTIN THOMAS;  
 Pennsylvania State Employees  
 Credit Union; 08124; Urban  
 MILLER, SCOTT, MILLER,  
 SCOTT D.; Discover Bank; 08173;  
 House  
 MUSSER JR., C. RICHARD,  
 MUSSER JR., CHARLES R.; Amer-  
 ican Advisors Group; 08154; Gra-  
 ham  
 ROCK, ANNETTE M.; Discover  
 bank; 08181; House  
 SAID, MAIKEL A.; Discover  
 Bank; 08707; Dougherty  
 SAWYER, RICHARD, RICK  
 SAWYER TRUCKING, INC.; State  
 Farm Mutual Automobile Insur-  
 ance Company; 08132; Allen  
 SHIRK, FAY; Reverse Mortgage  
 Foreclosure, LLC; 08176; Gable  
 SWAVELY, KIMBERLY A.; Citi-  
 bank, N.A.; 08153; Axelrod  
 TINDALL, GEORGE, TINDALL,  
 GEORGE L.; American Express  
 National Bank; 08174; Doyle  
 TIPTON, JILL; Keri Jiminez;  
 08165; McGilloway  
 TJX COMPANIES, INC., SIN-  
 GLETON CONSTRUCTION, LLC,  
 TJ MAXX; Valerie J. Peters; 08150;  
 Plank  
 TORRES, ANGEL J.; Discover  
 Bank; 08108; Dougherty

# POTOMAC.LEGAL

PA MD DC FED

David E. Kindermann, Esquire

313 West Liberty Street Suite 105 Lancaster, PA 17603

717-621-2699 | david@potomac.legal

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