

FAYETTE LEGAL JOURNAL

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FAYETTE LEGAL JOURNAL

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The Ethics Hotline provides free advisory opinions to PBA members based upon review of a member's prospective conduct by members of the PBA Committee on Legal Ethics and Professional Responsibility. The committee responds to requests regarding, the impact of the provisions of the Rules of Professional Conduct or the Code of Judicial Conduct upon the inquiring member's proposed activity. All inquiries are confidential.

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ESTATE NOTICES

Notice is hereby given that letters testamentary or of administration have been granted to the following estates. All persons indebted to said estates are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors named.

Third Publication

DAVID L. BELT, a/k/a DAVID LEE BELT,
late of Uniontown, Fayette County, PA (3)

Executrix: Sharon A. Fleming
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Webster & Webster

**PATRICIA A. CAMPBELL, a/k/a
PATRICIA ANN CAMPBELL,** late of
Uniontown, Fayette County, PA (3)

Executor: Daniel A. Campbell
c/o 51 East Main Street
Uniontown, PA 15401
Attorney: Webster & Webster

CARL WAYNE SHOWALTER, late of
Uniontown, Fayette County, PA (3)

Personal Representative:
Susan Carlson A. Lee
c/o Watson Mundorff, LLP
720 Vanderbilt Road
Connellsville, PA 15425
Attorney: Shane M. Gannon

Second Publication

ISA M. ANGEL, a/k/a ISA MAE ANGEL,
late of Fairchance Borough, Fayette County, PA

Executrix: Linda Kay Dice (2)
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Jeremy J. Davis

JOHN H. ANSELL, late of Connellsville,
Fayette County, PA (2)

Co-Executors: Shirley M. Christner and
Scott Christner
c/o 51 East South Street
Uniontown, PA 15401
Attorney: Anthony S. Dedola, Jr.

**LISA B. ANSELL, a/k/a LISA BETH
ANSELL,** late of Uniontown, Fayette County,
PA (2)

Administrator: John Christopher Ansell
c/o Rafferty Legal, PLLC
1600 Lincoln Avenue
Latrobe, PA 15650
Attorney: Jessica L. Rafferty

WILDA DAVID, late of Uniontown, Fayette
County, PA (2)

Co-Executors: Brenda L. Stephenson
162 Georges-Fairchance Road
Uniontown, PA 15401
Lana Jo Spiker
158 Georges-Fairchance Road
Uniontown, PA 15401
c/o 556 Morgantown Road
Uniontown, PA 15401
Attorney: John A. Kopas, III

DAVID L. HAYDEN, late of Wharton
Township, Fayette County, PA (2)

Administrator: Bradley S. Hayden
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham, Jr.

CAROLYN HOONE, late of Georges
Township, Fayette County, PA (2)

Executor: David Hoone
3566 Morgantown Road
Smithfield, PA 15478
c/o Kopas Law Office
556 Morgantown Road
Uniontown, PA 15401
Attorney: John A. Kopas, III

DOROTHY E. JANESKO, a/k/a DOROTHY JANESKO, late of Georges Township, Fayette County, PA (2)

Executrix: Judith M. Quarrick
c/o Davis & Davis
107 East Main Street
Uniontown, PA 15401
Attorney: Gary J. Frankhouser

JAMES W. SLEASMAN, late of Everson, Fayette County, PA (2)

Administratrix: Sandra Sleasman
c/o Rafferty Legal, PLLC
1600 Lincoln Avenue
Latrobe, PA 15650
Attorney: Jessica L. Rafferty

First Publication

AUDREY BALAZIK, a/k/a AUDREY JEAN BALAZIK, late of Georges Township, Fayette County, PA (1)

Executrix: Barbara A. Adams
P.O. Box 117
Uniontown, PA 15401
Attorney: Douglas S. Sholtis

SUSAN S. CROW, late of Washington Township, Fayette County, PA (1)

Executor: Lamont R. Richie
138 Deer Lane
Eureka Springs Arkansas, 72632
c/o 823 Broad Avenue
Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

CHRISTINA A. DEFRANK, a/k/a CHRISTINA ANITA DEFRANK, late of Uniontown, Fayette County, PA (1)

Co-Executors: Dean A. DeFrank, Mark A. DeFrank and Armand J. DeFrank, Jr
c/o Goodwin Como P.C.
108 North Beeson Boulevard, Suite 400
Uniontown, PA 15401
Attorney: Benjamin Goodwin

RUGG GRADON, late of Springfield Township, Fayette County, PA (1)

Administrators: Aaron Rugg
193 Crowe Road
Acme, PA 15610

Adam Rugg
199 Baptist Church Road
Mill Run, PA 15464
c/o P.O. Box 55
Mill Run, PA 15464
Attorney: Mackenzie Kline

GERALD A. GRIMES, a/k/a GERALD A. GRIMES, SR., late of Menallen Township, Fayette County, PA (1)

Executrix: Barbara E. Grimes
c/o Higinbotham Law Offices
68 South Beeson Boulevard
Uniontown, PA 15401
Attorney: James E. Higinbotham

NEIL HELTERBRAN, a/k/a NEIL E. HELTEBRAN, late of Bullskin Township, Fayette County, PA (1)

Administrators: Desiree Kochasic
5909 Mercury Drive
Louisville, Kentucky 40291
Alyssa Helterbran
110 Tall Oaks Tri
Greensburg, PA 15601
c/o P.O. Box 55
Mill Run, PA 15464
Attorney: Mackenzie Kline

PENELOPE LINDSAY, a/k/a PENELOPE S. LINDSAY, late of South Connellsville, Fayette County, PA (1)

Executrix: Wendy Penwell
268 Dunbar Road
Dunbar, PA 15431
c/o Tremba, Kinney, Greiner & Kerr, LLC
1310 Morrell Avenue, Suite C
Connellsville, PA 15425
Attorney: John Greiner

PHILLIP GENE REED, late of Bullskin Township, Fayette County, PA (1)

Administrator: Kevin Charles Gillis
P.O. Box 384
Vestaburg, PA 15368
c/o P.O. Box 488
California, PA 15419
Attorney: Lisa Buday

ROBERT L. SHOWMAN, late of Connellsville, Fayette County, PA (1)
Personal Representative: Peggy A. Wilson
c/o Watson Mundorff, LLP

720 Vanderbilt Road
 Connellsville, PA 15425
Attorney: Timothy J. Witt

RICHARD JESSE WILSON, late of Henry Clay Township, Fayette County, PA (1)
Administratrix: Carolyn A. Wilson
 c/o Proden & O'Brien
 99 East Main Street
 Uniontown, PA 15401
Attorney: Sean M. Lementowski

CATHERINE ZEBULA, late of Washington Township, Fayette County, PA (1)
Executor: Charles E. Zebula
 5210 River Forest Road
 Dublin, Ohio 43017
 c/o 823 Broad Avenue
 Belle Vernon, PA 15012
Attorney: Mark E. Ramsier

LEGAL NOTICES

IN THE COURT OF COMMON PLEAS OF
 FAYETTE COUNTY, PENNSYLVANIA
 CIVIL ACTION – LAW
 NO. 2561 of 2024 G.D.
 JUDGE STEVE P. LESKINEN

MARY LOU SHIMKO
 Plaintiff
 VS.
 GEORGE SHIMKO, a/k/a GEORGE P. SHIMKO
 MATILDA SHIMKO a/k/a HILDA SHIMKO
 MICHAEL SHIMKO, a/k/a MICHAEL ALAN SHIMKO
 CHRISTINA RAYMOND,
 GEORGE F. SHIMKO, a/k/a GEORGE P. SHIMKO, JR., a/k/a GEORGE FRANCIS SHIMKO
 DARLENE ELIZABETH SHIMKO, a/k/a DARLENE ELAINE SHIMKO, a/k/a DARLENE E. SHIMKO
 LORRAINE SHIMKO a/k/a LORRAINE L. WHETSTONE, a/k/a LORRAINE MARQUARDT
 MARY K. SHIMKO, a/k/a MARY K. SHIMKO - ROBERTSON
 GEORGE W. SHIMKO,
 ELAINE ZAMCHECK,
 CRAIG ARTHUR ZAMCHECK,
 MICHELE CRAHEN a/k/a MICHELE M.

CRAHEN
 DAVID KROFCHECK,
 DAVID KROFCHECK, TRUSTEE FOR JEROME KROFCHECK,
 JEROME KROFCHECK,
 JOHN L. SHIMKO,
 EMMA K. SHIMKO,
 FRANCIS J. SHIMKO a/k/a FRANK SHIMKO
 STEPHEN A. SHIMKO,
 CHARLES SHIMKO,
 EDWARD J. SHIMKO,
 ANDREW F. SHIMKO and
 their heirs and assigns generally
 Defendants

TO: GEORGE SHIMKO, a/k/a GEORGE P. SHIMKO, MATILDA SHIMKO a/k/a HILDA SHIMKO, MICHAEL SHIMKO, a/k/a MICHAEL ALAN SHIMKO CHRISTINA RAYMOND, GEORGE F. SHIMKO, a/k/a GEORGE P. SHIMKO, JR., a/k/a GEORGE FRANCIS SHIMKO, DARLENE ELIZABETH SHIMKO, a/k/a DARLENE ELAINE SHIMKO, a/k/a DARLENE E. SHIMKO, LORRAINE SHIMKO a/k/a LORRAINE L. WHETSTONE, a/k/a LORRAINE MARQUARDT, MARY K. SHIMKO, a/k/a MARY K. SHIMKO-ROBERTSON, GEORGE W. SHIMKO, ELAINE ZAMCHECK, CRAIG ARTHUR ZAMCHECK, MICHELE CRAHEN a/k/a MICHELE M. CRAHEN, DAVID KROFCHECK, DAVID KROFCHECK, TRUSTEE FOR JEROME KROFCHECK, JEROME KROFCHECK, JOHN L. SHIMKO, EMMA K. SHIMKO, FRANCIS J. SHIMKO a/k/a FRANK SHIMKO, STEPHEN A. SHIMKO, CHARLES SHIMKO, EDWARD J. SHIMKO, ANDREW F. SHIMKO and their heirs and assigns generally,

You are hereby notified that Mary Lou Shimko has sued you in Court and has filed a complaint at the above number and term in the Court of Common Pleas of Fayette County, Pennsylvania in a action to quiet title wherein it is alleged that she is the owner in fee and in possession of all rights, title and interest in and to that certain tract of land situate in North Union Township, Fayette County, Pennsylvania, identified as Tax Map Number 25-33-0046, being described as follows:
 BEGINNING at a point marked by a spike in the center of an alley, which point is North thirty four degrees thirty four minutes West (N. 34o 34' W.) a distance of three hundred seventy four and five tenths (374.5) feet from the nearest corner of North Union Township School lot; thence, leaving said alley and crossing Penn

Avenue, North forty nine degrees twenty one minutes West (N. 49° 21' W.) two hundred three and seventeen hundredths (203.17) feet to a point in the right of way line of the West Penn Railways Company; thence along said right of way line, North forty one degrees six minutes East (N. 41° 06' E.) seventy and eighty eight hundredths (70.88) feet to a point; thence again crossing said Penn Avenue, South forty nine degrees forty three minutes East (S. 49° 43' E.) two hundred three and eighteen hundredths (203.18) feet to a spike in the center of said alley; thence along the center of said alley, South forty one degrees six minutes West (S. 41° 06' W.) seventy two and eighteen hundredths (72.18) feet to the place of beginning. CONTAINING 0.334 acres. HAVING thereon erected a double frame dwelling house numbered 83-84 by H. C. Frick Coke Company, a prior owner.

Said complaint sets forth that the plaintiff is the owner in fee and in possession of the above-described premises. The complaint was filed for the purpose of barring all of your rights, title and interest in and to said premises.

The service of this complaint by publication is made pursuant to an Order of Court dated March 3, 2025 and filed at the above number and term.

You are further notified that the aforesaid Order requires you to plead to the said Complaint within 20 days from the date this notice is last published.

NOTICE

YOU HAVE BEEN SUED IN COURT. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED, BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU BY THE COURT WITHOUT FURTHER NOTICE FOR ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO

NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

PENNSYLVANIA LAWYER
REFERRAL SERVICE
PENNSYLVANIA BAR ASSOCIATION
100 SOUTH STREET, PO BOX 186
HARRISBURG, PA 17108
TELEPHONE: 800-692-7375

Counsel of Record for Plaintiff:
Ralph K. Barclay, Jr.
PA ID 5547
55 East Church Street
Suite 102
Uniontown, PA 15401
724-550-4189

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL ACTION
No. 1719-2024

RONALD WHETHERS,
Plaintiff,
vs.
BEVERLY WHETHERS,
Defendant,

NOTICE TO DEFEND

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take prompt action. You are warned that if you fail to do so, the case may proceed without you and a decree of divorce or annulment may be entered against you by the court. A judgment may also be entered against you for any other claim or relief requested in these papers by the Plaintiff. You may lose money or property or other rights important to you, including custody or visitation of your children.

When the ground for the divorce is indignities or irretrievable breakdown of the marriage, you may request marriage counseling. A list of marriage counselors is available in the Office of the Prothonotary at 61 East Main Street, Suite 1G, Uniontown, Pennsylvania

15401.

IF YOU DO NOT FILE A CLAIM FOR ALIMONY, DIVISION OF PROPERTY, LAWYER'S FEES OR EXPENSES BEFORE A DIVORCE OR ANNULMENT IS GRANTED, YOU MAY LOSE THE RIGHT TO CLAIM ANY OF THEM.

YOU SHOULD TAKE THIS PAPER AT ONCE TO YOUR LAWYER. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Pennsylvania Lawyer Referral Service
 Pennsylvania Bar Association
 100 South Street
 P.O. Box 186
 Harrisburg, PA 17108
 1-800-692-7375

NOTICE

Notice is hereby given that a Certificate of Organization has been approved and filed with the Department of State for the Commonwealth of Pennsylvania in Harrisburg, Pennsylvania on January 21, 2025, for a Limited Liability Company, organized under the Limited Liability Company Law of 1994, as from time to time amended. The name of the Company is BUTCH'S TRUCK & AUTO LLC, having an address of 227 Everson Valley Road, Connellsville, Pennsylvania 15425.

James N. Fitzsimmons, Jr.
 Fitzsimmons and Barclay
 55 East Church Street, Suite 102
 Uniontown, PA 15401

NOTICE OF DISSOLUTION

Notice is hereby given that Ridgeline Heating and Cooling Inc. of 215 Hillview Lane, Melcroft, Pa. 15462, a Domestic Corporation, is filing Articles of Dissolution. Company was sold on March 23, 2023.

All claims must be submitted by June 30, 2025. Claims not submitted by this date may not

be honored.

If you have any questions regarding this notice, please contact Cameron Kimmell at ckimmellhqcc@gmail.com.

ARTICLES OF INCORPORATION

Fayette Outreach Underserved Need Development, Inc., has been incorporated under the provisions of the PA Nonprofit Corporation Law of 1988.

Sean M. Lementowski
 Proden & O'Brien
 99 E. Main St.
 Uniontown PA 15401

IN THE COURT OF COMMON PLEAS OF
 FAYETTE COUNTY, PENNSYLVANIA
 CIVIL DIVISION
 NO. 206 OF 2025 G.D.
 JUDGE LESKINEN

THOMAS SKIDMORE,
 Plaintiff
 V.

THE HEIRS, SUCCESSORS, AND ASSIGNS
 OF HARVEY W. DOYLE, and
 ROSELMA DOYLE,
 Defendants

**TO: Harvey W. Doyle and Roselma Doyle,
 and their heirs, successors, and assigns,
 generally**

You are hereby notified that Thomas Skidmore has filed a complaint at the above number and term in the above-mentioned court in an action to Quiet Title wherein it is alleged that Thomas Skidmore, his heirs, successors, and assigns is the owner of property situate in South Union Township, Fayette County, Pennsylvania, being known and designated on the Fayette County Tax Assessment Maps as Tax Identification Number 34-27-0142.

The lot which is the subject of this quiet title action is more fully described in deed dated November 26, 2024 and recorded in the Office of the Recorder of Deeds of Fayette County, Pennsylvania in Deed Book Volume 1132, Page 947.

Said complaint sets forth that Plaintiff is the owner in fee simple of the above-described Premises. A complaint was filed for the purpose of barring all of your right, title, and interest or claim in and to all or a portion of said premises.

NOTICE

You are hereby notified that you have been sued in court. If you wish to defend against the claim set forth in the complaint and in the within advertisement, you must take action within twenty (20) days after the last advertisement of this notice by entering a written appearance personally or by attorney and filing if writing with the court your defenses or objections to the claim set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice or any money claimed in the complaint, or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PENNSYLVANIA BAR ASSOCIATION
PENNSYLVANIA LAWYER REFERRAL
100 SOUTH STREET, P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE: 1-800-932-0311

Herbert G. Mitchell, III, Esquire
902 First St. P.O. Box 102
Hiller, PA 15444
Date: March 3, 2025

IN THE COURT OF COMMON PLEAS OF
FAYETTE COUNTY, PENNSYLVANIA
CIVIL DIVISION
NO. 205 OF 2025 G.D.
JUDGE LESKINEN

THOMAS SKIDMORE,
Plaintiff
V.
THE HEIRS, SUCCESSORS, AND ASSIGNS
OF HARVEY W. DOYLE, and
ROSELMA DOYLE,
Defendants

**TO: Harvey W. Doyle and Roselma Doyle,
and their heirs, successors, and assigns,
generally**

You are hereby notified that Thomas Skidmore has filed a complaint at the above number and term in the above-mentioned court

in an action to Quiet Title wherein it is alleged that Thomas Skidmore, his heirs, successors, and assigns is the owner of property situate in South Union Township, Fayette County, Pennsylvania, being known and designated on the Fayette County Tax Assessment Maps as Tax Identification Number 34-27-0141.

The lot which is the subject of this quiet title action is more fully described in deed dated November 26, 2024 and recorded in the Office of the Recorder of Deeds of Fayette County, Pennsylvania in Deed Book Volume 3594, Page 1446.

Said complaint sets forth that Plaintiff is the owner in fee simple of the above-described Premises. A complaint was filed for the purpose of barring all of your right, title, and interest or claim in and to all or a portion of said premises.

NOTICE

You are hereby notified that you have been sued in court. If you wish to defend against the claim set forth in the complaint and in the within advertisement, you must take action within twenty (20) days after the last advertisement of this notice by entering a written appearance personally or by attorney and filing if writing with the court your defenses or objections to the claim set forth against you. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you by the court without further notice or any money claimed in the complaint, or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PENNSYLVANIA BAR ASSOCIATION
PENNSYLVANIA LAWYER REFERRAL
100 SOUTH STREET, P.O. BOX 186
HARRISBURG, PA 17108
TELEPHONE: 1-800-932-0311

Herbert G. Mitchell, III, Esquire
902 First St. P.O. Box 102
Hiller, PA 15444
Date: March 3, 2025

SHERIFF'S SALE

Date of Sale: May 15, 2025

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday May 15, 2025, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

All bidders must complete the Realauction on-line registration process at <https://fayette.pa.realforeclose.com> to participate in the auction.

All bidders must place a 10% deposit equal to the successful bid for each property purchased to Realauction via wire transfer or ACH per Realauction requirements. Upon the auction's close, buyer shall have 10 business days to pay the remaining balance to the Fayette County Sheriff's Office via cashier's check. No cash will be accepted. Failure to comply with the Conditions of Sale, shall result in a default and the down payment shall be forfeited by the successful bidder and applied to the costs and judgments. The schedule of distribution will be filed no later than 30 days after the sale of real property. If no petition has been filed to set aside the sale or objections to the distribution are filed within 10 days of filing the distribution, the Sheriff will prepare and record a deed transferring the property to the successful bidder.

(1 of 3)

James Custer
Sheriff of Fayette County

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 1643 of 2024 G.D.
No. 370 of 2024 E.D.

PENNY MAC LOAN SERVICES, LLC
3043 Townsgate Road
Suite 200
Westlake Village, CA 91361
Plaintiff

vs.

TERRANCE D. BAKER
LATOSHA L. BAKER
Mortgagor(s) and Record Owner(s)
63 Emerson Street
Uniontown, PA 15401
Defendant(s)

ALL THAT CERTAIN LOT OF LAND
SITUATE IN CITY OF UNIONTOWN,
COUNTY OF FAYETTE AND
COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 63 EMERSON
STREET, UNIONTOWN, PA 15401

TAX PARCEL #38-17-0024

IMPROVEMENTS: A RESIDENTIAL
DWELLING

SOLD AS THE PROPERTY OF:
TERRANCE D. BAKER AND LATOSHA L.
BAKER

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 1442 of 2019 G.D.
No. 43 of 2025 E.D.

PNC BANK, NATIONAL ASSOCIATION,
SUCCESSOR BY MERGER TO
NATIONAL CITY BANK
3232 Newmark Drive
Miamisburg, OH 45342
Plaintiff

vs.

ANNA L. BARREIRO aka
ANNA BARREIRO
Mortgagor(s) and Record Owner(s)
4022 Pittsburgh Road
Belle Vernon, PA 15012
Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN TOWNSHIP OF PERRY, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 4022 PITTSBURGH ROAD, BELLE VERNON, PA 15012

TAX PARCEL #27-01-0023 IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: ANNA L. BARREIRO aka ANNA BARREIRO

ANNE N. JOHN
ATTORNEY AT LAW

No. 542 of 2023 G.D.
No. 72 of 2025 E.D.

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF GREENE COUNTY, a corporation,

vs.

ESTATE OF MARGIE C. BURNS, deceased and all Known and Unknown Heirs, Devisees, Representatives, Successors, and Assigns, and All Persons, Firms or Associations claiming any Right, Title or Interest from or under MARGIE C. BURNS, deceased; Crystle Marsh, in her Capacity as Heir of Margie C. Burns, deceased, Kyona Gilliam, in her Capacity as Heir of Margie C. Burns, deceased, and Julian Marsh in his Capacity as heir of Margie C. Burns, deceased, Defendants.

ALL those two certain parcels located in the First Ward of the Borough of Brownsville, Fayette County, Pennsylvania.

FOR PRIOR TITLE see Record Book 3036, page 1812.

HAVING erected thereon a dwelling house known locally as 247 Prospect Street, Brownsville, PA 15417.

BEING Fayette County Tax Assessment Map No.: 02-07-0272.

1325 Franklin Avenue, Suite 160
Garden City, NY 11530
(212) 471-5100

No. 1039 of 2024 G.D.
No. 317 of 2024 E.D.

U.S. Bank Trust, National Association, as Trustee of the Bungalow Series IV Trust

v

Heather A. Christopher a/k/a Heather Christopher

By virtue of Writ of Execution No. 317 of 2024 ED

U.S. Bank Trust, National Association, as Trustee of the Bungalow Series IV Trust v Heather A. Christopher a/k/a Heather Christopher

Docket Number: 2024-01039

Property to be sold is situated in the Borough of South Connellsville, County of Fayette and Commonwealth of Pennsylvania.

Commonly known as: 137 West Painter Street, S. Connellsville, PA 15425 Parcel Number: 33-04-0083

Improvements thereon of the residential dwelling or lot (if applicable): Residential Dwelling

Judgment Amount: \$80,142.15

No. 1901 of 2024 G.D.
No. 1 of 2025 E.D.

FIRST NATIONAL BANK OF PENNSYLVANIA,

Plaintiff,

vs.

KAYLEN N. EUTSEY and SJON-LUC BOCHNAK, Defendants.

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF KAYLEN N. EUTSEY AND SJON-LUC BOCHNAK OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF CONNELLSVILLE, FAYETTE COUNTY, PENNSYLVANIA. HAVING ERECTED THEREON A DWELLING BEING KNOWN AND NUMBERED AS 608 EAST CRAWFORD AVENUE, CONNELLSVILLE, PA 15425. DEED BOOK VOLUME 3513, PAGE 102, AND PARCEL NUMBER 06-05-0136-02.

Brock & Scott, PLLC

No. 2725 of 2024 G.D.
No. 28 of 2025 E.D.

1325 Franklin Avenue, Suite 160
Garden City, NY 11530
(212) 471-5100

No. 2553 of 2023 G.D.
No. 53 of 2025 E.D.

FREEDOM MORTGAGE CORPORATION

v.

MAKAYLA K. FRIEND

By virtue of a Writ of Execution No. 2725 of 2024 GD

FREEDOM MORTGAGE CORPORATION v. MAKAYLA K. FRIEND

owner(s) of property situate in the NORTH UNION TOWNSHIP, FAYETTE County, Pennsylvania, being 131 EDISON ST, UNIONTOWN, PA 15401

Tax ID No. 25-28-0026 AKA 25280026

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$224,716.03

KML LAW GROUP, P.C.

Suite 5000

701 Market Street

Philadelphia, PA 19106-1532

(215) 627-1322

No. 95 of 2020 G.D.

No. 4 of 2025 E.D.

LAKEVIEW LOAN SERVICING, LLC

4425 Ponce De Leon Blvd Mail Stop Ms5/251
Coral Gables, FL 33146

Plaintiff

vs.

GEORGE E. GASTER

Morgagor(s) and Record Owner(s)

138 Woodside Oldframe Road

Smithfield, PA 15478

Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN NICHOLSON TOWNSHIP, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 138 WOODSIDE OLDFRAME ROAD, SMITHFIELD, PA 15478

TAX PARCEL #24-12-008701

IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: GEORGE E. GASTER

US Bank Trust National Association as Trustee for LB-Ranch Series V Trust

v.

Denise Hutchens Known Heir of Kenneth Steich, Deceased; Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest From or Under Kenneth Steich, Deceased

By virtue of Writ of Execution No. 53 of 2025 ED

US Bank Trust National Association as Trustee for LB-Ranch Series V Trust v Denise Hutchens Known Heir of Kenneth Steich, Deceased; Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest From or Under Kenneth Steich, Deceased

Docket Number: 2553-2023

Property to be sold is situated in the borough/township of Dunbar, County of Fayette and State of Pennsylvania.

Commonly known as: 352 Upper Sandy Hollow Road, Vanderbilt, PA 15486

Parcel Number: 09-10-0065

Improvements thereon of the residential dwelling or lot (if applicable):

Judgment Amount: \$65,764.93

Padgett Law Group

Jacqueline F. McNally, Esq.

700 Darby Road, Suite 100

Havertown, PA 19083

(850) 422-2520

No. 2267 of 2024 G.D.

No. 8 of 2025 E.D.

MCLP Asset Company, Inc.

v.

Mark A. Johnson and Belinda R. Johnson

By virtue of Writ of Execution No. 2024-02267

MCLP Asset Company, Inc. v. Mark A. Johnson and Belinda R. Johnson

Property Address: 232 Cadwallader Street, Brownsville, PA 15417

Located in the Borough of Brownsville, County of Fayette, and Commonwealth of Pennsylvania

Tax Parcel Number: 02060050
Improvements thereon: Single family residential dwelling
Judgment Amount: \$33,459.68

ANNE N. JOHN, Esq.
ATTORNEY AT LAW

No. 255 of 2024 G.D.
No. 22 of 2025 E.D.

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF GREENE COUNTY, a corporation,

vs.

BRIAN P. KEFFER and HEATHER A. KEFFER,

Defendants.

ALL that certain piece or parcel of land situate in South Union Township, Fayette County, Pennsylvania, known as Lot No. 2 of the Schnatterly Subdivision as was recorded in the Office of Recorder of Deeds in and for Fayette County in Plan Book Volume 61, page 39 on October 23, 2000.

UPON WHICH is erected a residential single-family dwelling known and designated as 677 Morgantown Road, Uniontown, Fayette County, Pennsylvania.

FOR PRIOR title see Record Book 3231 page 840.

Assessment Map No.: 34-27-0021.

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2208 of 2024 G.D.
No. 16 of 2025 E.D.

PENNYMAC LOAN SERVICES, LLC
3043 Townsgate Road
Suite 200

Westlake Village, CA 91361
Plaintiff

vs.

MARVIN KNIERIEM
Mortgagor(s) and Record Owner(s)
25 Ben Lomond Street
Uniontown, PA 15401
Defendant(s)

ALL THAT CERTAIN LOT OF LAND SITUATE IN CITY OF UNIONTOWN,

COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 25 BEN LOMOND STREET, UNIONTOWN, PA 15401 25 BEN LOMOND STREET, UNIONTOWN, PA 15401

TAX PARCEL #38-06-0179

IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: MARVIN KNIERIEM

McCABE, WEISBERG & CONWAY, LLC
1420 Walnut Street, Suite 1501
Philadelphia, PA 19102
(215) 790-1010

No. 146 of 2024 G.D.
No. 373 of 2024 E.D.

Finance of America Reverse LLC
Plaintiff

v.

Tia Lewis, Known Surviving Heir of Mary Ellen Fabrycki, Tina Derring, Known Surviving Heir of Mary Ellen Fabrycki, Loretta Huntington, Known Surviving Heir of Mary Ellen Fabrycki, Richie

All that certain piece or parcel or Tract of land situate in Luzerne Township, Fayette County, Pennsylvania, and being known as 414 Middle Avenue, Allison, Pennsylvania 15413.

Being known as: 414 Middle Avenue, Allison, Pennsylvania 15413

Title vesting in Mary Ellen Fabrycki by deed from Oliver Crawford, single dated June 4, 1976 and recorded June 4, 1976 in Deed Book 1199, Page 398. The said Mary Ellen Fabrycki died on July 29, 2023 without a will or appointment of an Administrator, thereby vesting title in Tia Lewis, Known Surviving Heir of Mary Ellen Fabrycki, Tina Derring, Known Surviving Heir of Mary Ellen Fabrycki, Loretta Huntington, Known Surviving Heir of Mary Ellen Fabrycki, Richie Fabrycki, Jr. a/k/a Richard Fabrycki, Known Surviving Heir of Mary Ellen Fabrycki, and Unknown Surviving Heirs of Mary Ellen Fabrycki by operation of law.

Tax Parcel Number: 19220061

Orlans Law Group PLLC

No. 1981 of 2024 G.D.
No. 54 of 2025 E.D.

Freedom Mortgage Corporation
v.
Jerry Lowry and Katelin Fletcher

By virtue of a Writ of Execution No. 1981 of 2024 GD

Freedom Mortgage Corporation v. Jerry Lowry and Katelin Fletcher
owner(s) of property situate in the City of Connellsville, Fayette County, Pennsylvania, being 519 Newmyer Avenue, Connellsville, PA 15425

Parcel No. 05120134
Improvements thereon: RESIDENTIAL DWELLING
Judgment Amount: \$101,684.94

Robertson, Anschutz, Schneid, Crane & Partners, PLLC
133 Gaither Drive, Suite F
Mt. Laurel, NJ 08054
855-255-6906

No. 2083 of 2022 G.D.
No. 23 of 2025 E.D.

U.S. BANK TRUST NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS OWNER TRUSTEE FOR RCF 2 ACQUISITION TRUST,
Plaintiff
v.
PATSYHELEN PALM
Defendant(s)

ALL THOSE CERTAIN LOTS OR PIECES OF GROUND SITUATE IN THE CITY OF UNIONTOWN, FAYETTE COUNTY, PENNSYLVANIA:

BEING KNOWN AS: 99 MURRAY AVE UNIONTOWN, PA 15401

BEING PARCEL NUMBER: 38030131
IMPROVEMENTS: RESIDENTIAL PROPERTY

No. 2410 of 2024 G.D.
No. 51 of 2025 E.D.

PENNSYLVANIA HOUSING FINANCE AGENCY,
PLAINTIFF
VS.
SHEILA ANN PORRECA,
ADMINISTRATRIX OF THE ESTATE OF JOSHUA W. PORRECA, DECEASED,
DEFENDANT

TRACT 1:

ALL that tract of land in Nicholson Township, Fayette County, Pennsylvania, being approximately 154 X 273.47 X 155.09 X 291.98.

TRACT 2:

ALL that tract of land in Nicholson Township, Fayette County, Pennsylvania, known as Lot 1 - Adams Plan, Fayette Plan Book 83, Page 99, being approximately 165.40 x 253.60 x 166.50 x 273.47

HAVING THEREON ERECTED DWELLING KNOWN AND NUMBERED AS: 210 KONICKI ROAD, MASONTOWN, PA 15461.

TAX PARCEL# 24-12-0058
Fayette Deed Book 3545, page 1764

Brock & Scott, PLLC

No. 360 of 2020 G.D.
No. 7 of 2025 E.D.

WELLS FARGO BANK, N.A.
v.
JASON L. PORTER

By virtue of a Writ of Execution No. 360 OF 2020, G.D.

WELLS FARGO BANK, N.A. V. JASON L. PORTER

owner(s) of property situate in the LUZERNE TOWNSHIP, FAYETTE County, Pennsylvania, being 267 EAST RIVERSIDE ROAD, EAST MILLSBORO, PA 15433

Tax ID No. 19-25-0130-01
Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$117,038.15

Hladik, Onorato & Federman, LLP
298 Wissahickon Avenue
North Wales, PA 19454

No. 117 of 2024 G.D.
No. 41 of 2025 E.D.

U.S. Bank National Association, not in its individual capacity but solely as trustee of NRZ Pass- Through Trust XII (Plaintiff)

vs.

Amy S. Shroyer, Individually and as Surviving Heir of Donald E. Shroyer, Jr. a/k/a Donald Eugene Shroyer, Jr., Deceased, Courtney Grimm, as Surviving Heir of Donald E. Shroyer, Jr. a/k/a Donald Eugene Shroyer, Jr., Deceased, Joseph Shroyer, as Surviving Heir of Donald E. Shroyer, Jr. a/k/a Donald Eugene Shroyer, Jr., Deceased and Unknown Surviving Heirs of Donald E. Shroyer a/k/a Donald Eugene Shroyer, Jr., Deceased

(Defendants)

By virtue of Writ of Execution No. 2024-00117

U.S. Bank National Association, not in its individual capacity but solely as trustee of NRZ Pass- Through Trust XII (Plaintiff) vs. Amy S. Shroyer, Individually and as Surviving Heir of Donald E. Shroyer, Jr. a/k/a Donald Eugene Shroyer, Jr., Deceased, Courtney Grimm, as Surviving Heir of Donald E. Shroyer, Jr. a/k/a Donald Eugene Shroyer, Jr., Deceased, Joseph Shroyer, as Surviving Heir of Donald E. Shroyer, Jr. a/k/a Donald Eugene Shroyer, Jr., Deceased and Unknown Surviving Heirs of Donald E. Shroyer a/k/a Donald Eugene Shroyer, Jr., Deceased (Defendants)

Property Address 273 ODonnal Road, Mill Run, PA 15464

Parcel I.D. No. 35-22-0017

Improvements thereon consist of a residential dwelling.

Judgment Amount: \$27,011.10

KML LAW GROUP, P.C.
Suite 5000
701 Market Street
Philadelphia, PA 19106-1532
(215) 627-1322

No. 2572 of 2024 G.D.
No. 24 of 2025 E.D.

**PENNYMAC LOAN SERVICES, LLC
3043 Townsgate Road
Suite 200**

**Westlake Village, CA 91361
Plaintiff**

vs.

**SAMUEL D. SNYDER
Mortgagor(s) and Record Owner(s)
102 South Liberty Street
Masontown, PA 15461
Defendant(s)**

ALL THAT CERTAIN LOT OF LAND SITUATE IN MASONTOWN BORO, COUNTY OF FAYETTE AND COMMONWEALTH OF PENNSYLVANIA.

BEING KNOWN AS: 102 SOUTH LIBERTY STREET, MASONTOWN, PA 15461

TAX PARCEL #21-07-0067
IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF:
SAMUEL D. SNYDER

STERN & EISENBERG, PC
MATTHEW C. FALLINGS, ESQ.

No. 2151 of 2024 G.D.
No. 18 of 2025 E.D.

U.S. Bank National Association, not in its individual capacity but solely in its capacity as Indenture Trustee of CIM Trust 2021-NR4 Plaintiff

v.

Darlene L. Stanley a/k/a Darlene Stanley and Timothy M. Stanley a/k/a Timothy Stanley Defendant(s)

SITUATE IN SMITHFIELD, FAYETTE COUNTY, PENNSYLVANIA, BEING KNOWN AS 126 SHOAF ROAD, SMITHFIELD, PA 15478

PARCEL NO. 14-12-0033
IMPROVEMENTS - RESIDENTIAL REAL ESTATE

SOLD AS THE PROPERTY OF- Timothy M. Stanley and Darlene L. Stanley

Padgett Law Group
 Jacqueline F. McNally, Esq.
 700 Darby Road, Suite 100
 Havertown, PA 19083
 (850) 422-2520

No. 2516 of 2024 G.D.
 No. 26 of 2025 E.D.

**Federal Home Loan Mortgage Corporation
 as Trustee for Freddie Mac Seasoned Credit
 Risk Transfer Trust, Series 2022-1**

v.

Joseph P. Terreta

By virtue of Writ of Execution No. 2024-02516

Federal Home Loan Mortgage Corporation
 as Trustee for Freddie Mac Seasoned Credit
 Risk Transfer Trust, Series 2022-1 v. Joseph P.
 Terreta

Property Address: 812 York Street,
 Brownsville, PA 15417

Township of Luzerne, County of Fayette,
 Commonwealth of Pennsylvania

Tax Parcel Number: 19130113

Improvements thereon: Single family
 residential dwelling

Judgment Amount: \$53,902.26

Brock & Scott, PLLC

No. 2038 of 2023 G.D.
 No. 20 of 2025 E.D.

FREEDOM MORTGAGE CORPORATION

v.

**UNKNOWN HEIRS, SUCCESSORS,
 ASSIGNS, AND ALL PERSONS, FIRMS,
 OR ASSOCIATIONS CLAIMING RIGHT,
 TITLE OR INTEREST FROM OR UNDER
 CHARLES E. CHERESNYE, DECEASED;
 VICTORIA VALENCIK, IN HER
 CAPACITY AS HEIR OF CHARLES E.
 CHERESNYE, DECEASED; JOYCE
 SONTHEIMER, IN HER CAPACITY AS
 HEIR OF CHARLES E. CHERESNYE,
 DECEASED**

By virtue of a Writ of Execution No. 2023-02038

FREEDOM MORTGAGE CORPORATION v.
 UNKNOWN HEIRS, SUCCESSORS,
 ASSIGNS, AND ALL PERSONS, FIRMS, OR
 ASSOCIATIONS CLAIMING RIGHT, TITLE
 OR INTEREST FROM OR UNDER CHARLES

E. CHERESNYE, DECEASED; VICTORIA
 VALENCIK, IN HER CAPACITY AS HEIR
 OF CHARLES E. CHERESNYE, DECEASED;
 JOYCE SONTHEIMER, IN HER CAPACITY
 AS HEIR OF CHARLES E. CHERESNYE,
 DECEASED

owner(s) of property situate in the BOROUGH
 OF MASONTOWN, FAYETTE County,
 Pennsylvania, being 2 ARLINGTON AVE,
 MASONTOWN, PA 15461

Tax ID No. 21-11-0001

Improvements thereon: RESIDENTIAL
 DWELLING

Judgment Amount: \$53,443.22

Friedman Vartolo LLP

No. 2026 of 2023 G.D.
 No. 369 of 2024 E.D.

**U.S. BANK TRUST NATIONAL
 ASSOCIATION, AS TRUSTEE OF LB-
 DWELLING SERIES V TRUST,**

Plaintiff

vs.

**CLINT W. ZUPICH; DIANE R. ZUPICH;
 HARVIN RENTALS, LLC OF VERONA,
 PENNSYLVANIA,**

Defendant(s)

ALL that certain lot of ground situate in the
 Second Ward of the Borough of Brownsville,
 County of Fayette and State of Pennsylvania,
 known in the Plan or Plot of Krepps' Addition to
 Bridgeport as Lot No. 23; said plan or plot being
 recorded in the Office of the Recorder of Deeds
 of Fayette County, Pennsylvania, in Plan Book
 1, page 15; said Lot No. 23 fronting 50 feet on
 Second Street and extending back with even
 width 100 feet to Middle Alley; having erected
 thereon a two-story, frame dwelling and a frame
 garage.

BEING premises known and numbered as
 1106 2nd Street, Brownsville, PA 15417

Tax Parcel Number: 02-07-0106

BEING the same premises which Fayette
 County Tax Claim Bureau, Fayette County,
 Pennsylvania, as Trustee by Deed dated
 December 9, 2022 and recorded in the Official
 Records of Fayette County on December 14,
 2022 in Deed Book Volume 3535, Page 826,
 granted and conveyed unto Harvin Rentals, LLC
 of Verona, Pennsylvania.

Robert Fiacco, Esq., Friedman Vartolo
 LLP, attorney for Plaintiff

Judgment Amount: \$46,806.48

Premise Being: 1106 2nd Street,

Brownsville, PA 15417

Seized and sold as the property of Clint W.

Zupich, Diane R. Zupich

Judgment Number 2026-2023 (U.S. Bank
Trust National Association, as Trustee of LB-
Dwelling Series V Trust v Clint W. Zupich)

Dated: December 20, 2024

*** END SHERIFF'S SALE ***

Registers' Notice

Notice by JEFFREY L. REDMAN, Register of Wills and
Ex-Officio Clerk of the Orphans' Court Division of the Court of Common Pleas

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Monday, April 7, 2025, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2620-0254	MARY ELLEN KUNKEL	Gregory T. Kunkel

Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Monday, April 21, 2025, at 9:30 A.M.

in Courtroom No. 1 of the **Honorable President Judge Steve P. Leskinen** or his chambers, Second Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

Notice is hereby given to heirs, legatees, creditors, and all parties in interest that accounts in the following estates have been filed in the Office of the Clerk of the Orphans' Court Division of the Court of Common Pleas as the case may be, on the dates stated and that the same will be presented for confirmation to the Orphans' Court Division of Fayette County on

Monday, April 7, 2025, at 9:30 A.M.

<u>Estate Number</u>	<u>Estate Name</u>	<u>Accountant</u>
2622-0949	STEPHEN A. BARAN	Wendy L. O'Brien, Administratrix

Notice is also hereby given that all of the foregoing Accounts will be called for Audit on

Monday, April 21, 2025, at 9:30 A.M.

in Courtroom No. 5 of the **Honorable Judge Joseph M. George, Jr.** or his chambers, Third Floor, Courthouse, Uniontown, Fayette County, Pennsylvania, at which time the Court will examine and audit said accounts, hear exceptions to same or fix a time therefore, and make distribution of the balance ascertained to be in the hands of the Accountants.

JEFFREY L. REDMAN

Register of Wills and Ex-Officio Clerk of the Orphans' Court Division (1 of 2)

WARMAN ABSTRACT & RESEARCH LLC

JOHN F. WARMAN
518 Madison Drive
Smithfield, PA 15478
724-322-6529
johnfranciswarman@gmail.com

COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE

A DECADE OF EXPERIENCE E&O INSURED WILL TRAVEL ACCEPTING NEW CLIENTS



DiBella Weinheimer
Geer McAllister Best Coco Lloyd Whalen



Holly Whalen ◊ Amy Coco ◊ Bethann Lloyd

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- Legal Malpractice
- Security Fund / IOLTA
- Ethics & Conflict Analysis
- Subpoena Assistance
- Licensure
- Conflict Resolution

WWW.DIBELLA-WEINHEIMER.COM 412 261-2900

JUDICIAL OPINION

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA
 CRIMINAL DIVISION

COMMONWEALTH OF :
 PENNSYLVANIA :
 v. :
 ANTOINETTE LOUISE HODGE, : No. 963 of 2023
 DEFENDANT. : Honorable President Judge Steve P. Leskinen

OPINION AND ORDER

Leskinen, P.J.

AND NOW, this 27th day of February, 2025, before the Court are the Defendant's Post Sentence Motions including a Motion for Judgment of Acquittal, a Motion for a New Trial, and a Motion for Reconsideration of Sentence.

The charges included: Theft by Unlawful Taking, 18 Pa. C.S. § 3921(a); Receiving Stolen Property, 18 Pa. C.S. §3925(a); Theft by Failure to Make Required Disposition of Funds Received, 18 Pa. C.S. §3927(a); Perjury, 18 Pa. C.S. §4902; Misapplication of Entrusted Property and Property of Government or Financial Institutions, 18 Pa. C.S. §4113(a); and Obstruction Administration of Law or Other Governmental Function, 18 Pa. C.S. §5101. After a trial by jury that commenced on November 4, 2024 and ended on November 7, 2024, the jury entered a verdict of guilty on all charges.

On December 17, 2024, the Defendant was sentenced to not less than twenty-one (21) months to no more than one hundred and twenty (120) months incarceration.

BACKGROUND

The Defendant was elected Treasurer for the City of Uniontown and took office in January of 2020. The office was staffed by the Defendant, the Deputy City Treasurer, and one additional staff person. The Treasurer's Office received and deposits City tax payments, payments made to the Sewer System fund, and the Tobacco Fund. Payments could be made to the Tax Office by credit card, check or cash. Upon taking office, the Defendant altered procedures related to the depositing of funds in the City's Tax Clearing Account. While the practice had been to make deposits of funds received every day, the Defendant changed that policy and deposits were made on a less frequent basis.

The funds in the office were collected, recorded in a RAK computer program, and reconciled daily using the receipts and calculator tickets. The reconciliation was done primarily by the Deputy and the Defendant. The Deputy and the Defendant each did a reconciliation, and both made a verbal confirmation of the amount of cash received each day. If the Defendant chose not to make a deposit on a particular day, the payments for that day were placed in a safe in the office. The Defendant was the only person who made bank deposits of the checks and cash by either going into the bank or through the bank's drive through lane.

All deposits were registered in the RAK computer program with each payment listed as cash, check or credit card. In April 2021, the Defendant changed the procedures and had the staff list all cash payments with two asterisks in the payment column. The staff testified that they were unaware that this change resulted in all cash payments being listed as checks.

After the Defendant was the Treasurer for several months, numerous city residents complained that they received delinquent tax notices after they had paid their taxes. The City Council hired a forensic accountant to review the accounting procedures and all payments and deposits that went through the Treasurer's Office from the beginning of Defendant's term of office in January 2020 until August 2021.

The Defendant was initially cooperative but then became uncooperative, refusing to give the accountant access to documents, to the contents of the safe, and then changed procedures so that cash payments were indistinguishable from payments made by check. The forensic accountant determined that \$106,750.00 in deposits were not accounted for in the City's Tax Clearing account.

As the Defendant and the Deputy are required to be bonded, a copy of the reported loss was forwarded to the bonding agency who bonded the Defendant. After a review, the bonding agency paid the City for the lost funds. The bonding agency determined that the Defendant, in her role as Treasurer, was responsible as the head of the office to insure that all funds were properly handled by the office. However, their payment on the bond was not an indication as to who physically took the funds.

The Pennsylvania State Police began an investigation. Their investigation revealed that the Defendant spent hundreds of dollars in cash each day gambling. She was regularly purchasing \$500 a day in scratch-off tickets, spent hours each day gambling on a machine in a local business, and was frequently gambling at casinos in Pittsburgh, Fayette County, Washington County, and Westmoreland County. As a result of the investigation, a grand jury was impaneled to take testimony on the loss of funds by the City. Before the grand jury, the testimony of the Deputy and office staff was consistent that the Treasurer had changed policies, was solely responsible for making deposits and actively participated in the daily reconciliation of funds. The Defendant's testimony conflicted on several points with the testimony given by her staff.

The evidence at trial included a video of the defendant behaving suspiciously as she left the Treasurer's Office with a deposit that should have gone to the bank.

WEIGHT OF THE EVIDENCE CLAIM

A motion for a new trial based on a claim that the verdict is against the weight of the evidence is addressed to the discretion of the trial court. *Commonwealth v. Widmer*, 744 A. 2d 745 (Pa. 2000). A motion for a new trial concedes that there is sufficient evidence to sustain the verdict. *Commonwealth v. Whiteman*, 485 A.2d 459 (Pa. Super. 1984). A weight of the evidence challenge concedes that sufficient evidence exists to sustain the verdict but questions which evidence is to be believed. *Commonwealth v. Lewis*, 911 A.2d 558 (Pa. Super. 2006). A motion for a new trial based on the claim that the verdict is against the weight of the evidence is addressed to the discretion of the trial court. *Widmer*, 744 A.2d at 751-52.

A new trial should not be granted because of a mere conflict in the testimony or because the judge on the same facts would have arrived at a different conclusion. *Id.* The role of the trial judge is to determine that "notwithstanding all the facts, certain facts are so clearly of greater weight that to ignore them or to give them equal weight with all the facts is to deny justice. *Id.* A new trial should be awarded only when the jury's verdict is so contrary to the evidence as to shock one's sense of justice and the award of a new trial is imperative so that right may be given an opportunity to prevail. *Commonwealth v. Brown*, 648 A.2d 1177 (Pa.1994).

In a criminal prosecution, the jury, as the trier of facts, is responsible for assessing the credibility of witnesses and determines the weight to be given to the evidence presented. *Commonwealth v. Favinger*, 358 Pa. Super. 245 (1986). The jury is free to believe all, part, or none of the evidence presented. The jury can base its determination on circumstantial evidence to establish criminal intent and actions.

In this case, the jury found that the totality of the Defendant's conduct was sufficient to establish her guilt. Testimony was presented that the Defendant was the only person who took deposits to the bank. Each day the funds that came into the office were reconciled, the staff worked from the RAK computer program and the tax tickets while the Defendant counted the cash, checks and credit card payments to confirm that the amounts were correct. The Defendant verbally confirmed that the reconciliations of amounts received were correct and then would either take the funds to deposit or place them in the safe in the office. Both staff testified that the Defendant made all deposits to the Tax Clearing account. When she was elected Treasurer, the Defendant changed the procedures which required that all funds received on a particular day were to be deposited that day. She would make less frequent deposits to the bank. A significant number of cash deposits never reached the bank. The Defendant also changed procedures so that cash payments recorded in the city computer system were masked so that a cash deposit was recorded as a deposit by check.

While there was no direct evidence that showed the Defendant taking funds and then using those funds for her personal use, there was significant circumstantial evidence presented: that she had an expensive gambling addiction; that she was only person who could have taken those funds; that she was the person responsible for depositing the funds into the bank; and that significant amounts of cash collected over a long period of time by the office that was in the Defendant's custody was never deposited in the bank. The jury heard the testimony of the other employees in the Treasurer's office and found their testimony to be credible. The jury heard the testimony of a forensic accountant who testified as to the amount of cash funds removed from the office during the Defendant's tenure. Based on the evidence presented, the jury determined that the Defendant was responsible for the theft of the funds.

The jury was also informed of the Defendant's answers to questions that were presented at the grand jury which directly contradicted the testimony of the other employees in the office and other witnesses presented at trial. By convicting the Defendant, the jury demonstrated that it believed the testimony of the other witnesses, and did not believe the Defendant's testimony.

While the Court is precluded from reweighing the evidence and substituting its

credibility determination for that of the fact-finder, the Court concludes that the verdict of the jury was not against the weight of the evidence presented, was solidly based on the evidence presented, and does not shock the court's sense of justice.

COMMONWEALTH FAILED TO PROVIDE SUFFICIENT EVIDENCE

The standard of review in assessing whether sufficient evidence was presented to sustain a conviction is whether, viewing all the evidence admitted at trial in the light most favorable to the verdict winner, there is sufficient evidence to enable the factfinder, the jury in this case, to find every element of the crimes charged was proven beyond a reasonable doubt. *Commonwealth v. Dixon*, 276 A.3d 794 (Pa. Super. 2022). Any doubts regarding a defendant's guilt may be resolved by the jury unless the evidence is so weak and inconclusive that, as a matter of law, no probability of fact may be drawn from the combined circumstances. *Id.* The Commonwealth may sustain its burden of proving every element of the crimes charged beyond a reasonable doubt by means of wholly circumstantial evidence. *Id.* To assess whether sufficient evidence was presented to sustain a conviction on each charge, the entire record must be evaluated and all evidence received into the record must be considered. The jury determines the credibility of the witnesses, and is free to believe all, part, or none of the evidence presented. *Id.*

In this case, each person, other than the Defendant, who had access to or control over the tax and other payments collected by the City Treasurer's Office testified as a witness. The jury resolved the credibility issues against the Defendant. This resolution of credibility, together with the facts presented about procedures and the Defendant's excessive spending compared to her income, support the determination made by the jury of the Defendant's guilt beyond a reasonable doubt.

The Defendant's conviction of theft, receiving stolen property and theft by failure to make required disposition was supported by evidence that the audit of the accounts revealed an on-going scheme to steal significant numbers of cash deposits, that she was responsible for the change in accounting to show cash deposits as checks, and that she had exclusive control over the funds after the reconciliation and until they were-or were not-deposited in the City bank account. The circumstantial evidence presented was sufficient to establish the Defendant's intention to deal with the cash not deposited as her own.

With respect to the charge of misapplication of entrusted property and property of government or financial institutions, a violation occurs if the Defendant disposes of property that has been entrusted to her in her role as a fiduciary, or is the property of a government agency, and deals with the property in a manner that they know is unlawful and involves a substantial risk of loss to the owner of the property. 18 Pa. C.S. § 4113. The Commonwealth established that the Defendant received the funds in her fiduciary capacity as the elected Treasurer of the City, took control of the cash deposits and failed to deposit the funds into the City's Tax Clearing account, then treated the money as her personal property, which resulted in a substantial loss to the City. There was sufficient evidence presented that the Defendant violated her fiduciary duty, then knowingly took control of funds and unlawfully disposed of the funds that were entrusted to her and were the property of the City. Sufficient evidence was presented to support this charge.

Sufficient evidence was presented that the Defendant breached her official duty when she unlawfully took control of the tax payments paid into her office in the form of cash and when she altered the collection of funds to mask and obstruct the recording of the funds as checks instead of cash. She breached her duty as an elected official and as a fiduciary collecting payments from the citizens of the City of Uniontown.

The last charge for which the Defendant was convicted is perjury. In an official proceeding before the 48th Statewide Investing Grand Jury, the Defendant while under oath made false statements when the statements were material and she knew that they were not true. 18 Pa. C.S. § 4902(a). A falsification is material if it could have affected the course or outcome of the proceeding. 18 Pa. C.S. §4902(b). The Defendant made statements about the procedures in the office and about her gambling which were contradicted by more than one witness at the trial as required under the statute. 18 Pa. C.S. § 4902(f). There was sufficient evidence presented by the witness from the convenience store of the Defendant's extensive gambling at the store on a daily basis and the testimony of her friend of her numerous trips to the casinos. In addition, she often talked about her gambling to the office staff according to their testimony. She denied playing lottery tickets and scratch-off tickets on a daily basis, and claimed that she was "cheap" and that it was her mother who had used her casino card which indicated that she had gambled approximately \$60,000.00 in one year at a single casino. The Defendant's former boyfriend's testimony contradicted the Defendant. He testified that the Defendant's mother had her own card and only went once with them to a casino but that he and the Defendant had visited casinos on many occasions.

In addition, the Defendant denied talking to the forensic accountant about specific dates that cash had not been deposited but the accountant contradicted her testimony. Her statements involved material issues in the case. There was sufficient evidence to support this charge.

MOTION FOR RECONSIDERATION OF SENTENCE

The Defendant further asserts that since the bond company reimbursed the city for funds stolen in this case, the restitution included in her sentence should be reduced and be handled as a civil matter. Additionally, the Defendant asserts that the fees charged by the accounting firm were not the direct result of the criminal acts in this case.

Upon conviction for any crime wherein property of a victim has been stolen, converted or otherwise unlawfully obtained, the offender shall be sentenced to make restitution in addition to any other punishment prescribed. 18 Pa. C.S. § 1106(a)(1). The court shall order full restitution, which is mandatory, regardless of the current financial resources of the defendant, so as to provide the victim with the fullest compensation for its loss. 18 Pa. C.S. §1106(c)(1)(i). The statute also provides that the court shall not reduce a restitution award by any amount that the victim received from an insurance company but shall order the defendant to pay any restitution ordered for loss previously compensated by an insurance company. *Id.*

Under Pennsylvania law, restitution is proper only if there is a direct causal connection between the crime and the loss. Restitution can be ordered when the victim's property has been stolen, converted or otherwise unlawfully obtained. 18 Pa. C.S. §1106(a). The court applies a "but-for" test in imposing restitution, the damages which occurred as

a direct result of the crime are those which would not have occurred but for the defendant's criminal conduct. *Commonwealth v. Poplawski*, 158 A.3d 671 (Pa. Super. 2017)

In computing the amount of restitution, the Court considered the amount of injury suffered by the City and such other costs which were necessary to determine the amount of damages and then entered an order it deemed appropriate. Restitution is only imposed for those crimes where the victim suffered a loss that flows from the conduct that forms the basis of the crime for which the defendant is held criminally accountable. *Poplawski*, 671 A.3d 671 (Pa. Super. 2017). citing to 18 Pa. C.S. § 1106(c)(2)(i).

Because restitution is a sentence, the amount ordered was supported by the record, it was not speculative or excessive. *Id.* The amount ordered was limited to the amount of loss determined by the forensic accountant and the cost to the City to conduct that accounting. Both were supported by the record in this case. The inclusion of the loss of funds to the City in the sentence is mandatory and the costs attributable to the forensic accounting are appropriately included in her sentence. 18 Pa. C.S. § 1106 (c)(1)(i).

The record belies the Defendant's contention that the use of a forensic accounting firm to determine the amount of loss is not a direct result of the Defendant's crime. After an allegation that citizens were receiving notices that their taxes had not been paid, City officials decided that an accounting was required to determine if there was an issue with deposits. It was decided that it was essential to determine if funds were being illegally removed from the office, the amount of funds removed, and to attempt to determine how this was occurring. This accounting was not an annual reconciliation of accounts for the Treasurer's Office, but rather an intensive review of deposits which compared amounts paid in and the record of deposits into the office's main bank account. When the Defendant was approached about the complaints from citizens about their tax payments and whether cash funds were missing from the account, she made statements to the Trooper investigating the case which contradicted the statements of the other employees. The Defendant, after that discussion, immediately changed the office procedures which then concealed the amount of cash funds collected, making it harder for the theft of cash to be discovered. A forensic accounting was essential and necessary and a direct result of the theft of the cash received by the office. If the City was not able to determine how money was missing from the office, then the City would have been responsible to pay the cost of the accounting. The forensic accounting was a direct result of the Defendant's criminal acts and a mandatory part of her sentence. The Defendant's Motion for Reconsideration of Sentence must be denied.

ORDER

AND NOW, this 27th day of February, 2025, for the reasons set forth in the preceding Opinion, the Defendant's Post Sentence Motions are hereby DENIED.

STEVE P. LESKINEN
PRESIDENT JUDGE

ATTEST:
Clerk of Courts



130th Annual

FAYETTE COUNTY BAR ASSOCIATION

BAR BANQUET

SUNDAY, MAY 18TH

FIRST FLIGHT ISLAND RESTAURANT
301 WHITEHEAD STREET

Key West, Florida

6:00 COCKTAILS & HORS D'OEUVRES
7:00 DINNER

Rsvp TO THE ASSOCIATION BY APRIL 14TH
724-437-7994 *or* GARNET@FCBAR.ORG

FCBA MEMBERS COMPLIMENTARY
GUESTS WELCOME! GUEST FEE \$100



FAYETTE COUNTY BAR ASSOCIATION

Bar Banquet Weekend Itinerary May 16-19

SUGGESTED ACCOMMODATIONS:

Casa Marina or Southernmost Beach Resort



FRIDAY

SUGGESTED FLIGHT:

Allegiant Flight 991

PIT -> EYW 1:59 PM - 4:41 PM

8:30 PM - GHOSTS & GRAVESTONES TOUR (\$40)



SATURDAY

8:00 AM - 10:00 AM - WELCOME BREAKFAST & CLE

Flagler's Restaurant @ Casa Marina

Breakfast Buffet (Complimentary)

1.0 Ethics Credits 8:30 - 9:30 AM (\$20)

6:00 PM - SUNSET SAIL CRUISE

Appetizers & Drinks (\$80)



SUNDAY

10:00 AM - BUTTERFLY CONSERVATORY (\$18)

12:00 PM - ERNEST HEMINGWAY HOME (\$19)

6:00 PM - 130TH ANNUAL BAR BANQUET
First Flight Island Restaurant

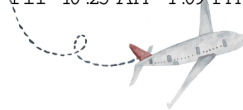


MONDAY

SUGGESTED FLIGHT:

ALLEGIANT FLIGHT 1012

EYW -> PIT 10:23 AM - 1:09 PM



LAW DAY MOCK TRIAL COMPETITION AND LUNCHEON**2025 Law Day Mock Trial Competition and Luncheon**

Join your colleagues of the Fayette County Bar Association
and local elected officials on

Thursday, April 3, 2025

Mock Trial Competition

Presiding Judge Linda R. Cordaro
Fayette County Courthouse, Courtroom #2
10:00 a.m.

Frazier School District and Connellsville Area School District
The first twelve volunteers to serve as jurors
will receive a free luncheon.

Law Day Luncheon

Caporella's Ristorante
12:00 p.m.
\$15.00 paid in advance

RSVP for Luncheon and/or to serve as a Mock Trial Juror
on or before Friday, March 21st
cindy@fcbar.org or 724-437-7994

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