

Court of Common Pleas of Lancaster County

CriminalCommonwealth v. Emelio Peralta
Post Conviction Relief Act

Trial counsel is not ineffective for failing to object to the standard Drug Delivery Resulting in Death charge; although the standard instruction does not provide that the statute requires the Commonwealth to prove that a defendant was at least reckless regarding the “result” element of the crime, the sale of a particularly dangerous substance itself establishes recklessness.

Opinion. Commonwealth of Pennsylvania v. Emelio Peralta. Nos. 6636-2019, 6637-2019, 1867-2020, 5261-2020.

Linda F. Gerencser, Esquire for the Commonwealth

OPINION BY WRIGHT, J., October 31, 2023. Petitioner, Emelio Peralta, has filed a *pro se* appeal from my April 19, 2023, Order denying relief under the Post Conviction Relief Act (PCRA), 42 Pa. C.S.A. §§ 9514–46. This Opinion is written pursuant to Rule 1925(a) of the Pennsylvania Rules of Appellate Procedure and, for the reasons that follow, Petitioner’s appeal is meritless.

BACKGROUND

On November 8, 2019, Tyler Blantz purchased fentanyl and shared the drugs with his girlfriend, Samantha Morgan. (Notes of Trial Testimony, Jury Trial, December 6–9, 2022, at 367–69 [hereinafter “N.T. at ___”]). Mr. Blantz and Ms. Morgan injected the fentanyl that same evening and went to sleep. (N.T. at 369–70). When Mr. Blantz woke up the next morning, he walked around the side of his bed and found Ms. Morgan lying face down on the floor. (N.T. at 371). Mr. Blantz flipped her over and found that she was pulseless and cold. (N.T. at 372). He held her in his arms and cried, then called 911 (N.T. at 372). When the Manor Township police arrived at the residence, they, also, could not find Ms. Morgan’s pulse and noted that her extremities were stiff and that she was blue and cold to the touch. (N.T. at 236). The coroner was called to the scene and pronounced Ms. Morgan dead. (N.T. at 291–305). A subsequently issued toxicology report determined that the cause of Ms. Morgan’s death was multiple drug toxicity with fentanyl being the main contributor. (N.T. at 339; 343–45).

During the investigation into Ms. Morgan’s death, Mr. Blantz informed Manor County Detectives that he had purchased the drugs from someone that he knew—an individual that he identified as “Rooster.” (N.T. at 256; 395). The Manor Township Detectives presented Mr. Blantz with a photo lineup and he identified “Rooster” as Petitioner, Emelio Peralta. (N.T. at 398). The Detectives then contacted the Lancaster County Drug Task Force and learned that the Task Force was familiar with “Rooster” from two previous undercover buy/walk operations—one on August 7, 2019, and one on September 26, 2019—

during which Petitioner was observed selling fentanyl. (N.T. at 79–99; 149; 169–89; 217).

On November 23, 2019, the Manor County Police Department, the Lancaster County Drug Task Force, and the Lancaster City Bureau of Police Selective Enforcement Unit initiated a joint effort to locate and arrest Petitioner. (N.T. at 438–40). Members of the Selective Enforcement Unit came into contact with Petitioner on the 200 block of New Dorwart Street in Lancaster City. (N.T. at 442). When Petitioner was handcuffed and searched, the arresting officers located 68 clear zip lock style bags with blue wax paper sleeves containing fentanyl on his person. (N.T. at 450–56).

Petitioner was thereafter charged with the following offenses across the four above-captioned dockets: on Docket 6637–2019, Delivery of Fentanyl and Conspiracy to Deliver Fentanyl for the August 7, 2019, walk/buy operation; on Docket 1867–2020, Conspiracy to Deliver Fentanyl for the September 26, 2019, walk/buy operation; on Docket 5261–2020, Drug Delivery Resulting in Death for delivering the fentanyl that was ultimately ingested by Samantha Morgan and caused her death; and on Docket 6636–2019, Possession with Intent to Deliver Fentanyl for the narcotics found on his person during his November 23, 2019, arrest.

On February 26, 2021, the Commonwealth filed a Motion to Join the four informations for trial. After being notified that Petitioner’s trial counsel, Elizabeth Hoffheins, Esquire (“trial counsel”) did not oppose the Motion, I entered an Order on July 20, 2021, consolidating the informations. A jury trial commenced on December 6, 2021. On December 9, 2021, the jury convicted Petitioner on all counts. I ordered a PSI with sentencing to be scheduled thereafter.

On March 9, 2022, I sentenced Petitioner to an aggregate term of nine to eighteen years incarceration. On April 8, 2022, Petitioner filed a counseled Notice of Appeal to the Superior Court from the March 9th Judgment of Sentence. His appellate counsel discontinued the appeal at Petitioner’s request on April 21, 2022.

On April 29, 2022, Petitioner filed a *pro se* PCRA Petition. I appointed Christopher Lyden, Esquire, as PCRA counsel on May 3, 2022. On July 20, 2022, Attorney Lyden filed an Amended PCRA Petition on Petitioner’s behalf, alleging that trial counsel was ineffective for failing to request a severance of the informations and for failing to object to the Drug Delivery Resulting in Death jury instruction that I gave at trial.

On January 23, 2023, I presided over an evidentiary hearing on the Amended PCRA Petition. During the hearing, Attorney Lyden abandoned the severance claim and argued solely that trial counsel was ineffective for failing to object to my jury instruction for Drug Delivery Resulting in Death. (Notes of Testimony, PCRA Hearing, Jan. 23, 2023, at 3 [hereinafter “N.T. PCRA Hearing, at ____”]). Attorney Lyden called trial counsel as a witness, read the Drug Delivery Resulting in Death instruction that I gave at trial, and questioned trial counsel about her understanding of the mens rea requirements associated

with the charge. (N.T. PCRA Hearing, at 8–12). The gist of Attorney Lyden’s questioning revolved around whether trial counsel agreed that the Drug Delivery Resulting in Death statute requires the Commonwealth to prove that the accused acted at least recklessly regarding the fact that a person died as a result of the drug delivery. (N.T. PCRA Hearing, at 11–12). Trial counsel testified that she concurred. (N.T. PCRA Hearing at 12).

During the PCRA hearing, Petitioner also offered testimony seeking to establish that he was incapable of forming the alleged recklessness *mens rea*. Specifically, Petitioner testified that he was only eighteen years old when he arrived in Lancaster and was initially homeless, he received only a tenth grade education, he became addicted to fentanyl after his first use, he used fentanyl daily until the time of his arrest, he had no knowledge or experience using fentanyl at the time he became addicted, and prior to his arrest he had never participated in any drug programs or counseling. (N.T. PCRA Hearing, at 18–25).

Following the hearing, Attorney Lyden filed a supporting brief in which he pressed his argument that my Drug Delivery Resulting in Death charge was erroneous and that that trial counsel was ineffective for failing to object to the charge. Further, as intimated during the hearing, Attorney Lyden alleged that given Petitioner’s young age, lack of experience with fentanyl, and newly acquired addiction, there is a reasonable probability that a jury could have determined that Petitioner was not reckless as to whether someone may die as a result of his delivery of fentanyl.

On April 19, 2023, I entered an Order denying the Amended PCRA Petition. Although Attorney Lyden did not seek leave to withdraw as counsel, Petitioner filed a *pro se* Notice of Appeal from my April 19th Order on May 3, 2023. I issued an Order on May 16, 2023, directing Petitioner to file a Statement of Errors pursuant to Pa.R.A.P. 1925(b). On June 12, 2023, Petitioner filed a *pro se* Statement of Errors in which he alleged, generally, that he “believes and therefore avers that trial counsel was grossly ineffective.” The Commonwealth responded on June 26, 2023.

On July 11, 2023, Petitioner filed a “Request for Allowance to Amend Statements of Errors Complained of on Appeal (1925(B))” in which he set forth eleven claims of error and requested appointment of appellate counsel. On July 27, 2023, I issued an Order appointing Stephen Grosh, Esquire as appellate counsel and granting Attorney Grosh 30 days to file an amended statement of errors on Petitioners behalf.¹ Attorney Grosh thereafter filed a “Petition to Rely Upon Previously Filed Statement of Matters Complain of on Appeal,” averring that he reviewed the record and did not intend to file a further amended statement of errors, and that Petitioner desired to rely upon his previously filed statement of errors. The Commonwealth did not file a response.

DISCUSSION

1. I originally appointed Daniel Bardo, Esquire, on July 19, 2023. However, Attorney Bardo sought leave to withdraw due to a conflict of interest.

In his *pro se* Amended² Statement of Errors, Petitioner alleges the following:

1. PCRA Counsel was ineffective for failing to raise trial counsel's ineffectiveness for failing to present appellant's alibi witness.
2. PCRA Counsel was ineffective for failing to raise trial counsel's ineffectiveness for failing to challenge the consolidation of appellant's cases.
3. PCRA Counsel was ineffective for failing to raise trial counsel's ineffectiveness for failing to challenge the admissibility of cellphone evidence, that was never linked to appellant.
4. PCRA Counsel was ineffective for failing to raise trial counsel's ineffectiveness for failing to expose that the lead detective, Detective Wolfe[,] has a relationship with the witness Tyler Blantz a [sic] Blantz family.
5. PCRA Counsel was ineffective for failing to raise sufficiency of the evidence where the Commonwealth failed to prove every element of the crimes charged beyond a reasonable doubt.
6. PCRA Counsel was ineffective for failing to raise trial counsel's ineffectiveness for failing to impeach Tyler Blantz with his prior inconsistent statements.
7. PCRA Counsel was ineffective for failing to raise trial counsel's ineffectiveness for failing to move to suppress appellant's identification, which was obtained unlawfully.
8. Trial counsel rendered ineffective assistance by failing to object to an erroneous jury instruction, regarding the charge for drug delivery resulting of death.

I will first address the merits of Petitioner's eighth argument, after which I will examine the proper procedural process for analyzing claims one through seven in which Petitioner asserts allegations of layered ineffective assistance of counsel.

I. Issue Eight: Drug Delivery Resulting in Death Instruction

The Post Conviction Relief Act ("PCRA") provides for an action by which an individual convicted of a crime they did not commit or serving an illegal sentence may obtain collateral relief. 42 Pa.C.S.A. § 9542. Ordinarily, a PCRA Petition must be filed within one year of the date that the judgment becomes final. *Id.* § 9545(b)(1). For purposes of the PCRA, "a judgment becomes final at the conclusion of direct review, including discretionary review in the Supreme Court of the United

2. Pa.R.A.P. 1925(b)(2)(i) allows the trial court to permit an amended or supplemental statement of errors to be filed when good cause is shown. Rule 1925(b)(2)(j) does not limit what constitutes good cause. Under the present circumstances where Petitioner is proceeding *pro se* despite being represented by PCRA counsel before the trial court, I have allowed Petitioner to rely on his Amended Statement.

States and the Supreme Court of Pennsylvania, or at the expiration of time for seeking the review.” *Id.* at § 9545(b)(3). The instant Petition was timely filed.³

To be eligible for relief under the PCRA, Petitioner must also plead and prove beyond a preponderance of the evidence that: (1) he was convicted of a crime in the Commonwealth; (2) he is currently serving a sentence of imprisonment, probation, or parole for the crime; (3) the issue(s) that he asserts have not been previously litigated; (4) his conviction or sentence resulted from, *inter alia*, ineffective assistance of counsel that so undermined the truth-determining process that no reliable adjudication of guilt or innocence could have taken place; and (4) the failure to previously litigate the issue(s) now raised could not have been the result of any rational, strategic, or tactical decision by counsel. 42 Pa. C.S.A. § 9543(a)(i)–(iv). Here, Petitioner was found guilty of the offenses outlined above and is still serving his aggregate sentence. Further, the issues that he now asserts have not been previously litigated.

Petitioner presently claims that his conviction resulted from ineffective assistance of counsel—namely, trial counsel’s failure to object to an allegedly erroneous jury instruction. “Counsel is presumed to be effective.” *Commonwealth v. Midgley*, 289 A.3d 1111, 1119 (Pa. Super. 2023). Thus, to prevail on a claim of ineffective assistance of counsel, Petitioner must show by a preponderance of the evidence that “(1) the underlying claim is of arguable merit; (2) the particular course of conduct pursued by counsel had no reasonable basis designed to effectuate [Petitioner’s] interests; and (3) but for counsel’s ineffectiveness, there is a reasonable probability that the outcome of the proceedings would have been different.” *Commonwealth v. Lambert*, 797 A.2d 232, 243 (Pa. 2001); *Commonwealth v. Chmiel*, 30 A.3d 111, 1127 (Pa. 2011); see *Commonwealth v. Pierce*, 527 A.2d 973 (Pa. 1987); see also *Strickland v. Washington*, 466 U.S. 668 (1984). Petitioner must satisfy all three elements of the test; failure to meet any single prong of the test is fatal to an ineffectiveness claim. *Commonwealth v. Walker*, 36 A.3d 1, 7 (Pa. 2011) (citing *Commonwealth v. Basemore*, 744 A.2d 717, 738 n.23 (Pa. 2000)). Importantly, “counsel cannot be deemed ineffective for failing to pursue a meritless claim.” *Commonwealth v. Loner*, 836 A.2d 125, 132 (Pa. Super. 2003) (en banc) appeal denied, 852 A.2d 311 (Pa. 2004).

Instantly, Petitioner claims that I erred in denying his claim for post-conviction relief because trial counsel provided ineffective assistance by failing to object to the following jury instruction for Drug Delivery Resulting in Death (DDR):

To find the defendant guilty of [drug delivery resulting in death], you must find that the following elements have been proven beyond a reasonable doubt: First, that the defendant . . . delivered . . . a controlled substance to a person. Second, that the defendant did

3. Petitioner’s judgment of sentence became final on April 25, 2022, when his direct appeal was discontinued. He had one year from that date to file a timely PCRA petition, which he did, *pro se*, on April 29, 2022.

so intentionally, that is, it was his conscious object to . . . deliver . . . a controlled substance to a person. Third, that the . . . delivery . . . was in violation of the Controlled Substance, Drug, Device and Cosmetic Act. And, fourth, that a person has died as a result of using that substance. Proof of malice is not an element of that crime. If you find that each of these elements have been proven beyond a reasonable doubt, then you should find the defendant guilty. If you do not find each proven beyond a reasonable doubt, then you must find him not guilty.

(N.T. at 586). For the reasons that follow, regardless of the basis for trial counsel's action or inaction, Petitioner has not established that his underlying claim has arguable merit or that he suffered prejudice. Therefore, his claim of ineffectiveness is baseless.

a. Arguable Merit

Arguable merit exists when the factual statements underlying the claim are accurate and could establish cause for relief. Commonwealth v. Stultz, 114 A.3d 864 (Pa. Super. 2015). In examining the merits of a claim that the trial judge erroneously instructed the jury, “[a] charge will be found adequate unless the issues are not made clear, the jury was misled by the instructions, or there was an omission from the charge amounting to a fundamental error.” Commonwealth v. Bradley, 232 A.3d 747, 759 (Pa. Super. 2020). “The trial court is free to use its own expressions as long as the concepts at issue are clearly and accurately presented to the jury.” Id. Where a trial court’s jury instructions “closely track the language in the Pennsylvania Standard Criminal Jury Instructions, it is presumed that such instructions are an accurate statement of the law.” Commonwealth v. Kerrigan, 920 A.2d 190, 198 (Pa. Super. 2007) (citing Commonwealth v. Prosdocimo, 578 A.2d 1273 (Pa. 1990)).

“[A] conviction for DDRD requires proof that the defendant (1) intentionally delivered a controlled substance, and (2) a person died as a result of using that substance.” Commonwealth v. Burton, No. 1539 EDA 2022, 2023 WL 153146, at *2 (Pa. Super. Jan. 11, 2023) (unpublished memorandum) (citing 18 Pa.C.S. § 2506(a)). The DDRD statute was amended in 2011, when the “Legislature deliberately changed the wording to remove the *mens rea* of malice.” Commonwealth v. Shaffer, No. 1362 WDA 2021, 2022 WL 4459425, at *4 (Pa. Super. Ct. Sep. 26, 2022) (unpublished memorandum) (internal citations omitted). Accordingly, the standard jury instruction for post-2011 DDRD charges also changed; the comment for the current version notes that the instruction no longer includes malice as a distinct element.

Case law interpreting the amended version of the DDRD statute establishes that although the statute does not include a *mens rea* requirement for the “result” element, “the actions leading to the death must be at least reckless.” Commonwealth v. Kakhankham, 132 A.3d 986, 995 (Pa. Super. Ct. 2015). However, “the sale of” particularly dan-

gerous substances, such as fentanyl, “[i]tself[] is sufficient to satisfy the recklessness requirement when death occurs as a result of the sale.” Commonwealth v. Storey, 167 A.3d 750, 757 (Pa. Super. Ct. 2017); Commonwealth v. Burton, No. 1539 EDA 2022, 2023 **2–**3.

Based on the arguments set forth in his Amended PCRA Petition, Petitioner’s claim of error regarding my DDRD charge is twofold. First, Petitioner claims that the DDRD instruction given was erroneous because it did not specify that his actions leading to the Victim’s death must have been at least reckless. Notably, when defining the elements of DDRD, I gave the standard jury instruction which does not include language regarding recklessness. See Shaffer, No. 1362 WDA 2021, 2022 WL 4459425, at * 5 (finding that a trial court properly instructed the jury regarding the elements of DDRD when the court used the standard charge and did not specifically include an instruction on recklessness.). Further, had I added Defendant’s desired language to the charge, I would have also needed to explain that, pursuant to Pennsylvania precedent, Defendant’s act of delivering fentanyl itself establishes recklessness. Storey, 167 A.3d at 757. Defendant’s argument is, therefore, essentially self-defeating.

Second, Petitioner argues that I erred by instructing the jury that malice is not an element of DDRD. However, my instruction tracked the comment included in the standard jury instruction, reflected the legislative intent behind the 2011 amendment, and was an accurate statement of the current DDRD statute and interpretive case law.

Therefore, when read as a whole, my DDRD instruction accurately set forth the post-2011 elements of DDRD. Not instructing the jury regarding recklessness was not an omission—such language is not part of the standard instruction and including a reference to recklessness in the charge would have necessitated an explanation that recklessness can be conclusively established merely by the delivery of a drug like fentanyl. Further, my statement that malice is not an element of the offense did not mislead the jury; it was a factual summation of the current DDRD statute. For these reasons, Defendant cannot show that his underlying claim—that my DDRD instructions were erroneous—has arguable merit.

b. Prejudice

To establish prejudice, Petitioner must prove that “but for the errors and omissions of counsel, there is a reasonable probability that the outcome of the proceedings would have been different.” Kimball, 724 A.2d at 333. In other words, Petitioner must prove that had trial counsel objected to my DDRD instruction, there is a reasonable probability that he would not have been convicted of DDRD.

First, even if trial counsel had objected to my DDRD charge, it does not necessarily follow that I would have given the instruction that Petitioner now argues in favor of. Importantly, “the mere fact that a defendant” objects to a charge or requests a different or further explanation “does not render a charge defective.” Commonwealth v. Watley, 699 A.2d 1240, 1245–46 (Pa. 1997).

Second, assuming, *arguendo*, that I had given Petitioner’s desired instruction—which would have necessarily included the fact that the sale of fentanyl itself establishes recklessness—Petitioner has failed to show that there is a reasonable probability that he would not have been convicted of DDRD. In the brief that Attorney Lyden filed in support of Petitioner’s Amended PCRA Petition, Petitioner conceded that the Commonwealth produced evidence that Petitioner sold fentanyl to Tyler Blantz, that Blantz provided the fentanyl to the Victim, and that the Victim died because of ingesting the fentanyl. (Br. in Supp. of Petitioner’s Am. Pet. for Post Conviction Relief, Jan. 24, 2023, at ¶¶ 22–24). However, Petitioner notes that he was only 18 years old at the time of the offense, he possessed only a 10th grade education, he was homeless at the time he arrived in Lancaster City, he became addicted to fentanyl after his first use, he used fentanyl daily until the time of his arrest, he had no knowledge or experience using fentanyl at the time he became addicted, and, prior to his arrest, he had never participated in any drug rehabilitation programs or counseling. (*Id.* at ¶¶ 25–34). According to Petitioner, “[u]nder these circumstances, given [his] young age, lack of experience with fentanyl and newly acquired addiction, there is a reasonable probability that a jury could have determined that [Petitioner] did not consciously disregard a known risk that his delivery of fentanyl to Blantz would cause death.” (*Id.* at ¶ 35).

However, Petitioner again fails to acknowledge that his act of delivering fentanyl itself establishes recklessness. *Storey*, 167 A.3d at 757. Further, many of Petitioner’s arguments are contradictory. For example, the fact that he became addicted to fentanyl after his first use and used fentanyl daily until the time of his arrest directly supports a finding that he was acutely aware of the risks associated with fentanyl. Finally, although Petitioner attempts to cast himself as an unaware addict, the evidence adduced at trial indicates that Petitioner was a sophisticated dealer of fentanyl. When Petitioner was arrested, he was found to have in his possession 68 packets of fentanyl and at trial he was convicted of one charge of possession with intent to deliver and two charges of delivery of a controlled substance. For these reasons, Defendant has failed to show that but for the alleged errors of trial counsel, there is a reasonable probability that he would not have been convicted of DDRD.

II. Issues One through Seven: PCRA Counsel’s Alleged Ineffectiveness

In issues one through seven, Petitioner lodges numerous claims of Attorney Lyden’s ineffectiveness as PCRA Counsel. The proper procedural framework for raising claims of PCRA counsel’s ineffectiveness was carefully outlined by the Pennsylvania Supreme Court in *Commonwealth v. Bradley*, 261 A.3d 381 (Pa. 2021). Acknowledging the inherent difficulties associated with raising claims of PCRA counsel’s ineffectiveness, the Pennsylvania Supreme Court held that “a PCRA petitioner many, after a PCRA court denies relief, and after obtaining new counsel or acting *pro se*, raise claims of PCRA counsel’s ineffectiveness

at the first opportunity to do so, even if on appeal.” *Id.* at 401.

Importantly, the *Bradley* Court noted that “a petitioner cannot challenge PCRA counsel’s effectiveness before the PCRA court because the alleged ineffectiveness is playing out as that proceeding occurs and ineffectiveness cannot be identified until the proceeding has concluded.” *Commonwealth v. Bradley*, 261 A.3d 381, 404 (Pa. 2021) (quoting *Commonwealth v. Ligons*, 971 A.2d 1125, 1139 (Pa. 2009)). Accordingly, the *Bradley* Court concluded that “appellate courts . . . have the ability to grant or deny relief on straightforward claims, as well as the power to remand to the PCRA court for development of the record” and enumerated the following analytical structure:

In some instances, the record before the appellate court will be sufficient to allow for disposition of any newly-raised ineffectiveness claims. However, in other cases, the appellate court may need to remand to the PCRA court for further development of the record and for the PCRA court to consider such claims as an initial matter. Consistent to our prior case law, to advance a request for remand, a petition would be required to provide more than mere boilerplate assertions of PCRA counsel’s ineffectiveness; however, where there are material facts at issue concerning claims challenging counsel’s stewardship and relief is not plainly unavailable as a matter of law, the remand should be afforded.

Id. at 402–03 (cleaned up) (internal citations and quotations omitted).

Thus, although I cannot reach the merits of Petitioner’s claims of PCRA Counsel’s ineffectiveness, this Court is poised to resume jurisdiction to develop the PCRA record as the Superior Court deems appropriate.

CONCLUSION

For the reasons outlined above, Petitioner’s claim of trial counsel’s ineffectiveness is meritless and I did not err in dismissing his Amended PCRA Petition. Further, I cannot address the claims of Attorney Lyden’s alleged ineffectiveness as PCRA Counsel unless the matter is remanded for further fact finding. Accordingly, I enter the following:

ORDER

AND NOW, this 31st day of October, 2023, the Court hereby submits this Opinion pursuant to Rule 1925(a) of the Pennsylvania Rules of Appellate Procedure.

BY THE COURT:

JEFFREY D. WRIGHT
JUDGE

NOTICE OF ADMINISTRATIVE SUSPENSION

Notice is hereby given that **John W. Kenneff** of **Lancaster County** has been **Administratively Suspended** by Order of the Supreme Court of Pennsylvania dated November 15, 2023, pursuant to Rule III(b), Pa.R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective December 15, 2023, for Compliance Group 1.

Suzanne E. Price
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania

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

Althouse, Mary Jane, dec'd.

Late of Strasburg Borough.
Executors: Pamela J. Faltin, Ross F. Althouse, Jr. c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.
Attorney: Jeffrey P. Ouellet, Esquire.

Bitzer, John S., dec'd.

Late of Manheim Township.
Co-Executors: Cynthia L. Longenecker, Catherine E. Graver c/o Law Office of Shawn Pierson, 105 East Oregon Road, Lititz, PA 17543.
Attorney: Shawn M. Pierson, Esq.

Church, Jane F. a/k/a Jane Frances Church, dec'd.

Late of Millersville Borough.
Executor: Security National Trust Company.

Trust Administrator: Jodi L. Hollinger, PO Box 1267, Lancaster, PA 17608-1267.

Attorney: Jeffrey C. Goss, Esquire, Brubaker Connaughton Goss & Lucarelli LLC, 480 New Holland Avenue, Suite 6205, Lancaster, PA 17602.

Clark, John A. a/k/a John Andrew Clark, dec'd.

Late of Manor Township.
Executor: Bruce Clark, 14 Little River Road, Nottingham, NH 03290.
Attorney: None.

Diaz, Dandy a/k/a Dandy V. Togonon, dec'd.

Late of Lancaster Township.
Executor: Manuel J. Diaz c/o Steven R. Blair, Attorney at Law, 650 Delp Road, Lancaster, PA 17601.
Attorney: Steven R. Blair, Esq.

Dro, Felton G., dec'd.

Late of Lancaster City.
Administratrix: Samu Dro, 1231 Union Street, Lancaster, PA 17603.
Attorney: Law Office of Leo T. White, 1220 Valley Forge Road, Suite 37B, Phoenixville, PA 19460.

Ezard, Glenn A., Sr., a/k/a Glenn A. Ezard., dec'd.

Late of East Hempfield Township.
Executor: Glenn A. Ezard, Jr. c/o Randy R. Moyer, Esquire, Barley Snyder LLP, 126 East King Street, Lancaster, PA 17602.
Attorney: Randy R. Moyer - Barley Snyder LLP.

Greener, Helen A., dec'd.

Late of Manor Township.
Executor: Richard K. Greener,
Jr. c/o Gillian A. Woodward, Es-
quire, 1701 West Market Street,
York, PA 17404.
Attorney: Gillian A. Woodward,
Esquire.

Hagerich, Brenda L., dec'd.

Late of Ephrata Township.
Executor: Randall J. Hertzog
c/o John R. Gibbel, Attorney,
P.O. Box 5394, Lancaster, PA
17606.
Attorney: Gibbel Kraybill &
Hess, LLP.

Harter, Thomas W., dec'd.

Late of Ephrata Borough.
Executor: Robert Harter c/o Jef-
frey C. Goss, Esquire, 480 New
Holland Avenue, Suite 6205,
Lancaster, PA 17602.
Attorneys: Brubaker Connaugh-
ton Goss & Lucarelli LLC.

**Hassel, Nancy A. a/k/a Nancy
Ann Hassel,** dec'd.

Late of Martic Township.
Executrix: Donna M. Hassel
c/o Jeffrey C. Goss, Esquire,
480 New Holland Avenue, Suite
6205, Lancaster, PA 17602.
Attorneys: Brubaker Connaugh-
ton Goss & Lucarelli LLC.

Hayes, Elviera P.B., dec'd.

Late of East Lampeter Town-
ship.
Administrator: Robin Hayes-
Toney, 106 Hershey Ave., Lan-
caster, PA 17603.
Attorney: None.

Hoshauer, Henrietta M., dec'd.

Late of Brecknock Township.
Executor/Administrator: Scott
J. Hoshauer c/o Good & Harris,
LLP, 132 West Main Street, New

Holland, PA 17557.
Attorneys: Good & Harris, LLP.

Ingram, Russell, dec'd.

Late of West Cocalico Township.
Executor: Thelma Ingram-Gray-
bill c/o Appel Yost & Zee LLP,
33 North Duke Street, Lancast-
er, PA 17602.
Attorney: James K. Noel, IV,
Esq.

Johns, Winifred R., dec'd.

Late of Manheim Township.
Administrator: D. Neal Johns
c/o Ann L. Martin, Attorney,
P.O. Box 5349, Lancaster, PA
17606.
Attorneys: Gibbel Kraybill &
Hess LLP.

Jones, Sharon L., dec'd.

Late of Providence Township.
Executrices: Richdeana Jones,
Christina Schadewald c/o Cly-
mer Musser & Sarno, PC, 408
West Chestnut Street, Lancast-
er, PA 17603.
Attorney: James N. Clymer, Esq.

Kauffman, Helen R., dec'd.

Late of West Lampeter Town-
ship.
Executor: Douglas H. Kauffman
c/o Appel Yost & Zee LLP, 33
North Duke Street, Lancaster,
PA 17602.
Attorney: James K. Noel, IV,
Esq.

**Knoll, Geraldine G. a/k/a Gerry
Knoll,** dec'd.

Late of West Earl Township.
Executor/Executrix: Rich-
ard Scott Knoll, Anne Howe,
164 Chapel Lane, Ephrata, PA
17522.
Attorney: None.

Lorenzana, Pablo, dec'd.

Late of West Lampeter Township.
Executor: Les Helmuth c/o Ann L. Martin, Attorney, P.O. Box 5349, Lancaster, PA 17606.
Attorneys: Gibbel Kraybill & Hess LLP.

Lounsbury, David J., dec'd.

Late of Ephrata Township.
Executor: Susan Lounsbury c/o RKG Law, 101 North Pointe Blvd, Suite 202, Lancaster, PA 17601.
Attorney: Lindsay M. Schoeneberger, Esquire.

Meier, Richard W., dec'd.

Late of Manheim Township.
Executor: Richard W. Meier, Jr. c/o Law Office of Shawn Pierson, 105 East Oregon Road, Lititz, PA 17543.
Attorney: Shawn M. Pierson, Esq.

Meyer, Dale R., dec'd.

Late of Rapho Township.
Administrator: Kristin L. Meyer c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.
Attorney: Young and Young.

Musselman, Delores S. a/k/a Dolores S. Musselman, dec'd.

Late of West Earl Township.
Co-Executors: Patricia S. Mussleman, Harold S. Musselman c/o H. Charles Benner, Attorney, 200 East Main Street, Leola, PA 17540.
Attorney: H. Charles Benner, Esq.

Oberholtzer, Rhoda S. a/k/a Rhoda Stauffer Oberholtzer, dec'd.

Late of Manheim Township.
Executor: Jay R. Oberholtzer c/o Appel Yost & Zee LLP, 33 North Duke Street, Lancaster, PA 17602.
Attorney: James W. Appel, Esquire.

Oteri, John H., dec'd.

Late of Mount Joy Borough.
Executrix: Ruth Gureley c/o Scott E. Albert, Esq., 50 East Main Street, Mount Joy, PA 17552.
Attorney: Scott E. Albert, Esq.

Pearce, Virginia S., dec'd.

Late of Upper Leacock Township.
Executor: Stephen Siberine c/o 327 Locust Street, Columbia, PA 17512.
Attorney: Michael S. Grab, Esquire, Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

Porsche, Edith, dec'd.

Late of Denver.
Executor/Administrator: Michael K. Porche c/o Good & Harris, LLP, 132 West Main Street, New Holland, PA 17557.
Attorneys: Good & Harris, LLP.

Price, Shirley A., dec'd.

Late of Manheim Township.
Executrix: Karen K. Napolitan c/o Douglas A. Smith, Attorney, P.O. Box 5349, Lancaster, PA 17606.
Attorneys: Gibbel Kraybill & Hess LLP.

Sonntag, Rosemary Jean a/k/a Rosemary J. Sonntag a/k/a Jeanne Sonntag a/k/a R. Jeanne Sonntag a/k/a Rosemary Jean Son-

ntag a/k/a Rose Mary Sonntag, dec'd.

Late of East Hempfield Township.

Executor: Deborah A. Albers c/o Nikolaus & Hohenadel, LLP, 212 North Queen Street, Lancaster, PA 17603.

Attorney: Barbara Reist Dillon.

Stephan, Kyle Daniel a/k/a Kyle D. Stephan, dec'd.

Late of the Township of Manor. Administrator: Cory D. Stephan c/o Mark I. Blevins, Esquire, 701 Penn Grant Road, Lancaster, PA 17602.

Attorney: Mark L. Blevins, Esquire.

Styer, Joyce E., dec'd.

Late of Marietta Borough.

Executrices: Linda M. Lockard, Luann L. Pearson c/o Scott E. Albert, Esq., 50 East Main Street, Mount Joy, PA 17552.

Attorney: Scott E. Albert, Esq.

Summers, Charlotte E., dec'd.

Late of Narvon.

Executrices: Linda S. Boley, Lou Ann Lammey c/o Good & Harris, LLP, 132 West Main Street, New Holland, PA 17557.

Attorneys: Good & Harris, LLP.

Weaver, Anna E., dec'd.

Late of East Earl Township.

Executor: R. Lee Weaver c/o Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557.

Attorney: Linda Kling, Esq., Kling, Deibler & Glick, LLP.

Weber, Florence A. a/k/a Florence Arlene Weber, dec'd.

Late of East Earl Township.

Executor: Elaine L. Kurtz c/o

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

Attorney: Linda Kling, Esq., Kling, Deibler & Glick, LLP.

Young, Donald L., dec'd.

Late of Manheim Township.

Executor: Jeffrey P. Young c/o Richard R. Reilly, Esquire, 54 N. Duke Street, York, PA 17401-1210.

Attorney: Richard R. Reilly, Esquire.

SECOND PUBLICATION

Carlson, Ruth H., dec'd.

Late of East Donegal Township.

Co-Executors: Amy E. Peffley, E. Scott Carlson c/o Nikolaus & Hohenadel, LLP, 222 South Market Street, Suite 201, Elizabethtown, PA 17022.

Attorney: Kevin D. Dolan, Esq.

Carr, Jean E., dec'd.

Late of Mount Joy Borough.

Executor: Jo Ann Conti c/o Nikolaus & Hohenadel, LLP, 212 North Queen Street, Lancaster, PA 17603.

Attorney: Barbara Reist Dillon.

Cope, Jeanne M., dec'd.

Late of Lancaster County.

Executor: Richard J. Evans, Jr., 1690 Colonial Manor Dr., Lancaster, PA 17603.

Attorney: None.

Craig, Ralph B., dec'd.

Late of West Hempfield Township.

Executor: Tracy Craig c/o 327 Locust Street, Columbia, PA 17512.

Attorney: John F. Markel, Nikolaus & Hohenadel, LLP, 327

Locust Street, Columbia, PA
17512.

Crider, Fred W., dec'd.

Late of Manheim Township.
Executrix: Diane M. Lorah c/o
Anthony P. Schimaneck, 700
North Duke Street, P.O. Box
4686, Lancaster, PA 17604-
4686.
Attorney: Morgan, Hallgren,
Crosswell & Kane, P.C.

Dees, Jolin T., dec'd.

Late of Columbia Borough.
Executor: Joshua S. Barrett c/o
327 Locust Street, Columbia, PA
17512.
Attorney: John F. Markel, Ni-
kolaus & Hohenadel, LLP, 327
Locust Street, Columbia, PA
17512.

Eager, Donald R., dec'd.

Late of Maytown.
Executrix: Pamela I. Frishkorn
c/o Nikolaus & Hohenadel, LLP,
222 South Market Street, Suite
201, Elizabethtown, PA 17022.
Attorney: Kevin D. Dolan, Esq.

**Eppehimer, Walter R. a/k/a
Walter Rea Eppehimer**, dec'd.

Late of Earl Township.
Executrix: Monica E. Brown,
151 Honeysuckle Rd., Notting-
ham, PA 19362.
Attorney: Misty A. Toothman,
Atty., OWM Law, 41 E. High St.,
Pottstown, PA 19464.

Faith, Joseph R., dec'd.

Late of West Earl Township.
Executor: Joseph S. Faith c/o
Marc S. Miller, Attorney, P.O.
Box 5349, Lancaster, PA 17606.
Attorney: Gibbel Kraybill & Hess
LLP.

Fink, Kay M., dec'd.

Late of Manheim Borough.
Executor: Michael J. Fink c/o
Young and Young, 44 S. Main
Street, P.O. Box 126, Manheim,
PA 17545.
Attorney: Young and Young.

**Goodhart, Linda a/k/a Linda J.
Goodhart**, dec'd.

Late of West Donegal Township.
Executrix: Deborah Drury c/o
Nikolaus & Hohenadel, LLP, 222
South Market Street, Suite 201,
Elizabethtown, PA 17022.
Attorney: Kevin D. Dolan, Esq.

Grubb, Mildred C., dec'd.

Late of New Holland Borough.
Executrix: Barbara A. Garling
c/o Dawn Getty Sutphin, Esq.,
852 Eleventh Ave., Prospect
Park, PA 19076.
Attorney: Dawn Getty Sutphin,
Atty., 852 Eleventh Ave., Pros-
pect Park, PA 19076.

Hamner, Nancy Kocher, dec'd.

Late of East Donegal Township.
Personal Representative: Tara
A. Kocher c/o Jeff Fleming, Es-
quire, Fleming Law Office, PLLC,
1401 9th Avenue, Altoona, PA
16602.
Attorney: Jeff Fleming, Esquire.

Hoover, Irene G., dec'd.

Late of Ephrata Township.
Co-Executors: Mary L. Hurst,
J. Martin Hoover c/o Michele
A. Werder, Attorney, P.O. Box
5349, Lancaster, PA 17606.
Attorneys: Gibbel Kraybill &
Hess LLP.

Hummer, Alverta S., dec'd.

Late of Ephrata Borough.

Co-Executors: Julia M. Wet-
tach, Cindia S. Rutt c/o E. Rich-
ard Young, Jr., Esq., 1248 W.
Main St., Ephrata, PA 17522.
Attorney: E. Richard Young, Jr.,
Esq.

Javes, Patricia Ann, dec'd.

Late of Lancaster City.
Executor: Michael C. Wiggins
c/o Appel Yost & Zee LLP, 33
North Duke Street, Lancaster,
PA 17602.
Attorney: Jeffrey P. Ouellet, Es-
quire.

Koons, Lonny M., dec'd.

Late of Mount Joy Township.
Executor: Lyle M. Koons c/o Ni-
kolaus & Hohenadel, LLP, 222
South Market Street, Suite 201,
Elizabethtown, PA 17022.
Attorney: Jeffrey S. Shank, Es-
quire.

Larsen, John W., dec'd.

Late of W. Donegal Township.
Executrix: Amy Ficarra c/o
April L. Charleston, Esq., 60 W.
Boot Rd., Ste. 201, West Ches-
ter, PA 18380.
Attorney: April L. Charleston,
Esq., 60 W. Boot Rd., Ste. 201,
West Chester, PA 18380.

McCann, Christopher Michael,
dec'd.

Late of Manheim Township.
Personal Representative: Rober-
ta McCann c/o John W. Metzger,
Esquire, 901 Rohrerstown
Road, Lancaster, PA 17601.
Attorneys: Metzger and Spen-
cer, LLP.

Misal, Bruce A., dec'd.

Late of West Hempfield Town-
ship.
Executor: Jessica Mann c/o

327 Locust Street, Columbia,
PA 17512.

Attorney: Michael S. Grab, Es-
quire, Nikolaus & Hohenadel,
LLP, 327 Locust Street, Colum-
bia, PA 17512.

O'Brien, Kathryn A., dec'd.

Late of Mount Joy Borough.
Executrix: Mary Kate Linebarg-
er c/o Anthony P. Schimaneck,
700 North Duke Street, P.O.
Box 4686, Lancaster, PA 17604-
4686.
Attorney: Morgan, Hallgren,
Crosswell & Kane, P.C.

Rivele, Richard J., dec'd.

Late of Mount Joy.
Executrix: Lorraine Klimek, 305
Williams Cir., Schwenksville,
PA 19473.
Attorney: None.

Root, Sandra G., dec'd.

Late of Lancaster.
Executor: Kelley R. Lutz c/o W.
Bryan Byler, Byler & Winkle,
P.C., 363 West Roseville Road,
Lancaster, PA 17601.
Attorney: W. Bryan Byler, Esq.

Rottmund, Ronald P., Jr., dec'd.

Late of Mount Joy Borough.
Administrator: Rita M. Rott-
mund c/o Blakinger Thomas,
PC, 28 Penn Square, Lancaster,
PA 17603.
Attorneys: Blakinger Thomas,
PC.

Shelly, Betty A., dec'd.

Late of Lititz Borough.
Executor: Steven C. Shelly c/o
Young and Young, 44 S. Main
Street, P.O. Box 126, Manheim,
PA 17545.
Attorney: Young and Young.

Souder, John D., dec'd.

Late of Manheim Township.
Executors: Candance S. King,
John P. Souder c/o Douglas A.
Smith, Attorney, P.O. Box 5349,
Lancaster, PA 17606.
Attorneys: Gibbel Kraybill &
Hess LLP.

Spicer, Gary L., dec'd.

Late of Maytown Township.
Administratrix: Kay L. Spicer,
113 Maplewood Ln., P.O. Box
254, Maytown, PA 17550.
Attorney: John B. Zonarich,
Atty., Skarlatos Zonarich, 320
Market St., Ste. 600W, Harris-
burg, PA 17101.

THIRD PUBLICATION

Bashore, Robert M., Jr., dec'd.

Late of Warwick Township.
Executrix: Pamela B. Vignas
c/o Vance E. Antonacci, Es-
quire, McNees Wallace & Nurick
LLC, 570 Lausch Lane, Suite
200, Lancaster, PA 17601.
Attorney: McNees Wallace &
Nurick LLC.

Beiler, Lydia Ann, dec'd.

Late of Leacock Township.
Executor: Melvin R. Beiler, 105
Queen Road, Gordonville, PA
17529.
Attorney: None.

Benson, Thelma M., dec'd.

Late of Columbia.
Administrator: John J. Fer-
ry, Jr., Esq., 931 Cumberland
Street, Lebanon, PA 17042.
Attorney: Law Offices of John J.
Ferry, Jr.

Goodrich, William H., dec'd.

Late of East Petersburg Bor-
ough.

Executrix: Karen Buckwalter,
338 Springville Road, Quar-
ryville, PA 17566.
Attorney: None.

Griffin, Patricia A., dec'd.

Late of Conestoga.
Executor: Jeffrey S. Griffin c/o
W. Bryan Byler, Byler & Winkle,
P.C., 363 West Roseville Road
Lancaster, PA 17601.
Attorney: W. Bryan Byler, Esq.

Hamilton, Johanna L., dec'd.

Late of East Donegal Township.
Executrix: Sherry Hamilton,
43410 Barbet Dr., Hollywood,
MD 20636.
Attorney: None.

Heim, Margaret A., dec'd.

Late of East Petersburg Bor-
ough.
Executor: Bernard Heim c/o
327 Locust Street, Columbia,
PA 17512.
Attorney: Michael S. Grab, Es-
quire, Nikolaus & Hohenadel,
LLP, 327 Locust Street, Colum-
bia, PA 17512.

**Hershey, Anna E. a/k/a Anna
Elizabeth Hershey**, dec'd.

Late of Manheim Township.
Co-Executors: Irvin L. Hershey,
Glenn D. Hershey, Jay M. Her-
shey c/o Nicholas T. Gard, Es-
quire, 121 E. Main Street, New
Holland, PA 17557.
Attorneys: Smoker Gard Associ-
ates LLP.

Hess, Ada M., dec'd.

Late of Ephrata Township.
Executor: Jere L. Hess c/o
Goodman & Kenneff, 246B
Manor Avenue, Millersville, PA
17551.
Attorney: Joseph J. Kenneff,

Esquire.

Kreider, Amy L., dec'd.

Late of Manheim Township.
Executors: Carl D. Kreider,
Wayne E. Kreider c/o Law Office
of James Clark, 277 Millwood
Road, Lancaster, PA 17603.
Attorney: James R. Clark.

Martin, Lester E., dec'd.

Late of Brecknock Township.
Executrix: LuAnn Sensenig c/o
Zimmerman Law Office, 466
Jonestown Road, Jonestown,
PA 17038.
Attorney: Caleb J. Zimmerman,
Esquire.

Matsko, Mary Ann, dec'd.

Late of Rapho Township.
Executor: Joseph Kaczmarczyk
c/o Scott E. Albert, Esq., 50
East Main Street, Mount Joy,
PA 17552.
Attorney: Scott E. Albert, Esq.

**McDonough, Michael E. a/k/a
Michael Edward McDonough**,
dec'd.

Late of Quarryville.
Co-Executors: Kristen Brooks,
David Radovich, 895 Quebec
Rd., Farmington, PA 15437.
Attorney: Melinda Deal Del-
larose.

Murphy, Phillis G., dec'd.

Late of Warwick Township.
Executor: Joshua R. Matters
c/o Young and Young, 44 S.
Main Street, P.O. Box 126,
Manheim, PA 17545.
Attorney: Young and Young.

Nye, Paul E., dec'd.

Late of Denver Borough.
Administrator: Tonya Nye
c/o Andrew C. Herrold, Esq.,

MPL Law Firm, LLP, 96 South
George Street, Ste. 520, York,
PA 17401.

Attorney: Andrew C. Herrold,
Esq.

**Overly, Barbara B. a/k/a Barba-
ra Brennfleck Overly**, dec'd.

Late of Ephrata Borough.
Executor: Donald R. Overly, Jr.
c/o Kling, Deibler & Glick, LLP,
131 W. Main Street, New Hol-
land, PA 17557.
Attorney: Ashley A. Glick, Esq.,
Kling, Deibler & Glick, LLP.

**Phelan, Elizabeth L. a/k/a Eliz-
abeth Phelan**, dec'd.

Late of Manor Township.
Executrix: Linda M. Grazer
c/o Lindsay M. Schoeneberg-
er, RKG Law, 108 West Main
Street, Ephrata, PA 17522.
Attorney: Lindsay M. Schoene-
berger.

Rahe, Shirley A., dec'd.

Late of East Donegal Township.
Executor: Dennis L. Brown c/o
Scott E. Albert, Esq., 50 East
Main Street, Mount Joy, PA
17552.
Attorney: Scott E. Albert, Esq.

**Range, Linda S. a/k/a Linda
Sue Pyle Smoker Range**, dec'd.

Late of East Donegal Township.
Executor: Justin E. Range c/o
Young and Young, 44 S. Main
Street, P.O. Box 126, Manheim,
PA 17545.
Attorney: Young and Young.

Smith, Richard A., dec'd.

Late of Clay Township.
Executor: Amy Joe Leisey c/o
Young and Young, 44 S. Main
Street, P.O. Box 126, Manheim,
PA 17545.

Attorney: Young and Young.

Spade, Robert T. a/k/a Robert Troy Davis Spade, dec'd.

Late of Lancaster Township.
Executor: Lee Ann Jenks c/o A. Anthony Kilkuskie, 117A West Main Street, Ephrata, PA 17522.
Attorney: A. Anthony Kilkuskie, 117A West Main Street, Ephrata, PA 17522.

Swisher, James a/k/a James Clifford Swisher, dec'd.

Late of Christiana Borough.
Executor: Larry J. Swisher c/o Kling, Deibler & Glick, LLP, 131 W. Main Street, New Holland, PA 17557.
Attorney: Patrick A. Deibler, Esq., Kling, Deibler & Glick, LLP.

Walmer, Joanne H., dec'd.

Late of Manheim Township.
Executor: Michael H. Walmer c/o Randy R. Moyer, Esquire, Barley Snyder LLP, 126 East King Street, Lancaster, PA 17602.
Attorneys: Barley Snyder LLP.

Williams, Charles Joseph, Jr., dec'd.

Late of Leacock Township.
Co-Administrators: Andrew J. Williams, Tracy M. Willow c/o Blakinger Thomas, PC, 28 Penn Square, Lancaster, PA 17603.
Attorneys: Blakinger Thomas, PC.

Witmer, Mary K. a/k/a Mary R. Witmer, dec'd.

Late of East Petersburg Borough.
Executor: C. Barry Witmer c/o Young and Young, 44 S. Main

Street, P.O. Box 126, Manheim, PA 17545.

Attorney: Young and Young.

ARTICLES OF INCORPORATION

Notice is hereby given that
Connected Nest

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

Dr. Kitty Bickford
Harbor Compliance

D-22

Notice is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, on or about June 22, 2023, for a non-profit corporation to be known as:

Transition Discoveries

Formed pursuant to the provisions of the Non-Profit Business Corporation Law Act of 1988, Commonwealth of Pennsylvania, on December 21, 1988, P.L. 1444, No. 177.

The primary purpose of the Corporation is to empower youths with disabilities during transition into life after high school.

Matthew A. Grosh, Esquire
May Herr & Grosh LLP
234 North Duke Street
Lancaster, PA 17602

D-22

CHANGE OF NAME NOTICES

NOTICE IS HEREBY GIVEN, a Petition has been filed with the Court of Common Pleas of Lancaster County, Pennsylvania, to change the name of **Grayson Reed Geib** to Grayson Reed Geib

Rhodes. A hearing is scheduled for March 22, 2024 at 1:45 p.m. in C.R. #4, Lancaster County Courthouse, at which time interested persons may attend and show cause, if any, why the request should not be granted.
BY; REBECCA CHEUVRONT, ESQUIRE

D-15, 22

NOTICE IS HEREBY GIVEN, a Petition has been filed with the Court of Common Pleas of Lancaster County, Pennsylvania, to change the name of **Remi Grace Geib** to Remi Grace Geib Rhodes. A hearing is scheduled on March 22, 2024 at 2:00 p.m., in C.R. #4, Lancaster County Courthouse, at which time interested persons may attend and show cause, if any, why the request should not be granted.
BY; REBECCA CHEUVRONT, ESQUIRE

D-15, 22

NOTICE IS HEREBY GIVEN that a Petition has been filed in the Court of Common Pleas of Lancaster County, Pennsylvania, seeking to change the name of **T.A.P.D.** to T.A.P.A. A hearing on the Petition will be held on February 8, 2024 at 2:30 p.m., in Courtroom No. 4 at the Lancaster County Courthouse, 50 North Duke Street, Lancaster, Pennsylvania, at which time any persons interested may attend and show cause, if any, why the Petition should not be granted.
Maria C. Kissinger, Esquire
Nikolaus & Hohenadel, LLP
222 S. Market St., Suite 201 Elizabethtown, PA 17022
717-367-1370

D-22

CORPORATE NOTICE

Living Rocks Construction,

Inc.

Has been incorporated under the provisions of the Business Corporation Law of 1988.
Clymer Musser & Sarno PC
Attorneys

D-22

FICTITIOUS NAME NOTICES

Kreider Insurance Associates Inc., 175 Oak Bottom Road, Quarryville, PA 17566, did file in the Department of State of the Commonwealth of Pennsylvania, on October 26, 2023, registration of the name:

Annie Metzler Insurance Agency under which it intends to do business at 175 Oak Bottom Road, Quarryville, PA 17566, pursuant to the provisions of the Fictitious Names Act of 1982, 54 Pa.C.S. Chapter 3.

Jeffrey P. Ouellet, Esq.
APPEL, YOST & ZEE LLP
Attorneys

D-22

Notice is hereby given that the undersigned, desiring to engage in business under the fictitious name of **Bramble Rose**, intends to register the said name with the Pennsylvania Department of State.

Julie Lutz
111 E. Broad St.
New Holland, PA 17557

D-22

Gregory J. Scott, of 110 North Duke Street, Lancaster, Pennsylvania 17602, did file in the office of the Secretary of the Commonwealth of Pennsylvania, on December 6, 2023, registration of the name:

Egg & Dart Books
Under which they intend to do

business 110 North Duke Street, Lancaster, Pennsylvania, 17602, pursuant to the provisions of the Act of Assembly of December 16, 1982, Chapter 3, known as the "Fictitious Name Act."

KLING, DEIBLER & GLICK, LLP
Attorneys

D-22

Notice is hereby given that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on November 29, 2023, for **Lester Lentz, Voice Actor** at 500 Haverhill Rd., Lancaster, PA 17601. The individual interested in such business is Lester Lentz at 500 Haverhill Rd., Lancaster, PA 17601. This was filed in accordance with 54 Pa.C.S. 311.

D-22

NOTICE OF DIVORCE ACTION

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA

**FAMILY LAW DIVISION
JACQUELINE SHEERAN,
Plaintiff**

V.

**JOSEPH DOLDERER, JR.,
Defendant**

No. CI-23-05006

**CIVIL ACTION - LAW
ACTION IN DIVORCE
NOTICE TO DEFENDANT**

If you wish to deny any of the statements set forth in this affidavit, you must file a Counter-Affidavit within twenty (20) days after this affidavit has been served on you or the statements will be admitted.

PLAINTIFF'S AFFIDAVIT UNDER § 3301(D) OF THE DIVORCE CODE

1. The parties to this action separated on or about October 2017 and have continued to live separate and apart for a period of at least one (1) year.
2. The marriage is irretrievable broken.
3. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted. I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

Date: 7/15/23

Jacqueline Sheeran,
Plaintiff

**IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
FAMILY LAW DIVISION
JACQUELINE SHEERAN,
Plaintiff**

V.

**JOSEPH DOLDERER, JR.,
Defendant**

No. CI-23-05006

**CIVIL ACTION - LAW
ACTION IN DIVORCE
AFFIDAVIT
UNDER § 3301(D) OF THE DIVORCE CODE**

1. Check either (a) or (b):

(a) I do not oppose the entry of a divorce decree.

(b) I oppose the entry of a divorce decree because

[(Check (i), (ii), (iii) or all)]:

Check (i), (ii), (iii) or all:

(i) The parties to this action have not lived separate and apart for the required separation period: two years for parties that separated prior to December 5, 2016, and one year for parties that separated on or after December 5, 2016.

(ii) The marriage is not irretrievably broken.

(iii) There are economic claims pending.

2. Check (a), (b) or (c):

(a) I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

(b) I wish to claim economic relief which may include alimony, division of property, lawyer's fees or expenses or other important rights.

I UNDERSTAND THAT IN ADDITION TO CHECKING (b) ABOVE, I MUST ALSO FILE ALL OF MY ECONOMIC CLAIMS WITH THE PROTHONOTARY IN WRITING AND SERVE THEM ON THE OTHER PARTY. IF I FAIL TO DO SO BEFORE THE DATE SET FORTH ON THE NOTICE OF INTENTION TO REQUEST DI-

VORCE DECREE, THE DIVORCE DECREE MAY BE ENTERED WITHOUT FURTHER NOTICE TO ME, AND I SHALL BE UNABLE THEREAFTER TO FILE ANY ECONOMIC CLAIMS.

(c) Economic claims have been raised and are not resolved. I verify that the statements made in this counter affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904 relating to unsworn falsification to authorities.

Dated:

Joseph Dolderer, Jr.,

Defendant

NOTICE: IF YOU DO NOT WISH TO OPPOSE THE ENTRY OF A DIVORCE DECREE AND YOU DO NOT WISH TO MAKE ANY CLAIM FOR ECONOMIC RELIEF, YOU SHOULD NOT FILE THIS COUNTER-AFFIDAVIT.

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA

FAMILY LAW DIVISION

JACQUELINE SHEERAN,

Plaintiff

v.

JOSEPH DOLDERER, JR.,

Defendant

NO. CI-23-05006

CIVIL ACTION - LAW

ACTION IN DIVORCE

NOTICE TO

DEFEND AND CLAIM RIGHTS

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 the Lancaster County Courthouse, 50 North Duke Street, 2nd floor, Lancaster, Pennsylvania.

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 TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, 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.

LANCASTER BAR ASSOCIATION
LAWYER REFERRAL SERVICE:

28 East Orange Street

Lancaster, PA 17602

Telephone: (717) 393-0737

**AVISO PARA DEFENDER U
RECLAMAR DERECHOS
USTED HA SIDO DEMANDADO
EN LA CORTE**

Si desea defenderse de las quejas expuestas en las paginas siguientes, debe tomar accion con prontitud. Se le avisa que si not se defiende, el case puede proceder sin usted y decreto de divorcio o anulamiento puede ser emitido en su contra por la Corte. Una decision puede tambien ser emitida en su contra por cualquier otra queja o compensacion reclamados por el demandante. Usted puede perder dinero, o propiedades u otros derechos importantes para usted. Cuando la base para el divorcio es indignidades or rompimiento irreparable del matrimonio, usted puede solicitar consejo matrimonial. Una lista de consejeros matrimoniales esta disponible en las oficina de Prothonotary, en la Lancaster County Court of Common Pleas,

50 North Duke Street, 2nd floor,
Lancaster, Pennsylvania.

SI USTED NO RECLAMA PENSION ALIMENTICIA, PROPIEDAD MARITAL, HONORARIOS DE ABOGADO U OTROS GASTOS ANTES DE QUE EL DECRETO

FINAL DE DIVORCIO O ANULAMIENTO SEA EMITIDO, USTED PUEDE PERDER EL DERECHO A RECLAMAR CUALQUIERA DE ELLOS. USTED DEBE LLEVAR ESTE PAPEL A UN ABOGADO DE INMEDIATO. SI NO TIENE O NO PUEDO PAGAR UN ABOGADO, VAYA O LLAME A LA OFICINA INDICADO ABAJO PARA AVERIGUAR. DONDE PUEDE OBTENER ASISTENCIA LEGAL. LANCASTER BAR ASSOCIATION LAWYER REFERRAL SERVICE

28 East Orange Street
Lancaster, PA 17602
Telephono: (717) 393-0737

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA

**FAMILY LAW DIVISION
JACQUELINE SHEERAN,
Plaintiff**

**V.
JOSEPH DOLDERER, JR.,
Defendant**

NO. CI-23-05006

**CIVIL ACTION - LAW
ACTION IN DIVORCE**

**COMPLAINT UNDER §3301(C)
OR §3301(D) OF THE DIVORCE
CODE**

AND NOW, comes Plaintiff, Jacqueline Sheeran, by and through her attorney, Patrick J. Schaeffer, Esquire, and states as follows:

1. Plaintiff is Jacqueline Sheeran, (hereinafter "Wife") who currently resides at 2350 Lititz Pike, Apartment 2, Lancaster, PA 17601 since November 2019.
2. Defendant is Joseph Dolderer Jr., (hereinafter "Husband")

who currently resides at 84 17th Street E, Avalon, New Jersey, since the May 2023.

3. Wife has been a bona fide resident of the Commonwealth of Pennsylvania for at least six months immediately previous to the filing of this Complaint.
4. Wife and Husband were married on May 18, 2017, in Lancaster, PA.
5. There have been no prior actions of divorce or for annulment between the parties.
6. Husband is not a member of the Armed Forces of the United States of America or any of its Allies.
7. The marriage is irretrievably broken.
8. Wife has been advised that marriage counseling is available, and that she may have the right to request that the Court require the parties to participate in marriage counseling.

WHEREFORE, Wife respectfully requests that this Honorable Court enter a Decree of Divorce. Respectfully submitted,

Date: 7/20/23

Patrick J. Schaeffer, Esquire
Attorney I.D. No. 311095
Trinity Law

1586 Lititz Pike
Lancaster, PA 17601
(717) 560-5068
pschaeffer@trinitylaw.com
Attorney for Wife

VERIFICATION

I verify that the statements made in this document are true

and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904, relating to unsworn falsification to authorities.

Date: 7/15/23

Jacqueline Sheeran

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3. BERNER, VIOLA L., decd., POA, 2023-0730. First and Final Acct. Donald C. Berner, Agent, Neil E. Hendershot, Atty.

Anne L. Cooper

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

D-22, 29

ORPHANS' COURT NOTICE

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

January 2, 2024

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

1. STAMBAUGH, STEVEN RAY, decd., 2023-0794. First & Final Acct. Marc Roberts, Admin., Marc Roberts, Atty.
2. ROWE, RICHARD D., decd., 2022-1569. First and Final Acct. Tammie L. Hostetter, Exec., Lindsay M. Schoeneberger, Atty.

TAX SALE NOTICES

NOTICE RE PROPERTIES SOLD AT THE LANCASTER COUNTY TAX CLAIM BUREAU UPSET TAX SALES ON NOVEMBER 13, 2023 TO COLLECT DELINQUENT REAL ESTATE TAXES:

Notice is hereby given that on December 14, 2023, the Lancaster County Tax Claim Bureau filed a Consolidated Return with respect to properties sold at the November 13, 2023 Upset Tax Sales in accordance with the Pennsylvania Real Estate Tax Sale Law, 72 P.S. §5860.607. Said Consolidated Return was filed with the Lancaster County Court of Common Pleas in the Prothonotary's Office located at 50 N. Duke Street, Lancaster, PA under docket no. CI-23-06906. A Confirmation Nisi was entered by the Court on December 14, 2023.

OBJECTIONS OR EXCEPTIONS TO THE CONFIRMATION NISI MAY BE FILED BY ANY OWNER OR LIEN CREDITOR WITHIN THIRTY (30) DAYS OF THE DECEMBER 14, 2023 CONFIRMATION NISI OF THE CONSOLIDATED RETURN. IF NO

OBJECTIONS OR EXCEPTIONS ARE FILED WITHIN THIRTY (30) DAYS OF THE CONFIRMATION NISI, THE NOVEMBER 13, 2023 UPSET TAX SALES WILL BE CONFIRMED ABSOLUTELY.

By: Lancaster County Tax Claim Bureau, 150 N. Queen St., Lancaster, PA, phone: (717) 299-8233
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NOTICE REGARDING PROPERTIES SOLD OR EXPOSED TO SALE AT THE LANCASTER COUNTY TAX CLAIM BUREAU JUDICIAL TAX SALES ON NOVEMBER 13, 2023 TO COLLECT DELINQUENT REAL ESTATE TAXES:

Notice is hereby given that on December 14, 2023, the Lancaster County Tax Claim Bureau presented to the Lancaster County Court of Common Pleas Petitions for Confirmation Nisi of the judicial tax sales held on November 13, 2023 in accordance with the Pennsylvania Real Estate Tax Sale Law, 72 P.S. 5860.607 of the following properties:

Lot – Arcadia Trace Road, Fulton Township

Owners: Tom C. Swift
Tax Parcel No. 280-80406-0-0000
Docket No. CI-23-03673
611 North Fifth Street, Columbia

Borough

Owners: Lawrence Marra and Francesca Marra
Tax Parcel No. 110-03018-0-0000
Docket No. CI-23-03672

623 North Fifth Street, Columbia

Borough
Owners: Lawrence Marra and

Francesca Marra
Tax Parcel No. 110-22644-0-0000
Docket No. CI-23-03672

THE COURT ENTERED A CONFIRMATION NISI ON DECEMBER 14, 2023 OF THE JUDICIAL TAX SALE IN EACH OF THE ABOVE REFERENCED CASES. OBJECTIONS OR EXCEPTIONS TO THE CONFIRMATION NISI OF THE JUDICIAL TAX SALE MAY BE FILED BY ANY OWNER OR LIEN CREDITOR WITHIN THIRTY (30) DAYS AFTER THE DATE OF THE DECEMBER 14, 2023 CONFIRMATION NISI. IF NO OBJECTIONS OR EXCEPTIONS ARE FILED, THE SALES WILL BE CONFIRMED ABSOLUTELY. IF YOU HAVE ANY QUESTIONS, PLEASE CALL YOUR ATTORNEY OR THE COUNTY LAWYER REFERRAL SERVICE AT 717-393-0737 OR MID-PENN LEGAL SERVICES AT 717-299-0971.

By: Lancaster County Tax Claim Bureau

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SUITS ENTERED

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

**December 11, 2023
to December 13, 2023**

BYERLY, DENNIS L.; OneMain Financial Group LLC; 08780; Borer

CENTRAL PA EQUITIES 24

LLC, JOHN DOE-1, JOHN DOE-2, JOHN DOE-3, ABC CORP-1, ABC CORP-2, ABC CORP-3, ABC CORP-4, ABC CORP-5, HILTON DOPCO INC., HILTON WORLD-WIDE HOLDINGS INC., PARKS HOTELS & RESORTS INC., INCH'S LANDSCAPING LLC, IMMACULATE LANDSCAPE SPECIALISTS LLC, SPRINGWOOD HOSPITALITY MANAGEMENT LLC, SPRINGWOOD HOSPITALITY MANAGEMENT 1 LLC, SPRINGWOOD HOSPITALITY MANAGEMENT 2 LLC, SPRINGWOOD HOSPITALITY GP LLC, HILTON FRANCHISE HOLDING LLC, HILTON DOMESTIC OPERATING COMPANY INC., HOME2 SUITES LANCASTER; Lashatte Williams; 08785; Pearce

CHASE, ROBERT; Jessica R. Stern; 08740; Justice

DANKEN TRUCKING LLC, KEN PAUL INC., PAUL, KENNETH; Targeted Lending Co. LLC; 08734; Flink

DAVIDSON, BRIAN S., DAVIDSON, JENNIFER E.; Suburban Lancaster Sewer Authority; 08744; Mincarelli

FILSON, SHAWN; Forsythe Finance LLC; 08821; Tsarouhis

GETZ, DANA E., GETZ, BARRY J.; Forsythe Finance LLC; 08820; Tsarouhis

HOPKINS, JAMES; Troy Capital LLC; 08822; Tsarouhis

INGRAM, EEMARI; Forsythe Finance LLC; 08815; Tsarouhis

MYERS SR, TIMOTHY J.; One-Main Financial Group LLC; 08782; Borer

OXLEY, JOLZIAH; Pennsylvania State Employees Credit Union; 08712; Urban

PEACHTREE SETTLEMENT FUNDING LLC; Erie Family Life Insurance Company; 08766; Maro

PLETCHER, MARC R.; Suburban Lancaster Sewer Authority; 08743; Mincarelli

SHEHAN, CHRISTOPHER D., SHEHAN, MEGAN N., JOHN DOE; Max Duy; 08823; Getson