

# York Legal Record

A Record of Cases Argued and Determined in the Various Courts of York County

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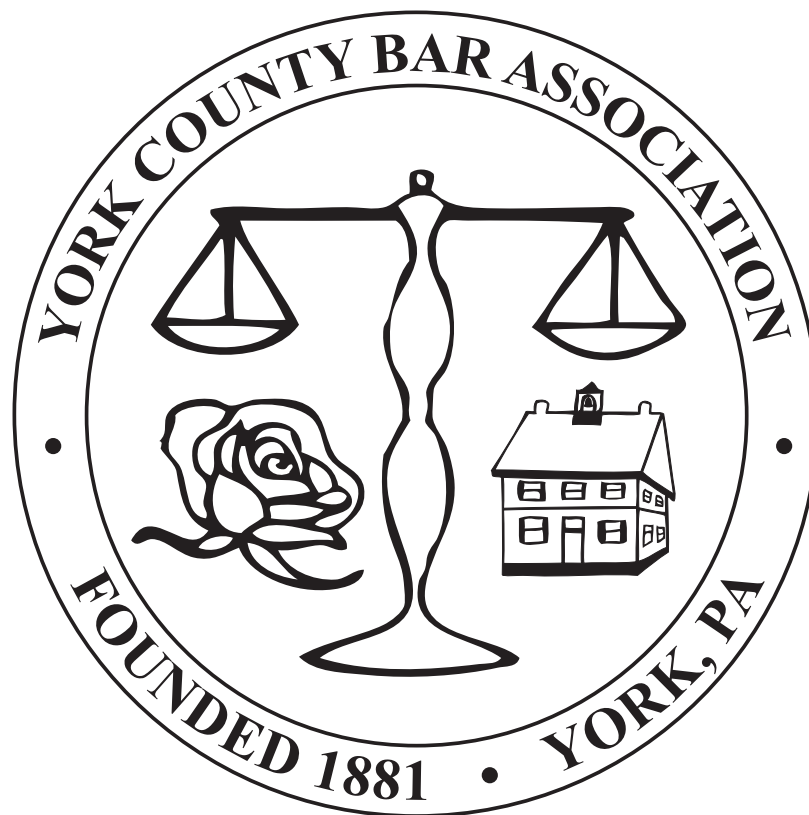
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## CASES REPORTED

CUSTODY N. C. v. R. E.  
No. 2008-FC-000685-03

Custody – Post Final Order Review Hearing – Limited Hearing and Due Process Rights

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**Dated Material Do Not Delay**

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N. C. V. R. E.

No. 2008-FC-000685-03

**Custody – Post Final Order Review Hearing – Limited Hearing and Due Process Rights**

1. Appellant filed a timely notice of appeal for six issues relating to custody following a limited Review Hearing.
2. The Court held a Review Hearing following the entry of a Final Stipulated Agreement in order to hear testimony from the teenage child and the child’s therapist and to settle other issues not addressed in the final agreement.
3. Father appealed alleging that the Court did not properly consider the custody factors. Father also alleged that the Court improperly weighed the child’s testimony and the therapist’s testimony in not altering the underlying custody order. Furthermore, Father alleged that his due process rights were violated because he was not notified of the finality of the review hearing or being unable to testify at the hearing.
4. The Court disagreed.

\* The underlying appeal was discontinued and is no longer pending before the Superior Court. Issues seven-nine of the original opinion are not addressed in this short opinion due to procedural timeliness or preservation errors.

**IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA**

No. 20008-FC-000685-03

**ACTION IN CUSTODY**

N.C.,  
**Appellant**

v.

R.E.,  
**Appellee**

For Appellant: Julie B. Miller, Esquire

For Appellee: Anthony M. Hoover, Esquire

**MEMORANDUM OPINION IN SUPPORT OF ORDER PURSUANT TO RULE 1925(A)(2)(II) OF THE PENNSYLVANIA RULES OF APPELLATE PROCEDURE**

AND NOW, this 23<sup>rd</sup> day of September, 2020, the Court is in receipt of Father’s Notice of Appeal and Concise Statement of Errors Complained of Pursuant to Rule of Appellate Procedure 1925(b) filed on September 4, 2020. The Court hereby reaffirms its Order entered on August 7, 2020.

**STATEMENT OF FACTS AND PROCEDURAL HISTORY**

As a result of a Father’s Petition for Modification, on December 31, 2019, a stipulated agreement was reached after several days of trial. This agreement was adopted and entered by this Court on January 3, 2020. Due to the prior twelve years of litigious matters brought by the parties, the Court ordered a two hour Review Hearing to be held on August 4, 2020. This hearing was limited to progress reports from the child’s counselor, the child, and the guardian ad litem as well as minor issues not addressed in the agreement. On August 7, 2020, this Court entered a Final Order adopting the Agreement with some minor modifications as to holidays, the appointment of a parent coordinator to address minor scheduling issues and other communication details between the parties, directions on social media communication, and denial of discovery of

communication records. As no other matters were pertinent to scope of the Review Hearing, no further hearings were deemed necessary. Father filed an appeal (*which was later withdrawn*).

**ISSUES ON APPEAL**

1. *Whether the trial court committed an error of law and abused its discretion by failing consider all relevant factors relating to the children’s best interests, as required by the Pennsylvania Child Custody Act at 23 Pa.C.S.A. § 5328(a).*
2. *Whether the trial court committed an error of law and abused its discretion by failing to provide Appellant a substantive opportunity to present evidence and testimony to support the Court’s consideration of the factors set forth in the Pennsylvania Child Custody Act at 23 Pa.C.S.A. § 5328(a).*
3. *Whether the trial court placed undue weight on the testimony of the oldest child, when no other testimony or evidence was taken so as to permit full consideration of the factors set forth in 23 Pa.C.S.A. § 5328(a).*
4. *Whether the trial court abused its discretion and committed an error of law by disregarding the only testimony taken outside of the testimony of the oldest child, which was offered by the child’s counselor.*
5. *Whether the trial court committed an error of law and abused its discretion by failing to take testimony from the parties regarding the custody factors set forth in 23 Pa.C.S.A. § 5328(a).*
6. *Whether the trial court committed an error of law and abused its discretion by failing to notify the parties that the August 4, 2020 hearing was the final hearing with respect to the Petition for Modification Custody filed by Appellant on June 10, 2019, resulting in a violation of Appellant’s due process right to a full and fair hearing on the underlying matter.*

**DISCUSSION**

An abuse of discretion is more than just an error in judgment. *Baysmore v. Brownstein*, 771 A.2d 54, 57 (Pa. Super. 2001) (internal citations omitted). On appeal, the trial court will not be found to have abused its discretion unless the record discloses that the judgment exercised was manifestly unreasonable, or the results of partiality, prejudice, bias or ill-will. *Id.*

An appellate court has broad review in custody cases, and thus, is not bound by the deductions or inferences made by a trial court from the facts found, nor must the appellate court accept a finding of fact for which there is no competent evidence to support it. *Pilon v. Pilon*, 492 A.2d. 59, 59-60 (Pa. Super. 1985). However, this broad scope of review by the appellate court was never intended to nullify the fact finding function of the trial court. *Id.*

**A. Issues 1, 2 & 5: Consideration of the Custody Factors and Presentation of Testimony and Evidence at a Review Hearing.**

Father incorrectly assumes that he is entitled to another full custody trial following the entry of a final stipulated agreement. The factors outlined in 23 Pa.C.S.A. § 5328(a) are applicable to when a court is modifying or awarding custody. Notwithstanding the June 2019 Petition to Modify Custody that was settled on December 31, 2019 and entered by the Court on January 3, 2020, Father did not file a Petition to Modify Custody, and thus he was not entitled to a new trial.

Additionally, this Court remarks that prior to the entry of this agreement on December 31, 2019, the Court instructed that this would be a final order. Notably, not once throughout the hearing did Father’s counsel object to the terms “final” or seek clarification on whether the Agreement was temporary or final. Further, on June 3, 2020, in an Order in Response to Cross Motions for Special Relief that the Court once again told both counsel and parties that the modification of the custody matter had already been litigated by the Final Order on December 31, 2019. Moreover, it is of special significance that this is fourth Final Stipulated Custody Agreement that the parties have entered into since 2008 which is indicative that both Father and Mother are well aware of the finality of such an agreement.

Further, the parameters of testimony and evidence given at a Review hearing is limited to scope expressed by the Court on December 31, 2019. In accordance with this Court’s instructions for the Review

Hearing, the Court heard extensive testimony from the child's counselor and guardian ad litem at Father's request, as well as the child's report through the guardian ad litem. Accordingly, the Court is unsure as to what evidence relevant to the premises of the Review Hearing that Father's counsel was prohibited from presenting. Rather, it was clear from Father's counsel that Father was attempting to rehash major custody schedule revisions which were finalized on December 31, 2019.

Moreover, in evaluating the child therapist's, the guardian ad litem's, and the child's testimony, it was apparent to this Court that the report from two neutral parties combined with the child's wishes accurately reflect that the best interests of the child are being served by the current schedule. More importantly, all of the reports indicated that the child was thriving on the present custody schedule and that this stability seemed to benefit her. Father was welcome to testify regarding matters the Court authorized for the Review Hearing on December 31, 2019. However, re-litigating modification of the underlying custody schedule was not one of them. As Father correctly noted, in custody cases, the Court's paramount charge is to consider the best interests of the child, not the parent. Therefore, this Court denies that it erred as a matter of law and/or abused its discretion by failing to take testimony from the parties, namely Father, or allowing parties to present evidence relevant to the scope of the Review Hearing.

#### **B. Issues 3 & 4: Weighing an Older Child's Testimony and a Therapist's Testimony**

The Court did not disproportionately weigh the child's testimony. It is noteworthy, that if the Court had conducted a full trial "the weight to be accorded a child's preference varies with the age, maturity and intelligence of that child, together with the reasons given for the preference. Moreover, as children grow older, more weight must be given to the preference of the child." *B.C.S. v. J.A.S.*, 994 A.2d 600, 604 (Pa. Super. 2010). Additionally, assuming that "the households of both parents were equally suitable, a child's preference to live with one parent could not but tip the evidentiary scale in favor of that parent." *Id.* As Father correctly states in Issue Four of this Appeal, the child's counselor also testified as well as the guardian ad litem. Certainly, a thirteen year old's testimony as well as her preferences when substantiated by her counselor and guardian ad litem would and should be given more weight than a child of tender years.

Furthermore, the Court did not dismiss the therapist's testimony. At no point did the therapist testify that the child's wellbeing required a change of schedule or that she would even recommend more time with Father during the school year. It should be noted that the guardian ad litem's statements echoed the therapist's comments about the child finding the current schedule "stable and beneficial." Therefore, this Court denies that it erred as matter of law or abused its discretion.

#### **C. Issue 5: Due Process Rights Pursuant to a Review Hearing**

Father's due process rights were not violated. This Court would submit that Father was in fact on notice that the Review Hearing could be final hearing. Furthermore, Father was never notified that an additional Review Hearing would in fact take place. Instead, in its January 3, 2020 Final Order adopting the Final Custody Stipulation Agreement, this Court's statement that "if we don't have enough time in two hours, we'll add some time at a later time, also" referred to matters authorized by the Court for the Review Hearing, not a new trial to modify custody. If Father's counsel had made the Court aware of other issues relative to the Review Hearing and the Court did not have enough time hear those issues at the August 4, 2020 hearing, then the Court would have scheduled another time to continue the hearing. However, the only issue that Father's counsel raised, which was not addressed at the Review Hearing, was modification of the underlying custody schedule. Father failed to file a Petition to Modify Custody following the entry of the December 31, 2019 Agreement, thus this issue could not be heard. Therefore, this Court denies that it erred as matter of law and/ or abused its discretion.

**BY THE COURT:**

**Dated: 09/23/2020**

**N. CHRISTOPHER MENGES, JUDGE**



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- ESTATE OF RYAN T. MUNDY, DECEASED**  
Late of Newberry Twp., York County, PA.  
Administrator-Executor: Heather Mundy, 700 Cassel Road, Lot 34, Manchester, PA 17345  
Attorney: Thomas R. Nell, Esquire, 130 W. King Street, P.O. Box 1019, East Berlin, PA 17316 12.03-3t
- ESTATE OF PATRICIA A. POBGE, DECEASED**  
Late of York Twp., York County, PA.  
Co-Administrators: Amanda K. Howell and Nathan L. Clarke, c/o 129 E. Market St., York, PA 17401  
Attorney: John C. Herrold, Esquire, Griest, Himes, Herrold, Reynosa LLP, 129 East Market Street, York, PA 17401 12.03-3t
- ESTATE OF KENNETH R. POTTS, DECEASED**  
Late of Washington Twp., York County, PA.  
Executor: William F. Potts, 1481 Woodview Road, Yardley, PA 19067  
Attorney: David J. Lenox, Esquire, 8 Tristan Drive, Suite 3, Dillsburg, PA 17019 12.03-3t
- ESTATE OF CORA L. RAUSCH, DECEASED**  
Late of Dover Twp., York County, PA.  
Executrix: Candice R. Yates, c/o 129 E. Market St., York, PA 17401  
Attorney: John C. Herrold, Esquire, Griest, Himes, Herrold, Reynosa LLP, 129 East Market Street, York, PA 17401 12.03-3t
- ESTATE OF IRENE RILEY, DECEASED**  
Late of Spring Grove Borough, York County, PA.  
Executrix: Carol Miller, c/o Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362  
Attorney: Craig A. Diehl, Esquire, CPA, Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362 12.03-3t
- ESTATE OF LINDA M. ROTH a/k/a LINDA MARIE ROTH, DECEASED**  
Late of Spring Garden Twp., York County, PA.  
Administrator: Carol A. Meyers, c/o 48 South Duke Street, York, PA 17401  
Attorney: Bruce C. Bankenstein, Esquire, 48 South Duke Street, York, PA 17401 12.03-3t
- ESTATE OF JOHN R. SEIDERS, DECEASED**  
Late of West Manchester Twp., York County, PA.  
Executor: John R. Seiders, II, c/o John W. Stitt, Esquire, 1434 W. Market St, York PA 17404  
Attorney: John W. Stitt, Esquire, 1434 W. Market St, York PA 17404 12.03-3t
- ESTATE OF JUSTIN E. SINCLAIR, DECEASED**  
Late of Loganville Borough, York County, PA.  
Administratrix: Teri A. Sinclair, c/o John W. Stitt, Esquire, 1434 W. Market St, York PA 17404  
Attorney: John W. Stitt, Esquire, 1434 W. Market St, York PA 17404 12.03-3t
- ESTATE OF SHIRLEY J. SMITH, DECEASED**  
Late of Hanover Borough, York County, PA.  
Executor: George T. Hubbard, c/o Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331  
Attorney: Elinor Albright Rebert, Esquire, 515 Carlisle Street, Hanover, PA 17331 12.03-3t
- ESTATE OF OTTO JOSEPH WEBER, DECEASED**  
Late of Peach Bottom Twp., York County, PA.  
Co-Administrator: Samantha Weber, c/o Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402  
Attorney: Bellomo & Associates, LLC, 3198 East Market Street, York, PA 17402 12.03-3t



**THIRD PUBLICATION****ESTATE OF CARON E. ALDINGER, DECEASED**

Late of York Twp., York County, PA.  
 Executrix: Chyrel K. Aldinger, c/o Laucks & Laucks, PC, 105 West Broadway, Red Lion, PA 17356  
 Attorney: David M. Laucks, Esquire, LAUCKS & LAUCKS, PC, 105 West Broadway, Red Lion, PA 17356 11.25-3t

**ESTATE OF LOTTIE M. BERKHEIMER, DECEASED**

Late of Spring Garden Twp., York County, PA.  
 Executrix: Joan E. Myers-Goodman a/k/a Joan E. Myers-Goodwin, c/o Larry C. Heim, Esquire, 100 E. Market Street, York, PA 17401  
 Attorney: Larry C. Heim, Esquire, Barley Snyder LLP, 100 E. Market Street, York, PA 17401 11.25-3t

**ESTATE OF DELORES M. BILLET, DECEASED**

Late of Dover Twp., York County, PA.  
 Co-Executrices: Tina Marie Newcomer and Kim Louise McCoy, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401  
 Attorney: MacGregor J. Brillhart, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600 York, PA 17401-2991 11.25-3t

**ESTATE OF WILLIAM H. BUPP, JR., DECEASED**

Late of Seven Valleys Borough, York County, PA.  
 Administrator: Anthony Bupp, c/o Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362  
 Attorney: Craig A. Diehl, Esquire, CPA, Law Offices of Craig A. Diehl, 119A West Hanover Street, Spring Grove, PA 17362 11.25-3t

**ESTATE OF DAVID A. ECKERT, DECEASED**

Late of York City, York County, PA.  
 Executrix: Ruth M. Hoover, c/o 2025 E. Market Street, York, PA 17402  
 Attorney: Richard H. Mylin, III, Esquire, 2025 E. Market Street, York, PA 17402 11.25-3t

**ESTATE OF JAMES E. EISENHOUR, SR., a/k/a JAMES E. EISENHOUR, DECEASED**

Late of Washington Twp., York County, PA.  
 Executrix: Brenda J. Eisenhour, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401  
 Attorney: Jody Anderson Leighty, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 11.25-3t

**ESTATE OF DONNA M. FISHEL, DECEASED**

Late of Red Lion Borough, York County, PA.  
 Executor: Evans N. Fishel, c/o Laucks & Laucks, PC, 105 West Broadway, Red Lion, PA 17356  
 Attorney: David M. Laucks, Esquire, LAUCKS & LAUCKS, PC, 105 West Broadway, Red Lion, PA 17356 11.25-3t

**ESTATE OF GLORIA H. FITZ, DECEASED**

Late of York Twp., York County, PA.  
 Executor: Ernest L. Fitz, c/o 48 South Duke Street, York, PA 17401  
 Attorney: Bruce C. Bankenstein, Esquire, 48 South Duke Street, York, PA 17401 11.25-3t

**ESTATE OF HILDA G. HERSHNER, a/k/a HILDA R. HERSHNER, DECEASED**

Late of Shrewsbury Borough, York County, PA.  
 Co-Executors: W. David Hershner and Ronald L. Hershner, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401  
 Attorney: Ronald L. Hershner, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 11.25-3t

**ESTATE OF GERALD H. HESS, DECEASED**

Late of City of York, York County, PA.  
 Administrator-Executor: Tina M. Hess, c/o Amanda Snoko Dubbs, Esq., 294 Dew Drop Road, York, PA 17402  
 Attorney: Amanda Snoko Dubbs, Esquire, 294 Dew Drop Road, York, PA 17402 11.25-3t

**ESTATE OF KIRBY G. HOKE, DECEASED**

Late of Hanover Borough, York County, PA.  
 Executor: Gary T. Hoke, 6464 Pamadeva Road, Hanover, PA 17331  
 Attorney: Clayton A. Lingg, Esquire, MOONEY LAW, 230 York Street, Hanover, PA 17331 11.25-3t

**ESTATE OF JOHN J. HUNCHER, SR., DECEASED**

Late of York Twp., York County, PA.  
 Executor: Robert J. Huncher, Sr., c/o The Hamme Law Firm, LLC, 1946 Carlisle Road, York, PA 17408  
 Attorney: Rachel Dodson Hamme, Esquire, The Hamme Law Firm, LLC, 1946 Carlisle Road, York, PA 17408 11.25-3t

**ESTATE OF WILLIAM ALLEN KRINER, DECEASED**

Late of Conewago Twp., York County, PA.  
 Executor: Janet G. Kriner, c/o Katherman & Perry, 345 East Market Street, York, PA 17403  
 Attorney: J. Robert Katherman, Esquire, Katherman & Perry, 345 East Market Street, York, PA 17403 11.25-3t

**ESTATE OF VIRGINIA E. LAUCKS, DECEASED**

Late of Windsor Twp., York County, PA.  
 Executors: Dudley L. Laucks and Rochelle A. Laucks, c/o Laucks & Laucks, PC, 105 West Broadway, Red Lion, PA 17356  
 Attorney: David M. Laucks, Esquire, LAUCKS & LAUCKS, PC, 105 West Broadway, Red Lion, PA 17356 11.25-3t

**ESTATE OF MABEL C. LEESE, DECEASED**

Late of Penn Twp., York County, PA.  
 Administrator: Melvin Leese, 28 Dogwood Lane, Hanover, PA 17331  
 Attorney: David K. James, III, Esquire, 234 Baltimore St., Gettysburg, PA 17325 11.25-3t

**ESTATE OF RONALD E. LEHR, JR., DECEASED**

Late of Newberry Twp., York County, PA.  
 Administratrix: Stacey L. Lehr, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401  
 Attorney: MacGregor J. Brillhart, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600 York, PA 17401-2991 11.25-3t

**ESTATE OF ANN MARIE LINTZ, DECEASED**

Late of York City, York County, PA.  
 Executor: Clarence A. Lintz, Jr., c/o 340 Pine Grove Commons, York, PA 17403  
 Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403 11.25-3t

**ESTATE OF BETTY W. MARSHALL, DECEASED**

Late of Penn Twp., York County, PA.  
 Personal Representative: Robert P. Marshall, 17 Maxa Ct., Baltimore, MD 21220  
 Attorney: G. Steven McKonly, Esquire, 119 Baltimore Street, Hanover, PA 17331 11.25-3t

**ESTATE OF BRIAN D. NAEGELI, DECEASED**

Late of York City, York County, PA.  
 Administrator-Executor: John Nugent, 5902 Mount Eagle Drive, #917, Alexandria, VA 22303 11.25-3t

**ESTATE OF JACQUELINE J. POWELL a/k/a JACQUELINE JANE POWELL, DECEASED**

Late of Penn Twp., York County, PA.  
 Executrix: Dorothy Loretta Patterson, c/o Barley Snyder, LLP, 14 Center Square, Hanover, PA 17331  
 Attorney: Jennifer M. Stetter, Esquire, Barley Snyder, LLP, 14 Center Square, Hanover, PA 17331 11.25-3t

**ESTATE OF OPAL L. REDDING, DECEASED**

Late of Hanover Borough, York County, PA.  
 Executor: Cheryl Ann Cucco, 5146 Haines Lane, Taneytown, MD 21787  
 Attorney: David K. James, III, Esquire, 234 Baltimore St., Gettysburg, PA 17325 11.25-3t

**ESTATE OF MADELINE B. SCHMID, DECEASED**

Late of Franklin Twp., York County, PA.  
 Administrator: Valerie J. Stokes, c/o Wm. D. Schrack, III, Esquire, BENN LAW FIRM, 124 West Harrisburg Street, Dillsburg, PA 17019-1268  
 Attorney: Wm. D. Schrack, III, Esquire, BENN LAW FIRM, 124 West Harrisburg Street, Dillsburg, PA 17019-1268 11.25-3t

**ESTATE OF THERESA M. WALBURN, DECEASED**

Late of Hopewell Twp., York County, PA.  
 Executor: Paul Michael Walburn, c/o Stock and Leader, 221 West Philadelphia Street, Suite 600, York, PA 17401  
 Attorney: Jody Anderson Leighty, Esquire, STOCK AND LEADER, Susquehanna Commerce Center East, 221 West Philadelphia Street, Suite 600, York, PA 17401-2991 11.25-3t

ESTATE OF PAUL D. WESOCKES, DECEASED  
 Late of Lower Windsor Twp., York County, PA.  
 Administratrix: Alison M. Greene, c/o 340 Pine Grove Commons, York, PA 17403  
 Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

11.25-3t

ESTATE OF THELMA M. WITMER, DECEASED  
 Late of York City, York County, PA.  
 Executrices: Glenda K. Abel and Pamela J. Riggs, c/o 340 Pine Grove Commons, York, PA 17403  
 Attorney: Robert Clofine, Esquire, Elder Law Firm of Robert Clofine, 340 Pine Grove Commons, York, PA 17403

11.25-3t

ESTATE OF ELLIS R. WOLFE, DECEASED  
 Late of Warrington Twp., York County, PA.  
 Administrator CTA: Steven M. Morret, c/o Wm. D. Schrack, III, Esquire, BENN LAW FIRM, 124 West Harrisburg Street, Dillsburg, PA 17019-1268  
 Attorney: Wm. D. Schrack, III, Esquire, BENN LAW FIRM, 124 West Harrisburg Street, Dillsburg, PA 17019-1268

11.25-3t

**ORPHAN’S COURT DIVISION  
 AUDITING NOTICE**

To All legatees creditors and person interested: Notice is hereby given that the following accounts have been filed in the office of the Clerk of Orphans’ Court Division for confirmation and distribution of the balance therein shown to the creditors, legatees next to kin, heirs and others legally entitled thereto on **January 6, 2021 at 9:00 a.m.** and will be called in the order named for audit and distribution by said Court, in **Courtroom No. 7002, on the 7<sup>th</sup> floor of the York County Judicial Center at 45 North George St. in the City of York, Pennsylvania.**

**1. STEEPE – The First and Final Account of John M. Hamme, Executor of the Last Will and Testament of Carol A. Steepe, Late of West Manchester Township, York County, Pennsylvania, deceased, 6718-1854. ( Rachel Dodson Hamme, Esq.)**

**2. BOYCE – The First and Final Account of Dale L. Boyce, Jr., and Catherine M. Boyce, Co-Executors of the Last Will and Testament of Darleen M. Boyce, Late of North Hopewell Township, York County, Pennsylvania, deceased, 6720-0218. (David M. Laucks, Esq.)**

**3. MIRABITO – The First and Final Account of Christine Bodziony, Executrix of the Last Will and Testament of Armando Mirabito, Late of Carroll Township, York County, Pennsylvania, deceased, 6718-2328. (William D. Schrack, III, Esq.)**

**4. SHIREY – The First and Final Account of Rebecca Leal, Executrix of the Last Will**

**and Testament of Gail Elaine Shirey a/k/a Gail E. Shirey, Late of Manchester Township, York County, Pennsylvania, deceased, 6719-0766. (John C. Herrold, Esq.)**

**5. BUPP – The First and Final Account of Debora Lee Kottmyer, Executrix of the Last Will and Testament of Dorothy M. Bupp, Late of Newberry Township, York County, Pennsylvania, deceased, 6719-0913. (Amanda Snoko Dubbs, Esq.)**

**6. RUSSELL – The First and Final Account of Connie A. Beamesderfer a/k/a Connie A. Martin and Toby L. Russell, Co-Executors of the Last Will and Testament of Dean L. Russell, Late of Codorus Township, York County, Pennsylvania, deceased, 6720-0259. (David M. Laucks, Esq.)**

**7. CAMILLETI – The First and Final Account of Shelley L. Ferris, Administratrix of the Estate of Patrick K. Camilletti, Late of Newberry Township, York County, Pennsylvania, deceased, 6717-2097. (Lisa Marie Coyne, Esq.)**

**8. GUNNET – The First and Final Account of Heather A. Theobald, Executrix of the Last Will and Testament of John L. Gunnet, Late of West Manchester Township, York County, Pennsylvania, deceased, 6720-1401. (Rachel Dodson Hamme, Esq.)**

**FILED IN THE OFFICE OF THE CLERK OF ORPHANS’ COURT DIVISION OF THE COMMON PLEAS COURT, YORK COUNTY, PENNSYLVANIA ON OR BEFORE DECEMBER 2, 2020.**

**BRYAN K. TATE  
 COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA,  
 ORPHANS’ COURT DIVISION**

12.10-2t

**CIVIL NOTICES**

**CHANGE OF NAME**

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on November 5 2020, a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of: Anthony Henderson Jr. to: Maverick Anthony Henderson. The Court has fixed the day of January 28, 2021 at 1:30 p.m. in Courtroom #7002, at the York County Judicial Center, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

12.10-1t

Solicitor

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on November 20th, 2020, a petition for change of name was filed in the Court of Common Pleas, requesting a decree to change the name of: Alyssa Sue Stout to: Alyssa Anne Stout. The Court has fixed the day of 01/28/2021 at 2:00 p.m. in Courtroom #7002, at the York County Judicial Center, as the time and place for the hearing on said petition when and where all persons interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

12.10-1t

Solicitor

IN THE COURT OF COMMON PLEAS OF YORK COUNTY, PENNSYLVANIA

NOTICE is hereby given that on November 23, 2020, a Petition was filed in the Court of Common Pleas of York County, Pennsylvania, seeking to change the name of Petitioner from Cathy Ann Utz to Cathy Utz Trimmer. The Court has scheduled a hearing for January 28, 2021 at 2:00 P.M. in Court Room No. 7002, 7th Floor, of the York County Judicial Center, 45 North George Street, York, PA 17401, where any person may appear and show cause, if any they have, why the request of the Petitioner should not be granted.

Tessa Marie Myers, Esq.  
 The Hamme Law Firm, LLC

12.10-1t

Solicitor

**IN THE COURT OF COMMON PLEAS  
OF YORK COUNTY, PENNSYLVANIA**

No. 2020- SU-002311

**IN RE: Change of Name of LINDA  
WEAVER**

**NOTICE IS HEREBY GIVEN** that on November 17, 2020, the Petition of Linda Weaver was filed in the above-named Court, praying for a Decree to change her name to Linda Jayne Weaver.

The Court has fixed January 28, 2021 at 2:00 p.m. in Courtroom No. 7002, 7th Floor, York County Judicial Center, 45 North George Street, York, PA, as the time and place for the Hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of said Petitioner should not be granted.

CGA Law Firm  
Leanne M. Miller, Esquire

12.10-1t Solicitor

**FICTITIOUS NAME**

An application for registration of the fictitious name **“Let Us Pray” Vv&J’s, 233 N. Newberry St., YORK, PA 17401** has been filed in the Department of State at Harrisburg, PA, File Date **09/14/2020** pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is **MICHEALIA R ANDERSON, 233 N. NEWBERRY St., YORK, PA 17401.**

12.10-1t Solicitor

An application for registration of the fictitious name **PB Remodeling, 220 Pebble Beach Dr., MOUNT WOLF, PA 17347** has been filed in the Department of State at Harrisburg, PA, File Date **10/28/2020** pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is **PETER BYCHIK, 220 PEBBLE BEACH DR., MOUNT WOLF, PA 17347.**

12.10-1t Solicitor

**NOTICE**

**PUBLIC NOTICE TO  
CHANLER LAMONT KINARD**

**In Re: Adoption of Chanler Lamont**

**Kinard, Jr., A Minor**

A petition has been filed asking the Court to put an end to all rights you have as a parent to your child, Chanler Lamont Kinard, Jr. A Termination of Parental Rights Hearing has been scheduled for January 11, 2021, at 10:00 a.m., in Court Room No. 6005, of the York County Judicial Center, 45 North George Street, York, Pennsylvania, to terminate your parental rights to Chanler Lamont Kinard, Jr. (DOB: November 1, 2018), whose Father is Chanler Lamont Kinard and whose Mother is Alyssa Renee Walker. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. 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.

**ATTORNEY CONNECTION/  
YCBA MODEST MEANS  
137 East Market Street  
York, Pennsylvania 17401  
717-854-8755  
<http://www.yorkbar.com/?page=YCBAFindEsq>**

If you cannot afford an attorney, an attorney may be appointed by the court at no cost to you if you qualify. Contact the following office for instructions and forms to complete and file.

**Clerk of the Orphans’ Court  
York County Judicial Center  
45 North George Street  
York, Pennsylvania 17401  
717-771-9288**

**<http://yorkcountypa.gov/component/jdownloads/send/100-adopt-forms/824-packet-for-court-appted-counsel-and-financial-affidavit.html>**

Martin Miller, Esquire  
Solicitor for York County Offices of  
Children, Youth & Families

A prospective adoptive parent of a child may enter into an agreement with a birth relative of the child to permit continuing contact or communication between the child and the birth relative or between the adoptive parent and the birth relative. An agency or anyone representing the parties in an adoption shall provide notification to a prospective adoptive parent, a birth parent and a child who can be reasonably expected to understand that a prospective adoptive parent and a birth relative of a child have the option to enter into a voluntary agreement for the continuing contact or communication. See 23 Pa.C.S.A Section 2731, et seq.

11.25-3t Solicitor

**PUBLIC NOTICE TO  
NATHAN GRAHAM**

**In Re: Adoption of Brandon Lee Dell,  
A Minor**

A petition has been filed asking the Court to put an end to all rights you have as a parent to your child, Brandon Lee Dell. A Termination of Parental Rights Hearing has been scheduled for January 8, 2021, at 9:00 a.m., in Court Room No. 6006, of the York County Judicial Center, 45 North George Street, York, Pennsylvania, to terminate your parental rights to Brandon Lee Dell (DOB: November 19, 2014), whose Father is Nathan Graham and whose Mother is Elizabeth Ann Dell. You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have a right to be represented at the hearing by a lawyer. 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.

**ATTORNEY CONNECTION/  
YCBA MODEST MEANS  
137 East Market Street  
York, Pennsylvania 17401  
717-854-8755  
<http://www.yorkbar.com/?page=YCBAFindEsq>**

If you cannot afford an attorney, an attorney may be appointed by the court at no cost to you if you qualify. Contact the following office for instructions and forms to complete and file.

**Clerk of the Orphans’ Court  
York County Judicial Center  
45 North George Street  
York, Pennsylvania 17401  
717-771-9288**

**<http://yorkcountypa.gov/component/jdownloads/send/100-adopt-forms/824-packet-for-court-appted-counsel-and-financial-affidavit.html>**

Martin Miller, Esquire  
Solicitor for York County Offices of  
Children, Youth & Families

A prospective adoptive parent of a child may enter into an agreement with a birth relative of the child to permit continuing contact or communication between the child and the birth relative or between the adoptive parent and the birth relative. An agency or anyone representing the parties in an adoption shall provide notification to a prospective adoptive parent, a birth parent and a child who can be reasonably expected to understand that a prospective adoptive parent and a birth relative of a child have the option to enter into a voluntary agreement for the continuing contact or communication. See 23 Pa.C.S.A Section 2731, et seq.

12.03-3t Solicitor

# LOOKING FOR ESTATE NOTICES

OR OTHER LEGAL NOTICES  
REQUIRING PUBLICATION  
IN A PA LEGAL JOURNAL?

Go to [www.palegalads.org](http://www.palegalads.org)

This FREE site allows you to  
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whether a specific legal notice  
has been published.

