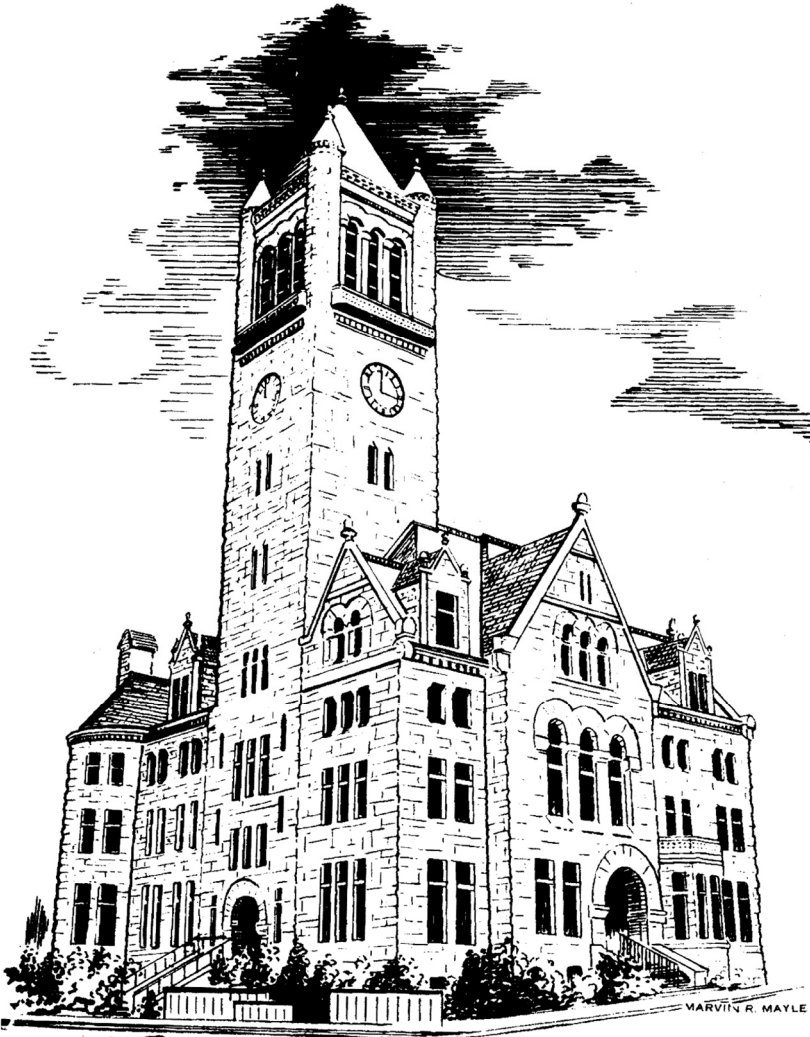


# FAYETTE LEGAL JOURNAL

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## FAYETTE LEGAL JOURNAL

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**Co-Editors:** Garnet L. Gordon and Melinda Deal Dellarose

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## ESTATE NOTICES

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

### Third Publication

**ROBERT AXE**, late of Dunbar Township, Fayette County, PA (3)

*Executrix:* Jodi L. Axe  
486 Ranch Road  
Dunbar, PA 15431  
c/o Conti Law  
7880 Steubenville Pike  
Oakdale, PA 15071  
*Attorney:* Michele Conti

**ROBERT BANKHEAD, a/k/a ROBERT LEE BANKHEAD**, late of Wharton Township, Fayette County, PA (3)

*Executor:* Todd J. Hager  
c/o Higinbotham Law Offices  
68 South Beeson Boulevard  
Uniontown, PA 15401  
*Attorney:* James E. Higinbotham, Jr.

**WILLIAM D. BERNHARDT**, late of Dunbar Township, Fayette County, PA (3)

*Executrix:* Carole Annette Nagy, a/k/a Carole A. Nagy  
c/o 9 Court Street  
Uniontown, PA 15401  
*Attorney:* Vincent J. Roskovensky, II

**ANTHONY DECENZO, a/k/a ANTHONY P. DICENZO, SR., a/k/a ANTHONY P. DICENZO, a/k/a ANTHONY DICENZO**, late of Brownsville, Fayette County, PA (3)

*Executrix:* Constance L. Dicenzo  
515 High Street  
Brownsville, PA 15417  
c/o 76 East Main Street  
Uniontown, PA 15401  
*Attorney:* Douglas S. Sholtis

**MARY ANN FRANCYZYK**, late of Fairchance Borough, Fayette County, PA (3)

*Executrix:* Leslie A. Franczyk  
113 General Drive  
Uniontown, PA 15401-5420  
c/o Kopas Law Office  
556 Morgantown Road  
Uniontown, PA 15401  
*Attorney:* John A. Kopas, III

**ELIZABETH KOOSER, a/k/a ELIZABETH FRANCES KOOSER**, late of Brownfield, Fayette County, PA (3)

*Executrix:* Lori Geisler  
1400 Vine Street  
South Connellsville, PA 15425  
c/o Kopas Law Office  
556 Morgantown Road  
Uniontown, PA 15401  
*Attorney:* John A. Kopas, III

**JAMES GREGG PALKO**, late of German Township, Fayette County, PA (3)

*Executrix:* Jewel Marie Palko  
c/o Monaghan & Monaghan, L.L.P.  
57 East Main Street  
Uniontown, PA 15401

### Second Publication

**BERNADETTE L. BARRON, a/k/a BERNIE BARRON, a/k/a BERNADETTE LANE BARRON**, late of Saltlick Township, Fayette County, PA (2)

*Executrix:* Tina Mutich  
c/o Adams Law Offices, PC  
55 East Church Street, Suite 101  
Uniontown, PA 15401  
*Attorney:* Jason Adams

**JACOB ADAM HIXSON, a/k/a JOHN M. KEFFER**, late of North Union Township, Fayette County, PA (2)

*Administrator:* Jacob Hixson, Jr.  
c/o Adams Law Offices, PC  
55 East Church Street, Suite 101  
Uniontown, PA 15401  
*Attorney:* Jason Adams

**JOHN MICHAEL KEFFER, a/k/a JOHN M. KEFFER**, late of Lower Tyrone Township, Fayette County, PA (2)

*Co-Executor:* Charles Keffer, Jr. and Patricia Keffer  
c/o Adams Law Offices, PC  
55 East Church Street, Suite 101  
Uniontown, PA 15401  
*Attorney:* Jason Adams

**STANLEY J. LEVANDOSKY**, late of Washington Township, Fayette County, PA (2)

*Executrix:* Marla J. Sivic  
621 Indian Hill Road  
Rostraver Township, PA 15012  
c/o 823 Broad Avenue  
Belle Vernon, PA 15012  
*Attorney:* Mark E. Ramsier

**ELIZABETH JEAN POTKUL, a/k/a ELIZABETH POTKUL**, late of Uniontown, Fayette County, PA (2)

*Executor:* Bernard Potkul  
c/o Davis & Davis  
107 East Main Street  
Uniontown, PA 15401  
*Attorney:* Gary J. Frankhouser

**LOIS JEAN SADLER**, late of Springhill Township, Fayette County, PA (2)

*Administrator:* Austin Sadler  
c/o Zihmer Law Firm, LLC  
3244 Washington Road, Suite 210  
McMurray, PA 15317  
*Attorney:* Tracy L. Zihmer

**TERRY S. VANSICKLE**, late of Vanderbilt, Fayette County, PA (2)

*Executrix:* Calista Hogben  
c/o Goodwin Como, P.C.  
108 North Beeson Boulevard, Suite 400  
Uniontown, PA 15401  
*Attorney:* Benjamin F. Goodwin

## First Publication

**FRED G. BRYSON, SR.**, late of New Salem, Fayette County, PA (1)

*Executrix:* Racole N. Sproul  
c/o Radcliffe Martin Law, L.L.C.  
648 Morgantown Road, Suite B  
Uniontown, PA 15401  
*Attorney:* Robert R. Harper, Jr.

**PAULINE K. DAHLGREN, a/k/a PAULINE HUMBERT DAHLGREN**, late of Fairchance Borough, Fayette County, PA (1)

*Executrix:* Becky L. Pegg  
c/o Webster & Webster  
51 East South Street  
Uniontown, PA 15401

**WILMA J. HAUG**, late of Connellsville, Fayette County, PA (1)

*Executor:* Keith A. Smitley  
c/o Proden & O'Brien  
99 East Main Street  
Uniontown, PA 15401  
*Attorney:* Wendy L. O'Brien

**BARBARA J. HEILMAN, a/k/a BARBARA J. BARNES**, late of Uniontown, Fayette County, PA (1)

*Administratrix:* Brooke Burgess  
c/o Proden & O'Brien  
99 East Main Street  
Uniontown, PA 15401  
*Attorney:* Sean M. Lementowski

**JUDITH SEESE, a/k/a JUDITH ELAINE SEESE**, late of Markleysburg, Fayette County, PA (1)

*Executrix:* Carla Sue Seese, a/k/a Carla Sue Wilhelm  
198 Brown Hill Road  
Markleysburg, PA 15459  
c/o 92 East Main Street, 24-A  
Uniontown, PA 15401  
*Attorney:* David Kaiser

**THOMAS B. SESSLER, a/k/a THOMAS BRISON SESLER**, late of Franklin Township, Fayette County, PA (1)

*Personal Representative:* Ellen Hall  
c/o Watson Mundorff, LLP  
720 Vanderbilt Road  
Connellsville, PA 15425  
*Attorney:* Timothy J. Witt

**OCA O. SHIRLEY, JR., a/k/a OCA SHIRLEY, JR.**, late of Grindstone, Fayette County, PA (1)

*Executrix:* Florence Shirley  
c/o Donald J. McCue, J.D., P.E.  
Colonial Law Building  
813 Blackstone Road  
Connellsville, PA 15425  
*Attorney:* Donald J. McCue

## LEGAL NOTICES

### NOTICE OF RETURN OF TAX SALE BY FAYETTE COUNTY TAX CLAIM BUREAU

Notice is hereby given that the Fayette County Tax Claim Bureau made a return to the Court of Common Pleas of Fayette County of the sale of properties held September 23, 2024, for delinquent taxes in accordance with the provisions of the Act of 1947, P. L. 1368, known as the Real Estate Tax Sale Law, as amended and supplemented, and the Court of Common Pleas of Fayette County by order dated October 21th, 2024 confirmed nisi said return of sale.

Objections or exceptions thereto may be filed by any owner or lien creditor within thirty (30) days after the date of the confirmation nisi, otherwise the return will be confirmed absolutely. In case no objections or exceptions are filed to any such sale within thirty (30) days after the date of the confirmation nisi, a decree absolute confirming the same will be entered as of course, by the Prothonotary.

FAYETTE COUNTY  
TAX CLAIM BUREAU

### NOTICE

Notice is hereby given that the Certificate of Organization has been approved and filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on October 3, 2024, for a limited liability company known as Davies Family Ties, LLC.

Said limited liability company has been organized under the provisions of the Business Corporation Law of 198 8 of the Commonwealth of Pennsylvania.

The purpose or purposes of the limited liability company is/are: real estate holdings and any other lawful purpose related thereto for which the corporation may be organized under the Business Corporation Law.

DAVIS & DAVIS  
BY: Gary J. Frankhouser, Esquire  
107 East Main Street  
Uniontown, PA 15401

**SHERIFF'S SALE**

Date of Sale: November 21, 2024

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday November 21, 2024, at 2:00 pm at <https://fayette.pa.realforeclose.com>.

The Conditions of sale are as follows:

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

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

(3 of 3)

James Custer  
Sheriff of Fayette County

No. 1777 of 2024 GD  
No. 252 of 2024 ED

**U.S. Bank National Association as Legal Title Trustee for Truman 2016 SC6 Title Trust  
Vs.  
David Blades Sr. a/k/a David A. Blades Sr.**

ALL THAT CERTAIN piece or parcel or tract of land containing 197 Coates Way situate in the Township of Washington, County of Fayette, and State of Pennsylvania

Tax Parcel No. 41-18-0002

TITLE TO SAID PREMISES IS VESTED IN David A. Blades Sr. and Melissa Blades, husband and wife, by deed from Catherine S. Marshall and Jack W. Marshall, wife and husband and Beverly Lynne Coates, Administrator of the Estate of John A. Coates, Sr., dated August 8, 2006, recorded August 16, 2006 in the Fayette County Clerk's/Register's Office in Deed Book 2996, Page 2185.

Sold as the property of David A. Blades Sr. and Melissa Blades and Melissa Blades

Jill M. Fein, Esquire Hill  
Wallack LLP,  
1000 Floral Vale Blvd., Suite 300  
Yardley, PA 19067  
(215) 579-7700

No. 1975 of 2023 GD  
No. 227 of 2024 ED

**WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST I  
Plaintiff**

v.

**JOHN S. CIPRIANI AND SHARON L. CIPRIANI**

**Defendants**

Plaintiff: WILMINGTON SAVINGS FUND SOCIETY, FSB, AS TRUSTEE OF STANWICH MORTGAGE LOAN TRUST I

v.

Defendants: JOHN S. CIPRIANI AND SHARON L. CIPRIANI

Owners of property situate in South Union Township, Fayette County, Pennsylvania, being pin number 34-36-0013

Property being known as: 1080 Walnut Avenue, Uniontown, PA 15401

Improvements thereon: Residential Property

No. 627 of 2024 GD  
 No. 229 of 2024 ED

No. 720 of 2024 GD  
 No. 258 of 2024 ED

**KeyBank, NA s/b/m First Niagara Bank, NA  
 Plaintiff,  
 vs.  
 Amanda Louise Cooper, AKA Amanda L.  
 Cooper, AKA Amanda L. Close  
 Defendant.**

**Flagstar Bank, N.A. f/k/a Flagstar Bank, FSB  
 Plaintiff  
 vs.  
 Samantha A. Farmer n/k/a Samantha A.  
 McDevitt Ann Ward  
 Mackenzie Wall  
 Defendant(s)**

ALL that certain parcel of land lying and being situate in the Township of North Union, County of Fayette, and Commonwealth of Pennsylvania, known as 18 Cooper Lane, Lemont Furnace, PA 15456 having erected thereon a dwelling house.

All that certain lot or piece of ground situate in the Township of South Union, County of Fayette and Commonwealth of Pennsylvania.

Being known and designated as Tax ID No.: 25-16-0240

BEING THE SAME PREMISES which Jon K. Baur and Whitney E. Baur, by Deed dated 10/17/2018 and recorded in the Office of the Recorder of Deeds of Fayette County on 10/30/2018 in Deed Book Volume 3387, Page 878, granted and conveyed unto Samantha A. Farmer n/k/a Samantha A. McDevitt, Ann Ward and Mackenzie Wall.

BEING the same premises which Todd Phillip Cooper and Amanda Louise Cooper, his wife, by Deed dated May 23, 2017 and recorded in and for Fayette County, Pennsylvania in Deed Book 3340, Page 2423, granted and conveyed unto Todd Phillip Cooper and Amanda Louise Cooper, his wife.

BEING known as 34 Greenbriar Drive, Uniontown, Pennsylvania 15401  
 PARCEL # 34-05-0228 & 34-05-0227

ANNE N. JOHN, Esq.  
 ATTORNEY AT LAW

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

No. 2148 of 2022 GD  
 No. 42 of 2023 ED

No. 1533 of 2023 GD  
 No. 236 of 2024 ED

**FIRST FEDERAL SAVINGS AND LOAN  
 ASSOCIATION OF GREENE COUNTY, a  
 corporation,  
 vs.  
 MARK W. DECARLO, SR., a/k/a MARK W.  
 DECARLO and MARY F. DECARLO, n/k/a  
 MARY F. WILSON,  
 Defendants and Real Owners.**

**U.S. Bank Trust National Association not in  
 its individual capacity but solely as owner  
 trustee for Legacy Mortgage Asset Trust 2020  
 -GSI (Plaintiff)  
 vs.  
 Kris D. Gaster, Individually and as  
 Administrator of the Estate of Cindy Sue  
 Gaster, (Defendant)**

ALL that certain tract of land situate in Menallen Township, Fayette County, Pennsylvania, more particularly bounded and described as follows.

By virtue of Writ of Execution No. 1533 of 2023 GD

UPON WHICH is erected a ranch dwelling known and designated as 7401 National Pike, Uniontown, Fayette County, Pennsylvania.

U.S. Bank Trust National Association not in its individual capacity but solely as owner trustee for Legacy Mortgage Asset Trust 2020-GSI (Plaintiff) vs. Kris D. Gaster, Individually and as Administrator of the Estate of Cindy Sue Gaster, (Defendant)

FOR PRIOR title see Record Book 957 page 255.

Property Address 56 East Elm Street, Fairchance, PA 15436  
 Parcel I.D. Nos. 14-29-22-02 and 14-29-23-01

Assessment Map No.: 22-17-0017.

Improvements thereon consist of a residential dwelling.

Judgment Amount: \$154,524.41

No. 1113 of 2024 GD  
No. 250 of 2024 ED

**THE UNITED FEDERAL CREDIT UNION,**  
**Plaintiff,**  
**vs.**  
**RANDALL LAKE, also known as**  
**RANDALL H. LAKE, and SAMANTHA**  
**LAKE, also known as SAMANTHA J.**  
**LAKE, his wife,**  
**Defendants.**

ALL those certain pieces or lots of land situate in the Borough of South Connellsville, Fayette County, Pennsylvania known as Tax Parcel No. 33-07-0029-01, being the western half of Lots Nos. 2505, 2506, and 2507 fronting 60 feet on Mentzer Avenue and extending 120 feet along an unnamed and unopened alley, more particularly described in the Connellsville Extension Company Plan of Lots No. 2 recorded in the Office of the Recorder of Deeds for Fayette County in Plan Book Volume 2, page 60, and in a deed recorded in Record Book 3408, page 1371.

The address of the subject property is 202 Mentzer Avenue, Connellsville, Pennsylvania 15425.

Seized and taken in execution as the property of Randall Lake, also known as Randall H. Lake, and Samantha Lake, also known as Samantha J. Lake, owners, at the suit of The United Federal Credit Union in the Court of Common Pleas of Fayette County, Pennsylvania at No. 1113 of 2024, G.D.

No. 1186 of 2024 GD  
No. 243 of 2024 ED

**AMERISERV FINANCIAL BANK**  
**Plaintiff**  
**vs.**  
**Mathew S. Larew a/k/a Matthew Larew**  
**Lauren L. Larew**  
**Defendant(s)**

All that certain piece, parcel or lot of ground situate in Springhill Township, Fayette County, Pennsylvania, known and numbered as Lot No. 3 in the Simple Subdivision of the Gary K. and Kathryn M. Larew Tract of land as recorded in Plan Book 90, page 47.

BEING THE SAME PREMISES which Gary K. Larew and Kathryn M. Larew, his wife, by Deed dated 12/2/2011 and recorded in the

Office of the Recorder of Deeds of Fayette County on 12/6/2011 in Deed Book Volume 3171, Page 1905, Instrument 201100014683 granted and conveyed unto Mathew S. Larew a/k/a Matthew Larew and Lauren L. Larew.

BEING known as 661 Bunker Hill Road, Lake Lynn, Pennsylvania 15451  
PARCEL # 36-18-0089-02 & 36-18-0079

No. 463 of 2024 GD  
No. 237 of 2024 ED

**Pennsylvania Equity Resources, Inc.**  
**Plaintiff,**  
**vs.**  
**Jennifer E. Leapline**  
**Defendant.**

ALL that certain parcel of land lying and being situate in the Township of Dunbar, County of Fayette, and Commonwealth of Pennsylvania, known as 240 Main Street, Dickerson Run, PA 15430 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 09-03-0021

BEING the same premises which Robert B. Fields and Julie A. Fields, his wife, by Deed dated December 29, 2020 and recorded in and for Fayette County, Pennsylvania in Deed Book 3460, Page 1502, granted and conveyed unto Jennifer E. Leapline, married woman.

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

No. 649 of 2024 GD  
No. 235 of 2024 ED

**Towne Mortgage Company**  
**(Plaintiff)**  
**vs.**  
**Ryan S. LeCorchick,**  
**(Defendant)**

By virtue of Writ of Execution No. 2024-00649

Towne Mortgage Company (Plaintiff) vs. Ryan S. LeCorchick, (Defendant)

Property Address 409 Derrick Avenue, Uniontown, PA 15401

Parcel I.D. No. 34-24-0143  
Improvements thereon consist of a residential dwelling.

Judgment Amount: \$212,643.93



Brock & Scott, PLLC

No. 790 of 2024 GD  
 No. 214 of 2024 ED

**WELLS FARGO BANK, N.A.**  
**v.**  
**KRISTYNE S. MILLER A/K/A**  
**KRISTYNE S. GEYER,**

By virtue of a Writ of Execution No. 790 OF 2024-GD

WELLS FARGO BANK, N.A. v. KRISTYNE S. MILLER A/K/A KRISTYNE S. GEYER, owner(s) of property situate in the BOROUGH OF SOUTH CONNELLSVILLE, FAYETTE County, Pennsylvania, being 11117 W GIBSON AVENUE, SOUTH CONNELLSVILLE, PA 15425 A/K/A 1117W GIBSON AVENUE. CONNELLSVILLE, PA 15425

Tax ID No. 33-04-0058

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$65,000.50

No. 40 of 2024 GD  
 No. 261 of 2024 ED

**NewRez LLC D/B/A Shellpoint Mortgage Servicing**  
**75 Beattie Place, Suite 300**  
**Greenville, SC 29601**  
**Plaintiff**

**v.**

**Geraldine F. Nativio**  
**134 Hardy Hill Road**  
**Dunbar, PA 15431**  
**Defendant**

ALL THE RIGHT, TITLE, INTEREST AND CLAIM OF GERALDINE F. NATIVIO OF, IN AND TO THE FOLLOWING DESCRIBED PROPERTY:

ALL THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE TOWNSHIP OF DUNBAR, COUNTY OF FAYETTE, AND COMMONWEALTH OF PENNSYLVANIA:

A RESIDENTIAL DWELLING BEING KNOWN AND NUMBERED AS 134 HARDY HILL ROAD, DUNBAR, PA 15431. PARCEL ID NOS.: 09-31-0176-03 and 09-31-0174. DEED BOOK VOLUME 1778, PAGE 150 AND DEED BOOK VOLUME 953, PAGE 280. MORTGAGE BOOK VOLUME 3051, PAGE 703.

JUDGMENT AMOUNT: \$36,801.78.

No. 824 of 2024 GD  
 No. 212 of 2024 ED

**KeyBank, NA, s/b/m First Niagara Bank, NA**  
**Plaintiff,**  
**vs.**  
**Robert W. Pritts**  
**Defendant.**

ALL that certain parcel of land lying and being situate in the Borough of Brownsville, County of Fayette, and Commonwealth of Pennsylvania, known as 324 Grays Lane, Brownsville, PA 15417 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 02-10-0015

BEING the same premises which John Walter Bartruff and Edith Louise Bartruff, his wife, by Deed dated June 3, 1969 and recorded in and for Fayette County, Pennsylvania in Deed Book 1077, Page 760, granted and conveyed unto Robert W. Pritts and Bonnie Lee Pritts, his wife.

Brock & Scott, PLLC

No. 643 of 2024 GD  
 No. 204 of 2024 ED

**FREEDOM MORTGAGE CORPORATION**  
**V.**  
**JOSHUA R. RICHTER; AMBER RICHTER**

By virtue of a Writ of Execution No. 2024-00643

FREEDOM MORTGAGE CORPORATION V. JOSHUA R. RICHTER; AMBER RICHTER owner(s) of property situate in the SOUTH CONNELLSVILLE BOROUGH, FAYETTE County, Pennsylvania, being 125 MARIE ST, CONNELLSVILLE, PA 15425

Tax ID No. 33-04-0159

Improvements thereon: RESIDENTIAL DWELLING

Judgment Amount: \$94,995.68

Brock & Scott, PLLC  
No. 1170 of 2024 GD  
No. 241 of 2024 ED

**ROCKET MORTGAGE, LLC F/K/A  
QUICKEN LOANS, LLC  
v.  
TAYLOR RIDLEY**

By virtue of a Writ of Execution No. 1170 of 2024 GD ROCKET MORTGAGE, LLC F/K/A QUICKEN LOANS, LLC v. TAYLOR RIDLEY, owner(s) of property situate in the DUNBAR BOROUGH, FAYETTE County, Pennsylvania, being 103 MEMORIAL ST, DUNBAR, PA 15431

Tax ID No. 08030122 a/k/a 08-03-0122  
Improvements thereon: RESIDENTIAL DWELLING  
Judgment Amount: \$75,844.50

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

No. 2356 of 2023 GD  
No. 259 of 2024 ED

**Allied First Bank, SB DBA Servbank  
v.  
Corey L. Snyder**

By virtue of Writ of Execution No. 2356 of 2023 GD

Allied First Bank, SB DBA Servbank v. Corey L. Snyder  
Property Address: 321 Walnut Hill Road, Uniontown, PA 15401  
Township of South Union, County of Fayette, Commonwealth of Pennsylvania  
Tax Parcel Number: 34-05-0286  
Improvements thereon: Single family residential dwelling  
Judgment Amount: \$178,915.91

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

No. 315 of 2024 GD  
No. 234 of 2024 ED

**PENNYMAC LOAN SERVICES, LLC  
3043 Townsgate Road  
Suite 200  
Westlake Village, CA 91361  
Plaintiff**

**vs.  
TINA SPANO  
DOUGLAS W. SPANO AKA DOUGLAS SPANO  
Mortgagor(s) and Record Owner(s)  
89 Rankin Road  
Farmington, PA 15437  
Defendant(s)**

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

BEING KNOWN AS: 89 RANKIN ROAD, FARMINGTON, PA 15437

TAX PARCEL #42-21-0034  
IMPROVEMENTS: A RESIDENTIAL DWELLING

SOLD AS THE PROPERTY OF: TINA SPANO AND DOUGLAS W. SPANO AKA DOUGLAS SPANO

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No. 986 of 2024 GD  
No. 246 of 2024 ED

**PENNSYLVANIA HOUSING FINANCE AGENCY,  
PLAINTIFF  
vs.**

**JOHN B. STEFANIK AND THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT,  
DEFENDANTS**

ALL that lot of land in Georges Township, Fayette County, Pennsylvania, designated as Lot No. 13, Smithfield Estate Subdivision, Fayette Plan Book 103, page 59 being approximately 115 x 110.

HAVING THEREON ERECTED DWELLING KNOWN AND NUMBERED AS: 13 SMITHFIELD DRIVE, SMITHFIELD, PA 15478.

TAX PARCEL# 14-25-0057-48  
Instrument No. 2020-00009777

No. 1569 of 2023 GD  
No. 213 of 2024 ED

**NewRez LLC d/b/a Shellpoint Mortgage  
Servicing  
Plaintiff,  
vs.  
Jessie Thibodeau, as Believed Heir and/or  
Administrator of the Estate of Joseph R.  
Thibodeau; Unknown Heirs and/or  
Administrators of the Estate of Joseph R.  
Thibodeau (if any)  
Defendants.**

ALL that certain parcel of land lying and being situate in the Borough of Markleysburg, County of Fayette, and Commonwealth of Pennsylvania, known as 128 Spear Lane, Markleysburg, PA 15459 having erected thereon a dwelling house.

Being known and designated as Tax ID No.: 20-02-0001-01

BEING the same premises which South Fayette Nursing Center, LP, a Pennsylvania Limited Partnership, by Deed dated November 21, 2016 and recorded in and for Fayette County, Pennsylvania in Deed Book 3326, Page 1134, granted and conveyed unto Joseph R. Thibodeau.

No. 750 of 2024 GD  
No. 208 of 2024 ED

**NEW AMERICAN FUNDING, LLC FKA  
BROKER SOLUTIONS, INC., DBA NEW  
AMERICAN FUNDING  
Plaintiff  
v.  
KYLE ZACCAGNI AND MAYA  
ZACCAGNI  
Defendant(s)**

PROPERTY ADDRESS: 112 NEW BEAVER CREEK RD, MARKLEYSBURG, PA 15459

PARCEL ID NO: 16-11-0056  
IMPROVEMENTS THEREON CONSIST OF A RESIDENTIAL DWELLING  
JUDGMENT AMOUNT \$161,514.59  
FAYETTE COUNTY DEED BOOK 3437  
PAGE 32

TO BE SOLD AS THE PREMISES OF  
KYLE ZACCAGNI AND MAYA ZACCAGNI

\*\*\* END SHERIFF SALE \*\*\*

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**JUDICIAL OPINION**

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

COMMONWEALTH OF	:	
PENNSYLVANIA,	:	
	:	
VS.	:	
	:	
VICKIE LYNN DEAL,	:	No. 664 of 2024
Defendant.	:	Honorable Nancy D. Vernon

**OPINION AND ORDER**

VERNON, J.

October 9, 2024

Before the Court is the Omnibus Pretrial Motion of Defendant Vickie Lynn Deal in the nature of a Petition for Writ of Habeas Corpus. Defendant was charged with Criminal Trespass – Defiant Trespasser – Actual Communication [18 Pa.C.S.A. § 3503(b)(1) (i)] and a summary offense for Harassment [18 Pa.C.S.A. § 2709(a)(3)] arising from her attempt to visit with Kenneth Rockwell, her boyfriend who was suffering declining health, at his residence. At the time set for hearing, the Commonwealth submitted a copy of the preliminary hearing transcript for the Court to render its decision without additional evidence or testimony. Defendant submitted as an exhibit a copy of the deed for the residence in question and did not present further evidence or testimony.

At the preliminary hearing, the Commonwealth called Barbara Bolden, Kenneth Rockwell, and Trooper Jenna Mulet (incorrectly identified as Malay in the Preliminary Hearing Transcript) as witnesses.

Barbara Bolden testified that in June 2023 she was living with her stepfather, Kenneth Wayne Rockwell, Sr., at 147 Mountain Road, Uniontown, Pennsylvania. N.T., Preliminary Hearing 3/27/2024, at 4, 7. Bolden testified that Rockwell was diagnosed with dementia and Alzheimer’s, and she was living in his home to provide care. Id. On June 16, 2023, Defendant Vickie Lynn Deal arrived at the residence unannounced and began to pound on the windows while screaming. Id. at 4-5. Bolden testified that she had previously called the police over an incident on May 1, 2023, regarding Defendant being at this residence, and that she had told Defendant to leave and never come back. Id. at 5. Bolden further testified that she was just getting out of the shower, so her nephew who is also named Kenneth Rockwell, responded to Defendant and told her to leave. Id. at 6.

Kenneth Matthew Rockwell, the grandson of Kenneth Wayne Rockwell, Sr., testified that on June 16, 2023, he was in the kitchen at his grandfather’s residence when Defendant arrived. Id. at 11. Defendant began to walk laps around the outside of the house, forcefully banged on the windows, and yelled into the house from the front yard. Id. at 11-12. Kenneth Matthew Rockwell advised Defendant through the window that

she needed to leave and that he had called the police for assistance. *Id.* at 12. According to Kenneth Matthew Rockwell, on May 16, 2023, Defendant did visit with Kenneth Wayne Rockwell Sr. on the patio but was not permitted into the house. *Id.* at 12.

Trooper Jenna Mulet of the Pennsylvania State Police testified that she responded to the Rockwell residence on June 16, 2023. *Id.* at 16. Trooper Mulet further testified that she had prior involvement in that on approximately May 2, 2023, Barbara Bolden had filed a report that Defendant “lashed out” and “threw stuff at her, at the 147 Mountain Road residence.” Trooper Mulet advised Bolden to call for police assistance if Defendant returned. On the same day, Trooper Mulet contacted Defendant by telephone and advised Defendant that “she needed to stay away from the residence or else she would be facing trespassing charges.” *Id.* at 17.

Defendant now moves for dismissal of all charges arguing that only the owner of the residence, Kenneth Wayne Rockwell, Sr., could exclude her from the premises and that Barbara Bolden, Kenneth Matthew Rockwell, and Trooper Mulet were not authorized to tell Defendant that she could not be there. Defendant argues that a power of attorney or guardianship would be required for Bolden or the younger Rockwell to have this authority.

Defiant Trespass is defined, in relevant part, as follows: “A person commits an offense if, knowing that he is not licensed or privileged to do so, he enters or remains in any place as to which notice against trespass is given by ... actual communication to the actor[.]” 18 Pa.C.S.A. § 3503(b)(1)(i). “Thus in order to establish a violation it is necessary to prove that the defendant: 1) entered or remained upon property without a right to do so; 2) while knowing that he had no license or privilege to be on the property; and 3) after receiving direct or indirect notice against trespass. The crime of defiant trespass thus includes an element of intent or mens rea.” *Commonwealth v. Namack*, 663 A.2d 191, 194 (1995). A statutory defense to the charge of Defiant Trespasser is that “the actor reasonably believed that the owner of the premises, or other person empowered to license access thereto, would have licensed him to enter or remain.” 18 Pa.C.S.A. § 3503(c)(3).

Defendant argues that only the property owner, Kenneth Wayne Rockwell, Sr., had the authority to exclude her from the residence and that Barbara Bolden as the stepdaughter of property owner did not possess this authority. Defendant’s argument extends that Trooper Mulet was without authority to tell her to stay away from the residence because the officer also never received that directive from the property owner.

However, contrary to Defendant’s argument, the Superior Court has held that the defiant trespass statute “does not limit to the owner of the premises the power to license access to his property.” *Commonwealth v. Sherlock*, 473 A.2d 629 (Pa. Super. 1984). In a defiant trespass action, “absent evidence to the contrary,” a child of the owner of the property who is residing on such premises is “in the class of persons able to license access to the property.” *Id.*

Applied here, the property owner was incapacitated by dementia and Alzheimer’s and his adult stepdaughter, Barabra Bolden, resided with him, vesting Bolden with the authority to exclude Defendant from the residence. The Commonwealth presented suffi-

cient evidence if believed by the trier of fact that Defendant entered the property in defiance of the notice provided to her by Trooper Mulet on behalf of Barbara Bolden, the notice was actually and personally communicated to Defendant directly. Defendant's returning to the property and demanding entry satisfies both the element of notice against trespass by actual communication, and the personal communication element required for the grading of a third-degree misdemeanor.

Defendant argues that Kenneth Wayne Rockwell, Sr.'s family permitted her to visit with him at the residence on May 16, 2023, after the notice to not return was given to her by Trooper Mulet on May 2, 2023. Kenneth Matthew Rockwell testified that Defendant was permitted to visit with his grandfather only on the patio and was not permitted inside of the house. Whether this visit would have revoked then notice of trespass is a question of fact to be decided by the factfinder at trial pursuant to the statutory defense to criminal trespass that if Defendant "reasonably believed that the owner of the premises, or other person empowered to license access thereto, would have licensed him to enter or remain." 18 Pa.C.S.A. § 3503(c)(3).

WHEREFORE, we will enter the following Order.

#### ORDER

AND NOW, this 9th day of October, 2024, upon consideration of the Omnibus Pretrial Motion of Defendant Vickie Lynn Deal in the nature of a Petition for Writ of Habeas Corpus, it is hereby ORDERED and DECREED that the Petition is DENIED in accordance with the foregoing Opinion.

BY THE COURT:  
NANCY D. VERNON, JUDGE

ATTEST:  
CLERK OF COURTS

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