



# Chester County Law Reporter

(USPS 102-900)

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# Chester County Law Reporter

(USPS 102-900)

*Reporting the Decisions of the Divisions of the Court of the Fifteenth Judicial District of Pennsylvania, Composed of Chester County, Officially Designated by the Rule Thereof as the Legal Periodical for the Publication of Legal Notices*

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**Commonwealth vs. Faddis**

Violation of parole/probation – No power to anticipatorily revoke probation before it has begun

1. A trial court does not have the power to anticipatorily revoke an order of probation before the period of probation has begun.
2. An order revoking parole does not impose a new sentence; it requires defendant to serve the balance of a valid sentence previously imposed. Thus, when resentencing for a VOP, the trial court may resentence a defendant to serve only the balance of the sentence previously imposed.
3. Defendant initially received a sentence of incarceration on count 1 and consecutive probation on count 2. Defendant's initial period of parole was extended by re-sentencings after violations of parole. After the parole on the violations expired, she served her originally imposed probation. She violated that probation and was sentenced to incarceration and consecutive probation. She violated that parole and was sentenced to incarceration. No sentence was then imposed on the consecutive probation because it was not yet ripe for consideration. Defendant later violated her probation and was sentenced to incarceration. Defendant appealed that judgement of sentence and argued that this court was without jurisdiction to find her in violation of her probation and impose a sentence because a judge had previously only violated her on her parole and not the consecutive probation. The trial court *Held* it appropriately had jurisdiction to find a violation and sentence Defendant on the time still existing under the consecutive term of probation on count 2 and requested the Superior Court affirm the judgment of sentence.

R.E.M.

C.C.P. Chester County, Pennsylvania, Criminal Action # 2719-2014; Commonwealth of Pennsylvania vs. Dana Faddis

Daniel E. Roland and Gerald P. Morano for the Commonwealth

Maria T. Heller and Kelly Ann Long for the Defendant

Forzato, J., December 9, 2022:-

**[Editor's note: Affirmed by the Superior Court on July 25, 2023 at 2666 EDA 2022]**

## IN THE SUPERIOR COURT OF PENNSYLVANIA

## EASTERN DISTRICT

NO. 2666 EDA 2022

COMMONWEALTH OF PENNSYLVANIA,

Appellee

vs.

DANA FADDIS,

Appellant

## OPINION PURSUANT TO Pa.R.A.P 1925

Appellant, Dana Faddis, appeals from the judgement of sentence entered following a Gagnon II hearing on October 12, 2022. Appellant argues that this court was without jurisdiction to find her in violation of her probation (VOP) and impose a sentence accordingly. This court respectfully disagrees. For the following reasons this court's judgement of sentence should be affirmed.

**ISSUE PRESENTED**

The ultimate issue before the Court is whether the trial court had jurisdiction to rule on Appellant's Gagnon II on October 12, 2022. Appellant argues that the term of her parole expired on June 6, 2022. She further argues that since the court that heard the Gagnon II on December 21, 2021, did not address the consecutive probationary portion of her sentence on that date, the probation was terminated. Appellant relies on the case *Commonwealth v. Quinlan*, 639 A.2d 1235 (Pa. Super. 1994) for this argument. This court determined that per *Commonwealth v. Simmons*, 262 A.3d 512 (Pa. Super. 2021), this court did have jurisdiction.

**FACTUAL HISTORY**

On November 14, 2014, Appellant initially pled guilty to one count of simple assault ("Count 1") and one count of resisting arrest ("Count 2"). In accordance with the terms of the negotiated plea agreement, the trial court sentenced Appellant on Count 1 to one (1) to eleven and one-half (11.5) months incarceration and on Count 2, two (2) years of probation to be served consecutive to Count 1.

Appellant violated her parole sentence on Count 1 numerous times over the years.<sup>1</sup> As a result, the balance of the maximum of her parole on Count 1 did not expire until

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<sup>1</sup> Gagnon II hearings on the following dates: October 25, 2018; January 25, 2019; August 23, 2019; March 13, 2020.

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**[71 Ches. Co. Rep. Commonwealth vs. Faddis**

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August 9, 2020. Moreover, once Appellant's parole on Count 1 expired, Appellant was still under this court's supervision per the original sentence on Count 2, which was a two-year term of consecutive probation referenced above.

Count 2 – Consecutive Probation Analysis

On August 9, 2020, when her parole finally expired, Appellant started serving her two-year term of consecutive probation on Count 2. Within months of her parole expiring, and while serving her probationary sentence per Count 2, Appellant allegedly violated the terms of her supervision again. On January 20, 2021, at Appellant's fifth Gagnon II hearing on the underlying file<sup>2</sup>, the Honorable Edward Griffith did in fact conclude that Appellant violated the terms of her probation. He revoked her probation on Count 2 and immediately resentenced Appellant to a term of three (3) to twelve (12) months incarceration followed by a consecutive term of one-year probation. Further, the court made Appellant eligible for early parole into an inpatient treatment program. Accordingly, on August 17, 2021, the court paroled Appellant directly to the Vantage House treatment facility, but she absconded from the facility within hours of her arrival. Thus, the court issued a bench warrant for Appellant on August 19, 2021.

On December 21, 2021, Appellant appeared before the Honorable Robert J. Shenkin for her sixth Gagnon II hearing in this case.<sup>3</sup> At this hearing, the court determined that Appellant was in violation of her parole on Count 2. He sentenced Appellant to nine (9) months incarceration, the balance of her maximum parole sentence on Count 2, with eligibility for re-parole into an inpatient treatment program. The court specifically noted that should Appellant successfully complete her treatment program, the case could be closed at the end of her parole period. Pursuant to the holding in *Commonwealth v. Simmons*, 262 A.3d 512 (Pa. Super. 2021), the court did not address the consecutive probation on the sentence of Count 2 as it was not yet ripe for consideration. Appellant's probation on Count 2 at that time was only anticipatory. A plain reading of the sentencing order dated December 21, 2021, clearly shows that the court was aware of the consecutive probationary period but did not address it per *Simmons*.

On September 19, 2022, Appellant was back in front of this court for another alleged violation of the terms of her probation on Count 2.<sup>4</sup> During the Gagnon II hearing, Appellant's counsel argued that this court was without jurisdiction to address the alleged VOP. Counsel reasoned that since the anticipatory probationary period was not addressed in the December 21, 2021 Order, her supervision ended at the conclusion of the parole period on June 6, 2022, despite the fact that prior to the ruling in *Simmons, supra.*, there had been a consecutive probationary period on the sentence.

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<sup>2</sup> CP-15-CR-2719-2014

<sup>3</sup> Notably, this Gagnon hearing was held after the case *Commonwealth v. Simmons*, 262 A.3d 512 (Pa. Super. 2021) was filed in late August of 2021.

<sup>4</sup> The violations were two new arrests and technical violations for failing to successfully complete treatment.

In light of the argument, this court tasked the parties with briefing the issue and the matter was continued until October 12, 2022. After a review of the briefs and further argument, on that date, at Appellant's latest Gagnon II hearing, this court determined that pursuant to *Simmons, supra.*, the consecutive probation did carry forward and thus this court did have jurisdiction to find Appellant in violation of the terms of that probation. This court sentenced her to three (3) to eleven and one-half (11.5) months incarceration, with eligibility for parole into an inpatient treatment program or for parole after six months.

Subsequently, Appellant filed a post-sentence motion for reconsideration of this court's sentence. This court denied the motion for reconsideration on the same date. Appellant filed a timely appeal and submitted a concise statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(b), requesting the reconsideration of her sentence. In her concise statement, Appellant submits that:

1. The trial court erred in revoking probation and imposing sentence when probation term which was revoked was not contained on the previous sentencing order. *See Commonwealth v. Quinlan*, 639 A.2d 1235 (Pa. Super. 1994).

*Pa.R.A.P. 1925(b) Statement*, 11/1/22, p. 1.

Specifically, Appellant asserts that when the Honorable Robert J. Shenkin found her in violation of parole as to Count 2 and sentenced her to the balance of her maximum, nine (9) months, but did not simultaneously address her consecutive one-year term of probation in the sentencing sheet, he effectively terminated or canceled the consecutive one-year probation.

## DISCUSSION

### *The Impact of Commonwealth v. Simmons on VOPs regarding Count 2*

In August 2021, the Pennsylvania Superior Court filed its opinion in *Commonwealth v. Simmons*, 262 A.3d 512 (Pa. Super. 2021). The *Simmons* Court explicitly ruled that a trial court does not have the power to "[...] anticipatorily revoke an order of probation ... before the period of probation ha[s] begun." *Id.* at 525. The holding in *Simmons* overruled a host of cases which had historically permitted the anticipatory revocation of probation sentences not yet being served, including *Commonwealth v. Wendowski*, 420 A.2d 628 (Pa. Super. 1980), *Commonwealth v. Dickens*, 475 A.2d 141 (Pa. Super. 1984), *Commonwealth v. Miller*, 516 A.2d 1263 (Pa. Super. 1986), *Commonwealth v. Ware*, 737 A.2d 251 (Pa. Super. 1999), *Commonwealth v. Castro*, 856 A.2d 178 (Pa. Super. 2004), *Commonwealth v. Hoover*, 909 A.2d 321 (Pa. Super. 2006), and *Commonwealth v. Mitchell*, 955 A.2d 433 (Pa. Super. 2008). *See Simmons*, 262 A.3d at 523.

Three months after the decision in *Simmons, supra.*, Appellant had her sixth

Gagnon II hearing in this case on December 21, 2021. Pursuant to the ruling in *Simmons, supra.*, on December 21, 2021, the court only addressed the violation of parole on Count 2. The court specifically did not address the untouched probationary period of Count 2 from the Gagnon II held in January 2021. The sentencing order and transcript even notes that should she successfully complete her treatment, her case could be closed at the end of the parole period. Simply stated, the sentencing sheet from the December 21, 2021 VOP hearing did not address the probationary period of Count 2 since only the parole period was before the court for consideration.

Despite Appellant's argument, it must be remembered that this Court has held that an "order revoking parole does not impose a new sentence; it requires appellant, rather, to serve the balance of a valid sentence previously imposed." *Commonwealth v. Mitchell*, 632 A.2d 934, 936 (Pa. Super. 1993); see *Commonwealth v. Carter*, 485 A.2d 802, 805, n. 2 (Pa. Super. 1984). Thus, when resentencing for a VOP, the trial court may resentence a defendant to serve only the balance of the sentence previously imposed. See *Mitchell*, 632 A.2d at 936; see also *Commonwealth v. Kalichak*, 943 A.2d 285, 290 (Pa. Super. 2008). The Court also held that a parole-revocation court has no authority to impose a new penalty. *Kalichak*, 943 A.2d at 290. Moreover, when a court revokes parole, such court can only "recommit the defendant to serve the already-imposed, original sentence." *Id.* Therefore, such a recommittal is just that, a recommittal and not a new sentence.

Pursuant to the holding in *Simmons, supra.*, at Appellant's Gagnon II hearing on December 21, 2021, it was unnecessary for the Honorable Robert J. Shenkin to address the probationary portion of the sentence on Count 2. Therefore, a probation violation was not immediately before him for consideration. Accordingly, the sentencing sheet from that date only addresses the portion of the sentence in front of the court for consideration at the time. *Simmons, supra.*, and its progeny, do not address what should be reflected on the VOP sentencing sheet in light of the fact that the courts are not to consider anticipatory sentences. In this matter, on December 21, 2021, the court only addressed the parole portion of the sentence on Count 2 per *Simmons*. There is no mention of the probationary portion of the sentence on Count 2.

Notably, since *Simmons, supra.*, the Pennsylvania Superior Court has vacated the judgement of sentence in multiple cases when a trial court has revoked probation for violations that occurred prior to the beginning of a probationary period. See *Commonwealth v. Hampton*, 268 A.3d 418 (Pa. Super. 2021); *Commonwealth v. Rosario*, 264 A.3d 358 (Pa. Super. 2021), *appeal granted*, 271 A.3d 1285 (Pa. 2022); *Commonwealth v. Early*, 279 A.3d 1269 (Pa. Super. 2022); *Commonwealth v. Gunter*, 276 A.3d 246 (Pa. Super. 2022); *Commonwealth v. Cooper*, 277 A.3d 1190 (Pa. Super. 2022); *Commonwealth v. Costello*, 277 A.3d 1161 (Pa. Super. 2022).

Considering the totality of the circumstances, this court determined that it was permitted to address the alleged violation of the probation on Count 2. Starting on June 13, 2022, Appellant's probationary period would have been in effect at the time of the alleged violations relevant to the most recent Gagnon II hearing.<sup>5</sup> Again, the

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<sup>5</sup> September 19, 2022; October 12, 2022

holding in *Simmons, supra.*, suggests that a trial court is not permitted to address the anticipatory probationary period. Since that was the law in December 2021, Appellant's probation was untouched and started to run on or about June 13, 2022. Using that reasoning, when the Chester County Probation and Parole Department petitioned for a Gagnon II hearing in August 2022, Appellant was currently under their supervision for probation as to Count 2. Therefore, on October 12, 2022, this Court appropriately had jurisdiction to find a violation and sentence Appellant on the time still existing under the consecutive term of probation on Count 2.

### **CONCLUSION**

Pursuant to *Simmons, supra.*, a court cannot anticipatorily revoke a sentence of probation before the probationary period begins. At Appellant's Gagnon II hearing on December 21, 2021, the Honorable Robert J. Shenkin only addressed the parole violation before the court. That court violated the Appellant only regarding the parole period on Count 2, as that was the only period ripe for the court's consideration. No mention was made to the subsequent probationary period of the sentence as it was not before the court for consideration. Therefore, this court had jurisdiction over Appellant when she appeared at her final Gagnon II hearing on October 12, 2022, because at that time, the portion of the sentence for this court's consideration was her conduct while she was serving her consecutive term of probation. Thus, for the reasons set forth above, this court respectfully requests that its judgement of sentence be affirmed.

**BY THE COURT:**

/s/ **FORZATO, NICOLE R., J.**



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Virginia Rae Cranesmith  
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

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**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION**

**LAW NO. 2023-06387-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Jason Robert Ballard was filed in the above-named court and will be heard on Monday, December 4, 2023 at 2:00:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.  
Date of filing the Petition: Friday, September 1, 2023  
Name to be changed from: Jason Robert Ballard to: Jason Robert Cranesmith  
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

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**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION**

**LAW NO. 2023-07594-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Cody Rachel Regan was filed in the above-named court and will be heard on Monday, January 8, 2024 at 2:00:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.  
Date of filing the Petition: Monday, October 2, 2023  
Name to be changed from: Cody Rachel Regan to: Codi Rachel Regan Mustakas  
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

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**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION**

**LAW NO. 2023-06388-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Virginia Rae Smith was filed in the above-named court and will be heard on Monday, December 4, 2023 at 2:00:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.  
Date of filing the Petition: Friday, September 1, 2023  
Name to be changed from: Virginia Rae Smith to:

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**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION**

**LAW NO. 2023-08400-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Danielle Nicole LaBree was filed in the above-named court and will be heard on Monday, January 29, 2024 at 2:00:00 PM, in Courtroom 8 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.  
Date of filing the Petition: Friday, October 27, 2023  
Name to be changed from: Danielle Nicole LaBree to: Daniel Nicholas LaBree  
Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

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**CHANGE OF NAME NOTICE  
IN THE COURT OF COMMON PLEAS CHESTER COUNTY, PENNSYLVANIA  
CIVIL ACTION**

**LAW NO. 2023-08597-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Mark Wayne Truitt was filed in the above-named court and will be heard on Monday, February 5, 2024 at 2:00:00 PM, in Courtroom 6 at

the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Thursday, November 2, 2023

Name to be changed from: Mark Wayne Truitt to: Emma Maisie Truitt

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

MICHELLE C. POWER, Esq.

The Charleston Firm, LLC

60 W. Boot Road

West Chester, PA 19380

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**CHANGE OF NAME NOTICE**

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

**CIVIL ACTION**

**LAW NO. 2023-08616-NC**

NOTICE IS HEREBY GIVEN that the name change petition of Susan Krulikowski Kullman was filed in the above-named court and will be heard on Monday, December 4, 2023 at 2:00:00 PM, in Courtroom 3 at the Chester County Justice Center, 201 West Market Street, West Chester, Pennsylvania.

Date of filing the Petition: Friday, November 3, 2023  
Name to be changed from: Susan Krulikowski Kullman to: Susan Marie Krulikowski

Any person interested may appear and show cause, if any they have, why the prayer of the said petitioner should not be granted.

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**CHANGE OF NAME NOTICE**

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

**CIVIL ACTION 2023-05472-NC**

NOTICE IS HEREBY GIVEN that on 8/3/2023, the Petition of JESSICA HESSEL on behalf of her minor child IVY MARIE PETERS, was filed in the above-named Court, praying for a Decree to change the Child's name to JORDAN ALEX PETERS. The Court has fixed 11/27/2023, at 2:00 p.m., Courtroom 18, Chester County Justice Center, 201 W. Market St., West Chester, 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 the said Petition should not be granted. SEAMUS M. LAVIN, Atty. for Petitioner, WETZEL GAGLIARDI FETTER & LAVIN LLC, 122 S. Church St., West Chester, PA 19382, 484.887.0779

**CORPORATION NOTICE**

Notice is hereby given that, pursuant to the Business Corporation Law of 1988, Kenexa Compensation, Inc., a corporation incorporated under the laws of the State of Delaware intends to withdraw from doing business in Pennsylvania. The address of its principal office in its jurisdiction of incorporation is 1 New Orchard Rd, Armonk, NY 10504 and the name of its commercial registered office provider in Pennsylvania is CT Corporation System.

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**DISSOLUTION NOTICE**

NOTICE IS HEREBY GIVEN THAT to all creditors and claimants of LEVIN PATHOLOGY, P.C. a Pennsylvania professional corporation, that the shareholders have approved a proposal that the corporation dissolve voluntarily and the Board of Directors is now engaged in winding up and settling the affairs of the corporation so that its corporate existence will end, pursuant to the filing of Articles of Dissolution with the Pennsylvania Corporation Bureau pursuant to the requirements of the Pennsylvania Business Corporation Law of 1988, as amended

Vincent Carosella, Jr., Esquire

Carosella & Associates, P.C.

882 S. Matlack Street, Suite 101

West Chester, PA 19382-4505

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**ESTATE NOTICES**

*Letters Testamentary or of Administration having been granted in the following Estates, all persons having claims or demands against the estate of the said decedents are requested to make known the same and all persons indebted to the said decedents are requested to make payment without delay to the respective executors, administrators, or counsel.*

**1st Publication**

**ANGELONI**, Robert Andrew, late of New Garden Township. Eileen Angeloni, care of ALBERT R. RIVIEZZO, Esquire, P.O. Box 673, Exton, PA 19341, Executrix. ALBERT R. RIVIEZZO, Esquire, Fox Rothschild LLP, P.O. Box 673, Exton, PA 19341, atty.

**CALKINS**, Howard W., late of West Chester. Rosalie Calkins White, care of PAUL D. NELSON, Esquire, 334 West Front Street, Media, PA 19063, Executrix. PAUL D. NELSON, Esquire, 334 West Front Street, Media, PA 19063, atty.

**FULTON**, Ella E., a/k/a Ella Edna Fulton, late of

East Nottingham Township. Bethany A. Freeman, 89 Red Pump Road, Rising Sun, MD 21911, care of GRACE C. NGUYEN BOND, Esquire, 28 Penn Square, P.O. Box 1889, Lancaster, PA 17608-1889, Executrix. GRACE C. NGUYEN BOND, Esquire, Blakinger Thomas, PC, 28 Penn Square, P.O. Box 1889, Lancaster, PA 17608-1889, atty.

**GREEN, JR.**, Walter Edd, a/k/a Walter E. Green, Jr. and Walter E. Green, late of Upper Uwchlan Township. Raquel A. Green, 202 Equestrian Way, Downingtown, PA 19335, care of DAVID LYLE SEGAL, Esquire, 121 S. Broad St., Ste. 1700, Philadelphia, PA 19107, Executrix. DAVID LYLE SEGAL, Esquire, 121 S. Broad St., Ste. 1700, Philadelphia, PA 19107, atty.

**HARPER**, Ronald F., a/k/a Ronald Forsythe Harper, late of Easttown Township. Nancy W. Harper, 900 N. Atwater Dr., Apt. 335, Malvern, PA 19355, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

**HOY**, Joyce Thomas, late of West Chester (Barclay Friends). Beth Fitzgerald, 7 Pump House Circle, Hockessin, DE 19707-2030, care of KRISTINE F. HUGHEY, Esquire, 22 West Second St, Media, PA 19063, Executrix. KRISTINE F. HUGHEY, Esquire, Speare and Hughey, 22 West Second St, Media, PA 19063, atty.

**McGOVERN, III**, George H., late of Easttown Township. Mary Jill Neyer and James Lynch, care of CAROL R. LIVINGOOD, Esquire, 130 W. Lancaster Ave., Wayne, PA 19087-0191, Executors. CAROL R. LIVINGOOD, Esquire, Timoney Knox LLP, 130 W. Lancaster Ave., Wayne, PA 19087-0191, atty.

**PAUL**, Jonathan Wortley, late of West Whiteland Township. Stacey Holland, care of W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, Administrator. W. MARSHALL PEARSON, Esquire, 311 Exton Commons, Exton, PA 19341-2450, atty.

**POWERS**, Lawrence T., late of Uwchlan Township. Steven Powers and Lori Brecht, care of RYAN J. GRIFFIN, Esquire, CPA, 623 N. Pottstown Pike, Exton, PA 19341, Co-Executors. RYAN J. GRIFFIN, Esquire, CPA, James B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

**REVES**, Rita E., late of Willistown Township, Malvern. Maura C. Popp, care of ANDREW H. DOHAN, Esquire, 460 E. King Road, Malvern, PA 19355-3049, Executor. ANDREW H. DOHAN, Es-

quire, Wisler Pearlstine, LLP, 460 E. King Road, Malvern, PA 19355-3049, atty.

**REWKOWSKI**, Tamara S., late of Honey Brook Township. CarrieAnn R. Broderick and Andrew John Rewkowski, care of RYAN J. GRIFFIN, Esquire, CPA, 623 N. Pottstown Pike, Exton, PA 19341, Co-Administrators. RYAN J. GRIFFIN, Esquire, CPA, James B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

**SAWYER**, Joan Carolyn, late of Westtown Township. Glenn D. Sawyer, 1005 Martone Road, West Chester, PA 19382, care of DANIEL HOLLANDER, Esquire, 32 South Church Street, West Chester, PA 19382, Administrator. DANIEL HOLLANDER, Esquire, Noone & Borger, LLC, 32 South Church Street, West Chester, PA 19382, atty.

**SHEETS**, Elaine C., late of Oxford. Brinton Sheets, care of IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, Executor. IRA D. BINDER, Esquire, 227 Cullen Rd, Oxford, PA 19363, atty.

**SLABAUGH**, Phyllis Ruth, late of East Nottingham. Kenneth Slabaugh, c/o J.P. Bryman 225 Wilmington West Chester Pk Suite 200, Chadds Ford, PA 19317, care of JEFF P. BRYMAN, Esquire, 225 Wilmington West Chester Pike, Suite 200, Chadds Ford, PA 19317, Administrator. JEFF P. BRYMAN, Esquire, Pyle & Bryman, 225 Wilmington West Chester Pike, Suite 200, Chadds Ford, PA 19317, atty.

**TREMBICKI**, Richard J., a/k/a Richard J. Trembicki Sr., late of West Caln Township. Richard J. Trembicki, Jr., care of SEAN J. O'BRIEN, Esquire, 534 Court Street, Reading, PA 19601, Executor. SEAN J. O'BRIEN, Esquire, Dautrich & O'Brien Law Offices, P.C., 534 Court Street, Reading, PA 19601, atty.

## 2nd Publication

**AZORLOSA**, Julian L., a/k/a Julian L. Azorlosa, III and Jay Azorlosa, late of East Brandywine Township. Jillian E. Azorlosa, care of NEVIN D. BEILER, Esquire, 105 S. Hoover Ave., New Holland, PA 17557, Executrix. NEVIN D. BEILER, Esquire, Beiler Legal Services, P.C., 105 S. Hoover Ave., New Holland, PA 17557, atty.

**ESTATE OF HARRY S. BARNDT**, late of Lee County, Florida, deceased.

Letters of Ancillary Administration of the Estate of the above named, Harry S. Barndt, deceased, having been granted to the undersigned on October 6th, 2023, all persons having claims or demands against the Estate of the said decedent are requested to make

known the same, and all persons indebted to the said decedent to make payment without delay to the undersigned Executor or Counsel:

Charles L. Barndt, Jr., Executor  
866 Rubis Drive,  
Sunnyvale, CA 94087  
FRANK W. HAYES, Esquire  
Hayes & Romero  
31 South High Street,  
West Chester, PA 19382

**BRAKER**, Garey, late of West Chester Borough. Nicholas G. Stathes, care of NICHOLAS W. STATHES, Esquire, 899 Cassatt Rd., Ste. 320, Berwyn, PA 19312, Executor. NICHOLAS W. STATHES, Esquire, Toscani, Stathes & Zoeller, LLC, 899 Cassatt Rd., Ste. 320, Berwyn, PA 19312, atty.

**CARPENTER**, Stephen Frederick, late of Pottstown. Elizabeth W Noble, Administratrix.

**CONNAHAN**, Elsie Veronica, a/k/a Elsie V Conahan, late of Malvern, PA. East Whiteland Township. Mark Conahan, 137 Merlin Road, Phoenixville, PA 19460, care of JAMES CUNILIO, Esquire, 835 W. Lancaster AVE, P.O. Box 989, Bryn Mawr, PA 19010, Executor. JAMES CUNILIO, Esquire, Cunilio & Cunilio, 835 W. Lancaster AVE, P.O. Box 989, Bryn Mawr, PA 19010, atty.

**CROFTS**, Heidi M., late of West Vincent Township. Diane B. Robinette, 2110 Greaves Court, Winterville, NC 28590, and Eric J. Detwiler, 1621 Elverson Road, Elverson, PA 19520, care of JENNIFER S. NASH, Esquire, 705 Gordon Drive, Exton, PA 19341, Executors. JENNIFER S. NASH, Esquire, 705 Gordon Drive, Exton, PA 19341, atty.

**DEBUS**, Eugene V., late of Schuylkill Township. Lawrence Davis, care of ROSEMARY R. FERRINO, Esquire, 608 W. Main St., Lansdale, PA 19446-2012, Executor. ROSEMARY R. FERRINO, Esquire, Montco Elder Law, LLP, 608 W. Main St., Lansdale, PA 19446-2012, atty.

**DUNN**, Geraldine Mary, late of West Goshen Township. Thomas J. Dunn, care of MARC L. DAVIDSON, Esquire, Radnor Station Two, 290 King of Prussia Rd., Ste. 110, Radnor, PA 19087, Executor. MARC L. DAVIDSON, Esquire, Davidson & Egner, Radnor Station Two, 290 King of Prussia Rd., Ste. 110, Radnor, PA 19087, atty.

**DOERR**, Samuel G., a/k/a Samuel Glenn Doerr and Glenn Doerr, late of West Whiteland Township. Amy Lynn Peters, care of JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA

19335, Executrix. JAY G. FISCHER, Esquire, 342 East Lancaster Avenue, Downingtown, PA 19335, atty.

**ELY**, Barbara Erb, a/k/a Barbara Ely, late of West Goshen Township. Jennifer A. McCraw, care of KEVIN J. RYAN, Esquire, 999 West Chester Pike, Suite 201, West Chester, PA 19382, Executrix. KEVIN J. RYAN, Esquire, Ryan Morton and Imms LLC, 999 West Chester Pike, Suite 201, West Chester, PA 19382, atty.

**EPSTEIN**, Gail Terry, late of East Brandywine Township. Susan Joan Rogers, 2226 Franklin Circle, Little River, SC 29566, care of NICOLAS F. METER, Esquire, 1401 E. High St., Pottstown, PA 19464, Administratrix. NICOLAS F. METER, Esquire, Meter Law Offices, LLC, 1401 E. High St., Pottstown, PA 19464, atty.

**HAGEE**, Gwynne Rodger, late of Phoenixville Borough. Daniel J. Hagee, care of DANIELLA A. HORN, Esquire, 2202 Delancey Place, Philadelphia, PA 19103, Executor. DANIELLA A. HORN, Esquire, Klenk Law, LLC, 2202 Delancey Place, Philadelphia, PA 19103, atty.

**MACIVER**, Maria W., late of Birmingham Township. Kathleen M. Brown, care of L. PETER TEMPLE, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. L. PETER TEMPLE, Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**MATEY**, Joanne, late of Willistown Township. Molly A. Bergh, 117 Bartholomew Rd., Berwyn, PA 19312, care of STACEY WILLITS McCONNELL, Esquire, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, Executrix. STACEY WILLITS McCONNELL, Esquire, Lamb McErlane, PC, 24 E. Market St., P.O. Box 565, West Chester, PA 19381-0565, atty.

**ESTATE OF ROBERT J. MAURER**, late of Uwchlan Township, Chester County, Pennsylvania, deceased.

Letters Testamentary of the Estate of the above named, Robert J. Maurer, deceased, having been granted to the undersigned on October 19th, 2023, all persons having claims or demands against the Estate of the said decedent are requested to make known the same, and all persons indebted to the said decedent to make payment without delay to the undersigned Executor or Counsel:

Eric J. Maurer, Executor  
52 Chestnut Street  
Millburn, NJ 07041

FRANK W. HAYES, Esquire  
Hayes & Romero,  
31 South High Street,  
West Chester, PA 19382

**MOSIER**, Frances Irene, late of Franklin Township. Sandra Couch, care of DONALD B. LYNN, JR., Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. DONALD B. LYNN, JR., Esquire, Larmore Scarlett LLP, P.O. Box 384, Kennett Square, PA 19348, atty.

**NORTHACKER**, Edith T., late of East Coventry Township. Kathy Gresko, care of ELIZABETH R. HOWARD, Esquire, P.O. Box 507, 301 Gay St., Phoenixville, PA 19460, Executrix. ELIZABETH R. HOWARD, Esquire, P.O. Box 507, 301 Gay St., Phoenixville, PA 19460, atty.

**REITNOUR**, William, late of East Vincent Township. Robert Reitnour, care of CAROLYN MARCHESANI, Esquire, P.O. Box 444, Pottstown, PA 19464, Executor. CAROLYN MARCHESANI, Esquire, Wolf Baldwin & Associates, P.C., P.O. Box 444, Pottstown, PA 19464, atty.

**RIKE**, Linda G., late of Highland Township. Harry J Rice, 270 Old Limestone Road, Parkesburg, PA 19365, care of JUSTIN J BOLLINGER, Esquire, PO Box 5349, Lancaster, PA 17606, Executor. JUSTIN J BOLLINGER, Esquire, Gibbel Kraybill & Hess LLP, PO Box 5349, Lancaster, PA 17606, atty.

**SCOTT**, Monica J., late of Honey Brook. Kathleen Alice Scott, 160 West End Avenue, Apt 10K, New York, NY 10023, care of DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, Executrix. DONALD F. KOHLER, JR., Esquire, 27 South Darlington Street, West Chester, PA 19382, atty.

**SETTINE**, Edna H., late of West Nottingham Township. Rhonda M. Fream and Gregory A. Settine, care of DANIEL R. COLEMAN, Esquire, 300 W. State St., Ste. 300, Media, PA 19063, Executors. DANIEL R. COLEMAN, Esquire, Eckell, Sparks, Levy, Auerbach, Monte, Sloane, Matthews & Auslander, P.C., 300 W. State St., Ste. 300, Media, PA 19063, atty.

**SNODGRASS**, Martha L., late of Uwchlan Township. James E. Snodgrass, care of ANDREW GAVRIN, Esquire, 306 Clairemont Rd., Villanova, PA 19085, Executor. ANDREW GAVRIN, Esquire, Law Office of Andy Gavrin, 306 Clairemont Rd., Villanova, PA 19085, atty.

**SWEIGART**, Teresa, late of Phoenixville. Frank

Sweigart, 601 Sanatoga Rd, Pottstown, PA 19465, and David Sweigart, 991 Farmington Ave, Pottstown, PA 19464, Executor.

**TWEEDIE**, Sally A., late of Pennsbury Township. Kathryn Tweedie Covey, 2073 Medford St., Longmont, CO 80504, care of GARTH G. HOYT, Esquire, 426 W. Lancaster Ave., Ste. 110, Devon, PA 19333, Executrix. GARTH G. HOYT, Esquire, McNees Wallace & Nurick, LLC, 426 W. Lancaster Ave., Ste. 110, Devon, PA 19333, atty.

**von der WENSE**, Bodo, late of Tredyffrin Township. Gertraud von der Wense, care of NICHOLAS M. ORLOFF, Esquire, 1 W. Third St., Media, PA 19063, Executrix. NICHOLAS M. ORLOFF, Esquire, Orloff Law, 1 W. Third St., Media, PA 19063, atty.

### 3rd Publication

**BELL**, Hans Frederick, late of Uwchlan Township. Hans G. Bell, 211 Prescott Dr., Chester Springs, PA 19425, care of ANITA M. D'AMICO, Esquire, 65 S. Third St., Oxford, PA 19363, Executor. ANITA M. D'AMICO, Esquire, D'Amico Law, P.C., 65 S. Third St., Oxford, PA 19363, atty.

**BIEGALSKI**, John L., a/k/a John Biegalski, late of East Pikeland Township. Phyllis Biegalski, care of GEORGE M. RITER, Esquire, 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544, Administratrix. GEORGE M. RITER, Esquire, Timoney Knox, LLP, 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544, atty.

**BIEHL**, Lucy Jean, late of Phoenixville. Kathy Ann Simmonds, 6 Barbara Drive, Malvern, PA 19355, Executor.

**EARNHART**, Ruth, late of Honey Brook. Nancy Morrill, P.O. Box 36, Gabriels, NY 12939, care of TODD ALLEN ELLIOTT, Esquire, 835 West Chester Pike - 2nd Floor, West Chester, PA 19382, Administratrix. TODD ALLEN ELLIOTT, Esquire, Elliott Legal Services, 835 West Chester Pike - 2nd Floor, West Chester, PA 19382, atty.

Letter Testamentary have been granted in the Estate of **BARBARA H. FLECK**, late of West Caln Township. All persons having claims or demands on the Estate are requested to make them known, and all persons indebted to the said decedent are requested to make payment without delay.

Brian T. Fleck, c/o The Law Firm of Barry S. Rabin, 797 E. Lancaster Avenue Suite 13, Downingtown PA 19335, Personal Representative. Barry S. Rabin, 797 E. Lancaster Avenue Suite 13, Downingtown PA



19335, Attorney.

**FRAIN**, Ursula M., late of North Coventry Township. Alicia L. Fanella, 708 E. Philadelphia Ave., Boyertown, PA 19512, care of JOHN A. KOURY, JR., Esquire, 41 E. High St., Pottstown, PA 19464, Executrix. JOHN A. KOURY, JR., Esquire, OWM Law, 41 E. High St., Pottstown, PA 19464, atty.

**FRANKHOUSER**, Mary C., late of West Chester. Michael Zoeller, care of DOUGLAS W. OLSHIN, Esquire, 442 North High Street, West Chester, PA 19380, Administrator. DOUGLAS W. OLSHIN, Esquire, 442 North High Street, West Chester, PA 19380, atty.

**FRITZ**, Robert D., late of West Brandywine. Amy F. Reilly, 117 Locust Lane, Exton, PA 19341, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executrix. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**GALUSKA**, Marguerite S., a/k/a Marguerite E. Spencer, late of East Goshen Township. Carol E. Spencer, 25 Cobblestone Ln., Aston, PA 19104, care of CHARI M. ALSON, Esquire, 206 State Rd., Media, PA 19063, Executrix. CHARI M. ALSON, Esquire, Anderson Elder Law, 206 State Rd., Media, PA 19063, atty.

**GENTRY**, Louis F., late of Valley Township. Louis C. Gentry, care of CHRISTOPHER M. MURPHY, Esquire, 3305 Edgmont Avenue, Brookhaven, PA 19015, Executor. CHRISTOPHER M. MURPHY, Esquire, Breslin Murphy & Roberts, 3305 Edgmont Avenue, Brookhaven, PA 19015, atty.

**GODWIN**, Judith E., a/k/a Judith Godwin Castaldi, Judy Castaldi and Judy Godwin, late of Tredyffrin Township. Selena Mello, care of DENIS A. GRAY, Esquire, 115 Bloomingdale Ave., Carriage House, Ste. 100, Wayne, PA 19087, Executrix. DENIS A. GRAY, Esquire, Palmer & Gray LLP, 115 Bloomingdale Ave., Carriage House, Ste. 100, Wayne, PA 19087, atty.

**GREENWOOD**, John R., late of Tredyffrin Township. Diane Greenwood, care of LISA COMBER HALL, Esquire, 27 S Darlington St, West Chester, PA 19382, Executrix. LISA COMBER HALL, Esquire, Hall Law Offices, 27 S Darlington St, West Chester, PA 19382, atty.

**HADDEN**, Guy Thomas, late of Honey Brook Township. Shane T. Hadden, care of EMILY T. ABELS, Esquire, P.O. Box 384, Kennett Square, PA 19348, Executor. EMILY T. ABELS, Esquire, Larimore Scarlett LLP, P.O. Box 384, Kennett Square, PA

19348, atty.

**HOY**, Joyce Thomas, late of West Chester. Beth Fitzgerald, 7 Pump House Circle, Hockessin, DE 19707-2030, care of KRISTINE F HUGHEY, Esquire, 22 W Second St, Media, PA 19063, Executrix. KRISTINE F HUGHEY, Esquire, Speare and Hughey, 22 W Second St, Media, PA 19063, atty.

**JACOBSON**, Carolyn, late of New Garden Township. Karin Topp, 320 W. Saddle River Rd., Upper Saddle River, NJ 07458, care of ERIC B. SORKI, Esquire, 1025 Laurel Oak Rd., Voorhees, NJ 08043, Executrix. ERIC B. SORKI, Esquire, Archer & Greiner, P.C., 1025 Laurel Oak Rd., Voorhees, NJ 08043, atty.

**JONES**, Raymond Simms, late of Paoli. Regina A. Jones, c/o Nancy J. Thompson (Power of Attorney), 2033 Commons Circle, Batavia, OH 45103, care of MARY ALICE GWYNN, Esquire, 817 George Bush Blvd., Delray Beach, FL 33483, Personal Representative. MARY ALICE GWYNN, Esquire, Mary Alice Gwynn, P.A., 817 George Bush Blvd., Delray Beach, FL 33483, atty.

**KOCH**, William C., late of East Goshen Township. Brandon J. Koch, 25 Paper Mill Road, Newtown Square, PA 19073, Executor.

**LEWIS, SR.**, LeRoy R., late of West Brandywine. Sonya J. Lewis, 87 Andover Road, Glenmoore, PA 19343, care of GORDON W. GOOD, Esquire, 3460 Lincoln Highway, Thorndale PA 19372, Executrix. GORDON W. GOOD, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale PA 19372, atty.

**LONG**, Judith Lee, late of Caln Township. Gordon W. Good, Esq., 340 Lincoln Highway, Thorndale, PA 19372, care of WILLIAM T. KEEN, Esquire, 3460 Lincoln Highway, Thorndale, PA 19372, Executor. WILLIAM T. KEEN, Esquire, Keen Keen & Good, LLC, 3460 Lincoln Highway, Thorndale, PA 19372, atty.

**MARTIN**, Hilda M, late of West Grove. Jacqueline C. Smith, 408 Cedar Spring Road, Kennett Square, PA 19348, Executrix.

**POTTS**, Ralph Neil, late of Riverside, California. Brian Vance Potts, care of HOLLY S. FILIUS, Esquire, 101 North Pointe Blvd Suite 202, Lancaster, PA 17601, Administrator. HOLLY S. FILIUS, Esquire, Russell, Kraft and Gruber, LLP, 101 North Pointe Blvd Suite 202, Lancaster, PA 17601, atty.

**SINGLEY**, Jane Ann, late of Uwchlan Township. Nancy Haydon, care of RYAN J. GRIFFIN, Esquire, CPA, 623 N. Pottstown Pike, Exton, PA 19341, Executrix. RYAN J. GRIFFIN, Esquire, CPA, James

B. Griffin, P.C., 623 N. Pottstown Pike, Exton, PA 19341, atty.

**SVOKOS**, Vasilios, a/k/a Vasilios Konstantin Svokos and Billy Svokos, late of Caln Township. Lambrine Svokos, care of NIKOLAOS I. TSOUROS, Esquire, Valley Forge Square II, 661 Moore Rd., Ste. 105, King of Prussia, PA 19406, Administratrix. NIKOLAOS I. TSOUROS, Esquire, Law Offices of Wendy F. Bleczynski, Valley Forge Square II, 661 Moore Rd., Ste. 105, King of Prussia, PA 19406, atty.

**THOMPSON**, Judith T., a/k/a Judy T. Thompson, late of New Garden Township. Kenneth S. Thompson, Jr., 2002 Nicholby Dr., Wilmington, DE 19808, Executor.

**TREGO**, Jeffrey Thomas, late of Parkesburg Borough. Jodi Taylor, care of JOHN J. DEL CASALE, Esquire, 300 W. State St., Ste. 207, Media, PA 19063-2639, Administratrix. JOHN J. DEL CASALE, Esquire, M. Mark Mendel, LTD., 300 W. State St., Ste. 207, Media, PA 19063-2639, atty.

**WASHKO**, Andrew Robert, late of Spring City. Michael Andrew Washko, 1946 County Line Road, Barto, PA 19504, Personal Representative.

215 Westbury Court, Downingtown, PA 19335  
Parcel ID: 39-5E-85

is scheduled to be sold at Sheriff's Sale at www.bid4assets.com on February 15, 2024 at 11:00AM to enforce the court judgment of \$110,397.50 obtained by JPMorgan Chase Bank, N.A. against you.

**NOTICE OF OWNER'S RIGHTS  
YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE**

To prevent this Sheriff's Sale you must take immediate action:

The sale will be cancelled if you pay back to JPMorgan Chase Bank, N.A. the amount of the judgment plus costs or the back payments, late charges, costs, and reasonable attorneys fees due. To find out how much you must pay, you may call: LOGS Legal Group, LLP. (610) 278-6800.

PLEASE NOTE a Schedule of Distribution will be filed by the Sheriff on a date specified by the Sheriff not later than thirty (30) days after sale. Distribution will be made in accordance with the schedule unless exceptions are filed thereto within 20 days after the filing of the schedule.

**NOTICE**

JPMorgan Chase Bank, N.A.  
PLAINTIFF  
VS.

Jessica Scrafford, known Heir of John M. Scrafford, deceased and Mary Scrafford, known Heir of John M. Scrafford, deceased and Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under John M. Scrafford, deceased

DEFENDANTS  
COURT OF COMMON PLEAS  
CIVIL DIVISION  
CHESTER COUNTY

NO: 2023-02433-RC  
NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under John M. Scrafford, deceased  
215 Westbury Court  
Downingtown, PA 19335  
Your house (real estate) at:

**NOTICE**

IN THE COURT OF COMMON PLEAS  
OF CHESTER COUNTY, PENNSYLVANIA  
CIVIL DIVISION  
No.: 2022-05639-RC

SANTANDER BANK, N.A.  
Plaintiff  
v.

SHIRLEY PETTINE, IN HER CAPACITY AS HEIR OF MARY LOU ASHENFELDER, DECEASED; UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER MARY LOU ASHENFELDER, DECEASED; SABRINA ASHENFELDER, KNOWN HEIR OF EVERETT ASHENFELDER, DECEASED HEIR OF MARY LOU ASHENFELDER, DECEASED ; UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE, OR INTEREST FROM OR UNDER EVERETT ASHENFELDER, DECEASED HEIR OF MARY LOU ASHENFELDER, DECEASED  
Defendant(s)



NOTICE  
NOTICE TO:

Unknown Heirs, Successors, Assigns and All Persons, Firms or Associations Claiming Right, Title or Interest from or under Mary Lou Ashenfelder, deceased UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE, OR INTEREST FROM OR UNDER EVERETT ASHENFELDER, DECEASED HEIR OF MARY LOU ASHENFELDER, DECEASED

You are hereby notified on that on July 27, 2022, Plaintiff, SANTANDER BANK, N.A. filed a Complaint against you in the Court of Common Pleas of CHESTER County, Pennsylvania, Docket No. 2022-05639-RC, wherein Plaintiff seeks to enforce its rights under its loan documents.

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the Court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, 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.

Chester County Bar Association  
15 West Gay Street  
West Chester, PA 19380  
Telephone: 610-429-1500

**NOTICE**

**Public Notice Appointment of New Magistrate Judge in the United States District Court for the Eastern District of Pennsylvania**

The Judicial Conference of the United States has authorized the appointment of a full-time United States magistrate judge for the Eastern District of Pennsylvania at Philadelphia. The appointee may be required to preside at court sessions to be held at

Reading, Philadelphia, Allentown, and Easton. The essential function of courts is to dispense justice. An important component of this function is the creation and maintenance of diversity in the court system. A community’s belief that a court dispenses justice is heightened when the court reflects the community’s diversity.

The duties of the position are demanding and wide-ranging, and will include, among others: (1) conduct of most preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from a district judge; and (4) trial and disposition of civil cases upon consent of the litigants.

The basic authority of a United States magistrate judge is specified in 28 U.S.C. § 636.

To be qualified for appointment an applicant must:

1. Be, and have been for at least five years, a member in good standing of the bar of the highest court of a state, the District of Columbia, the Commonwealth of Puerto Rico, the Territory of Guam, the Commonwealth of the Northern Mariana Islands, or the Virgin Islands of the United States, and have been engaged in the active practice of law for a period of at least five years;
2. Be competent to perform all the duties of the office; be of good moral character; be emotionally stable and mature; be committed to equal justice under the law; be in good health; be patient and courteous; and be capable of deliberation and decisiveness;
3. Be less than seventy years old; and
4. Not be related to a judge of the district court.

A merit selection panel composed of attorneys and other members of the community will review all applicants and recommend to the district judges in confidence the five persons it considers best qualified. The court will make the appointment following an FBI full-field investigation and an IRS tax check of the applicant selected by the court for appointment. The individual selected must comply with the financial disclosure requirements pursuant to the Ethics in Government Act of 1978, Pub. L. No. 95-521, 90 Stat. 1824 (1978) (codified at 5 U.S.C. app. 4 §§ 101-111) as implemented by the Judicial Conference of the United States. An affirmative effort will be made to give due consideration to all qualified applicants without regard to race, color, age (40 and over), gender, religion, national

origin, or disability. The current annual salary of the position is \$213,992.00. The term of office is eight (8) years.

The application is available on the court's web site at <https://www.paed.uscourts.gov/>. Only applicants may submit applications and applications **must be received by Friday, December 15, 2023**.

All applications will be kept confidential, unless the applicant consents to disclosure, and all applications will be examined only by members of the merit selection panel and the judges of the district court. The panel's deliberations will remain confidential

Applications must be submitted by email to [Paed\\_Apply@paed.uscourts.gov](mailto:Paed_Apply@paed.uscourts.gov) with the subject line "**Magistrate Judge Application.**" An /s/ or e-signature on the application will be accepted.

Applications will only be accepted by email. Applications sent by mail will not be considered. Due to the overwhelming number of applications expected, applicants should not contact the court regarding the status of their application.

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