
IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY
Criminal

Commonwealth v. Denzel Nichols
Evidence

The exception to the *corpus delicti* rule is triggered when a defendant's confession relates to more than one charged offense. Where the Commonwealth establishes independent evidence for the *corpus delicti* of only one of the charged offenses, it is not an abuse of discretion for the court to admit the confession as evidence of the commission of other crimes.

Opinion. Commonwealth of Pennsylvania c. Denzel Nichols. No. 5099-2020; 360 MDA 2022.

OPINION BY SPONAUGLE, J., April 4, 2022. In the matter before the Superior Court of Pennsylvania, Appellant Denzel Nichols appeals the Sentencing Order of January 4, 2022. Appellant filed Notice of Appeal on February 3, 2022, and his Concise Statement Complained on Appeal on March 7, 2022. Thorough review of the record and applicable law demonstrates that the Defendant's claims lack merit and for the reasons stated herein, the appeal should be denied.

I. RELEVANT PROCEDURAL & FACTUAL HISTORY

On June 29, 2021, following trial, a jury found Appellant guilty on the following charges: Count I: Rape—Person Unconscious/Unaware; Count II: Statutory Sexual Assault—Person Under 16; Count III: Aggravated Indecent Assault—Person Under 16; Count IV: Corruption of Minors (F3); Count V: Corruption of Minors (M1); and Count VI: Indecent Assault—Person Under 16. Sentencing Order, 6/29/2021. On January 4, 2022, Appellant was sentenced to seven to fifteen years' incarceration. *Id.*

Before trial began on June 28, 2021, the Court had an on-the-record conference regarding, *inter alia*, defense Counsel's concern that the prosecution may attempt to introduce inculpatory statements made by the Defendant before establishing that a crime in fact occurred, in violation of the *corpus delicti* rule. Notes of Testimony ("NT") at 34. The Court determined that the issue would be addressed if it presented itself during the course of trial. *Id.* at 35, 37. During opening statements, the Commonwealth made the following statement, "[a]nd I imagine at some point [Defense Counsel] is going to come up here and provide you with their story." *Id.* at 59. In response to that statement, the defense moved for a mistrial. *Id.* at 60. The Court denied the motion for mistrial, but gave curative instruction to the jury. *Id.* at 61.

Shortly after, the Commonwealth called the victim as a witness and the following exchange occurred:

Commonwealth:

And at some point did you have a conversation with the defendant?

Witness:	Yes.
Commonwealth:	Was that -- how was that, telephone, Facetime, something else?
Witness:	Facetime.

Id. at 101. At that time the call is marked as Commonwealth's Exhibit 1, and a side bar was had in anticipation of the Commonwealth introducing portions of the recording of the Facetime call in question. *Id.* at 102. The defense again voiced concern that inculpatory statements made by the Defendant were on the recording, and would be heard by the jury before evidence of a crime occurring had been introduced, in violation of *corpus delicti*. *Id.* The Commonwealth argued it was not required to prove beyond a reasonable doubt that a crime occurred before playing the recording. *Id.* Further, the Commonwealth stated that evidence already presented in the trial fit the exception for the *corpus delicti* rule, allowing the Commonwealth to play portions of the call before the jury." *Id.* The court agreed that the crimes were closely related, stating there was a continuous course of action, and the call was played. *Id.* at 103.

At sentencing, on January 4, 2022, a Sexually Violent Predator hearing was held wherein the court determined that the Appellant fit the criteria to be classified as a sexually violent predator. Notes of Testimony – Sentencing (“NTS”) at 38. Immediately following, Appellant’s sentencing hearing commenced where he was ultimately sentenced to an aggregate sentence of seven to fifteen years’ incarceration. *Id.* at 50-51.

On February 3, 2022, Appellant timely filed a Notice of Appeal, and this court issued a Pa.R.A.P. § 1925 Order advising he must serve a statement of matters complained of on appeal within thirty days on February 4, 2022. Def’s Notice of Appeal, 2/3/2021; Pa.R.A.P. 1925 Order, 2/4/2022. Appellant filed a statement of matters complained of on appeal on March 7, 2022, alleging (1) that the court erred in denying Mr. Nichols’ request for a mistrial when the Commonwealth told the jury in their opening statement that the defense would provide the jury with its own story, in violation of the Appellant’s Fifth Amendment right against self-incrimination; and (2) that the court abused its discretion by admitting Appellant’s inculpatory statements in violation of the *corpus delicti* rule where the exception to the rule was not met. Def.’s Concise Statement of Errors Complained of on Appeal, 3/7/2022. This opinion is written pursuant to Rule 1925(a) of the Pennsylvania Rules of Appellate Procedure.

II. DISCUSSION

“Comments by a prosecutor constitute reversible error only where their unavoidable effect is to prejudice the jury, forming in their minds a fixed bias and hostility toward the defendant such that they could not weigh the evidence objectively and render a fair verdict.” *Commonwealth v. Tedford*, 960 A.2d 1, 34, 298 Pa. 639, 694 (2008) (citing *Commonwealth v. Miller*, 746 A.2d 592, 601, 560 Pa. 500 (2000)). “In order to obtain relief for alleged prosecutorial ‘misconduct,’ a petitioner must first demonstrate that the prosecutor’s action violated some statutorily

or constitutionally protected right.” *Id.* (citing *Commonwealth v. Carson*, 913 A.2d 220, 236, 590 Pa. 501 (2006)).

The trial court is in the best position to assess the effect of an allegedly prejudicial statement on the jury, and as such, the grant or denial of a mistrial will not be overturned absent an abuse of discretion. A mistrial may be granted only where the incident upon which the motion is based is of such a nature that its unavoidable effect is to deprive the defendant of a fair trial by preventing the jury from weighing and rendering a true verdict. Likewise, a mistrial is not necessary where cautionary instructions are adequate to overcome any possible prejudice.

Commonwealth v. Parker, 597 A.2d 311, 319 (Pa. Super. 2008) (quoting *Commonwealth v. Rega*, 933 A.2d 997, 1016 593 Pa. 659 (2007)).

Firstly, Appellant contends that the comment made by the Commonwealth during opening statements, “[a]nd I imagine at some point [Defense Counsel] is going to come up here and provide you with their story,” implicated his Fifth Amendment right against self-incrimination, and that the court abused its discretion in denying its motion for a mistrial. Def.’s Concise Statement of Errors Complained of on Appeal, 3/7/2022. In *Commonwealth v. Tedford*, the prosecution said to the jury, “[s]o I ask you to listen as closely as you can to the evidence. All the evidence, both the Commonwealth evidence and the defense evidence.” 960 A.2d 1, 32-33, 298 Pa. 639 (2008). The Supreme Court of Pennsylvania held that the statement was innocuous and as such did not implicate or burden the Appellant’s Fifth Amendment right against self-incrimination. *Id.* at 33. The Court also stated, “[a]nd, finally, a reference to defense evidence is broader than a specific reference to evidence from the defendant’s own mouth.” *Id.*

In the instant matter, the court denied the defense’s motion for a mistrial because the statement was innocuous and does not implicate or burden Appellant’s Fifth Amendment right against self-incrimination. The statement does not refer to any specific evidence or statement made by the Appellant, it does not imply that the Appellant will be testifying, nor does it imply that the defense had a burden to meet. However, in an overabundance of caution, the court used its discretion to clear any possibility of improper influence with a curative instruction to the jury.

Next, counsel will give their opening statement now. But I want to reiterate for you, like I’ve already told you before, and you’ll hear again, there’s no requirement on the defendant to prove anything. They don’t have to testify. They don’t have to present evidence. It’s solely the burden of the Commonwealth to prove this case to you beyond a reasonable doubt. And if they don’t, you must return a not guilty verdict. If they do, then you must return a guilty verdict. There’s no burden on the defense to present you anything.

NT at 61. “When the trial court provides cautionary instructions to the jury in the event the defense raises a motion for mistrial, [t]he law presumes that the jury will follow the instructions of the court.” *Commonwealth v. Parker*, 597 A.2d 311, 319 (Pa. Super. 2008) (quoting *Commonwealth v. Brown*, 567 Pa. 272, 289, 786 A.2d 961, 971 (2001)).

Assuming, *arguendo*, that the statement implicated Appellant’s Fifth Amendment right against self-incrimination, Appellant properly moved for a mistrial following the Commonwealth’s opening statement, and the motion was denied. NT at 60. “An abuse of discretion is not merely an error of judgment, but is rather the overriding or misapplication of the law, or the exercise of judgment that is manifestly unreasonable, or the result of bias, prejudice, ill-will or partiality, as shown by the evidence of record.” *Commonwealth v. Dula*, 262 A.3d 609 (Pa. Super. 2021) (citing *Commonwealth v. Radecki*, 180 A.3d 441, 451 (Pa. Super. 2018)). For abuse of discretion, the record must also show that the statement’s “. . . effect is to prejudice the jury, forming in their minds a fixed bias and hostility toward the defendant such that they could not weigh the evidence objectively and render a fair verdict.” *Commonwealth v. Tedford*, 960 A.2d 1, 34, 298 Pa. 639 (2008) (citing *Commonwealth v. Miller*, 746 A.2d 592, 601, 560 Pa. 500 (2000)). There is no evidence of record to suggest that that the use of discretion was unreasonable or that there was a misapplication of law. The record shows definitively that the law was applied as required when the court issued the curative instruction to the jury. There is also no evidence of record to suggest that the jury did not follow the curative instruction of the court, or that the comment prejudiced the jury in any way, especially not to the level that the jury “. . . could not weigh the evidence objectively and render a fair verdict.” *Id.* As such, Appellant was in no way deprived of a fair trial. Appellant’s assertion that the statement made by the Commonwealth violated his Fifth Amendment right against self-incrimination, and that the court abused its discretion in denying Appellant’s motion for mistrial, is without merit.

Secondly, Appellant asserts that the court abused its discretion in admitting inculpatory statements from a recorded Facetime call between the Appellant and the victim for the jury, wherein the Appellant admits to having intercourse with the victim while she was unconscious before evidence was introduced that a crime had occurred, in violation of the *corpus delicti* rule, and that the situation did not meet the requirements for the exception to the rule. Def.’s Concise Statement of Errors Complained of on Appeal, 3/7/2022.

The *corpus delicti* rule requires the Commonwealth to present evidence that: (1) a loss has occurred; and (2) the loss occurred as a result of a criminal agency. Only then can “the Commonwealth . . . rely upon statements and declarations of the accused” to prove that the accused was, in fact, the criminal agent responsible for the loss.

Commonwealth v. Dula, 262 A.3d 609, 637 (Pa. Super. 2021) (quoting

Commonwealth v. Taylor, 574 Pa. 390, 831 A.2d 587, 590 (2003)).

The *corpus delicti* rule concerns the admissibility of evidence, specifically, a defendant's inculpatory statement, which is reviewed for an abuse of discretion. The admission of evidence is within the sound discretion of the trial court and will be reversed only upon a showing that the trial court clearly abused its discretion.

Commonwealth v. Dula, 262 A.3d 609, 637 (Pa. Super. 2021) (citing *Commonwealth v. Radecki*, 180 A.3d 441, 451 (Pa. Super. 2018)). The exception to the *corpus delicti* rule comes in,

[w]here a defendant's confession relates to two separate crimes with which he is charged, and where independent evidence establishes the corpus delicti of only one of those crimes, the confession may be admissible as evidence of the commission of the other crime. This will be the case only where the relationship between the two crimes is sufficiently close to ensure that the policies underlying the corpus delicti rule are not violated.

Commonwealth v. Dula, 262 A.3d 609 (Pa. Super. 2021) (quoting *Commonwealth v. McMullen*, 545 Pa. 361, 681 A.2d 717, 723 (1996)).

Here, before portions of the recorded Facetime call between the Appellant and the victim were played for the jury, the Commonwealth had presented evidence that the Appellant provided marijuana and alcohol to the 14-year-old victim, that she was so intoxicated she could not walk unaided from the park to Appellant's car, that after the victim was placed in Appellant's car, he put his hand in the victim's pants, then in her underwear, and penetrated her vagina with his fingers. NT at 102. This evidence met the elements necessary to establish Appellant committed aggravated indecent assault, and the Commonwealth wanted to use the same evidence to establish that Appellant raped the victim while she was unconscious immediately following those events. *Id.* The defense argued that the evidence was insufficient to meet *corpus delicti* requirements because there was no evidence showing that intercourse had taken place between the Appellant and the victim, a foundational element of rape, and that the exception had not been met either because the crimes are not closely related. *Id.* at 102-103. The court disagreed, and the recordings were played for the jury. *Id.*

The crimes of aggravated indecent assault and rape are both sex crimes, the crimes in question both occurred on the same day, as a part of one continuous course of conduct that ended with the 22-year-old Appellant locking himself in a bedroom with an intoxicated, unconscious 14-year-old girl. With the overwhelming evidence already on the record at the time the recordings were played, the risk that the jury would believe that the court was admitting a confession for a crime that did not occur did not exist. *Taylor*, 831 A.2d at 590; *Dula*, 262 A.3d at 637.

The issue of admissibility of evidence is decided at the discretion of the court. As stated previously an abuse of discretion is “. . . the over-riding or misapplication of the law, or the exercise of judgment that is

manifestly unreasonable, or the result of bias, prejudice, ill-will or partiality, as shown by the evidence of record.” *Commonwealth v. Dula*, 262 A.3d 609 (Pa. Super. 2021) (citing *Commonwealth v. Radecki*, 180 A.3d 441, 451 (Pa. Super. 2018)). The record does not show that any law was misapplied, or that the court’s judgment was unreasonable, or that any evidence of bias, prejudice, ill-will, or partiality against the Appellant exists. The Commonwealth presented evidence sufficient to prevent the jury from convicting the Appellant of a crime that was never committed. Therefore, Appellant’s claim that the recordings played for the jury, which included his inculpatory statements, violated *corpus delicti*, did not satisfy the requirements of the exception to the rule, and that this court abused its discretion in admitting the confession, is without merit.

III. CONCLUSION

Based on a thorough review of the record and corresponding law, the errors Appellant complains on appeal are without merit. Accordingly, the court’s sentence should be upheld.

BY THE COURT:

THOMAS B. SPONAUGLE, JUDGE

ESTATE AND TRUST NOTICES

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION**Brown, Gerald L., Sr. a/k/a Gerald Lee Brown, Sr.,** dec'd.

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Witmer, Dale a/k/a Dale L. Wit-

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THIRD PUBLICATION

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**Barnett, Louise K. a/k/a Anna
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Late of East Hempfield Town-
ship.
Executor: Robert J. Barnett, Jr.
c/o Steven R. Blair, Attorney at
Law, 650 Delp Road, Lancaster,
PA 17601.
Attorney: Steven R. Blair, Esq.

**Baumgartner, George L., Jr.
a/k/a George Louis Baumgart-
ner, Jr.**, dec'd.

Late of Manheim Twp.
Executrix: Cheryl A. Meyer, 621
W. End Walk, Media, PA 19063.
Attorney: Margaret Corcoran,
Atty., Anderson Elder Law, 206
State Rd., Media, PA 19063.

Blakinger, Richard J., dec'd.

Late of West Lampeter Town-
ship.
Co-Executors: Charles B.
Blakinger, Dan A. Blakinger c/o
Blakinger Thomas, PC, 28 Penn
Square, Lancaster, PA 17603.
Attorney: Blakinger Thomas, PC

Boyer, Gloria, dec'd.

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

Cerny, Sherry Jean, dec'd.

Late of Salunga.
Executor: Tracy Dague c/o 237 Locust Street, Columbia, PA 17512.
Attorney: John F. Markel, Nikolaus & Hohenadel, LLP, 327 Locust Street, Columbia, PA 17512.

Cubler, Charlotte D., dec'd.

Late of Lititz, Manheim Township.
Executor: Roy William Cubler c/o Mary C. Crocker, Esquire, 1296 East High Street, Pottstown, PA 19464.
Attorney: Mary C. Crocker.

Diirner, Ruth E., dec'd.

Late of East Petersburg Borough.
Executor: Jacob L. Diirner c/o Anthony P. Schimaneck, Esquire, 700 North Duke Street, P.O. Box 4686, Lancaster, PA 17603-4686.
Attorneys: Morgan, Hallgren, Crosswell & Kane, P.C.

Dommel, Julie B., dec'd.

Late of the Township of East Hempfield.
Executor: Walter A. Buckius c/o Douglas A. Smith, Attorney, P.O. Box 5349, Lancaster, PA 17606.
Attorney: Gibbel Kraybill & Hess LLP.

Drybred, Thomas William a/k/a Thomas W. Drybred, dec'd.

Late of Elizabethtown Borough.
Executrix: Amy Goodall c/o Nikolaus & Hohenadel, LLP, 222 S. Market St., Suite 201, Elizabethtown, PA 17022.
Attorney: Kevin D. Dolan, Esquire.

Engle, William O., dec'd.

Late of New Holland.
Executor: Gregory W. Engle c/o Hazen Law Group, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110.
Attorney: Hazen Law Group.

Eshleman, A. Agatha, dec'd.

Late of Akron Borough.
Executor: Randy L. Eshelman c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.
Attorney: Young and Young.

Gerhart, Nancy M., dec'd.

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

Good, Clara L., dec'd.

Late of West Earl Township.
Executor: Andrew Good c/o A. Anthony Kilkuskie, 117A East Main Street, Ephrata, PA 17522.
Attorney: A. Anthony Kilkuskie.

Hackman, Kathryn H. a/k/a Kathryn Hackman, dec'd.

Late of Clay Township.
Executrix: Lisa M. Gable c/o

Gardner and Stevens, P.C., 109 West Main Street, Ephrata, PA 17522.

Attorney: Kurt A. Gardner.

Hansen, Robert S. a/k/a Robert Stanley Hansen, dec'd.

Late of West Lampeter Township.

Executor: Donna L. White c/o Aevitas Las, PLLC, 1755 Oregon Pike, Suite 201, Lancaster, PA 17601.

Attorneys: Neil R. Vestermark, Esquire; Aevitas Law, PLLC.

Hoover, Dawn M., dec'd.

Late of E. Lampeter Twp.

Executor: Sharon Linard c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorney: Young and Young.

Hornberger, Doris M., dec'd.

Late of Manheim Township.

Executrix: Amanda Bakay c/o Jeffrey C. Goss, Esquire, 480 New Holland Avenue, Suite 6205, Lancaster, PA 17602.

Attorney: Brubaker Connaughton Goss & Lucarelli LLC.

Huber, Abram Eugene, dec'd.

Late of Manheim Borough.

Executors: Karen F. Jiwa, Dale L. Eckman c/o Young and Young, 44 S. Main Street, P.O. Box 126, Manheim, PA 17545.

Attorney: Young and Young.

Kiess, Leslie D. a/k/a Leslie Dawn Kiess, dec'd.

Late of West Donegal Township.

Executor: Ronald W. Kiess c/o Randall K. Miller, 659 East Willow Street, Elizabethtown, PA

17022.

Attorney: Law Office of Attorney Randall K. Miller.

Kilmer, Ezra Z. a/k/a Ezra Z. Kilmer, Jr., dec'd.

Late of West Earl Township.

Executor: Stevie L. Beiler c/o H. Charles Benner, Attorney, 200 East Main Street, Leola, PA 17540.

Attorney: H. Charles Benner.

Kopenhagen, Jean Yost a/k/a Jean Y. Kopenhagen, dec'd.

Late of Mount Joy Borough.

Administrator: Jennifer A. Shaak c/o David P. Carson, 2547 Lititz Pike, Lancaster, PA 17601.

Attorney: David P. Carson.

Lapp, Theora A., dec'd.

Late of West Donegal Township.

Executor: George R. Lapp, Jr. c/o Nikolaus & Hohenadel, LLP, 222 S. Market St., Suite 201, Elizabethtown, PA 17022.

Attorney: Jeffrey S. Shank, Esquire.

Lefever, Mary Romaine, dec'd.

Late of Lititz.

Executor: D. Michael Lefever, 850 Tenth Street, N.W., Washington, D.C. 20001-9456.

Attorney: None.

Leid, Henry Nolan, dec'd.

Late of Ephrata.

Administrator: Jeffrey N. Leid, 2321 Spruce Drive, Harrisburg, PA 17112.

Attorney: Peggy M. Morcom, Esquire, Morcom Law, LLC, 226 W. Chocolate Ave., Hershey, PA 17033.

Maust, Jonathan D., dec'd.

Late of Elizabethtown Borough.
Administratrix: Rachael Maust
c/o Kristen L. Behrens, Esq.,
457 Haddonfield Rd., Ste. 700,
Cherry Hill, NJ 08002.
Attorney: Dilworth Paxson, LLP,
457 Haddonfield Rd., Ste. 700,
Cherry Hill, NJ 08002.

Nelms, Barbara H., dec'd.

Late of Elizabethtown Borough.
Administratrix: Martha C. Nelms
c/o Nikolaus & Hohenadel, LLP,
222 S. Market St., Suite 201,
Elizabethtown, PA 17022.
Attorney: Jeffrey S. Shank, Es-
quire.

Reed, Sara J., dec'd.

Late of Manheim Township.
Executrix: Sherry L. Reed c/o
Jeffrey C. Goss, Esquire, 480
New Holland Avenue, Suite
6205, Lancaster, PA 17602.
Attorney: Brubaker Connaugh-
ton Goss & Lucarelli LLC.

Styer, Sandra L., dec'd.

Late of Terre Hill Borough.
Executors: Stephanie L. Strous,
Jennifer L. Connolly c/o Kling,
Deibler & Glick, LLP, 131 W.
Main Street, New Holland, PA
17557.
Attorney: Linda Kling, Esquire,
Kling, Deibler & Glick, LLP.

Young, Arthur L., dec'd.

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

**Zleh, Darkoty Bigboy a/k/a
Darkoty B. Zleh a/k/a Darkoty
Zleh**, dec'd.

Late of Lancaster Township.
Administrator: Dennis T. Zleh,
Jr. c/o Mongiovi Law, LLC, 235
North Lime Street, Lancaster,
PA 17602.
Attorney: Michael J. Mongiovi

**ACTION IN MORTGAGE
FORECLOSURE NOTICE**

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE
IN THE COURT OF COMMON
PLEAS OF LANCASTER COUNTY,
CIVIL ACTION – LAW
NO.: CI-22-03137

MIDFIRST BANK, Plaintiff,
vs.

Todd J. Brooks; Katie Mae Hart-
love, Defendants
TO: Todd J. Brooks; Katie Mae
Hartlove

You are hereby notified that
Plaintiff, MidFirst Bank, filed an
Action in Mortgage Foreclosure
endorsed with a Notice to Defend,
in the Court of Common Pleas of
Lancaster County, Pennsylvania,
docketed to No. CI-22-03137,
seeking to foreclose the mortgage
secured by the real estate located
at 319 Willow Street, Reinholds,
PA 17569.

A copy of the Action in Mortgage
Foreclosure will be sent to you
upon request to the Attorney for
the Plaintiff, Manley Deas Kochal-
ski LLC, P. O. Box 165028, Co-
lumbus, OH 43216-5028. Phone
614-220-5611.

You have been sued in court.
If you wish to defend against the
claims in this notice, you must
take action within twenty (20) days
after this publication, by entering

a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you. YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

LAWYER REFERRAL SERVICE
 Lawyer Referral Service
 Lancaster Bar Association
 28 East Orange Street
 Lancaster, PA 17602
 (717) 393-0737
 Lawyer Referral Service
 Lancaster Bar Association
 28 East Orange Street
 Lancaster, PA 17602
 (717) 393-0737

A-19

ARTICLES OF INCORPORATION

Notice is hereby given that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, for a business corporation which has been incorporated under the provisions of the Business Corporation Law of 1988. The name of the corporation is **HCM Holdco, Inc.**

A-19

Notice is hereby given that a nonprofit corporation known as **LARK MEADOWS COMMUNITY ASSOCIATION** was incorporated on August 1, 2022, under the provisions of the Nonprofit Corporation Law of 1988, for the purpose to be the Association of Unit Owners organized pursuant to the Pennsylvania Uniform Planned Community Act, Act 180 of 1996, Title 68 Pa. C.S.A. Section 5101 et seq., as amended (the "Act"), with respect to Lark Meadows, a Planned Community, located in Lower Allen Township, Cumberland County, Pennsylvania, and established or to be established pursuant to the provisions of the Act. In furtherance of its purposes, the corporation may exercise all rights, privileges, powers and authority of a corporation organized under the Nonprofit Corporation Law of 1988, as amended, and of an association of unit owners organized under the Act.

BARLEY SNYDER
 Attorneys

A-19

Articles of Incorporation were filed in the Department of State on June 21, 2022 for:

Veterans Court Community Partnership

incorporated under the provisions of the Nonprofit Corporation Law of 1988. The purpose of the corporation is to provide financial and mentorship support to Lancaster County Veterans Court and the veterans, family members and others involved in the Veterans Court.

Barbara Reist Dillon, Esquire
 NIKOLAUS & HOHENADEL, LLP

**BREACH OF CONTRACT
NOTICE**

COURT OF COMMON PLEAS
CIVIL DIVISION

No.: CI-22-01217

LANCASTER COUNTY
Wells Fargo Bank, N.A.
v.

Dawn W. George

Breach of Contract Action

NOTICE

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

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

Lancaster Bar Association Lawyer Referral Service
28 East Orange Street Lancaster, PA 17602
Telephone: 717-393-0737

CHANGE OF NAME NOTICES

A hearing will be held on September 8, 2022, at 3:15 p.m., in Courtroom No.4, 3rd floor of the Lancaster County Courthouse, 50 N. Duke St., Lancaster, PA, regarding the request of Chelse Colyer to change the child's name from **Alva Samuel Long** to Samuel James Colyer. Any person with objections may attend and show cause why the request should not be granted.

NOTICE IS HEREBY GIVEN, a Petition has been filed with the Court of Common Pleas of Lancaster County, Pennsylvania, to change the name of **Camden Scott Orr** to Luna Belle Orr. The hearing is October 6, 2022 at 2:00 p.m. in Courtroom 4 of the Lancaster County Courthouse, at which time interested persons may attend and show cause, if any, why the request should not be granted.

A hearing will be held on September 26, 2022 at 2:30 p.m., in Courtroom No.4, 3rd floor of the Lancaster County Courthouse, 50 N. Duke St., Lancaster, PA, regarding the request of **Isaiah Michael Stoltzfus** to change the name from Isaiah Michael Stoltzfus to Isaiah Michael Wilder. Any person with objections may attend and show cause why the request should not be granted.

A hearing will be held on

September 26, 2022 at 2:15 p.m., in Courtroom No.4, 3rd floor of the Lancaster County Courthouse, 50 N. Duke St., Lancaster, PA, regarding the request of Kimberly Susan Stoltzfus to change the name from **Kimberly Susan Stoltzfus** to Kimberly Susan Wilder. Any person with objections may attend and show cause why the request should not be granted.

A-19

A hearing will be held on September 8, 2022, at 3:00 p.m., in Courtroom No.4, 3rd floor of the Lancaster County Courthouse, 50 N. Duke St., Lancaster, PA, regarding the request of Chelse Colyer to change the child's name from **Mab Elizabeth Long** to Mab Colyer. Any person with objections may attend and show cause why the request should not be granted.

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A hearing will be held on September 26, 2022 at 2:45 p.m., in Courtroom No.4, 3rd floor of the Lancaster County Courthouse, 50 N. Duke St., Lancaster, PA, regarding the request of Maia Kate Stoltzfus to change the name from **Maia Kate Stoltzfus** to Maia Kate Wilder. Any person with objections may attend and show cause why the request should not be granted.

A-19

FICTITIOUS NAME NOTICES

An application for registration of the fictitious name **Izzy's Fast Fades**, 115 South Market St ELIZABETHTOWN PA 17022 Lancaster has been filed in the Department of State at Harrisburg,

PA, File Date 07/01/2022 pursuant to the Fictitious Names Act, Act 1982-295. The name and address of the person who is a party to the registration is Isabeliz Hernandez, 119 W Hummelstown St Elizabethtown PA 17022.

A-19

Abram G. Stoltzfoos of 164 Martic Heights Drive, Holtwood, Pennsylvania 17532, did file in the Office of the Secretary of the Commonwealth of Pennsylvania on or about July 29, 2022, registration of the name "**The Old Barn Creamery, LLC**" under which he intends to do business at 157 Martic Heights Drive, Holtwood, Pennsylvania 17532, pursuant to the provisions of the Act of Assembly of December 16, 1982, Chapter 3, known as the "Fictitious Name Act."

A-19

Redemption Renovation & Design, LLC, of 54 West Main Street, Strasburg, PA 17579, did file in the Office of the Secretary of the Commonwealth of Pennsylvania on August 2, 2022, registration of the name:

REVOLUTION BUILDERS

under which it intends to do business at 54 West Main Street, Strasburg, PA 17579, pursuant to the provisions of the Act of Assembly of December 16, 1982, Chapter 3, known as the "Fictitious Name Act".

LEGACY LAW PLLC
Attorneys

A-19

FOREIGN REGISTRATION NOTICE

NOTICE IS HEREBY GIVEN that a Foreign Registration Statement has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about July 20, 2022 for a foreign corporation with a registered address in the Commonwealth of Pennsylvania as follows: **Fourrier & De Abreu Engineers, L.L.C.** c/o Harbor Business Compliance Corporation.

This corporation is incorporated under the laws of Louisiana. The address of its principal office is 298 Saizan Avenue, Port Barr, LA 70577. The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended.

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SUITS ENTERED

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

August 04, 2022
to August 10, 2022

BOYD, BARBARA; Capital One Bank (USA) NA; 04762; Jordan

BOYER, TODD; Citibank NA; 04671; Dougherty

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION; Owens Hugh Roberts; 04769; Beyer

COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION; Owens Hugh

Roberts; 04770; Beyer

COMMONWEALTH OF PENNSYLVANIA; Dawn Frances Rust; 04817

COMMONWEALTH OF PENNSYLVANIA; Peter J. Calcara; 04703; Miller

D & O'S F & F INC.; SMS-GS Financial LLC; 04775; Kregel

DOUG LAMB CONSTRUCTION INC, LAMB, DOUGLAS, LAMB, FAITH; Ray Morant; 04713; Hagelgans

FURLOW, DANIEL E.; SMS-GS Financial LLC; 04777; Kregel

HERTZOG, GERARD; Capital One Bank (USA) NA; 04764; Jordan

IRONSTONE DEVELOPMENT LP, IRONSTONE GP LLC, RICK WENNERSTROM'S PROPERTY MANAGEMENT LLC, RICK WENNERSTROM'S PROPERTY MANAGEMENT; Maria Nieves; 04706; Justice

MARKELY, BRANDON D.; Capital One Bank (USA) NA; 04760; Jordan

MCLAUGHLIN, MICHAEL; Capital One Bank (USA) NA; 04756; Jordan

METROPOLITAN LIFE INSURANCE COMPANY; JG Wentworth Originations LLC; 04694; Maro

MICCOLUPI, BARBARA, MICCOLUPI, PAUL; Vivian Silvestri; 04708; Wolfe

MOSIER, DEBORAH; KW Realty Inc. T/A Kingsway Realty; 04685

REUTER, PAUL A.; Capital One Bank (USA) NA; 04747; Jordan

RICHLAND PARTNERS LLC, LEFFLER ENERGY; Pennsylvania National Mutual Casualty Company; 04752; Brenner

SAVINI, BARBARA A.; Capital One Bank (USA) NA; 04754; Jordan

SCHERMERHORN, LINDA

M.; Capital One Bank (USA) NA;
04758; Jordan

TSOFLIAS, JOHN; Eddy P. Ma-
tos; 04684; Bartos

WILLIAMS, RALPH L.; Capital
One Bank (USA) NA; 04763; Jor-
dan

**SHERIFF'S SALES
150 NORTH QUEEN STREET**

REAL ESTATE EXECUTIONS,	LAST DAY FOR FILING
JANUARY 26, 2022	SEPTEMBER 15, 2021
MARCH 30, 2022	NOVEMBER 17, 2021
MAY 25, 2022	JANUARY 19, 2022
JULY 27, 2022	MARCH 16, 2022
SEPTEMBER 28, 2022	MAY 18, 2022
NOVEMBER 30, 2022	JULY 20, 2022
JANUARY 25, 2023	SEPTEMBER 21, 2022
MARCH 29, 2023	NOVEMBER 16, 2022

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