

# CARBON COUNTY LAW JOURNAL

Publication Number (ISSN 0090-8789)

The Official Legal Newspaper for Carbon County

Containing Decisions Rendered, Legal Notices, Advertisements  
in the 56th Judicial District

ROGER N. NANOVIC, President Judge

STEVEN R. SERFASS, Judge

JOSEPH J. MATIKA, Judge

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Vol. XXI      Jim Thorpe, PA, Friday, August 25, 2017      No. 34

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COMMONWEALTH of PENNSYLVANIA vs. JAMES V. KUTCHERA, JR., Defendant.....47  
*Criminal Law—Sentencing—Sentencing Code, Section 9760(1)—Entitlement to Credit for “Time Spent in Custody” Before Sentencing—Meaning of the Term “Custody”—Functional Equivalent of Incarceration—Mandatory Credit for Court-Ordered Institutionalized Rehabilitation and Treatment Programs—Discretionary Credit for Voluntary Inpatient Treatment in a Drug or Alcohol Facility*

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## COURT CALENDAR

Week of August 28

Court Calendar Submitted: August 16, 2017

For updates and revisions check courthouse webpage:

[www.carboncourts.com](http://www.carboncourts.com)

### Criminal

Chairman Engler, Jean A., Esq.

Wednesday, August 30

9:00 AM

1	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Mottola)	16-0119
2	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Mottola)	16-0136
3	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Mottola)	17-0011
4	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Mottola)	16-0114
5	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Mottola)	16-0106
6	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Unassigned)	17-0010
7	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Mottola)	17-0040
8	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Unassigned)	17-0005
9	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Mottola)	17-0006
10	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Unassigned)	17-0026
11	Juvenile Pre-Hrg. Conf.	Restricted Case Caption	(Mottola)	17-0027

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**Friday, September 1**

**Judge Nanovic, Roger N., II, Hon.**

9:00 AM

1 PFA Hrg. Malaska, S. (Levy) v. Malaska, C. (Pro Se) 17-0541

1:15 PM

2 Pet. for Special Relief Boner, C.E., III (Iacobelli) v. Boner, L.M. (Gillen) 17-1037

3 Pet. for Special Relief Boner, C.E., III (Iacobelli) v. Boner, L.M. (Gillen) 17-1037

**Judge Matika, Joseph J., Hon.**

9:00 AM

4 Mot. for Judg. in Qt. Title Sency, K.M. (Phillips) v. Unknown Heirs (Pro Se) 15-2300

5 Pet. for Contmpt. Cunningham, A.J. (Yurchak) v. Cunningham, M.L. (Pro Se) 14-0730

6 PFA Hrg. Adams, M. (Pro Se) v. Adams, S. (Rapa) 17-1212

7 Pet. Strike/ Open Judg. CRE ADC Venture 2013-1 LLC (Barrie) v. Anderson, R.H. (Yurchak) 17-1238

8 Pet. to Amend Adams, M. (Pro Se) v. Adams, S. (Rapa) 17-1212

**Chairman, Diehl, Eileen M., Esq.**

1:00 PM

9 Pet./Comp. to Mod. Cust. Sharbaugh, W. (Sebelin) v. Dunbar, B.L. (Masington) 14-0759

2:00 PM

10 Pet./Comp. to Mod. Cust. Cebrosky, H. (Walbert) v. Brown, T. (Pro Se) 14-1727

11 Pet./Comp. to Mod. Cust. Archer, C.J. (Pro Se) v. Smith, S.L. (Pro Se) 15-2114

3:00 PM

12 Pet./Comp. to Mod. Cust. Weaver, L.L. (Unrep.) v. Ostrander, J.A. (Pro Se) 06-2399

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### 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

**DOPIRA, SUSAN, Dec'd.**

Late of the Borough of Summit Hill.  
 Executor: Daniel J. Dopira, 304 Twin Hill Drive, Lehighton, PA 18235.

Attorney: Joseph J. Velitsky, Esquire, 49 East Ludlow Street, Summit Hill, PA 18250.

**FAUST, HELEN, Dec'd.**

Late of the Borough of Summit Hill.  
 Executors: Andrew Kokinda, 326 East Hazard Street, Summit Hill, PA 18250 and Barbara A. Boyle, 75 West White Bear Drive, Summit Hill, PA 18250.

Attorney: Joseph J. Velitsky, Esquire, 49 East Ludlow Street, Summit Hill, PA 18250.

**KUNKLE, DOLORES J., Dec'd.**

Late of Lehighton.

Executor: Mitchell T. Phifer a/k/a Mitchell Thomas Phifer c/o John O. Stover, Jr., Esquire, 537 Chestnut Street, Emmaus, PA 18049.

Attorney: John O. Stover, Jr., Esquire, 537 Chestnut Street, Emmaus, PA 18049.

**LEIBY, EDWIN F., Dec'd.**

Late of East Penn Township. Executor: Blaine Alan Leiby, 711 Princeton Avenue, Palmerton, PA 18071.

Attorneys: William G. Schwab, Esquire, Law Offices of William G. Schwab & Associates, 811 Blakeslee Blvd. Dr. East, P.O. Box 56, Lehighton, PA 18235, (610) 377-5200.

**LIGNORE, RICHARD C., SR.**

a/k/a RICHARD C. LIGNORE a/k/a RICHARD LIGNORE, Dec'd.

Late of the Township of Kيدر.

Executrix: Nicole Quevedo, P.O. Box 399, Albrightsville, PA 18210.

Attorney: Michael J. Garfield, Esquire, 2588 State Route 903, Suite 5, P.O. Box 609, Albrightsville, PA 18210, (570) 722-3839.

**SECOND PUBLICATION**

**BOLLINGER, STANLEY A.,**

Dec'd.

Late of Palmerton.

Executor: Richard F. German, Sr. c/o Steckel and Stopp LLC, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

Attorneys: Keith W. Strohl, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

**KAY, CATHLEEN, Dec'd.**

Late of the Borough of Summit Hill.

Executrix: Patricia Tarricone, 182 Woodstream Lane, Oneonta, NY 13820.

Attorney: Joseph J. Velitsky, Esquire, 49 East Ludlow Street, Summit Hill, PA 18250.

**WOHLMUTH, RUTH B. a/k/a RUTH WOHLMUTH, Dec'd.**

Late of Albrightsville.

Executor: Alfred F. Wohlmuth, P.O. Box 1215, Albrightsville, PA 18210.

Attorney: Gregory L. Mousseau, Esquire, 331 Center Street, Jim Thorpe, PA 18229.

**THIRD PUBLICATION**

**AHNER, DONNA LOU a/k/a DONNA L. AHNER, Dec'd.**

Late of the Township of Franklin.

Executor: Curtis J. Ahner, 106 Beech Street, Lehighton, PA 18235.

Attorneys: Jason M. Rapa, Esquire, Rapa Law Office, P.C., 141 South First Street, Lehighton, PA 18235.

**HUNSICKER, MARIE E., Dec'd.**

Late of Lehighton.

Executrix: Lori A. Inscoe, 8821 Olympiad Rose, Douglasville, GA 30134.

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Attorneys: William G. Schwab, Esquire, Law Offices of William G. Schwab & Associates, 811 Blakeslee Blvd. Dr. East, P.O. Box 56, Lehigh-  
ton, PA 18235, (610) 377-5200.

**KOLTUN, BARBARA J.,** Dec'd.

Late of the Township of Towamensing.

Executor: Andrew Koltun a/k/a Andrzej Koltun, 10 Crocus Avenue, Floral Park, NY 11001.

Attorneys: James A. Wimmer, Esquire, Philip & Wimmer, 419 Delaware Avenue, P.O. Box 157, Palmerton, PA 18071.

**LINDERMUTH, MARJORIE J. a/k/a MARJORIE LINDER-  
MUTH,** Dec'd.

Late of the Borough of Summit Hill.

Executrix: Shirley Ann Jones, 4933 Skytop Drive, Emmaus, PA 18049.

Attorney: Michael S. Greek, Esquire, 42 East Patterson Street, Lansford, PA 18232.

**ORSULAK, JOSEPH P. a/k/a  
JOSEPH ORSULAK,** Dec'd.

Late of the Borough of Lansford.

Executor: Timothy Kennedy a/k/a Michael Kennedy, 119 West Bertsch Street, Lansford, PA 18232.

Attorney: Michael S. Greek, Esquire, 42 East Patterson Street, Lansford, PA 18232.

**PROCIUK, IHOR R.,** Dec'd.

Late of the Borough of Lehigh-  
ton.

Administrator: Alexander G. Prociuk, 2386 Hemlock Drive, Lehigh-  
ton, PA 18235.

Attorney: Robert T. Yurchak, Esquire, 1 East Catawissa Street, Nesquehoning, PA 18240.

**ROBERTS, DAVID E. a/k/a  
DAVID ROBERTS a/k/a  
DAVE ROBERTS,** Dec'd.

Late of 20 N. Chestnut Street, Tresckow, Banks Township.

Executrix: Janet Lynn Mott, 12 East Maple Street, Tresckow, PA 18254.

Attorneys: Daniel A. Miscavige, Esquire, Gillespie, Miscavige & Ferdinand LLC, 67 North Church Street, Hazle-  
ton, PA 18201.

**STETZ, CAROL E.,** Dec'd.

Late of Banks Township.

Administrator: Stanley J. Stetz, 84 East Maple Street, Tresckow, PA 18254.

Attorney: Pasco L. Schiavo, Esquire, 1 Columbus Place, 199 North Church Street, Hazleton, PA 18201-5874.

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**REGISTER OF WILLS**

COLECIO, PEARL M. a/k/a PEARL COLECIO; Tresckow, PA; Will; Matthew G. Schnell, Esquire.

DVORSHOCK, JAMES L.; Lansford, PA; Will; Christopher Hobbs, Esquire (Schuylkill County).

FAUST, HELEN; Summit Hill, PA; Will; Joseph J. Velitsky, Esquire.

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NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1767; 08/14/17; \$841.71	Area School District; 17-1747; 08/14/17; \$5,245.32
NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1768; 08/14/17; \$841.71	SHOOP, CLYDE RENDELL; Lehighon Area School District; 17-1730; 08/11/17; \$1,698.89
NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1769; 08/14/17; \$894.25	SIMMONS, CRYSTAL, JAMES C. SIMMONS, JOSEPH T. SIMMONS & SHERRIA. SIMMONS; Lehighon Area School District; 17-1748; 08/14/17; \$5,986.36
NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1770; 08/14/17; \$891.48	SOLT, LORETTA JOYCE EXEC. OF THE ESTATE OF LORA J. TOKOSH; Panther Valley School District; 17-1729; 08/11/17; \$1,432.02
NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1771; 08/14/17; \$852.78	STARRY, DENNIS J.; Panther Valley School District; 17-1760; 08/14/17; \$1,949.95
NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1772; 08/14/17; \$858.31	VALLE, JULIE; RF Ohl Fuel Oil Inc.; 17-1745; 08/14/17; \$1,747.46
NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1773; 08/14/17; \$930.20	VASILIOU, JONATHAN; Shirley Herb; 17-1737; 08/11/17; \$12,197.85
NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1774; 08/14/17; \$894.25	Aug. 25
NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1775; 08/14/17; \$888.72	<b>NOTICE OF ACTION IN MORTGAGE FORECLOSURE</b>
NORTHLAND DEVELOPMENT CORPORATION; Lehighon Area School District; 17-1776; 08/14/17; \$891.48	IN THE COURT OF COMMON PLEAS OF CARBON COUNTY, PENNSYLVANIA CIVIL ACTION—LAW
PRUCHNIK, DARIUSZ W. & HEIDL. STAMM; Lehighon	No. 17-0597
	LAKEVIEW LOAN SERVICING, LLC
	Plaintiff
	vs.

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KATHERINE V. LANG, in her capacity as Administratrix and Heir of the Estate of MATTHEW D. LANG a/k/a MATTHEW LANG  
MATTHEW J. LANG, in his capacity as Heir of the Estate of MATTHEW D. LANG a/k/a MATTHEW LANG  
UNKNOWN HEIRS,  
SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER MATTHEW D. LANG a/k/a MATTHEW LANG,  
DECEASED  
Defendants

NOTICE

To: UNKNOWN HEIRS, SUCCESSORS, ASSIGNS AND ALL PERSONS, FIRMS OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER MATTHEW D. LANG a/k/a MATTHEW LANG, DECEASED and KATHERINE V. LANG, in her capacity as Administratrix and Heir of the Estate of MATTHEW D. LANG a/k/a MATTHEW LANG

You are hereby notified that on March 30, 2017, Plaintiff, LAKEVIEW LOAN SERVICING, LLC, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in

the Court of Common Pleas of CARBON County, Pennsylvania, docketed to No. 17-0597. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 160 PATTEN CIRCLE, ALBRIGHTSVILLE, PA 18210-2541 whereupon your property would be sold by the Sheriff of CARBON County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

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 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.

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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.

North Penn Legal Services  
101 W. Broad Street  
Suite 513  
Hazleton, PA 18201  
Telephone (877) 515-7628

Aug. 18, 25

CARBON COUNTY LAW JOURNAL

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COMMON PLEAS OF CARBON COUNTY  
SHERIFF'S SALE OF VALUABLE REAL ESTATE  
Sheriff's Office, Courthouse Building, Jim Thorpe, PA

SHERIFF'S NOTICE: The Sheriff shall not be liable for loss or damage to the premises sold resulting from any cause whatsoever and makes no representation or warranty regarding the condition of the premises.

Notice is hereby given and directed to all parties in interest and claimants that a Schedule of Distribution will be filed by the Sheriff on September 18, 2017 and that distribution will be made in accordance with that Schedule unless exceptions are filed thereto within ten (10) days thereafter.

ANTHONY C. HARVILLA  
Sheriff, County of Carbon  
www.carboncountysheriff.com  
Aug. 18, 25; Sept. 1

**Sale of the real estate described below shall be held on Friday, September 8, 2017 at 11:00 a.m. at the Carbon County Courthouse.**

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**SALE #1**

Writ of Execution No.: 14-1604.

Property Address: 37 W. Rhume Street, Nesquehoning, PA 18240.

Location: Nesquehoning.

Improvements: Duplex.

Defendant: Connie Arthur.

—————  
**SALE #2**

Writ of Execution No.: 16-0981.

Property Address: 60 Talbot Lane, Albrightsville, PA 18210.

Location: Penn Forest.

Improvements: Residential dwelling.

Defendants: Gerald B. Shier and Dawn L. Shier.

**SALE #3**

Writ of Execution No.: 17-1024.

Property Address: 239 Carbon Street, Lehighton, PA 18235.

Location: Lehighton.

Improvements: Residential dwelling.

Defendant: Ronald J. Leikel, Jr.

—————  
**SALE #4**

Writ of Execution No.: 16-0154.

Property Address: 517 Rock Spring Court, Lake Harmony, PA 18624.

Location: Kidder.

Improvements: Residential dwelling.



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Defendants: Brian K. McCormick and Tara L. McCormick.

—————  
**SALE #5**

Writ of Execution No.: 17-0419.

Property Address: 22 Tunnel Street, Lansford, PA 18232.

Location: Lansford.

Improvements: Residential dwelling.

Defendant: Matthew G. DeHart a/k/a Matthew DeHart.

—————  
**SALE #6**

Writ of Execution No.: 16-1001.

Property Address: 375 Lehigh Avenue, Palmerton, PA 18071-1809.

Location: Palmerton.

Improvements: Residential dwelling.

Defendants: Jillian Kuntzman a/k/a Jillian M. Kuntzman and Troy Kuntzman.

—————  
**SALE #7**

Writ of Execution No.: 16-2985.

Property Address: 203 Birchwood Drive, Lehighton, PA 18235.

Location: Mahoning.

Improvements: Unknown.

Defendant: Robert Kugler a/k/a Robert S. Kugler.

—————  
**SALE #8**

Writ of Execution No.: 17-0703.

Property Address: 609 Northshore Drive a/k/a 88 North Shore Drive, Albrightsville, PA 18210.

Location: Penn Forest.

Improvements: Unknown.

Defendant: Karl S. Hoffman.

—————  
**SALE #9**

Writ of Execution No.: 16-3381.

Property Address: 41 Willow Drive a/k/a 103 Willow Drive, Jim Thorpe, PA 18229.

Location: Penn Forest.

Improvements: Residential dwelling.

Defendants: Toby N. George and Pamela George.

—————  
**SALE #10**

Writ of Execution No.: 17-0677.

Property Address: 20 East 3rd Street a/k/a 20 East Third Street, Jim Thorpe, PA 18229-2306.

Location: Jim Thorpe.

Improvements: Residential dwelling.

Defendant: Charlene Calhoun.

—————  
**SALE #11**

Writ of Execution No.: 16-0776.

Property Address: 23 Deer View Drive a/k/a 1428 Deer View Drive, Jim Thorpe, PA 18229.

Location: Penn Forest.

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Improvements: Residential dwelling.

Defendant: Ross M. Acker.

—————  
**SALE #12**

Writ of Execution No.: 17-0811.

Property Address: 24 Tamaqua Street a/k/a 22-24 Tamaqua Street, Beaver Meadows, PA 18216.

Location: Beaver Meadows.

Improvements: Residential dwelling.

Defendants: Jerome Grega, in His Capacity as Co-Executor and Devisee of the Estate of Teresa Sackette a/k/a Terry Sackette, Joseph Grega, in His Capacity as Co-Executor and Devisee of the Estate of Teresa Sackette a/k/a Terry Sackette.

—————  
**MORTGAGES**

The name of the mortgagor appears first, followed by mortgagee, location of property, amount of the mortgage, and date of recording.

SILFIES, GLENN T., First Northern Bk. and Trust Co., Tow. Twp., \$29,000.00, 01/06/17

PELO, NICKOLAS LEWIS, Mortgage Electronic Registration Systems Inc., Sum. Hill, \$108,007.00, 01/06/17

RUCH, ROBERT R., Mortgage Electronic Registration Systems Inc., J. Thorpe, \$225,000.00, 01/06/17

RUCH, ROBERT R., Secretary of Housing & Urban Development, J. Thorpe, \$225,000.00, 01/06/17

CALES, OMAR, Mortgage Electronic Registration Systems Inc., \$74,484.00, 01/06/17

POWALSKI, KENNETH M., Jim Thorpe Neighborhood Bk., Penn For., \$89,000.00, 01/09/17

HAHN, SUSAN J., First Northern Bk. and Trust Co., Palmrtn., \$17,000.00, 01/09/17

NEMETH, MICHAEL A., First Northern Bk. and Trust Co., Palmrtn., \$15,000.00, 01/09/17

WEINER, DAVID, First Northern Bk. and Trust Co., E. Penn, \$142,683.54, 01/09/17

TINO, GREGORY, Mortgage Electronic Registration Systems Inc., Kidder, \$105,000.00, 01/09/17

WISOCKY, ROBERT E., Mauch Chunk Trust Co., Low. Tow., \$750,000.00, 01/09/17

MILLER, EDWARD, PNC Bk. Ntl. Assn., Penn For., \$75,000.00, 01/09/17

VERNARR, STEPHANIE ANN, Mortgage Electronic Registration Systems Inc., Tow. Twp., \$140,784.00, 01/09/17

DOUGHER, JAMES, Branch Banking and Trust Co., J. Thorpe, \$46,000.00, 01/09/17

EVANS, MICHELLE L., Pentagon Federal Credit Union, Kidder, \$40,000.00, 01/09/17