

# FAYETTE LEGAL JOURNAL

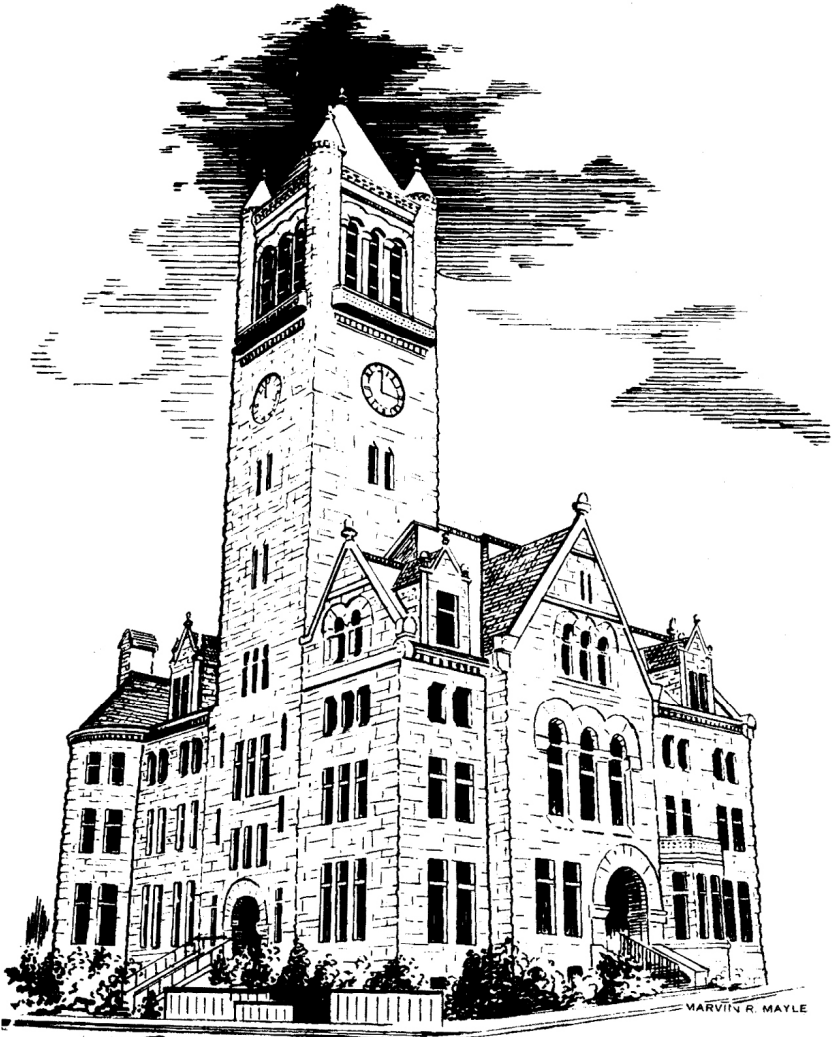
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## FAYETTE LEGAL JOURNAL

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## ESTATE NOTICES

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

### Third Publication

**THOMAS R. BAILEY**, late of Connellsville, Fayette County, PA (3)

*Executrix:* Janice E. Bailey  
1210 Oak Street  
Connellsville, PA 15425  
c/o Fike, Cascio & Boose  
Scull Building  
124 North Center Avenue  
P.O. Box 431  
Somerset, PA 15501-0431  
*Attorney:* Lois W. Caton

**BEGRENDA MEADOWS, a/k/a BEGREDA MEADOWS**, late of Uniontown, Fayette County, PA (3)

*Executrix:* Sonja Penwell  
458 Kingpin Hill Road  
Dunbar, PA 15431  
c/o 111 East Main Street  
Uniontown, PA 15401  
*Attorney:* Robert R. Harper

**NORMA K. SMITH, a/k/a NORMA SMITH**, late of Brownsville Borough, Fayette County, PA

*Personal Representative:* Ray Smith, III (3)  
c/o Davis and Davis  
107 East Main Street  
Uniontown, PA 15401  
*Attorney:* James T. Davis

**LINDA TISSUE, a/k/a LINDA L. TISSUE**, late of Henry Clay Township, Fayette County, PA

*Personal Representative:* Shelly R. Tissue (3)  
c/o Higinbotham Law Offices  
45 East Main Street, Suite 500  
Uniontown, PA 15401  
*Attorney:* James Higinbotham

## Second Publication

**MELVIN R. BASINGER**, late of Connellsville, Fayette County, PA (2)

*Executrix:* Diane R. Moran  
c/o Molinaro Law Offices  
141 West Peach Street  
P.O. Box 799  
Connellsville, PA 15425  
*Attorney:* Carmine V. Molinaro, Jr.

**GERALD R. DOMONKOS, a/k/a GERRY DOMONKOS**, late of Fayette County, PA (2)

*Executors:*  
Courtney Roebuck  
896 Buena Vista Road  
Vanderbilt, PA 15486  
Brian G. Pirilla, Attorney-at-Law  
P.O. Box 718  
Belle Vernon, PA 15012  
c/o P.O. Box 718  
1310 Cross Street  
Belle Vernon, PA 15012  
*Attorney:* Brian G. Pirilla

**VINCENT J. GROTE**, late of Menallen Township, Fayette County, PA (2)

*Executrix:* Pamela M. G. Howarth  
c/o Fitzsimmons and Barclay  
55 East Church Street, Suite 102  
Uniontown, PA 15401  
*Attorney:* James N. Fitzsimmons, Jr.

**STEPHEN P. KALAFSKY, JR., a/k/a STEPHEN PAUL KALAFSKY, JR.**, late of Masontown, Fayette County, PA (2)

*Administratrix:* Diane R. Kalafsky  
c/o 51 East South Street  
Uniontown, PA 15401  
*Attorney:* Webster & Webster

**MYRA L. MILES**, late of Connellsville, Fayette County, PA (2)

*Executrix:* Paula J. Monahan  
c/o Molinaro Law Offices  
P.O. Box 799  
Connellsville, PA 15425  
*Attorney:* Carmine V. Molinaro, Jr.

**JOSEPH ROBERT WOJTANOWSKI, a/k/a  
ROBERT WOJTANOWSKI**, late of Fayette  
County, PA (2)

*Administratrix:* Wanda Elzeer  
c/o 1724 Fifth Avenue  
Arnold, PA 15068  
*Attorney:* John E. Pallone

**First Publication**

**PATRICIA ARNOLD**, late of German  
Township, Fayette County, PA (1)

*Personal Representative:* Ryan Arnold  
c/o George and George  
92 East Main Street  
Uniontown, PA 15401  
*Attorney:* Joseph M. George

**JACKLYN M. HENRY**, late of Connellsville,  
Fayette County, PA (1)

*Executrix:* Heidi Sue Henry Eutsey  
323 Narrows Road  
Connellsville, PA 15425  
c/o Moore Becker Smarto & Ciszek, P.C.  
121 West Second Street  
Greensburg, PA 15601  
*Attorney:* Lawrence F. Becker, III

**MICHAEL SABAT**, late of Normalville,  
Fayette County, PA (1)

*Executor:* Samantha Shultz  
1708 Franks Street  
Connellsville, PA 15425

**JEFFREY A. TEETS**, late of Connellsville,  
Fayette County, PA (1)

*Administratrix:* Sara L. Teets  
449 Reidmore Road  
South Connellsville, PA 15425  
c/o Tremba Kinney Greiner & Kerr  
120 South Third Street  
Connellsville, PA 15425  
*Attorney:* John Greiner

**LEGAL NOTICES**

IN THE UNITED STATES BANKRUPTCY  
COURT FOR THE WESTERN DISTRICT OF  
PENNSYLVANIA

**IN RE: Tonya L. Townsend**

**BANKRUPTCY NUMBER: 20-20641 GLT**

**NOTICE OF SALE TO CREDITORS AND  
OTHER PARTIES IN INTEREST**

Notice is hereby given that Abagale Steidl,  
Attorney for the Debtor, has filed a Motion to  
Sell Real Property Free and Clear of all Liens,  
Judgments and Encumbrances.

The Debtor, Tonya L. Townsend, has  
received an offer of \$295,000.00. This offer is  
for the Debtor’s real property being known as  
420 Union Street, Uniontown, PA 15401 in  
Fayette County free and clear of all liens and  
encumbrances.

A telephonic hearing will be held on  
September 30, 2020 at 9:30 AM for the purpose  
of passing on said Motion when and where all  
objections will be heard, when and where the  
public is invited; and when and where higher  
and better offers will be accepted.

Additional information is available at the  
office of the Debtor’s attorney, Abagale Steidl,  
Esquire, Steidl and Steinberg, Suite 2830 – Gulf  
Tower, 707 Grant Street, Pittsburgh, PA 15219,  
(412) 391-8000.

IN THE COURT OF COMMON PLEAS OF  
FAYETTE COUNTY, PENNSYLVANIA  
CIVIL ACTION – LAW  
No. 713 of 2020, G.D.  
JUDGE STEVE P. LESKINEN

**IN RE: IN THE MATTER OF PETITION  
FOR NAME CHANGE OF  
DEVIN JOSEPH NEVERDALE.**

**NOTICE**

Notice is hereby given that on March 30,  
2020 the petition of Devin Joseph Neverdale  
was filed in the above named Court, requesting  
an Order to change the name of Devin Joseph  
Neverdale to Devin Joseph Blout.

The Court has fixed September 30, 2020 at 1:30P.M. in Courtroom Number 1, Fayette County Courthouse, Uniontown, Pennsylvania as the time and place for a hearing on the merits of said Petition, when and where all interested parties may appear and show cause, if any they have, why the prayer of said Petition should not be granted.

Michelle L. Kelley, Esquire  
92 East Main Street, Ste. 24  
Uniontown, Pa. 15401  
(724) 439-2553

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### **Articles of Incorporation**

Notice is hereby given that on June 25, 2020, Articles of Incorporation were filed with the Bureau of Corporations and Charitable Organizations and approved in the Commonwealth of Pennsylvania for the formation of the Pennsylvania Alliance for Retired Americans, Education Fund, Inc. as a nonprofit organization operating in the Commonwealth of Pennsylvania.

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### **NOTICE**

NOTICE is hereby given pursuant to the provisions of Act 295 of December 16, 1982, P.L. 1309, that a Certificate was filed in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on or about July 6, 2020, to conduct a business in Fayette County, Pennsylvania, under the assumed or fictitious name of The Rusty Husky with the principal place of business at: 322 Schroyer Road, Confluence PA 15424.

The name or names and addresses of persons owning and interested are: Billie Mastowski, PO Box D3, White PA 15490.

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## SHERIFF'S SALE

Date of Sale: October 15, 2020

By virtue of the below stated writs out of the Court of Common Pleas of Fayette County, Pennsylvania, the following described properties will be exposed to sale by James Custer, Sheriff of Fayette County, Pennsylvania on Thursday, October 15, 2020, at 2:00 p.m. in Courtroom Number One at the Fayette County Courthouse, Uniontown, Pennsylvania.

The terms of sale are as follows:

Ten percent of the purchase price, or a sufficient amount to pay all costs if the ten percent is not enough for that purpose. Same must be paid to the Sheriff at the time the property is struck off and the balance of the purchase money is due before twelve o'clock noon on the fourth day thereafter. Otherwise, the property may be resold without further notice at the risk and expense of the person to whom it is struck off at this sale who in case of deficiency in the price bid at any resale will be required to make good the same. Should the bidder fail to comply with conditions of sale money deposited by him at the time the property is struck off shall be forfeited and applied to the cost and judgments. All payments must be made in cash or by certified check. The schedule of distribution will be filed the third Tuesday after date of sale. If no petition has been filed to set aside the sale within 10 days, the Sheriff will execute and acknowledge before the Prothonotary a deed to the property sold. (3 of 3)

James Custer  
Sheriff Of Fayette County

STERN & EISENBERG, PC  
1581 MAIN STREET, SUITE 200  
WARRINGTON, PENNSYLVANIA 18976

No. 572 of 2020 GD  
No. 124 of 2020 ED

**Notable Capital Fund, LLC**  
**Plaintiff**  
**v.**

**Diana Gower a/k/a Diana L. Gower , solely in her capacity as Administratrix of the Estate of Charles Gower a/k/a Charles M. Gower, deceased and United States of America**  
**Defendant(s)**

RE: PREMISES: 1164 Walnut Hill Road,  
Smithfield, PA 15478

DEAR SHERIFF:

SHOULD PLAINTIFF BE SUCCESSFUL  
BIDDER, TITLE WILL BE VESTED IN:

Notable Capital Fund, LLC

GEBHARDT & SMITH LLP

Shaan S. Chima, Esquire  
I.D. No. 312429

One South Street, Suite 2200  
Baltimore, Maryland 21202

Phone: 410-385-5109

Fax: 443-957-4329

Email: shaan.chima@grebsmith.com

No. 182 of 2020 GD  
No. 137 of 2020 ED

**UNITED BANK, successor-by-merger to CENTRA BANK,**  
**2071 Chain Bridge Road, Suite 600**  
**Vienna, Virginia 22182-2622**  
**Plaintiff,**

**v.**

**KEJ PROPERTIES, LP,**  
**201 Lexington Place**  
**Uniontown, Pennsylvania 15401**  
**Defendant.**

By virtue of Writ of Execution No. 137 of 2020 ED (Case/Docket No. 2020-00182)

SHERIFF'S SALE OF REAL ESTATE  
FAYETTE COUNTY COURTHOUSE  
Courtroom No. 1  
61 East Main Street  
Uniontown, Pennsylvania 15401  
Thursday, October 15, 2020

2:00 O’Clock P.M. Prevailing Time.

All that certain tract and parcel of land situate, lying and being in Fayette County, Pennsylvania, with all improvements thereon, owned by KEJ Properties, LP and generally known as 20 Highland Park Drive and 25 Highland Park Drive, South Union Township, Uniontown, Fayette County, Pennsylvania 15401 and having Uniform Parcel Identification Numbers of 34-1-68-14, 34-05-0356-A00 and 34-05-0356-B.

The improvements are believed to consist of commercial buildings.

Judgment Amount: \$1,088,781.42

To be sold as the property of KEJ Properties, LP.

Shaan S. Chima, Esquire

P.A. Bar No. 312429

GEBHARDT & SMITH LLP

One South Street, Suite 2200

Baltimore, Maryland 21202-3281

(410) 385-5109

TO ALL PARTIES IN INTEREST AND CLAIMANTS: Take notice that a Schedule of Distribution will be filed within thirty (30) days from the date of sale and distribution will be made in accordance with the Schedule of Distribution unless exceptions are filed thereto within ten (10) days thereafter. No further Notice of the filing of the Schedule of Distribution will be given.

---

Phelan Hallinan Diamond & Jones, LLP

No. 399 of 2020 GD

No. 128 of 2020 ED

**Pennsylvania Equity Resources, Inc.**

**Plaintiff**

**v.**

**Matthew T. Leonard**

**Defendant(s)**

By virtue of a Writ of Execution No. 2020-00399, Pennsylvania Equity Resources, Inc. v.

Matthew T. Leonard, owner(s) of property situate in the CONNELLSVILLE CITY, Fayette County, Pennsylvania, being 1227 Vine Street, Connellsville, PA 15425-4736

Parcel No.: 05160029

Improvements thereon: RESIDENTIAL DWELLING

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Phelan Hallinan Diamond & Jones, LLP

No. 586 of 2020 GD

No. 121 of 2020 ED

**Legacy Mortgage Asset Trust 2019-Gs7**

**Plaintiff**

**v.**

**Monty Lilley**

**Defendant(s)**

By virtue of a Writ of Execution No. 2020-00586, Legacy Mortgage Asset Trust 2019-Gs7 v. Monty Lilley, owner(s) of property situate in the MENALLEN TOWNSHIP, Fayette County, Pennsylvania, being 7409 National Pike Road, A/K/A 7409 National Pike, Uniontown, PA 15401-5112.

Parcel No.: 2217001901

Improvements thereon: RESIDENTIAL DWELLING

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Phelan Hallinan Diamond & Jones, LLP

No. 1029 of 2017 GD

No. 126 of 2020 ED

**Mtqlq Investors, L.P.**

**Plaintiff**

**v.**

**KEITH RAFAY, in his capacity as Administrator and Heir-at-Law of FERNE M. RAFAY, Deceased**

**STEPHANIE BRANGARD, in her capacity as Heir-at- Law of FERNE M. RAFAY**

**WILLIAM RAFAY, in his capacity as Heir-at -Law of FERNE M. RAFAY**

**Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Ferne M. Rafay, Deceased**

**Defendant(s)**

By virtue of a Writ of Execution No. 1029 OF 2017 GD, Mtqlq Investors, L.P. v. KEITH RAFAY, in his capacity as Administrator and Heir-at-Law of FERNE M. RAFAY, Deceased, STEPHANIE BRANGARD, in her capacity as Heir-at-Law of FERNE M. RAFAY WILLIAM RAFAY, in his capacity as Heir-at-Law of FERNE M. RAFAY, Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right, Title or Interest From or Under Ferne M. Rafay, Deceased, owner(s) of property situate in the Fayette County, Pennsylvania, being 176 Rankin Airshaft Road, Uniontown, PA 15401-2124

Parcel No.: 25120039

Improvements thereon: RESIDENTIAL DWELLING

\*\*\* END SHERIFF SALES \*\*\*

No. 1737 of 2019 GD  
No. 136 of 2020 ED

**PENNSYLVANIA HOUSING FINANCE AGENCY,  
PLAINTIFF  
vs.  
PHILLIP H. SCHWARTZ,  
DEFENDANT**

ALL that lot of land in North Union Township, Fayette County, Pennsylvania, being Lot No. 86, Laurel Terrace Plan of Lots, Fayette Plan Book Volume No. 6, page 158. HAVING THEREON ERECTED DWELLING KNOWN AND NUMBERED AS: 35 ROOSEVELT DRIVE UNIONTOWN, PA 15401.

Tax Parcel# 25-43-0146

Fayette Deed Book 3061, page 308

TO BE SOLD AS THE PROPERTY OF PHILLIP H. SCHWARTZ UNDER FAYETTE COUNTY JUDGMENT NO. 1737 OF 2019 GD.

Phelan Hallinan Diamond & Jones, LLP

No. 833 of 2019 GD  
No. 122 of 2020 ED

**PNC Bank, National Association  
Plaintiff  
v.  
Unknown Heirs, Successors, Assigns, and All Persons, Firms, or Associations Claiming Right. Title or Interest From or Under Joseph M. Misselli a/k/a Joseph M. Misselli, Jr, Deceased  
Defendant(s)**

By virtue of a Writ of Execution No. 833-01"-2019-GD, PNC Bank, National Association v. Unknown Heirs, Successors, Assigns, and All Person. , Firms, or Associations Claiming Right, Title or Interest From or Under Joseph M. Misselli a/k/a Joseph M. Misselli, Jr, Deceased, owner(s) of property situate in the BULLSKIN TOWNSHIP, Fayette County, Pennsylvania, being 174 Bethann Road, Acme, PA 15610-1244.

Parcel No.: 04-20-0109 and 04-20-0110

Improvements thereon: RESIDENTIAL DWELLING



**JUDICIAL OPINION**

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

COMMONWEALTH OF	:
PENNSYLVANIA	:
	:
v.	:
	:
ISAAC RISHA,	: No. 1414 of 2019
Defendant.	: Honorable Senior Judge Gerald R. Solomon

OPINION AND ORDER

Solomon, S.J.

July 22, 2020

Before the Court is the Omnibus Pretrial Motion of Defendant, Isaac Risha, in which he contends that there was not probable cause to effectuate an arrest.

STATEMENT OF THE CASE

At the time set for hearing on the Motion, while the Commonwealth and Defendant agreed that there was probable cause to stop the vehicle Defendant was operating, the Defendant contends that, after he performed field sobriety tests, there was no probable cause for his arrest. N.T. 11/7/19, at 3-4. A DVD of the MVR of the incident was then admitted as a joint exhibit. Id. at 3-4. No additional testimony was offered by either the Commonwealth or Defendant.

FINDINGS OF FACT

1. Defendant failed the test where he was to close his eyes, count off thirty seconds in his head, and then open his eyes. Defendant opened his eyes in approximately fifteen seconds.
2. As to the heel-to-toe test, Defendant could not keep his arms to his sides, staggered, did not turn as instructed, and failed to complete the test.
3. The last test required Defendant to stand on one foot and raise his other foot. Defendant almost fell and could not perform the test.
4. Defendant was not advised of license suspension and other adverse consequences of refusing to consent to chemical testing.

DISCUSSION

In support of his motion, Defendant submitted to the Court a Memorandum of Law in which he raises two issues:

1. Was Defendant arrested illegally for driving under the influence where there was

no probable cause to support his warrantless arrest.

2. Was the blood of Defendant illegally seized since he was never read a DL-26B Form or advised of his Implied Consent or O'Connell warnings prior to the request to draw his blood.

Although the second issue was not specifically addressed at the time of hearing, from the Memorandum of Law submitted by the Commonwealth, the Commonwealth concedes that the second issue is factually correct. However, the Commonwealth maintains that such reading or advisement was not necessary as of the date of this incident. We now address the issues raised by Defendant.

Initially, we note, as to the stop of Defendant's vehicle, Defendant concedes that there was probable cause for the stop. Regardless, Defendant argues, the MVR shows that there was no probable cause for his arrest. To decide this issue, the Court viewed the DVD admitted at the time of hearing. From that viewing, and the field sobriety tests Defendant was asked to perform, we made the Findings of Fact, One through Three, set forth supra.

From those facts, and following the case of *Commonwealth v. Angel*, 946 A.2d 115, 118 (Pa.Super. 2008), cited by the Commonwealth, there were sufficient facts and circumstances for the Trooper to believe that Defendant had been operating his vehicle while under the influence of alcohol or a controlled substance.

We next turn to the issue of whether the blood of Defendant was illegally seized since he was never read a DL-268 Form or advised of his Implied Consent or O'Connell warnings prior to the request to draw his blood. Defendant contends that, as such, this Court must suppress the results of the chemical test since the consent was not voluntary.

The taking of a blood sample at the direction of a police officer is a search subject to the Fourth Amendment to the United States Constitution, and is constitutionally impermissible without a warrant, absent an applicable exception to the Fourth Amendment's general requirement that a warrant be obtained. *Birchfield v. North Dakota*, 136 S. Ct. 2160, 2173 (2016); *Commonwealth v. Bell*, 211 A.3d 761, 769-70 (Pa. 2019). Instantly, there was no warrant.

Voluntary consent to the search is an exception to the warrant requirement. *Commonwealth v. Valdivia*, 195 A.3d 855, 861-62 (Pa. 2018); *Commonwealth v. Strickler*, 757 A.2d 884, 888 (Pa. 2000). It is the Commonwealth's burden to prove that the Defendant's consent was voluntary. *Valdivia*, 195 A.3d at 862, supra; *Commonwealth v. Krenzel*, 209 A.3d 1024, 1028 (Pa. Super. 2019). For the consent to be voluntary, it must be "the product of an essentially free and unconstrained choice - not the result of duress or coercion, express or implied, or a will overborne - under the totality of the circumstances." *Valdivia*, 195 A. 3d at 862, supra (quoting *Commonwealth v. Smith*, 77 A.3d 562 (Pa.2013); *Krenzel*, 209 A.3d at 1028, supra.

The consent to a blood draw in a DUI case is also governed by §1547(b) of the Vehicle Code, which gives a DUI arrestee the right to refuse to chemical testing, *Myers*, 164 A.3d, but imposes adverse consequences of license suspension and admission in

evidence of the refusal if the arrestee refuses. 75 Pa.C.S. §1547(b)(1), (e); *Commonwealth v. Myers*, 164 A.3d 1162, 1169-71 (Pa. 2017); *Krenzel*, 209 A.3d at 1029-30, *supra*. Additionally, §1547(b)(2) requires that the police officer inform the arrestee of the consequences of refusing to consent to chemical testing. 75 Pa.C.S. §1547(b)(2) (providing that “[i]t shall be the duty of the police officer to inform the person” of license suspension and other adverse consequences of refusing to consent to chemical testing); *Myers*, 164 A.3d 1169-71, *supra*; *Krenzel*, 209 A.3d at 1029-31, *supra*.

Under §1547(b)(1) and (2), a person arrested for DUI is entitled to information on his right to refuse testing and the consequences of refusing the test, “so that his choice to take a [chemical] test can be knowing and conscious.” *Myers*, 164 A.3d I 171, *supra*, (quoting *Department of Transportation v. O’Connell*, 555 A.2d 873 (Pa. 1989)); *Krenzel*, 209 A.3d at 1030, *supra*, (quoting *Myers*). Absent the opportunity to make a knowing and conscious choice to agree to or refuse chemical testing, consent to a blood draw is not voluntary. *Myers*, 164 A.3d 1181, n.21 (“the deprivation of the opportunity to make a knowing and conscious choice is dispositive of whether voluntary consent was present”), *supra*.

Our Superior Court has accordingly held that failure to advise the arrestee of the right to refuse a blood draw and of the consequences of such a refusal renders the arrestee’s consent to the blood draw involuntary as a matter of law. *Krenzel*, 209 A.3d at 1031-32, *supra*. In *Krenzel*, as here, the defendant was arrested for DUI and gave consent to a blood draw, was not coerced or threatened, the officer did not advise her of her right to refuse or the consequences of refusal under the Vehicle Code and that the officer “simply asked her for her consent and she freely gave it.” *Id.* at I 031. The *Krenzel* Court then held that under such facts the consent was not voluntary and the blood test results must be suppressed. *Id.* at I 031 -32.

The Superior Court explained:

[W]e conclude that, in view of Section 1547 and *Myers*, the trial court erred as a matter of law in finding [the defendant’s] consent to a blood draw was voluntary. In determining whether [the defendant’s] consent was voluntary, the trial court... concluded that while [the defendant] was in custody and not specifically informed of her rights regarding consent, police did not coerce her and she fully cooperated with police, answering all questions and complying with field sobriety tests. However, there is no dispute that the police asked [the defendant] to go to the hospital for a chemical blood test and she complied without receiving a recitation of her rights under DL-26B or Section 1547 or confirming her consent by signature. Because [the police officer] was statutorily obligated to inform [the defendant] of her right to refuse chemical testing and the consequences arising therefrom and failed to effectuate those precautions, [the defendant] did not make a knowing and conscious choice of whether to submit to the blood draw. The choice belonged to [the defendant], not [the police officer]. Thus, while the trial court is correct that the officers did not mislead [the defendant], the record is equally clear that they did not convey the information necessary for her to make an informed decision. As such, we find that the trial court erred as a matter of law in denying suppression.

Id. (citations omitted).

Similarly, Defendant was never read a DL-26B Form or advised of his Implied Consent or O'Connell warnings prior to the request to draw his blood and, as such, his motion as to this issue must be granted.

WHEREFORE, we will enter the following Order.

ORDER

AND NOW, this 22nd day of July, 2020, it is hereby ORDERED and DECREED the Motion to Dismiss for lack of probable cause to stop the vehicle of Defendant is DENIED.

It is further ORDERED and DECREED the Motion to Suppress the test results of Defendant's blood draw is GRANTED since he was never read a DL-268 Form or advised of his Implied Consent or O'Connell warnings prior to the request to draw his blood.

By the Court:  
SOLOMON, S.J.

Attest:  
Clerk of Courts

## **WARMAN ABSTRACT & RESEARCH LLC**

**JOHN F. WARMAN**

**518 Madison Drive**

**Smithfield, PA 15478**

**724-322-6529**

**johnfranciswarman@gmail.com**

**COMMERCIAL/RESIDENTIAL/CURRENT OWNER/MINERAL TITLE**

**A DECADE OF EXPERIENCE**

**E&O INSURED**

**WILL TRAVEL**

**ACCEPTING NEW CLIENTS**



## LUNCH & LEARN SERIES

The Fayette County Bar Association's next presentation in its Lunch & Learn Series will be:

- Date: **Wednesday, September 16th** from 12:00 p.m. to 1:30 p.m.
- Location: Courtroom No. 1 of the Fayette County Courthouse
- Discussion topics:  
**Sentencing Guidelines and the Justice Reinvestment Initiative**
- Presenters:  
Honorable Joseph M. George, Jr. - Judge, Fayette County Court of Common Pleas  
Ryan S. Meyers - Pennsylvania Commission on Sentencing  
Joshua Britt - Fayette County Adult Probation

### CLE Credit

1.5 hours of Substantive CLE credit for the program. The fees are as follows:

#### Members of the FCBA

- No charge for attendance without CLE Credit
- \$10 fee for attendance with CLE Credit

#### Attorneys admitted to practice in Pennsylvania after January 1, 2012

- No charge for attendance with CLE Credit

#### Non-members of the FCBA

- \$10 fee for attendance without CLE Credit
- \$40 fee for attendance with CLE Credit

**\*\* All fees to be paid at the door \*\***

A light lunch will be provided.

### RSVP

If interested in attending, please call Cindy at the Bar office at 724-437-7994 or by email to [cindy@fcbar.org](mailto:cindy@fcbar.org) on or before Monday, September 14th.

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& ASSOCIATES

412-281-2200

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