

*OFFICIAL*  
**LEGAL JOURNAL**  
*OF SUSQUEHANNA COUNTY, PA*

34th Judicial District

Vol. 3 ★ August 10, 2018 ★ Montrose, PA ★ No. 19



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**CASES REPORTED**

Commonwealth of Pennsylvania  
vs.  
Vera Scroggins, Defendant.

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**Court of Common Pleas  
34th Judicial District:**

The Hon. Jason J. Legg  
*President Judge*

The Hon. Kenneth W. Seamans  
*Senior Judge*

**The Legal Journal of  
Susquehanna County** contains  
decisions of the Susquehanna  
County Court, legal notices,  
advertisements & other matters of  
legal interest. It is published every  
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*The Legal Journal of Susquehanna County is published and produced by the Susquehanna County Bar Association and Bailey Design and Advertising.*

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By requirement of Law and Order of Court the *Legal Journal of Susquehanna County* is made the medium for the publication of all Legal Advertisements required to be made in Susquehanna County, and contains all Notices of the Sheriff, Register, Clerk of the Courts, Prothonotary and all other Public Officers, Assignees, Administrators and Executors, Auditors, Examiners, Trustees, Insolvents, the formation and dissolution of Partnerships, affording indispensable protection against loss resulting from want of notice. It also contains the Trial and Argument Lists of all the Courts in Susquehanna County, and selected Opinions and Decisions of the Courts of Susquehanna County.

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## MESSAGE FROM THE SUSQUEHANNA COUNTY BAR ASSOCIATION



The Legal Journal of Susquehanna County is a comprehensive weekly guide containing legal decisions of the 34th Judicial District encompassing civil actions filed; mortgages and deeds filed; legal notices; advertisements and other matters of legal interest. On behalf of the Susquehanna County Bar Association, we appreciate the opportunity to serve the legal community by providing a consolidated source of significant matters of legal importance.

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Susquehanna County Courthouse — 105 Maple Street, Montrose, PA 18801 ★ 570.278.4600

Hours: Monday–Friday, 8:30 a.m.–4:30 p.m.

## COURT OPINION

IN THE COURT OF COMMON PLEAS OF  
SUSQUEHANNA COUNTY, PENNSYLVANIA

Commonwealth of Pennsylvania	:	
	:	
vs.	:	
	:	
VERA SCROGGINS,	:	No. 2018 - 91 C.P.
Defendant.	:	

## OPINION

## I. Procedural History

On January 30, 2018, a criminal complaint was filed against defendant Vera Scroggins (hereinafter referred to as Scroggins) charging her with one count of Criminal Trespass under 18 Pa. C.S. § 3503(b)(1)(i) graded as a misdemeanor of the third degree, and one count under Disorderly Conduct under 18 Pa. C.S. § 5503(a)(4) graded as a misdemeanor of the third degree. On February 27, 2018, a preliminary hearing was conducted and the charges were bound over to the Court of Common Pleas. On March 19, 2018, the Commonwealth filed the information which contained the same counts alleged in the criminal complaint. On March 20, 2018, Scroggins appeared for her formal arraignment.

On April 19, 2018, Scroggins filed an omnibus pretrial motion which included two counts: (1) a motion to dismiss based upon insufficient evidence; and (2) a motion for change of venue. On August 1, 2018, a hearing on Scroggins' omnibus pretrial motion was conducted. The matter is now ripe for disposition.

## II. Commonwealth's Evidence

1. On May 1, 2015, Senior Judge Kenneth W. Seamans issued an injunctive order in the case of Cabot Oil & Gas Corp. v. Scroggins, No. 2013 - 1303 C.P., which prohibited Scroggins from being on "any of Cabot's well pads or access roads, even with landowner's invitation." (Comm. Ex. 2.)
2. On November 27, 2017, Scroggins operated her motor vehicle on a public roadway in Lathrop Township, Susquehanna County near certain natural gas pads operated by Cabot Oil and Gas Corporation (hereinafter referred to as Cabot) on the Foltz property.
3. Scroggins initially drove by the Cabot access road on the Foltz property and continued on the public roadway traveling away from the Foltz property.

4. Scroggins was observed by Frank Perera (hereinafter referred to as Perera) who was employed by a subsidiary company of Cabot to monitor traffic near the Foltz well pad as well as an adjoining well pad on the Arnone property.
5. Perera then observed Scroggins returning in the opposite direction up the public roadway and then turn onto the Cabot access road that led to the Foltz well pad.
6. The Cabot access road had appropriate signage indicating that it was a Cabot access road leading to Cabot's natural gas operations on the Foltz property. (Def. Exs. 1, 3, 4, 5.)
7. Perera was sitting in his pickup truck on the Arnone property which was directly across from the Cabot access road on the Foltz property.
8. Perera then drove his pickup truck up the Foltz roadway where he observed Scroggins' motor vehicle stopped and pulled off the access roadway.
9. Scroggins was not blocking the access roadway and Perera pulled up along the side of her motor vehicle to address Scroggins.
10. Perera and Scroggins never exited their motor vehicles and spoke from their respective positions inside of their motor vehicles through opened windows.
11. During this brief exchange, Scroggins asked if this was a Cabot access roadway and Perera responded affirmatively.
12. Perera pulled his pickup truck forward and Scroggins immediately turned her vehicle around and left the Cabot access roadway.
13. Scroggins never impeded any traffic on the Cabot access road.
14. During this brief time period, there was no other traffic on the Cabot access road aside from Scroggins and Perera.

### III. Discussion

In response to a petition for habeas corpus, the Commonwealth must present sufficient evidence to establish a *prima facie* case. See Commonwealth v. Heckman, 66 A.3d 765, 768 (Pa. Super. Ct. 2013).<sup>1</sup> "In a criminal case, a *prima facie* case is that measure of evidence which, if accepted as true, would justify the conclusion that the defendant committed the offense charged." *Id.* (quoting Commonwealth v. Ruby, 838 A.2d 786, 788 (Pa. Super. 2003)).

#### A. Criminal Trespass (M-3), 18 Pa. C.S. § 3503(b)(1)(i)

As to Count 1, Criminal Trespass (M-3) under 18 Pa. C.S. § 5303(b)(1)(i), the Commonwealth must demonstrate the following elements to establish a *prima facie* case: (1) that the Scroggins entered onto the Cabot access road on the Foltz property; (2) that notice against trespass was given by actual communication to Scroggins; (3) that Scroggins knew that she had no permission from the owner to be on the Cabot access road; and (4) that Scroggins defied an order personally communicated to her by the owner of the premises or some other authorized person to leave. *Pa. Sugg.*

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<sup>1</sup> While Scroggins' pro se petition is titled as a motion to dismiss, the court will treat it has a habeas corpus petition challenging the sufficiency of the Commonwealth's evidence to support the charges that have been filed.

Standard Crim. Jury Inst. § 15.3503B (3d Ed. 2016); 18 Pa. C.S. § 3503(b)(1)(i) & (2). The Commonwealth has satisfied the first three elements but the record lacks any proof as to the fourth element.

In this regard, the Commonwealth has filed a misdemeanor of the third degree – as opposed to a summary offense – related to Scroggins’ conduct. In order to constitute a misdemeanor offense, the Commonwealth must demonstrate that Scroggins “defie[d] an order to leave personally communicated to [her] by the owner of the premises or other authorized person.” 18 Pa. C.S. § 3503(b)(2). If no personal order to leave the premises is given to the offender or if the offender complies with the personal order to leave, then the offense should be graded as a summary offense. 18 Pa. C.S. § 3503(b)(2) (“[A]n offense under this subsection constitutes a misdemeanor of the third degree if the offender defies an order to leave personally communicated to him by the owner of the premises or other authorized person. . . . Otherwise, it is a summary offense.”). The record demonstrates that Scroggins immediately left the Cabot access road when confronted by Perera without protest, contestation or even the slightest defiance.

During oral argument, the Commonwealth contended that Judge Seamans’ injunctive order constitutes both (1) the actual communication required under § 3503(b)(1)(i); and (2) the *personal* order to *leave* under § 3503(b)(2). Such a reading of the statute would essentially render § 3503(b)(2) meaningless and would result in a violation of § 3503(b)(1)(i) always constituting a misdemeanor of the third degree. The legislature clearly never intended such a result as the statute provides two grading choices for a violation of § 3503(b)(1)(i) and the grading specifically depends upon whether the offender refused a personal order to leave the premises.

In this regard, the statute plainly requires that the offender understood that he or she was prohibited from entering the property *prior* to the entry occurring. 18 Pa. C.S. § 3503(b)(1). The knowledge can be acquired through (1) actual communication; (2) posting; or (3) fencing. 18 Pa. C.S. § 3503(b)(1)(i)-(iii). If these elements are satisfied, then the offender has committed a summary offense under § 3503(b)(2). If the offender is then confronted by the owner and other authorized person and told to *leave* and the offender does leave, then the offense still remains a summary offense. Only if the offender defies the personally communicated directive to leave does the offense become a misdemeanor of the third degree. There is simply no other interpretation of this statutory provision that makes any logical sense.

Based upon this analysis, the Commonwealth lacks any evidence that Scroggins defied any personally communicated order to leave the property. Instead, the record demonstrates that Scroggins was confronted by Perera and she actually left the property without being specifically ordered to do so. As such, the Commonwealth has presented sufficient evidence to sustain a *prima facie* case for a summary offense under 18 Pa. C.S. § 3503(b)(2) but has failed to establish a *prima facie* case for a misdemeanor of the third degree under 18 Pa. C.S. § 3503(b)(2). Given that the Commonwealth has charged Scroggins with a misdemeanor offense – and not a

summary offense, Scroggins' motion to dismiss Count 1 will be granted.

**B. Disorderly Conduct (M-3), 18 Pa. C.S. § 5503(a)(4)**

As to Count 2, Disorderly Conduct (M-3) under 18 Pa. C.S. 18 Pa. C.S. § 5503(a)(4), the Commonwealth must establish the following elements in order to demonstrate a *prima facie* case: (1) Scroggins created a hazardous or physically offensive condition by entering upon the Cabot access road; (2) that this act served no legitimate purpose of Scroggins; and (3) that Scroggins did so with the intent to cause either substantial harm to the public by way of annoyance or alarm, or serious public inconvenience. Pa. Sugg. Standard Crim. Jury Inst. 15.5503A (3d Ed. 2016); 18 Pa. C.S. § 5503(a)(4). The record is wholly devoid of evidence to support a number of these factors.

First, the Commonwealth has not demonstrated that Scroggins created a hazardous or physically offensive condition. The Superior Court has noted that there is no precise definition as to what constitutes a hazardous or physically offensive condition. See Commonwealth v. N.M.C., 172 A.3d 1146, 1150 (Pa. Super. Ct. 2017). Generally speaking, however, it requires proof that Scroggins “created a significant risk of danger or injury to [third parties].” Commonwealth v. Williams, 574 A.2d 1161, 1164 (Pa. Super. Ct. 1990) (finding that defendant did not create a hazardous condition by walking silently through a public parking lot in his underwear and forced his way into a third party motor vehicle). Based upon this standard, there is no evidence that Scroggins created a hazardous condition.

Moreover, as to what constitutes a physically offensive condition, the Superior Court has provided only limited guidance:

Although a precise definition of “physically offensive condition” is elusive, this term encompasses direct assaults on the physical senses of members of the public. A defendant may create such a condition if she sets off a stink bomb”, strews rotting garbage in public places, or shines blinding lights in the eyes of others.

Id. at 1164-65; N.M.C., 172 A.3d at 1151 (finding that a physically offensive condition involves something that “directly assault[s] the physical senses of members of the public”). While Scroggins did operate her motor vehicle on a Cabot access road, there is no evidence whatsoever her actions resulted in an assault upon “the physical senses of members of the public.” N.M.C., 172 A.3d at 1153 (noting that the disorderly conduct statute was “not intended as a catchall for every act which annoys or disturbs people; it is not to be used as a dragnet for all the irritations which breed in the ferment of a community”). Perera’s testimony makes clear that Scroggins did not block the Cabot access road in any manner – and there was no traffic impeded, blocked or inconvenienced. While Scroggins conduct clearly was an irritant – mostly to Cabot as opposed to the general public – it created neither a hazardous or physically offensive condition.

Second, there is no evidence that Scroggins’ actions served no legitimate purpose.

Perera testified that he was aware that Scroggins was a citizen activist who monitored natural gas activities. The litigation between Scroggins and Cabot demonstrates that there is a history between the parties. While this court has directed that Scroggins have no contact with Cabot's access roads, this civil injunction in a private dispute between Cabot and Scroggins should not be viewed as a judicial declaration that citizen journalism or activism serves no legitimate purpose as that term is defined under § 5503(a)(4). Even if Scroggins' activities somehow created a hazardous or physically offensive condition, the Commonwealth's evidence failed to demonstrate that Scroggins' acts served no legitimate purpose.

Finally, the Commonwealth has filed a misdemeanor of the third degree Disorderly Conduct against Scroggins which requires proof that Scroggins acted with the intent to cause *substantial* public inconvenience, annoyance or alarm. 18 Pa. C.S. § 5503(b). The record is frankly devoid of any evidence – let alone substantial evidence – of any public inconvenience, annoyance or alarm. Scroggins was conducting a tour of natural gas well activities in Susquehanna County by visiting various well pad sites. Scroggins did nothing to draw attention to herself. Scroggins did not make any unnecessary noise, she did not block any roadways, and she never sought any type of confrontation with any representative of Cabot or the property owner. When she was confronted by Perera, she immediately left the Cabot access road without argument or protest. There is no evidence that Scroggins intended to cause substantial public inconvenience, annoyance or alarm by her conduct – and none occurred.<sup>2</sup> For these reasons, Scroggins' motion to dismiss Count 2 will be granted.<sup>3</sup>



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2 At oral argument, the Commonwealth suggested that Scroggins recklessly created a risk of substantial inconvenience, annoyance or alarm. The Commonwealth failed to explain how Scroggins conduct of pulling onto a Cabot access road, parking off the roadway so as to not block traffic, and quietly filming natural gas activities could cause substantial inconvenience, annoyance or alarm. Even if Scroggins' conduct could be considered disorderly, however, the Commonwealth would also have to demonstrate that Scroggins "persist[ed] in disorderly conduct after reasonable warning or request to desist." 18 Pa. C.S. § 5503(b). As noted, when Perera confronted Scroggins, she immediately left the Cabot access road.

3 Scroggins also filed a motion for a change of venue as she contends that she cannot receive a fair trial in Susquehanna County. Given the disposition of her motion to dismiss, the court need not address the change of venue request as it is now moot.



**LEGAL NOTICES**

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*IN THE COURT OF COMMON PLEAS OF SUSQUEHANNA COUNTY  
COMMONWEALTH OF PENNSYLVANIA*

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**ESTATE NOTICES**

*Notice is hereby given that, in the estate of the decedents set forth below, the Register of Wills, has granted letters testamentary or of administration to the persons named. All persons having claims or demands against said estates are requested to present the same without delay and all persons indebted to said estates are requested to make immediate payment to the executors or administrators or their attorneys named below.*

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**EXECUTOR NOTICE**

Estate of Carolyn E. Welch AKA  
Carolyn Elaine Welch  
Late of Susquehanna Borough  
EXECUTOR  
Michael P. Welch  
2685 Foster Valley Road  
Owego, NY 13827  
ATTORNEY  
Michael J. Giangrieco, Esquire  
Giangrieco Law, PC  
P.O. Box 126  
Montrose, PA 18801

**8/10/2018 • 8/17/2018 • 8/24/2018**

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**LEGAL NOTICE**

**ESTATE NOTICE IN THE  
ESTATE OF ROBERT M.  
SQUIER**, late of the Township of  
Great Bend, County of  
Susquehanna, Commonwealth of  
Pennsylvania, who died on April 8,  
2018. Letters of Testamentary in  
the above estate have been granted  
to the undersigned, all persons

indebted to said estate are  
requested to make prompt payment  
and all having claims against said  
estate will present them without  
delay to: Beth McCormick,  
Executrix, c/o JAMI LAYAOU  
HEARN, ESQ., 181 West Tioga  
Street, Tunkhannock, PA 18657.

**8/10/2018 • 8/17/2018 • 8/24/2018**

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**EXECUTRIX NOTICE**

Estate of Robert L. Hull AKA  
Robert Lloyd Hull  
Late of Springville Township  
EXECUTRIX  
Barbara Hull Pusaver  
11 Skitka Avenue  
Carteret, NJ 07008  
ATTORNEY  
Aaron D. Hovan, Esquire  
154 Warren Street – P.O. Box 336  
Tunkhannock, PA 18657

**8/10/2018 • 8/17/2018 • 8/24/2018**

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**LEGAL NOTICE**

**ESTATE NOTICE IN THE  
ESTATE OF JEROME  
WEINBERGER**, late of the  
Township of Franklin, County of  
Susquehanna, Commonwealth of  
Pennsylvania, who died on June  
22, 2018. Letters of Testamentary  
in the above estate have been  
granted to the undersigned, all  
persons indebted to said estate are  
requested to make prompt payment  
and all having claims against said

estate will present them without delay to: Jami Layaou Hearn, Executrix, c/o JAMI LAYAOU HEARN, ESQ., 181 West Tioga Street, Tunkhannock, PA 18657.

**8/10/2018 • 8/17/2018 • 8/24/2018**

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### **EXECUTOR'S NOTICE**

Estate of RITA J. KIEFER a/k/a RITA KIEFER, DECEASED, late of 2624 GLENWOOD ROAD, HOP BOTTOM, PA 18824, (Died JUNE 17, 2018) JAN RUSSO and KURT W. KIEFER, Co-Executors. Mark G. Rudalavage, 171 Scranton-Carbondale Highway, Eynon, Pennsylvania 18403-1027, Attorney. MARK G. RUDALAVAGE, ESQUIRE

**8/10/2018 • 8/17/2018 • 8/24/2018**

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### **ADMINISTRATRIX NOTICE**

Estate of Stuart Arthur Card  
Late of Borough of Lanesboro  
ADMINISTRATRIX  
Stacie Hilton  
296 Main Street  
Susquehanna, PA 18847  
ATTORNEY  
Rachael Thomas  
1220 Main Street PO Box 244  
Susquehanna, PA 18847

**8/3/2018 • 8/10/2018 • 8/17/2018**

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### **ADMINISTRATRIX NOTICE**

Estate of Gregory Davey a/k/a Greg Davey  
Late of Susquehanna Depot Borough

ADMINISTRATRIX  
Margaret Biegert  
1923 Germantown Road  
Susquehanna, PA 18847  
ATTORNEY  
Myron B. DeWitt  
1220 Main Street  
Susquehanna, PA 18847

**8/3/2018 • 8/10/2018 • 8/17/2018**

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### **ESTATE NOTICE**

In the Estate of Glenn T. Wall, late of the Township of Harford, Susquehanna County, Pennsylvania,

Letters of Administration in the above estate having been granted to the undersigned, all persons indebted to said estate are requested to make prompt payment and all those having claims against said estate will present them without delay to:

Lisa Wall  
113 Taft Street  
Wind Gap, PA 18091

or

Attorney for the Estate  
Zachary D. Morahan, Esq.  
Coughlin & Gerhart, LLP  
21-23 Public Ave.  
Montrose, PA 18801

**8/3/2018 • 8/10/2018 • 8/17/2018**

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### **EXECUTRIX NOTICE**

Estate of William R. Compton, Sr.  
Late of Lenox Township  
EXECUTRIX  
Laura Wickizer

171 Marcy Rd.  
Nicholson, PA 18446  
ATTORNEY  
John R. Dean, Esq.  
72 Public Ave.  
Montrose, PA 18801

8/3/2018 • 8/10/2018 • 8/17/2018

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### **EXECUTRIX NOTICE**

Estate of Carolyn J. Enos AKA  
Carolyn Enos  
Late of Lakewood, Colorado  
EXECUTRIX  
ANCILLARY PROCEEDING  
Melinda J. E. Donaldson  
7723 Noble Street  
Arvada, CO 80007  
ATTORNEY  
Sandra E. Malkin  
450 Plaza Drive  
Vestal, NY 13850

7/27/2018 • 8/3/2018 • 8/10/2018

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### **NOTICE**

In the Estate of Albert A. Stella  
AKA Albert Alexander Stella AKA  
A Alexander Stella late of the  
Borough Of Susquehanna,  
Susquehanna County,  
Pennsylvania.  
Letters testamentary in the above  
estate having been granted to the  
undersigned, all persons indebted to  
said estate are requested to make  
prompt payment and all those  
having claims against said estate  
will present them without delay to:  
David M. Stella 1126 Pietro Drive  
Endicott, N.Y. 13760

7/27/2018 • 8/3/2018 • 8/10/2018

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### **EXECUTOR NOTICE**

Estate of Jean A. Loomis AKA  
Jean S. Loomis  
Late of Bridgewater Township  
EXECUTOR  
Jeffrey I. Loomis  
537 Chrisann Road  
Montrose, PA 18801  
EXECUTRIX  
Chrisann Rowe  
7270 Collins Drive  
Cumming, GA 30041  
ATTORNEY  
Robert J. Hollister, Esq.  
Giangrieco Law, PC  
P.O. Box 126  
Montrose, PA 18801

7/27/2018 • 8/3/2018 • 8/10/2018

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### **OTHER NOTICES**

### **INVOLUNTARY TRANSFER OF VEHICLE TITLE**

2002 GEM E825 LSV Car  
VIN: 5ASAG47462F029532  
Bucks County Court of Common  
Pleas  
100 N. Main Street,  
Doylestown PA 18901  
Case 2018-04201-0000  
Filed 7-20-2018

8/10/2018

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### **ORPHANS' COURT DIVISION ESTATE NOTICE**

Public notice is hereby given to all  
persons interested in the following  
named Estate. The accountant of  
said Estate has filed in the  
Register's Office of Susquehanna

County the accounting which has been certified to the Clerk of the Orphans' Court Division, Court of Common Pleas:

First and Final Accountings:

Estate of KENNETH R ELY,  
deceased  
Nolen Scott Ely, Executor

Estate of ALBERT E CHESKO JR,  
deceased  
Katherine M Yacaginsky,  
Administratrix

The above accountings will be presented to the Judge of the Court of Common Pleas on Tuesday, August 21, 2018, and if no exceptions have been filed thereto the account will be Confirmed Final.

MICHELLE ESTABROOK  
CLERK OF ORPHANS' COURT

8/3/2018 • 8/10/2018

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## NOTICE OF FILING OF SHERIFF'S SALES

*Individual Sheriff's Sales can be cancelled for a variety of reasons. The notices enclosed were accurate as of the publish date. Sheriff's Sale notices are posted on the public bulletin board of the Susquehanna County Sheriff's Office, located at 105 Maple Street, Montrose, PA.*

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## SHERIFF'S SALE MORTGAGE FORECLOSURE AUGUST 28, 2018

IN THE COURT OF COMMON PLEAS OF SUSQUEHANNA COUNTY, upon Judgment entered therein, there will be exposed to public sale and outcry in the Sheriff's Office, Susquehanna County Courthouse Montrose, Pennsylvania, the following described real estate, to wit:

## SALE DATE AND TIME 8-28-2018 at 10:00 AM

Writ of Execution No.:

2018-730 CP

PROPERTY ADDRESS: 1177

North Main Street

Forest City, Pa 18421

LOCATION: Borough of Forest City

Tax ID #: 249.19-2,005.00,000.

IMPROVEMENTS: ONE – TWO  
STORY WOOD FRAMED  
DWELLING

ONE – 15 X 20 WOOD FRAMED  
GARAGE

DEFENDANTS: MARILYN L.  
FORTUNER, DENNIS

FORTUNER, in his capacity as  
Administrator CTA and Devisee of  
the Estate of ANDREW G.

FORTUNER and in his capacity as  
Heir of RANDY L. FORTUNER

A/K/A RANDY LEE FORTUNER, deceased Devisee of the Estate of ANDREW G. FORTUNER MICHAEL T. FORTUNER, JR., in his capacity as Devisee of the Estate of ANDREW G.

FORTUNER and in his capacity as Heir of RANDY L. FORTUNER A/K/A RANDY LEE FORTUNER, deceased Devisee of the Estate of ANDREW G. FORTUNER JOHN J. FORTUNER, in his capacity as Devisee of the Estate of ANDREW G. FORTUNER and in his capacity as Heir of RANDY L. FORTUNER A/K/A RANDY LEE FORTUNER, deceased Devisee of the Estate of ANDREW G.

FORTUNER SUZANNE PAUSWINSKI, in her capacity as Devisee of the Estate of ANDREW G. FORTUNER and in her capacity as Heir of RANDY L. FORTUNER A/K/A RANDY LEE FORTUNER, deceased Devisee of the Estate of ANDREW G. FORTUNER

TERRA FORTUNER, in her capacity as Devisee of the Estate of ANDREW G. FORTUNER

JUDITH LAPENTA, in her capacity as Executrix and Devisee of the Estate of Michael T.

Fortuner a/k/a Michael T. Fortuner, Sr, DECEASED devisee of the Estate of ANDREW G.

FORTUNER and in his capacity as Heir of RANDY L. FORTUNER A/K/A RANDY LEE FORTUNER, deceased Devisee of ANDREW G. FORTUNER

UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST

FROM OR UNDER ANDREW G. FORTUNER, DECEASED UNKNOWN HEIRS, SUCCESSORS, ASSIGNS, AND ALL PERSONS, FIRMS, OR ASSOCIATIONS CLAIMING RIGHT, TITLE OR INTEREST FROM OR UNDER RANDY L. FORTUNER A/K/A RANDY LEE FORTUNER, DECEASED DEVISEE OF THE ESTATE OF ANDREW G. FORTUNER ATTORNEY FOR PLAINTIFF: Robert Crawley, Esq (570) 563-7000

### 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 no later than 30 days after the sale and that distribution will be made in accordance with that Schedule unless exceptions are filed thereto within ten (10) days thereafter. Full amount of bid plus poundage must be paid on the date of the sale by 4:30 p.m. or deed will not be acknowledged. For details on individual Sheriff Sales please go to: <http://susqco.com/> - Law Enforcement, Sheriff's Office, Sale listings

Lance M. Benedict,  
Susquehanna County Sheriff

8/3/2018 • 8/10/2018 • 8/17/2018

**MORTGAGES AND DEEDS**

*RECORDED FROM JULY 26, 2018 TO AUGUST 1, 2018  
ACCURACY OF THE ENTRIES IS NOT GUARANTEED.*

**MORTGAGES**

Information: OPEN-END CONSTRUCTION MTG	Consideration: \$45,000.00
Mortgagor: STODDARD, ANDREW P	Mortgagee: HONESDALE NATIONAL BANK
2 - STODDARD, STEPHANIE S	
Locations: Parcel #	Municipality
1 - N/A	LENOX TOWNSHIP
Information:	Consideration: \$88,350.00
Mortgagor: MOYERS, RUSSELL	Mortgagee: TIOGA STATE BANK
Locations: Parcel #	Municipality
1 - 021.00-2,018.00,000.	APOLACON TOWNSHIP
Information:	Consideration: \$500,000,000.00
Mortgagor: HAYMAKER PROPERTIES LP	Mortgagee: FROST BANK
2 - BEASLEY, MICHAEL L	
3 - BENNETT, NORMAND J JR	
4 - IMMITT, VINCENT J	
5 - MCCONNELL, ROBERT D SR	
6 - REEDER, ROBERT B	
7 - ROE, HERBERT E JR	
8 - SPARLING, RICK	
9 - THOMAS, PATRICIA E	
10 - TERP, GEORGIA D	
11 - MCGAVIN, PAUL T	
12 - GRIFFITHS, JAMES	
13 - BLACHEK, JAMES	
14 - SMALL, JANET F	
15 - SNYDER, MARY E	
16 - KELSON, PAUL	
17 - CHANN INVESTMENTS INC	
18 - MARKER, RICHARD R	
19 - MARKER, CAROL A	
20 - RIFLE, JOSEPH D	
21 - CANFI, LISA R	
22 - ALEXANDER, CHARLES	
23 - ALEXANDER, DARLENE L	
24 - COOK, BRYAN T	
25 - COOK, MARY E	
26 - NOAKES, CARL	
27 - DAVIS, CHARLES JR	
28 - FARENCIK, GAIL D	
29 - WARNER, JOYCE R	
30 - NEMCEK, MILDRED	
31 - KOVACH, KATHY C	
32 - VANNORT, WILLIAM	
33 - MCMAHON, PHILIP J	
34 - REENSTRA, WILLIAM H	
35 - WESTERN, HARRY J	
36 - DICK, RAYMOND JR	
37 - DICK, CHRISTOPHER J	
38 - COLEMAN, WILLIAM P	

- 39 - HOGAN, EDWARD
- 40 - KELLY, GEORGE
- 41 - MCQUILLAN, MICHAEL J
- 42 - MCQUILLAN, DIANE T
- 43 - TURCAN, JACOB E
- 44 - TURCAN, RITA A
- 45 - CAPWELL, GEORGE C
- 46 - HAWLEY, JAMES B JR
- 47 - HAWLEY, MARY ALICE
- 48 - GORDON, ERNEST
- 49 - TNT 1 LIMITED PARTNERSHIP
- 50 - MEDOVICH, ROBIN
- 51 - MEDOVICH, CATHERINE D
- 52 - CRAFT, PAULINE S
- 53 - KLIEWER, DAVID P
- 54 - KLIEWER, GLADYS M
- 55 - BLANCHETTE, PEGGY
- 56 - WILKE, LAWRENCE K
- 57 - WILKE, CAROL ANNE
- 58 - DAVIES, LILLIAN G
- 59 - DUDEK, STANLEY
- 60 - WHITNEY, BRICE A
- 61 - HINES, DONALD M
- 62 - HINES, CATHERINE L
- 63 - HALEY, BERYL
- 64 - JAYNE, BRUCE T
- 65 - JAYNE, MARJARIE E
- 66 - SEAMAN, ROBERT
- 67 - SEAMAN, CAROL
- 68 - DOUGLAS, MILO DAVID
- 69 - DOUGLAS, CAROL J
- 70 - CAREY, ARNOLD J
- 71 - CAREY, BETTY J
- 72 - GLEZEN, DANIEL O SR
- 73 - GLEZEN, FLORENCE
- 74 - HARTNETT, FRANCIS J
- 75 - HARTNETT, KATHLEEN
- 76 - SODON, CAROL
- 77 - HARMS, IRINI
- 78 - NEILD, DAWN M
- 79 - MAJOR, LESLIE F
- 80 - MAJOR, ANN MARIE
- 81 - GENELL, ANGELO
- 82 - GENELL, MARK
- 83 - SODON, JULIE A
- 84 - BICKAR, JOSEPH
- 85 - BICKAR, DANIEL
- 86 - BICKAR, VINCENT T
- 87 - BICKAR, VINCENT
- 88 - SOTH, HENRY J
- 89 - BROWN, RANDY
- 90 - BURKE, GERALD E
- 91 - FINLON, VIDA B
- 92 - RACE, WALTER O
- 93 - LAWRENCE, JUSTIN R
- 94 - PISACK, JOSEPH C

95 - TRIVETT, DANIEL M  
96 - BAJER, JOSEPH  
97 - BAKER, WAYNE  
98 - COBB, W HOWARD  
99 - HINKLEY, CLAIR  
100 - HOPELY, JOHN L  
101 - PASSARELLI, JEROME M  
102 - RACE, WALTER O  
103 - SOCK, JEROME A  
104 - POWERS, MARK A  
105 - VALVANO, KEVIN B  
106 - WIKER, NANCY  
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108 - PRATT, KELVIN L  
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110 - FEKETTE, REBECCA J  
111 - PLATUS, GENE S  
112 - FOIST, SANDRA L  
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114 - WILLIAMS, GAYLE M  
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122 - SALINKAS, JUDITH  
123 - DICK, JEANETTE  
124 - MORANO, LAWRENCE J  
125 - MORANO, BRENDA A  
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127 - HOGLE, JANET M  
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129 - HEDENUS, STEPHEN J  
130 - SQUARES, HARRY E JR  
131 - SQUARES, JUNE M  
132 - LAROSA, DAMIAN P  
133 - HOULIHAN, TIMOTHY J  
134 - HOULIHAN, SUZANNE M  
135 - HOULIHAN, ROBERTA J  
136 - HOULIHAN, ROBERTA JEAN  
137 - CARPENTER, GEORGE F  
138 - FEKETTE, JOHN  
139 - FEKETTE, RANDY JON  
140 - CARPENTER, RUSSELL M  
141 - CARPENTER, JUDITH R  
142 - HALL, MILLARD L  
143 - HALL, PAMELA J  
144 - RAUB, EARL D SR  
145 - RAUB, CHARLOTTE M  
146 - SERINO, FRANK A  
147 - WATTS, BRIAN  
148 - WATTS, FERN  
149 - WATTS, BRIAN J  
150 - WATTS, FERN K



151 - DISTEFANO, LEO  
 152 - MCCORRISTON, PHILIP D  
 153 - MCCORRISTON, MARY E  
 154 - SCHAFFER, JAMES M  
 155 - SCHAFFER, LISA G  
 156 - FEKETTE, DONNA  
 157 - MONTEFORTE, IRENO  
 158 - WALLACE, LORRAINE  
 159 - WOOSMAN, JOSEPH M  
 160 - WOOSMAN, NICOLE M  
 161 - EDWARDS, ZACHARY M  
 162 - EDWARDS, DONNA L  
 163 - EDWARDS, LESLIE I  
 164 - EDWARDS, JANICE M  
 165 - WASNOWIC, HELEN M  
 166 - WASNOWIC, JOHN F  
 167 - KAYS, JEREMY R  
 168 - KAYS, HEATHER C  
 169 - CASSIDY, REBECCA M  
 170 - KAYS, RONALD W  
 171 - KAYS, LINDA M  
 172 - STALKER, DAVID L  
 173 - STALKER, DEBORAH C  
 174 - NELSON, EDWIN A  
 175 - NELSON, SHIRLEY A  
 176 - LONG, BRADLEY W  
 177 - GAGE, LOLA ANNE  
 178 - EVANS, KIM M  
 179 - CANFIELD, JAMES R  
 180 - DUBOE, WILLIAM  
 181 - FAUST, MICHAEL  
 182 - GAGE, KEVIN M  
 183 - GAGE, TERRI L  
 184 - SEYMOUR, KENNETH E  
 185 - SEYMOUR, LAVERA O  
 186 - PLITT, EDWARD SR  
 187 - PLITT, MAUREEN  
 188 - MORAHAN, RICHARD E  
 189 - MORAHAN, DIANA T  
 190 - VANDERFELTZ, JOSEPH L

#### No Municipality Information

Information:	Consideration: \$60,000.00
Mortgagor: BUNNELL, RALPH B	Mortgagee: ADRIANNCE, JAMES 2 - ADRIANNCE, VESTA
Locations: Parcel #	Municipality
1 - 140.00-1,030.00,000.	JESSUP TOWNSHIP
Information:	Consideration: \$185,000.00
Mortgagor: FEARNLEY, JEREMIAH L	Mortgagee: VISIONS FEDERAL CREDIT UNION
2 - FEARNLEY, NICOLE S	
Locations: Parcel #	Municipality
1 - 040.00-1,039.00,000.	APOLACON TOWNSHIP
Information:	Consideration: \$131,200.00
Mortgagor: PERKINS, CHARLES E	Mortgagee: CITIZENS BANK
2 - PERKINS, MARYLYNNE	
Locations: Parcel #	Municipality
1 - 111.14-1,034.00,000.	NEW MILFORD TOWNSHIP

Information:	Consideration: \$140,000.00
Mortgagor: PARKS, JOHN W	Mortgagee: WAYNE BANK
2 - PARKS, MARY	
Locations: Parcel #	Municipality
1 - 033.00-1,035.00,000.	GREAT BEND TOWNSHIP
Information:	Consideration: \$991,000.00
Mortgagor: SHALE PROPERTIES LLC	Mortgagee: GREAT PLAINS NATIONAL BANK
Locations: Parcel #	Municipality
1 - 236.00-1,001.00,000.	SPRINGVILLE TOWNSHIP
Information:	Consideration: \$15,000.00
Mortgagor: GLIDDEN, DAVID C	Mortgagee: HONESDALE NATIONAL BANK
2 - GLIDDEN, ROBIN L	
Locations: Parcel #	Municipality
1 - 054.12-1,016.00,000.	LANESBORO BOROUGH
Information:	Consideration: \$208,000.00
Mortgagor: SAAM, KEVIN	Mortgagee: HONESDALE NATIONAL BANK
Locations: Parcel #	Municipality
1 - N/A	UNIONDALE BOROUGH
Information:	Consideration: \$237,590.00
Mortgagor: FAVE, CARA M	Mortgagee: NAVY FEDERAL CREDIT UNION
Locations: Parcel #	Municipality
1 - N/A	MIDDLETOWN TOWNSHIP
Information:	Consideration: \$153,700.00
Mortgagor: SMITH, BRADLEY	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - SMITH, JESSICA	2 - SUMMIT MORTGAGE CORPORATION
Locations: Parcel #	Municipality
1 - 083.00-1,060.00,000.	FOREST LAKE TOWNSHIP
Information:	Consideration: \$70,707.00
Mortgagor: FANNING, RUTH	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - STEARNS LENDING LLC	
Locations: Parcel #	Municipality
1 - 268.07-3,020.00,000.	FOREST CITY 2W
Information:	Consideration: \$150,000.00
Mortgagor: GABRIEL, MARIO B	Mortgagee: MANUFACTURERS AND TRADERS TRUST COMPANY
2 - GABRIEL, CHRISTINE A	
3 - GABRIEL, MARIO B III (AKA)	
Locations: Parcel #	Municipality
1 - 255.07-1,018.00,000.	SPRINGVILLE TOWNSHIP
Information:	Consideration: \$190,500.00
Mortgagor: DEMIANOVICH, DANIEL	Mortgagee: JPMORGAN CHASE BANK
2 - DEMIANOVICH, ELAINE	
Locations: Parcel #	Municipality
1 - 267.00-1,028.00,000.	CLIFFORD TOWNSHIP
Information:	Consideration: \$18,000.00
Mortgagor: PESOLI, ANTHONY	Mortgagee: DIME BANK
Locations: Parcel #	Municipality
1 - N/A	FOREST CITY

Information:	Consideration: \$237,000.00
Mortgagor: SWANSON, CURTIS	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - SWANSON, CATHY	2 - PS BANK
Locations: Parcel #	Municipality
1 - 223.00-1,028,00,000.	LENOX TOWNSHIP
Information:	Consideration: \$125,600.00
Mortgagor: OWEN, DARYLE	Mortgagee: P & G MEHOOPANY EMPLOYEES FED CR UNION
2 - OWEN, CAROL	
Locations: Parcel #	Municipality
1 - N/A	AUBURN TOWNSHIP
Information:	Consideration: \$100,000.00
Mortgagor: BARNHART, GARY L	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - BARNHART, ROSE MARIE	2 - STEARNS LENDING LLC
Locations: Parcel #	Municipality
1 - 124.18-2,037,00,000.	MONTROSE 2W
Information:	Consideration: \$251,515.00
Mortgagor: SCEPANIAC, CODY J	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - SCEPANIAC, KALLI	2 - UNIFIRST MORTGAGE CORPORATION
Locations: Parcel #	Municipality
1 - 043.00-1,024,00,000.	CHOCONUT TOWNSHIP

## DEEDS

Information:	Consideration: \$180,000.00
Grantor: INSCOE, THOMAS	Grantee: WYZYKOWSKI, ANDREW
2 - INSCOE, MARY	
Locations: Parcel #	Municipality
1 - 226.07-1,028,00,000.	CLIFFORD TOWNSHIP
Information:	Consideration: \$1.00
Grantor: BISTIS FAMILY TRUST (BY TRUSTEE)	Grantee: 2930 SR 2096 LLC
Locations: Parcel #	Municipality
1 - 221.00-1,014,00,000.	LATHROP TOWNSHIP
Information:	Consideration: \$1.00
Grantor: BLACK, DALE E	Grantee: THOMAS, BENJAMIN R
2 - BLACK, SANDRA R	2 - THOMAS, EMILY R
Locations: Parcel #	Municipality
1 - N/A	SPRINGVILLE TOWNSHIP
Information:	Consideration: \$93,000.00
Grantor: SMITH, ROBERT F	Grantee: MOYERS, RUSSELL
Locations: Parcel #	Municipality
1 - 021.00-2,018,00,000.	APOLACON TOWNSHIP
Information:	Consideration: \$1.00
Grantor: RONAI, THOMAS K	Grantee: RONAI, THOMAS K (TRUST BY TRUSTEE)
2 - RONAI, JULIE A	2 - RONAI, JULIE A (TRUST BY TRUSTEE)
Locations: Parcel #	Municipality
1 - N/A	THOMPSON TOWNSHIP
Information:	Consideration: \$65,000.00
Grantor: CARRIZO MARCELLUS LLC	Grantee: BUNNELL, RALPH B
Locations: Parcel #	Municipality
1 - 140.00-1,030,00,000.	JESSUP TOWNSHIP

Information:	Consideration: \$164,000.00
Grantor: HELISEK, ANNA B	Grantee: PERKINS, CHARLES E 2 - PERKINS, MARYLYNNE
Locations: Parcel # 1 - 111.14-1,034.00,000.	Municipality NEW MILFORD TOWNSHIP
Information:	Consideration: \$90,000.00
Grantor: GILLETTE, TANNER T	Grantee: TOMPKINS, NATHANAEL 2 - TOMPKINS, MARSHA
Locations: Parcel # 1 - 207.01-1,009.00,000.	Municipality GIBSON TOWNSHIP
Information:	Consideration: \$233,747.15
Grantor: MOTSKO, CAROL (AKA) 2 - MOTSKO, MARY CAROL	Grantee: ZEMBRZYCKI, BERNARD 2 - ZEMBRZYCKI, LINDA
Locations: Parcel # 1 - N/A	Municipality HERRICK TOWNSHIP
Information:	Consideration: \$1.00
Grantor: PINTO, MICHAEL	Grantee: PINTO, MICHAEL 2 - PINTO, CHRISTINE
Locations: Parcel # 1 - 223.00-1,044.01,000.	Municipality LENOX TOWNSHIP
Information: CONFIRMATORY	Consideration: \$10.00
Grantor: VALENTINE, FRANCIS (ESTATE AKA) 2 - VALENTINE, FRANK (ESTATE)	Grantee: BOARDWALK FIELD SERVICES LLC
Locations: Parcel # 1 - N/A	Municipality CLIFFORD TOWNSHIP
Information: INTERVAL NO 38 UNIT 25	Consideration: \$100.00
Grantor: NEIDHART, JOHN E 2 - NEIDHART, MARSHALL C	Grantee: BREMER HOF OWNERS INC
Locations: Parcel # 1 - N/A	Municipality HERRICK TOWNSHIP
Information:	Consideration: \$150,000.00
Grantor: CRAWLEY, DIANE STUDWELL 2 - CRAWLEY, EARL 3 - WEAVER, BETH STUDWELL 4 - BOND, ROBIN REGAN 5 - BOND, TIMOTHY	Grantee: MROZ, THOMAS E 2 - MROZ, BRIAN THOMAS
Locations: Parcel # 1 - N/A	Municipality THOMPSON TOWNSHIP
Information:	Consideration: \$83,333.00
Grantor: CRAWLEY, DIANE STUDWELL 2 - CRAWLEY, EARL 3 - WEAVER, BETH STUDWELL 4 - BOND, ROBIN REGAN 5 - BOND, TIMOTHY	Grantee: CRAWLEY, DIANE STUDWELL 2 - CRAWLEY, EARL
Locations: Parcel # 1 - N/A	Municipality THOMPSON TOWNSHIP
Information:	Consideration: \$1.00
Grantor: CRAWLEY, DIANE STUDWELL 2 - CRAWLEY, EARL	Grantee: CRAWLEY, DIANE STUDWELL 2 - CRAWLEY, EARL 3 - CRAWLEY, DANIEL
Locations: Parcel # 1 - N/A	Municipality THOMPSON TOWNSHIP

Information:	Consideration: \$230,000.00
Grantor: BAZIN, GARY	Grantee: FAVE, CARA M
2 - BAZIN, SHERRIE J	
Locations: Parcel #	Municipality
1 - N/A	MIDDLETOWN TOWNSHIP
Information:	Consideration: \$153,700.00
Grantor: RUSSELL, MARY C (ESTATE)	Grantee: SMITH, BRADLEY
	2 - SMITH, JESSICA
Locations: Parcel #	Municipality
1 - 083.00-1,060.00,000.	FOREST LAKE TOWNSHIP
Information:	Consideration: \$70,000.00
Grantor: WILLIAMS, IAN M	Grantee: FANNING, RUTH
2 - SPICER, BRITTANY ANN (NBM)	
3 - WILLIAMS BRITTANY ANN	
Locations: Parcel #	Municipality
1 - 268.07-3,020.00,000.	FOREST CITY 2W
Information:	Consideration: \$25,000.00
Grantor: CR 2018 LLC	Grantee: LEWIS, CHAD E
Locations: Parcel #	Municipality
1 - 026.00-1,009.00,000.	SILVER LAKE TOWNSHIP
Information:	Consideration: \$27,000.00
Grantor: COSKLO, RONALD J (ESTATE)	Grantee: HORNBECK, ALLAN A JR
2 - COSKLO, GAIL	2 - HORNBECK, MARIE A
Locations: Parcel #	Municipality
1 - N/A	CLIFFORD TOWNSHIP
Information:	Consideration: \$245,000.00
Grantor: MAJOR, STEPHEN W	Grantee: CABOT OIL & GAS CORPORATION
2 - MAJOR, MELANIE R	
Locations: Parcel #	Municipality
1 - N/A	BRIDGEWATER TOWNSHIP
Information:	Consideration: \$152,000.00
Grantor: HAWLEY, BENJAMIN J	Grantee: BARNHART, GARY L
2 - HAWLEY, MICHELLE P	2 - BARNHART, ROSE MARIE
Locations: Parcel #	Municipality
1 - 124.18-2,037.00,000.	MONTROSE 2W





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