

**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 Friday by the Susquehanna County Bar Association.

The Official Legal Publication of Susquehanna County, Pennsylvania



Legal Journal of Susquehanna County

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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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Legal notices must be received before 10:00 AM on the Monday preceding publication or, in the event of a holiday, on the preceding Friday.

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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Kenneth W. Seamans, *Senior Judge*

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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).¹ “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. § 3503(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.

¹ While Scroggins' pro se petition is titled as a motion to dismiss, the court will treat it as 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.² For these reasons, Scroggins' motion to dismiss Count 2 will be granted.³



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

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

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.

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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.

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
2 - STODDARD, STEPHANIE S

Mortgagee: HONESDALE NATIONAL BANK

Locations: Parcel #
1 - N/A

Municipality

LENOX TOWNSHIP

Information:

Consideration: \$88,350.00

Mortgagor: MOYERS, RUSSELL

Mortgagee: TIOGA STATE BANK

Locations: Parcel #
1 - 021.00-2.018.00.000.

Municipality

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 - FARENICK, 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 I LIMITED PARTNERSHIP
50 - MEDOVICH, ROBIN
51 - MEDOVICH, CATHERINE D
52 - CRAFT, PAULINE S
53 - KLIWER, DAVID P
54 - KLIWER, 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
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92 - RACE, WALTER O
93 - LAWRENCE, JUSTIN R
94 - PISACK, JOSEPH C

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103 - SOCK, JEROME A
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106 - WIKER, NANCY
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110 - FEKETTE, REBECCA J
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114 - WILLIAMS, GAYLE M
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116 - SHILLING, SUZETTE
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118 - DRANN, ARLINE
119 - VOLPE, WAYNE D JR
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122 - SALINKAS, JUDITH
123 - DICK, JEANETTE
124 - MORANO, LAWRENCE J
125 - MORANO, BRENDA A
126 - HOGLE, PETER K
127 - HOGLE, JANET M
128 - FRESCO, BLAINE A
129 - HEDENUS, STEPHEN J
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131 - SQUARES, JUNE M
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134 - HOULIHAN, SUZANNE M
135 - HOULIHAN, ROBERTA J
136 - HOULIHAN, ROBERTA JEAN
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139 - FEKETTE, RANDY JON
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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 - SCHAFER, JAMES M
155 - SCHAFER, 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: ADRIANNE, JAMES 2 - ADRIANNE, VESTA
Locations: Parcel # 1 - 140.00-1,030.00,000.	Municipality JESSUP TOWNSHIP
Information:	Consideration: \$185,000.00
Mortgagor: FEARNLEY, JEREMIAH L 2 - FEARNLEY, NICOLE S	Mortgagee: VISIONS FEDERAL CREDIT UNION
Locations: Parcel # 1 - 040.00-1,039.00,000.	Municipality APOLACON TOWNSHIP
Information:	Consideration: \$131,200.00
Mortgagor: PERKINS, CHARLES E 2 - PERKINS, MARYLYNNE	Mortgagee: CITIZENS BANK
Locations: Parcel # 1 - 111.14-1,034.00,000.	Municipality NEW MILFORD TOWNSHIP

Information:	
Mortgagor: PARKS, JOHN W 2 - PARKS, MARY	Consideration: \$140,000.00 Mortgagee: WAYNE BANK
Locations: Parcel # 1 - 033.00-1,035.00.000.	Municipality GREAT BEND TOWNSHIP
Information:	
Mortgagor: SHALE PROPERTIES LLC	Consideration: \$991,000.00 Mortgagee: GREAT PLAINS NATIONAL BANK
Locations: Parcel # 1 - 236.00-1,001.00.000.	Municipality SPRINGVILLE TOWNSHIP
Information:	
Mortgagor: GLIDDEN, DAVID C 2 - GLIDDEN, ROBIN L	Consideration: \$15,000.00 Mortgagee: HONESDALE NATIONAL BANK
Locations: Parcel # 1 - 054.12-1,016.00.000.	Municipality LANESBORO BOROUGH
Information:	
Mortgagor: SAAM, KEVIN	Consideration: \$208,000.00 Mortgagee: HONESDALE NATIONAL BANK
Locations: Parcel # 1 - N/A	Municipality UNIONDALE BOROUGH
Information:	
Mortgagor: FAVE, CARA M	Consideration: \$237,590.00 Mortgagee: NAVY FEDERAL CREDIT UNION
Locations: Parcel # 1 - N/A	Municipality MIDDLETOWN TOWNSHIP
Information:	
Mortgagor: SMITH, BRADLEY	Consideration: \$153,700.00 Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - SMITH, JESSICA	2 - SUMMIT MORTGAGE CORPORATION
Locations: Parcel # 1 - 083.00-1,060.00.000.	Municipality FOREST LAKE TOWNSHIP
Information:	
Mortgagor: FANNING, RUTH	Consideration: \$70,707.00 Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - STEARNS LENDING LLC	
Locations: Parcel # 1 - 268.07-3,020.00.000.	Municipality FOREST CITY 2W
Information:	
Mortgagor: GABRIEL, MARIO B	Consideration: \$150,000.00 Mortgagee: MANUFACTURERS AND TRADERS TRUST COMPANY
2 - GABRIEL, CHRISTINE A 3 - GABRIEL, MARIO B III (AKA)	
Locations: Parcel # 1 - 255.07-1,018.00.000.	Municipality SPRINGVILLE TOWNSHIP
Information:	
Mortgagor: DEMIANOVICH, DANIEL 2 - DEMIANOVICH, ELAINE	Consideration: \$190,500.00 Mortgagee: JPMORGAN CHASE BANK
Locations: Parcel # 1 - 267.00-1,028.00.000.	Municipality CLIFFORD TOWNSHIP
Information:	
Mortgagor: PESOLI, ANTHONY	Consideration: \$18,000.00 Mortgagee: DIME BANK
Locations: Parcel # 1 - N/A	Municipality 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: SCEPANIAK, CODY J	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - SCEPANIAK, 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

★ L E G A L J O U R N A L O F S U S Q U E H A N N A C O U N T Y ★

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





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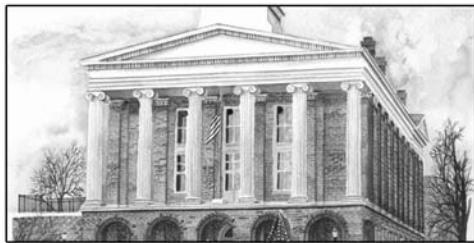
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