

OFFICIAL LEGAL JOURNAL

OF SUSQUEHANNA COUNTY, PA

34th Judicial District

Vol. 2 ★ February 16, 2018 ★ Montrose, PA ★ No. 46



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CASES REPORTED

David Mark Jones, Appellant,
v.
Commonwealth of Pennsylvania Department of Transportation, Appellee.

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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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The Legal Journal of Susquehanna County is published and produced by the Susquehanna County Bar Association and Bailey Design and Advertising.

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.

All legal notices must be submitted either via email or in typewritten form and are published exactly as submitted by the advertiser. *The Legal Journal* assumes no responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in context. As pertains to all content in each issue, all efforts have been made to accurately publish the information provided by court sources, however Publisher and Susquehanna County Bar Association cannot be held liable for any typographical errors or errors in factual information contained therein.

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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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

NO. 2017-107 CP

DAVID MARK JONES, Appellant,

v.

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF TRANSPORTATION
Appellee.**

Opinion continued from the February 9, 2018 issue

2. Discussion

Section 1547 of the Implied Consent Law provides the following regarding chemical testing:

- (a) General rule.- Any person who drives, operates or is in actual physical control of the movement of a vehicle in this Commonwealth shall be deemed to have given consent to one or more chemical tests of breath or blood for the purpose of determining the alcoholic content of blood or the presence of a controlled substance if a police officer has reasonable grounds to believe the person to have been driving, operating or in actual physical control of the movement of a vehicle:
 - (1) in violation of section 1543(b)(1.1) (relating to driving while operating privilege is suspended or revoked), 3802 (relating to driving under influence of alcohol or controlled substance) or 3808(a)(2) (relating to illegally operating a motor vehicle not equipped with ignition interlock); or
 - (2) which was involved in an accident in which the operator or passenger of any vehicle involved or a pedestrian required treatment at a medical facility or was killed.
- (b) Suspension for refusal. -
 - (1) If any person placed under arrest for a violation of section 3802 is requested to submit to chemical testing and refuses to do so, the testing shall not be conducted but upon notice by the police officer, the department shall suspend the operating privilege of the person as follows:
 - (i) Except as set forth in subparagraph (ii), for a period of 12 months....
 - (2) It shall be the duty of the police officer to inform the person that:
 - (i) the person's operating privilege will be suspended upon refusal to submit to chemical testing; and

(ii) if the person refuses to submit to chemical breath testing, upon conviction or plea for violating section 3802(a)(1), the person will be subject to the penalties provided in section 3804(c) (relating to penalties).

(3) Any person whose operating privilege is suspended under the provisions of this section shall have the same right of appeal as provided for in cases of suspension for other reasons.

75 Pa.C.S.A. § 1547(a) and (b).

In a driver's license suspension appeal, the burden of proof first rests with PennDOT to establish a *prima facie* case that the licensee:

- (1) was arrested for driving under the influence of alcohol by a police officer who had reasonable grounds to believe that the licensee was operating a vehicle while under the influence of alcohol;
- (2) was asked to submit to a chemical sobriety test;
- (3) refused to do so; and
- (4) was specifically warned that a refusal would result in a license suspension.

See Zwibel v. Com., Dept. of Transp., Bureau of Driver Licensing, 832 A.2d 599, 604 (Pa.Comm.w. 2003) (citing McCallum v. Commonwealth, 592 A.2d 820, 822 (Pa.Comm.w. 1991)). If PennDOT satisfies its burden of proving these elements, the driver's license suspension must be affirmed unless the licensee shows that he was physically unable to take the test or that his refusal to submit to chemical testing was not knowing and conscious. Lanthier v. Com., Dept. of Transp., Bureau of Driver Licensing, 22 A.3d 346, 348-49 (Pa.Comm.w. 2011). The determination of whether a licensee was able to make a knowing and conscious refusal is a factual one which is to be made by the trial court. Barbour v. Com. Dept. of Transp., Bureau of Driver Licensing, 732 A.2d 1157, 1160 (Pa. 1999) citing O'Connell, 555 A.2d at 876.

Trooper Cusumano had reasonable grounds to believe Jones had been driving under the influence where, at the scene of the accident, he detected alcohol on Jones' breath and observed him staggering and slurring his speech. At the hospital, Trooper Cusumano placed Jones under arrest. Jones was asked to submit to a chemical test and refused after being warned that failure to submit would result in the suspension of his license.

Based on this record, PennDOT met its burden of establishing a *prima facie* case that suspension of Jones' license was proper. The burden of proof then shifted to Jones to show he was physically unable to take the test or that his refusal to submit to chemical testing was not knowing and conscious. Lanthier, supra.

"A licensee's self-serving testimony that [he] was unable to provide a conscious and knowing refusal is insufficient to satisfy the licensee's burden of proof." Id. 22 A.3d at 349. Medical testimony is generally required to establish that a licensee was incapable of providing a knowing and conscious refusal of chemical testing unless the licensee is obviously suffering from a severe and incapacitating injury. Ostermeyer v. Com., Dept.

of Transp., Bureau of Driver Licensing, 703 A.2d 1075, 1077 (Pa.Comm. 1997). That medical testimony must be competent and will be deemed incompetent if it is equivocal. Kollar v. Com., Dept. of Transp., Bureau of Driver Licensing, 7 A.3d 336, 340 (Pa.Comm. 2010). A medical opinion is equivocal if it is merely based on possibilities. Campbell v. WCAB (Pittsburgh Post Gazette), 954 A.2d 726 (Pa.Comm. 2008).³ Furthermore, the medical expert must rule out alcohol as a contributing factor to the licensee's inability to offer a knowing and conscious refusal in order to satisfy the licensee's burden. Zwibel, *supra*. If the licensee's "inability to make a knowing and conscious refusal of testing is caused in whole or in part by consumption of alcohol, the licensee is precluded from meeting [his] burden as a matter of law." Kollar, 7 A.3d at 341 (citing DiGiovanni v. Com., Dept. of Transp., Bureau of Driver Licensing, 717 A.2d 1125 (Pa.Comm. 1998)).

Jones contends he was suffering from a concussion when he was read the implied consent/O'Connell warning and therefore, was unable to make a knowing refusal. In support of this contention, Jones presented the testimony of Dr. Haley who opined that Jones had sustained a concussion as a result of his accident and this concussion would compromised Jones' ability to knowingly and consciously refuse the BAC test. Dr. Haley conceded, however, that a BAC of 0.25% would impact Jones' ability to make an informed decision and further, that a BAC of 0.25% would be a contributing factor, along with the head trauma, in rendering Jones unable to make an informed decision.

Given that Jones was not obviously suffering from a severe, incapacitating physical trauma,⁴ medical testimony was required to establish that he was incapable of providing a knowing and conscious refusal of chemical testing. Although Jones did present medical testimony in support of his contention that he suffered a concussion as a result of the vehicle accident, that testimony was insufficient to satisfy his burden. While Dr. Haley testified that Jones had suffered a concussion as a result of the accident, Dr. Haley also opined that both the concussion and Jones' BAC of 0.25% contributed to his inability to

3 See Lewis v. WCAB (Pittsburgh Board of Educ.), 472 A.2d 1176 (Pa.Comm. 1984) (statement that accident *could have been* an aggravating factor was equivocal); Philadelphia College of Osteopathic Medicine v. WCAB (Lucas), 465 A.2d 132 (Pa.Comm. 1983) (medical testimony that the claimant's condition *might have been* or *probably was* the result of work was equivocal).

4 In Com., Dept. of Transp., Bureau of Traffic Safety v. Day, 500 A.2d 214 (Pa.Comm. 1985), the appellant suffered a broken jaw, severe facial lacerations, a broken arm, injured leg, and blows to the head which resulted in total memory loss, rambling speech and confusion. The court found these injuries to be obvious enough that medical testimony was not required. See also McQuaide v. Com., Dept. of Transp., Bureau of Driver Licensing, 647 A.2d 299 (Pa.Comm. 1994) (licensee's injuries of broken nose, broken collarbone, laceration above the eye with his eye swollen shut, swelling on his neck and face, and bruises were obvious injuries). But see: Maletic v. Com., Dept. of Transp., Bureau of Driver Licensing, 819 A.2d 640 (Pa.Comm. 2003) (medical testimony needed where licensee had a lump on her forehead that was black and blue and swelling and two black eyes and could converse with police officer and medical personnel); and Com., Dept. of Transp., Bureau of Driver Licensing v. Garlan, 550 A.2d 873 (Pa.Comm. 1988) (where injuries included an alleged concussion, a corneal abrasion and bruises, medical testimony was necessary). Jones' injuries do not rise to the level of "obvious, severe incapacitating injuries" as in Day and McQuaide.

make an informed refusal. Given that Dr. Haley's opinion that Jones' inability to make a knowing and conscious refusal of testing was caused in part by his consumption of alcohol, Jones is precluded from meeting his burden as a matter of law.

3. Conclusion

PennDOT has established that the suspension of Jones' driver's license was proper pursuant to 75 Pa.C.S.A. §1547 (b)(1). Since Jones has failed to establish that his alcohol consumption was not a factor in compromising his ability to make a knowing and intelligent refusal of chemical testing required by 75 Pa.C.S.A. §1547(a)(1), Jones' appeal is denied.⁵



⁵ Appellant also contends that the recall of his driving privileges without a hearing is a violation of due process. The *de novo* hearing provision satisfies due process. Sheakley v. Com., Dept. of Transp., 513 A.2d 551, 555 (Pa.Comm. 1986).

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'S NOTICE

Estate of Marjorie A. Eberly a/k/a/
Marjorie Ann Eberly
Late of Harford Township,
Deceased

Letters of Testamentary on said estate having being granted to the undersigned, all persons indebted thereto are requested to make immediate payment, and those having claims or demands against the same will present them without without delay for settlement to the undersigned.

Residing at c/o 135 North George
Street, York, PA 17401.

James Lamar Eberly, Executor

CGA Law Firm, PC
By: Devon M. Myers, Attorney

2/16/2018 • 2/23/2018 • 3/2/2018

EXECUTOR NOTICE

Estate of Phyllis M. Callender
Late of Dimock Township
EXECUTOR
David Callender
PO Box 22
Hallstead, PA 18822

2/16/2018 • 2/23/2018 • 3/2/2018

EXECUTRIX NOTICE

Estate of Ralph E. Johnson Jr.
AKA Ralph Johnson
Late of Gibson Township
EXECUTRIX
Wendy Keklak
521 Foote Road
New Milford, PA 18834
ATTORNEY
Myron B. DeWitt
1220 Main Street, P.O. Box 244
Susquehanna, PA 18847

2/9/2018 • 2/16/2018 • 2/23/2018

ESTATE NOTICE

Notice is hereby given that letters testamentary have been granted in the ESTATE OF GILBERT S. ROUFF late of the Silver Lake Township, Pennsylvania, (died August 11, 2017) to Rose Ann B. Rouff, Executrix. All persons indebted to the estate are required to make payment, and those having claims or demands to present the same without delay to Rose Ann B.

Rouff or to Levene Gouldin & Thompson, LLP, attorneys for the estate, 450 Plaza Drive, Vestal, NY.

2/9/2018 • 2/16/2018 • 2/23/2018

EXECUTOR NOTICE

Estate of Mary C. Russell
Late of Forest Lake Township
EXECUTOR
Gary Russell
21 Saddle Ridge Dr.
Hopewell Junction, NY 12533
ATTORNEY
John R. Dean, Esq.
72 Public Ave.
Montrose, PA 18801

2/2/2018 • 2/9/2018 • 2/16/2018

OTHER NOTICES

NOTICE OF ACTION IN MORTGAGE FORECLOSURE IN THE COURT OF COMMON PLEAS OF SUSQUEHANNA COUNTY, PENNSYLVANIA CIVIL ACTION - LAW

COURT OF COMMON PLEAS
CIVIL DIVISION
SUSQUEHANNA COUNTY
No. 2017-1322-CP

U.S. BANK NATIONAL
ASSOCIATION, NOT IN ITS
INDIVIDUAL CAPACITY BUT
SOLELY AS TRUSTEE FOR
THE RMAC TRUST, SERIES
2016-CTT
Plaintiff
vs.
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 Defendants

NOTICE

To 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 and 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

You are hereby notified that on December 12, 2017, Plaintiff, U.S. BANK NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS TRUSTEE FOR THE RMAC TRUST, SERIES 2016-CTT,

filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of SUSQUEHANNA County Pennsylvania, docketed to No. 2017-1322-CP. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 1177 NORTH MAIN STREET, FOREST CITY, PA 18421-1008 whereupon your property would be sold by the Sheriff of SUSQUEHANNA County.

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

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE

YOU WITH INFORMATION
ABOUT AGENCIES THAT MAY
OFFER LEGAL SERVICES TO
ELIGIBLE PERSONS AT A
REDUCED FEE OR NO FEE.

Notice to Defend:
SUSQUEHANNA COUNTY
SUSQUEHANNA COUNTY
PROTHONOTARY OFFICE
SUSQUEHANNA COUNTY
COURTHOUSE
Montrose, PA 18801
Telephone (570) 278-4600 x120

Lawyer Referral Service:
Pennsylvania Lawyer Referral
Service
Pennsylvania Bar Association
100 South Street
P.O. Box 186
Harrisburg, PA 17108
Telephone (800) 692-7375

2/16/2018

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 FEBRUARY 27, 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

2-27-2018 9:00 AM

Writ of Execution No.:

2017-1224 CP

PROPERTY ADDRESS: RR 2 Box

2651c Pine Street

Hallstead, PA 18822

LOCATION: Township of Great
Bend

Tax ID #: 050.00-2,019.00,000.

IMPROVEMENTS: One – 2 Story

Wood Framed Dwelling

One – 12 x 20 Wood Framed

Machine Shed

One – 10 x 12 Wood Framed

Machine Shed

One – 12 x 38 Wood Framed Open

Pole Shed

DEFENDANTS: Belinda Rudder

ATTORNEY FOR PLAINTIFF:

Patrick Wesner, Esq

(856) 810-5815

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

2/2/2018 • 2/9/2018 • 2/16/2018

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
FEBRUARY 27, 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

2-27-2018 11:00 AM

Writ of Execution No.:

2017-1254 CP

PROPERTY ADDRESS: 9608

North Weston Road

Kingsley, PA 18826

LOCATION: Township of

Brooklyn

Tax ID #: 145.00-3,019.00,000.

IMPROVEMENTS: ONE - 1 1/2

STORY WOOD FRAME

DWELLING

ONE - 10 X 12 WOOD FRAME

SHED

DEFENDANTS: Jason Cable

ATTORNEY FOR PLAINTIFF:

Peter Wapner, Esq

(215) 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

2/2/2018 • 2/9/2018 • 2/16/2018

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
MARCH 13, 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

3-13-2018 9:00 AM

Writ of Execution No.:

2017-1243 CP

PROPERTY ADDRESS: 18857

State Route 706

Montrose, Pa 18801

LOCATION: Township of

Bridgewater

Tax ID #: 125.00-1,007.00,000.

IMPROVEMENTS: ONE - TWO

STORY WOOD FRAMED

DWELLING

ONE - 28 X 60 WOOD FRAMED

GARAGE

ONE - 16 X 32 SWIMMING

POOL

DEFENDANTS: David R. Potter

and Carol A. Potter

ATTORNEY FOR PLAINTIFF:

Deana Maier, Esq

(215) 942-2090

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

2/16/2018 • 2/23/2018 • 3/2/2018

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
MARCH 13, 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

3-13-2018 9:30 AM

Writ of Execution No.:

2017-1294 CP

PROPERTY ADDRESS: 402

Bethel Hill Road

Susquehanna, Pa 18847

LOCATION: Township of

Harmony

Tax ID #: 076.00-1,027.00,000.

IMPROVEMENTS: ONE - ONE

STORY MANUFACTURED

HOME

ONE - 8 X 12 WOOD FRAMED

SHED

DEFENDANTS: Barry Heller and

Sheri L. Heller

ATTORNEY FOR PLAINTIFF:

James Shoemaker, Esq

(570) 287-3000

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

2/16/2018 • 2/23/2018 • 3/2/2018

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
MARCH 13, 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

3-13-2018 10:00 AM

Writ of Execution No.:

2017-1277 CP

PROPERTY ADDRESS: 303

Chase Avenue AKA 277 Chase Avenue

Hallstead, Pa 18822

LOCATION: Borough of Hallstead

Tax ID #: 031.19-1,007.00,000.

IMPROVEMENTS: ONE - ONE AND HALF STORY WOOD

FRAMED DWELLING

ONE - UNKNOWN SIZE WOOD

FRAMED SHED

ONE - 10 X 16 WOOD FRAMED

CLOSED SHED

DEFENDANTS: James F. Jackson and Jessica Jackson

ATTORNEY FOR PLAINTIFF:

Jennie Tsai, Esq

(215) 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

2/16/2018 • 2/23/2018 • 3/2/2018

**SHERIFF'S SALE
MORTGAGE FORECLOSURE
MARCH 13, 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

3-13-2018 10:30 AM

Writ of Execution No.:

2017-1288 CP

PROPERTY ADDRESS: RR1 Box
1812 aka 208 Sorensen Road
Friendsville, Pa 18818

LOCATION: Township of
Choconut

Tax ID #: 042.00-2,005.01,000.

IMPROVEMENTS: ONE -ONE
AND ONE HALF STORY WOOD
FRAMED DWELLING

ONE - 24 X 30 WOOD FRAMED

GARAGE

DEFENDANTS: Chris Sorensen
aka Christian E. Sorensen

ATTORNEY FOR PLAINTIFF:

Jennie C. Tsai, Esq

(215) 563-7000

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Lance M. Benedict,
Susquehanna County Sheriff

2/16/2018 • 2/23/2018 • 3/2/2018

MORTGAGES AND DEEDS

*RECORDED FROM FEBRUARY 1, 2018 TO FEBRUARY 7, 2018
ACCURACY OF THE ENTRIES IS NOT GUARANTEED.*

MORTGAGES

Information:	Consideration: \$139,000.00
Mortgagor: BRADFORD, ROBERT L	Mortgagee: OWENS, ALICIA
2 - BRADFORD, ANITA L	
Locations: Parcel #	Municipality
1 - 083.00-2,033.00,000.	FOREST LAKE TOWNSHIP
Information:	Consideration: \$150,000.00
Mortgagor: MANZEK, JOSEPH S JR	Mortgagee: HONESDALE NATIONAL BANK
2 - MANZEK, LYNN E	
Locations: Parcel #	Municipality
1 - N/A	RUSH TOWNSHIP
Information:	Consideration: \$238,103.00
Mortgagor: BIESECKER, NOEL E	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
2 - RUSSELL-BIESECKER, JANA LE ANN (AKA)	2 - LAKEVIEW LOAN SERVICING LLC
3 - BIESECKER, JANA LE ANN RUSSELL	
Locations: Parcel #	Municipality
1 - 148.00-2,020.00,000.	HARFORD TOWNSHIP
Information:	Consideration: \$87,500.00
Mortgagor: FRYSTAK, WALTER W	Mortgagee: FIRST NATIONAL BANK OF PENNSYLVANIA
2 - FRYSTAK, BRENDA C	
Locations: Parcel #	Municipality
1 - 103.00-2,018.00,000.	BRIDGEWATER TOWNSHIP
Information:	Consideration: \$15,000.00
Mortgagor: FANCHER, BRADY D (AKA)	Mortgagee: VISIONS FEDERAL CREDIT UNION
2 - FANCHER, BRADY	
3 - FANCHER, JACQUELYN K	
Locations: Parcel #	Municipality
1 - 031.19-1,049.00,000.	HALLSTEAD BOROUGH
Information:	Consideration: \$24,000.00
Mortgagor: MANN, KEVIN	Mortgagee: COMMUNITY BANK
2 - MANN, ROBIN	
Locations: Parcel #	Municipality
1 - 205.01-1,033.00,000.	LENOX TOWNSHIP
Information:	Consideration: \$80,000.00
Mortgagor: FRAKER, JASON P	Mortgagee: PS BANK
2 - FRAKER, RACHAEL L	
Locations: Parcel #	Municipality
1 - 195.00-2,015.00,000.	AUBURN TOWNSHIP
Information:	Consideration: \$20,000.00
Mortgagor: GLASGOW, NANCY LYNN (NBM)	Mortgagee: PEOPLES SECURITY BANK AND TRUST COMPANY
2 - NARMA, NANCY L	
Locations: Parcel #	Municipality
1 - 035.00-1,010.00,000.	OAKLAND TOWNSHIP

Information:	Consideration: \$204,300.00
Mortgagor: PARSONS, DAVID	Mortgagee: LOANDEPOTCOM LLC
2 - PARSONS, GERALDINE A	2 - MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
Locations: Parcel #	Municipality
1 - 128.00-1,018.00,000.	NEW MILFORD TOWNSHIP
Information:	Consideration: \$188,977.00
Mortgagor: FINNERTY, ROBERT K	Mortgagee: MORTGAGE ELECTRONIC REGISTRATION SYSTEMS INC
	2 - STEARNS LENDING LLC
Locations: Parcel #	Municipality
1 - 268.11-1,071.00,000.	FOREST CITY
Information:	Consideration: \$45,000.00
Mortgagor: THATCHER, STACY	Mortgagee: FIRST NATIONAL BANK OF PENNSYLVANIA
Locations: Parcel #	Municipality
1 - 031.16-1,004.00,000.	GREAT BEND BOROUGH
Information:	Consideration: \$116,000.00
Mortgagor: GLEZEN, DANIEL O III	Mortgagee: HONESDALE NATIONAL BANK
2 - GLEZEN, ALISSA L	
Locations: Parcel #	Municipality
1 - 050.00-2,087.00,000.	GREAT BEND TOWNSHIP
Information:	Consideration: \$64,000.00
Mortgagor: MORRISON, ETHAN CHARLES	Mortgagee: NBT BANK
Locations: Parcel #	Municipality
1 - 024.02-1,046.00,000.	CHOCONUT TOWNSHIP

DEEDS

Information:	Consideration: \$349,000.00
Grantor: NATZLE, ALICIA FRASER (AKA)	Grantee: BRADFORD, ROBERT L
2 - FRASER, ALICIA (NKA)	2 - BRADFORD, ANITA L
3 - OWENS, ALICIA	
4 - OWENS, OWENS	
Locations: Parcel #	Municipality
1 - 083.00-2,033.00,000.	FOREST LAKE TOWNSHIP
Information:	Consideration: \$120,000.00
Grantor: KRESGE, MOLLY R (NBM)	Grantee: KRESGE, WILLIAM BILL
2 - ZLUCHOWSKI, MOLLY R	
3 - ZLUCHOWSKI, ADAM	
Locations: Parcel #	Municipality
1 - 112.00-1,062.01,000.	JACKSON TOWNSHIP
Information: CORRECTIVE	Consideration: \$1.00
Grantor: BOLLES, THOMAS (TRUST BY TRUSTEES)	Grantee: BOLLES, THOMAS (TRUST)
Locations: Parcel #	Municipality
1 - 087.00-1,029.00,000.	FRANKLIN TOWNSHIP
Information: CORRECTIVE	Consideration: \$1.00
Grantor: BOLLES, THOMAS (TRUST BY TRUSTEES)	Grantee: BOLLES, THOMAS (TRUST)
Locations: Parcel #	Municipality
1 - 087.00-1,030.00,000.	FRANKLIN TOWNSHIP
Information: CORRECTIVE	Consideration: \$1.00
Grantor: BOLLES, THOMAS (TRUST BY TRUSTEES)	Grantee: BOLLES, THOMAS (TRUST)
Locations: Parcel #	Municipality
1 - 087.00-1,040.00,000.	FRANKLIN TOWNSHIP

Information: CORRECTIVE	Consideration: \$1.00
Grantor: BOLLES, THOMAS (TRUST BY TRUSTEES)	Grantee: BOLLES, THOMAS (TRUST)
Locations: Parcel #	Municipality
1 - 087.00-1,041.00,000.	FRANKLIN TOWNSHIP
Information: OIL GAS HYDROCARBON DEED	Consideration: \$1.00
Grantor: LETTERMAN MOORE HOLDINGS 5 LP	Grantee: LIGHTNING CREEK HOLDINGS LP
Locations: Parcel #	Municipality
1 - 160.00-1,019.00,000.	JESSUP TOWNSHIP
2 - 103.00-1,014.07,000.	FOREST LAKE TOWNSHIP
Information: INTERVAL NO 21 UNIT NO 42	Consideration: \$100.00
Grantor: WEST, ROBERT H (TRUST)	Grantee: WEST, ROBERT H
2 - WEST, ALASYA (TRUST AKA)	2 - WEST, ALASYA N
3 - WEST, ALASYA N (TRUST)	
Locations: Parcel #	Municipality
1 - N/A	HERRICK TOWNSHIP
Information:	Consideration: \$48,410.00
Grantor: HARKNESS, DEAN	Grantee: EQUITY TRUST COMPANY (CUSTODIAN FBO)
2 - HARKNESS, DEBORAH A	2 - JANSEN, JEFFREY H IRA
Locations: Parcel #	Municipality
1 - 190.04-1,021.00,000.	HERRICK TOWNSHIP
Information:	Consideration: \$185,000.00
Grantor: STRATFORD, WILLIAM M	Grantee: FINNERTY, ROBERT K
2 - STRATFORD, CHRISTINA L	
Locations: Parcel #	Municipality
1 - 268.11-1,071.00,000.	FOREST CITY
Information:	Consideration: \$45,000.00
Grantor: GORDON, ANDREW	Grantee: THATCHER, STACY
2 - GORDON, TARIN	
Locations: Parcel #	Municipality
1 - 031.16-1,004.00,000.	GREAT BEND BOROUGH
Information:	Consideration: \$145,000.00
Grantor: HACKER, RICHARD K	Grantee: GLEZEN, DANIEL O III
2 - HACKER, AVA J (BY ATTY)	2 - GLEZEN, ALISSA L
Locations: Parcel #	Municipality
1 - 050.00-2,087.00,000.	GREAT BEND TOWNSHIP
Information: CORRECTIVE DEED	Consideration: \$1.00
Grantor: PAVLISAK, JOHN F	Grantee: PAVLISAK, JOHN F
2 - PAVLISAK, BONITA	2 - PAVLISAK, BONITA
Locations: Parcel #	Municipality
1 - 031.19-1,003.00,000.	HALLSTEAD BOROUGH
Information:	Consideration: \$25,000.00
Grantor: CLARK, GORDON DAY	Grantee: BRYAN, SCOTT A
2 - CLARK, DEBRA	2 - BRYAN, KARIN M
Locations: Parcel #	Municipality
1 - N/A	FOREST LAKE TOWNSHIP
Information:	Consideration: \$1.00
Grantor: FLYNN, RITA (ESTATE)	Grantee: JONES, MARGARET ANN
	2 - FLYNN, JOHN J
	3 - FLYNN, SHIRLEY
Locations: Parcel #	Municipality
1 - N/A	FOREST LAKE TOWNSHIP

Information:	Consideration: \$1.00
Grantor: FLOHS, MARTIN C	Grantee: SIX PENNSE LLC
2 - FLOHS, DARYL L	
3 - FLOHS, CARL L	
4 - FLOHS, SHARON J	
5 - FLOHS, GEORGE A	
6 - FLOHS, DORIS A	
Locations: Parcel #	Municipality
1 - 071.00-1,007.00,000.	GREAT BEND TOWNSHIP
Information:	Consideration: \$1.00
Grantor: RALSTON, RHONDA	Grantee: RALSTON, RHONDA
2 - STALKER, DEREK	2 - STALKER, DEREK
Locations: Parcel #	Municipality
1 - N/A	NEW MILFORD TOWNSHIP
Information:	Consideration: \$43,000.00
Grantor: STALKER, DEREK	Grantee: KOWALEWSKI, MICHAEL J
	2 - KOWALEWSKI, MICHELLE E
Locations: Parcel #	Municipality
1 - N/A	NEW MILFORD TOWNSHIP
Information:	Consideration: \$100,000.00
Grantor: GAMBLE, WILLIAM J	Grantee: CMA LAND CO LLC
2 - JONES, CARL DUANE	
3 - JONES, ANN V (AKA)	
4 - JONES, ANNE V	
5 - JONES, KEVIN R	
6 - JONES, STEPHEN A	
7 - SNYDER, HELEN JONES	
Locations: Parcel #	Municipality
1 - 079.01-1,001.00,000.	MIDDLETOWN TOWNSHIP
2 - N/A	APOLACON TOWNSHIP
Information:	Consideration: \$27,500.00
Grantor: FITZGERALD, MARY SUSAN	Grantee: BRUNORI, RICHARD
2 - WHITE, MARY SUSAN	2 - BRUNORI, ANN C
3 - FITZGERALD, SEAN	
Locations: Parcel #	Municipality
1 - N/A	HERRICK TOWNSHIP
Information:	Consideration: \$80,000.00
Grantor: FRANCHIA, JAMES A	Grantee: BENNETT, WILLIAM M
	2 - SAVOY, BARBARA A
Locations: Parcel #	Municipality
1 - N/A	FRIENDSVILLE BOROUGH
2 - N/A	APOLACON TOWNSHIP



Legal Journal of Susquehanna County
3305 Lake Ariel Highway, Suite 3
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