

THE
Dauphin County Reporter

(USPS 810-200)

A WEEKLY JOURNAL
CONTAINING THE DECISIONS RENDERED IN THE
12th JUDICIAL DISTRICT

No. 5795, Vol. 124

December 31, 2010

No. 131

Entered as Second Class Matter, February 16, 1898, at the Post Office at Harrisburg, Pa.,
under the Act of Congress of March 31, 1879

TERMS: Advertisements must be received before 12 o'clock noon on Tuesday of each week at the office
of the Dauphin County Reporter, 213 North Front Street, Harrisburg, PA 17101. Telephone (717) 232-7536

Commonwealth v. Adams
Bar Association Page

296
Inside Back Cover

INTELLECTUAL PROPERTY LAW

- * Patents
- * Trademarks
- * Copyrights
- * Unfair Competition
- * Trade Secrets
- * Internet Matters

Hooker & Habib, P.C.

Jeffrey S. Habib
Charles A. Hooker
Thomas Hooker

100 Chestnut Street, Suite 304
Harrisburg, PA 17101-2518
Telephone: 717-232-8771
Facsimile: 717-232-8773

Website: www.h-hpc.com

E-mail: hhpc@ptd.net

39 Years in Harrisburg

**THE
DAUPHIN COUNTY REPORTER**
Edited and Published
by the
DAUPHIN COUNTY BAR
ASSOCIATION
213 North Front Street
Harrisburg, PA 17101-1493
(717) 232-7536

DONALD MORGAN
Executive Director
JOYCE TAMBOLAS
Administrative Assistant
BRIDGETTE L. HILBISH
Office Assistant

Printed by
KURZENKNABE PRESS
1424 Herr St., Harrisburg, PA 17103

THE DAUPHIN COUNTY REPORTER (USPS 810-200) is published weekly by the Dauphin County Bar Association, 213 North Front Street, Harrisburg, PA 17101. Periodical postage paid at Harrisburg, PA. POSTMASTER: Send address changes to THE DAUPHIN COUNTY REPORTER, 213 North Front Street, Harrisburg, PA 17101.

TERMS

Advertisements must be received before 12 o'clock noon on Tuesday of each week at the office of the Dauphin County Reporter, 213 North Front Street, Harrisburg, PA 17101.

Telephone (717) 232-7536

Estate Notices

DECEDENTS ESTATES

NOTICE IS HEREBY GIVEN that letters testamentary or of administration have been granted in the following estates. All persons indebted to the estate are required to make payment, and those having claims or demands to present the same without delay to the administrators or executors or their attorneys named below.

FIRST PUBLICATION

ESTATE OF ROSS L. SIMMONS, late of Susquehanna Township, Dauphin County, Pennsylvania (died November 26, 2010). Executrix: Barbara A. Gingrich, 2219 Lancashire Drive, Wilmington, DE 19810.

d31-j14

ESTATE OF SHIRLEY C. JOHNSON, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executor/Attorney: Derek J. Cordier, Esq., Law Office of Derek J. Cordier, 319 South Front Street, Harrisburg, PA 17104. d31-j14

ESTATE OF RITA M. GASH, late of Derry Township, Dauphin County, Pennsylvania. Executor: David S. Gash. Attorney: Anthony J. Nestico, Esq., Nestico, Druby & Hildabrand, P.C., 840 East Chocolate Avenue, Hershey, PA 17033. d31-j14

ESTATE OF DONALD R. McCAHAN, late of Londonderry Township, Dauphin County, Pennsylvania (died September 19, 2010). Executrix: Gail C. Burns, 795 Main Street, McAlisterville, PA 17049. Attorney: Andrew L. Winder, Esq., 25 North Main Street, P.O. Box 149, Mifflintown, PA 17059. d31-j14

ESTATE OF GEORGE L. ROPOS, late of Lower Paxton Township, Dauphin County, Pennsylvania. Personal Representative: The Ropos Family Irrevocable Trust, Catherine Grab, Co-Trustee and Janet A. Ropos, Co-Trustee. Attorney: Craig A. Hatch, Esq., Gates, Halbruner, Hatch & Guise, P.C., 1013 Mumma Road, Suite 100, Lemoyne, PA 17043. d31-j14

ESTATE OF ELIZABETH D. SMITH, late of Susquehanna Township, Dauphin County, Pennsylvania (died August 30, 2010). Executor: Thomas S. Smith, 4604 Custer Drive, Harrisburg, PA 17110. Attorney: Kevin R. Helm, Esq., 3759 Peters Mountain Road, Halifax, PA 17032. d31-j14

ESTATE OF MARY C. BLASKO, late of Harrisburg, Dauphin County, Pennsylvania (died November 6, 2010). Executor: Stephen M. Blasko, 7 Kower Court, Mechanicsburg, PA 17055. Attorney: Diane M. Dils, Esq., 1400 North Second Street, Harrisburg, PA 17102.

d31-j14

FIRST PUBLICATION

Estate Notices

ESTATE OF DOROTHY V. HOLLENBACH, late of Elizabethville Borough, Dauphin County, Pennsylvania. Executrix: Peggy M. Biddinger, 18 West Broad Street, Apt. 103, Elizabethville, PA 17023. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 State Route 209, Elizabethville, PA 17023. d31-j14

ESTATE OF ANNA M. HARRELL, late of Dauphin County, Pennsylvania (died December 4, 2010). Personal Representative/Attorney: Nathan H. Waters, Jr., Esq., Law Office of Nathan Waters, P.O. Box 61081, Harrisburg, PA 17106-1081. d31-j14

ESTATE OF EMILY M. MILLER-LUCAS, late of Wiconisco Township, Dauphin County, Pennsylvania. Co-Executors: Wayne I. Miller, 88 Lake Point Lane, Clinton, NC 28328 and Steven D. Miller, 1414 Pottsville Street, Lykens, PA 17048. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 State Route 209, Elizabethville, PA 17023. d31-j14

ESTATE OF WANDA P. DAUGHERTY, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executrix: Antoinette Koch, 2224 Manchester Boulevard, Harrisburg, PA 17112. Attorney: Gerald J. Shekletski, Esq., Stone LaFaver & Shekletski, P.O. Box E, New Cumberland, PA 17070. d31-j14

ESTATE OF CONRAD L. MILLER, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executrix: Ruth Nazay, c/o 1 Irvine Row, Carlisle, PA 17013. Attorney: Susan J. Hartman, Esq., Duncan & Hartman, 1 Irvine Row, Carlisle, PA 17013. d31-j14

ESTATE OF HERBERT L. KUHNS, late of Millersburg Borough, Dauphin County, Pennsylvania. Executor: Eric K. Spittle, 5351 Christa Court, Warrenton, VA 20187. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. d31-j14

ESTATE OF DIANE SUSAN STAHL, late of Swatara Township, Dauphin County, Pennsylvania (died August 26, 2010). Administrator: Ronald L. Stahl, 5860 Chambers Hill Road, Harrisburg, PA 17111. Attorney: Scott M. Dinner, Esq., 3117 Chestnut Street, Camp Hill, PA 17011. d31-j14

SECOND PUBLICATION

ESTATE OF ANNA ECKER, late of Wayne Township, Dauphin County, Pennsylvania. Executor/Attorney: Joseph D. Kerwin, Esq., 4245 State Route 209, Elizabethville, PA 17023. d24-j7

ESTATE OF CHARLOTTE W. BOGGS, late of Harrisburg City, Dauphin County, Pennsylvania. Personal Representative: Constance E. Stoneroad, President, Keystone Guardianship Services, P.O. Box 804, Elizabethville, PA 17023. Attorney: David H. Stone, Esq., Stone LaFaver & Shekletski, P.O. Box E, New Cumberland, PA 17070. d24-j7

ESTATE OF PEARL C. MILLER, late of Harrisburg, Dauphin County, Pennsylvania. Executor: The Reverend Monsignor Robert E. Lawrence, 6150 Allentown Boulevard, Harrisburg, PA 17112. Attorney: Heather D. Royer, Esq., Smigel, Anderson & Sacks, LLP, 4431 North Front Street, Third Floor, Harrisburg, PA 17110. d24-j7

Commonwealth v. Adams**Crimes and Criminal Procedure — Sentencing — Credit for Time Served — Custody — Teen Challenge Program.**

The Court granted petitioner's credit request for time he spent in a residential drug and alcohol treatment program.

1. Credit against the maximum term and any minimum term shall be given to the defendant for all time spent in custody as a result of the criminal charge for which a prison sentence is imposed or as a result of the conduct on which such a charge is based. *42 Pa. C.S.A. §9760(1)*. Courts have interpreted the word "custody," as used in Section 9760, to mean time spent in an institutional setting such as, at a minimum, an inpatient treatment facility. *Commonwealth v. Kyle*, 874 A.2d 12,18 (Pa. 2005).

2. Whether a defendant is entitled to credit for time spent in an inpatient drug or alcohol treatment facility turns on the question of voluntariness. If a defendant is ordered into inpatient treatment by the court, e.g., as an express condition of pre-trial bail, then he is entitled to credit for that time against his sentence. By contrast, if a defendant chooses to voluntarily commit himself to inpatient rehabilitation, then whether to approve credit for such commitment is a matter within the sound discretion of the court. *Commonwealth v. Toland*, 995, A.2d 1242, 1250-51 (Pa. Super. 2010).

PCRA Petition. Dau. Co., No. CP 22 CR 4696-2005. Petition granted.

Christopher J. Schmidt, for the Commonwealth

Tonilyn M. Chippie, for Petitioner

TURGEON, J., November 5, 2010. – Before the court is Stephon Adams petition seeking PCRA relief in the nature of a request for time credit for ten months he spent in the Teen Challenge residential drug and alcohol program. For the reasons set forth below, I grant petitioner's request for time credit.

BACKGROUND

On September 6, 2006, petitioner pled guilty to a number of crimes involving the possession of drugs and a firearm. I sentenced him to an aggregate term of 60 months intermediate punishment, the first 36 months restrictive, followed by 12 months probation. Petitioner's 36 month restrictive sentence was composed of a 12-24 month term in the Teen Challenge Program followed by a term of up to 24 months of work release. That sentence was upheld on appeal. *Commonwealth v. Adams*, 374 MDA 2007 (Pa. Super. Oct. 10, 2007).

On November 11, 2007, following a hearing, I revoked petitioner's sentence and imposed a new aggregate sentence upon him of 36 to 72 months state incarceration plus a consecutive 25 months probation. I granted him time credit for 7 months and 18 days. On May 29, 2008, petitioner filed a pro se motion seeking time credit for the ten months he

Commonwealth v. Adams

had served in the Teen Challenge Program. On June 13, 2008, I issued an order denying petitioner's request for time credit. That order was later reversed on appeal since the appellate court found that petitioner's request for time credit should have been treated as a request for relief under the Post Conviction Relief Act (PCRA). *Commonwealth v. Adams*, 1397 MDA 2008 (Pa. Super. Aug. 14, 2009). Upon remand, I issued an order directing that petitioner's motion be treated as a PCRA petition and appointing him PCRA counsel. Counsel thereafter filed a supplemental PCRA petition. After the Commonwealth filed an answer, I scheduled a hearing, which was held November 3, 2010. The sole issue presented concerned time credit.

FACTS

The following relevant evidence was presented at the hearing: The Teen Challenge Program is a residential long term drug and alcohol treatment program. Residents, called students, are on a strict and highly structured daily schedule wherein they wake up at 6 a.m., pray, do chores, attend Bible study classes, study Bible verses, attend counseling, and eat meals, all under the supervision of staff. In the evenings, they must be in their bedrooms by 9 p.m. for Bible reading, followed by washing up then lights out at 10 p.m. The residents have very little free time. On Sundays, they are taken by staff to attend church, retuning at 4:00 p.m. to eat dinner and start their evening routine. Residents are permitted to make outgoing telephone calls but only at designated times.

Residents are not free to leave the facility without permission and if they are permitted to leave, they are always accompanied by a supervisor. If they leave without permission, staff will notify their parole officer and they will be arrested and detained.

Residents are given no home passes for family visits, although family are permitted to visit at allotted days and times at the Teen Challenge facility. Residents are occasionally permitted to leave the grounds, with permission and supervision, generally to provide community service work such as helping out at a car wash or taking down the Easter play set-up at a church. In addition, they may be taken by staff to work jobs such as in a warehouse, delivering furniture or helping out at the auto show.

The Teen Challenge supervisors consist of both staff and other residents who have earned the status of "supervisor," similar to that of "trustee" within a prison. The supervisors do not carry guns, mace or tasers. While there is a fence around the Teen Challenge facility, it could

Commonwealth v. Adams

be jumped over easily and is not a prison-style barbed wire fence. The windows are not locked.

LEGAL DISCUSSION

The initial inquiry for a court in deciding whether to grant credit for time served under the Sentencing Code, is whether, the offender has spent time in custody. *Commonwealth v. Toland*, 995 A.2d 1242, 1248-49 (Pa. Super. 2010) (citing 42 Pa. C.S.A. §9760(1): “Credit against the maximum term and any minimum term shall be given to the defendant for all **time spent in custody** as a result of the criminal charge for which a prison sentence is imposed or as a result of the conduct on which such a charge is based.”).

The easiest application of [42 Pa. C.S.A. §9760(1)] is when an individual is held in prison pending trial, or pending appeal, and faces a sentence of incarceration: in such a case, credit clearly would be awarded. However, the statute provides little explicit guidance in resolving the issue before us now, where [the defendant] spent time [somewhere other] than in prison. This difficulty results in part from the fact that neither Section 9760, nor any other provision of the Sentencing Code, defines the phrase “time spent in custody.” The difficulty is also a function of the fact that there are many forms of sentence, and many forms of pre-sentencing release, which involve restrictions far short of incarceration in a prison.

Id. at 1249 (quoting *Commonwealth v. Kyle*, 874 A.2d 12, 17 (Pa. 2005)). “Courts have interpreted the word ‘custody,’ as used in Section 9760, to mean time spent in an institutional setting such as, at a minimum, an inpatient alcohol treatment facility.” *Id.* (quoting *Kyle* at 18).

This court finds that upon the facts submitted of record that the time petitioner spent at Teen Challenge was “time spent in custody” as defined under the Sentencing Code. Notably, I find that the restraint on petitioner’s freedom was more significant in many respects than that imposed on work release prisoners and is similar to that imposed by a community corrections center. The Teen Challenge supervisors, much like those at the Dauphin County Work Release Center, do not carry guns, mace or tasers, nevertheless, unlike at the work release center, Teen Challenge residents **never** leave the facility without permission

Commonwealth v. Adams

and supervision, and are not given passes to visit their homes. Furthermore, they rarely leave the facility, other than to attend church and participate in community service projects. In addition, each resident's movements within the facility are significantly restricted and daily activities highly regimented. Similar to the work release center or a community corrections center, residents may make outgoing telephone calls only at designated times.

This court's next inquiry is whether the time petitioner spent in custody must be credited against his sentence. Generally, if the time spent by the offender is the result of a court ordered sentence, then the time credit must be given. If, however, the time spent is a result of the offender's voluntary admission to a rehabilitative program, then it is within the court's discretion to grant or deny time credit. As recently explained by the superior court:

... whether a defendant is entitled to credit for time spent in an inpatient drug or alcohol rehabilitation facility turns on the question of voluntariness. If a defendant is ordered into inpatient treatment by the court, e.g., as an express condition of pre-trial bail, then he is entitled to credit for that time against his sentence. [citing *Commonwealth v. Cozzone*, 593 A.2d 860 (Pa. Super. 1991)]. By contrast, if a defendant chooses to voluntarily commit himself to inpatient rehabilitation, then whether to approve credit for such commitment is a matter within the sound discretion of the court. [citing *Commonwealth v. Conahan*, 589 A.2d 1107 (Pa. 1991).] See also *Commonwealth v. Mincone*, 405 Pa. Super. 599, 592 A.2d 1375 (Pa. Super. 1991) (*en banc*) (trial court may exercise its discretion in determining whether to grant defendant credit towards his mandatory minimum sentence of imprisonment for time voluntarily spent at Gateway Rehabilitation Center, an institutionalized rehabilitation facility) (discussing *Conahan*, *supra*).

Toland at 1250-51. See also, *Commonwealth v. Fowler*, 930 A.2d 586 (Pa. Super. 2007), *appeal denied*, 944 A.2d 756 (Pa. 2008).

While petitioner's attendance at Teen Challenge was the result of a court order directing him to that program, it was included in the

Commonwealth v. Adams

sentencing order because the petitioner requested the placement, noting at the hearing that this court “graciously” granted him that request. As such, the Teen Challenge placement is somewhat of a custodial hybrid; neither completely involuntary nor voluntary. Because it has an element of voluntariness to it, this court believes that petitioner is not automatically entitled to the credit but that such credit is within this court’s discretion. Nevertheless, it is this court’s opinion that given the restrictive nature of petitioner’s confinement that he is entitled to credit for time served under the facts presented in this case.

Accordingly, I enter the following:

ORDER

AND NOW, this 5th day of November 2010, upon consideration of Stephon Adams’ request for time credit, it is hereby directed that he receive credit against his sentence for time served at Teen Challenge from December 20, 2006 to October 31, 2007.

—————o—————

SECOND PUBLICATION

Estate Notices

ESTATE OF RITA A. HOMMEL, late of Washington Township, Dauphin County, Pennsylvania. Executrix: Cindy Dearwechter-Miller, 86 Red Hill Road, Newport, PA 17074. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. d24-j7

ESTATE OF EDNA E. SHILEY, late of the Township of Washington, Dauphin County, Pennsylvania (died October 3, 2010). Executrix: Denise E. Carl, 6261 State Route 209, Elizabethtown, PA 17023. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, 4245 State Route 209, Elizabethtown, PA 17023. d24-j7

ESTATE OF ANITA H. CHAPPELLE, late of the City of Harrisburg, Dauphin County, Pennsylvania (died May 30, 2010). Administrator: George E. Humes, 7065 Clearfield Road, Harrisburg, PA 17111. Attorney: Edward P. Seeber, Esq., James, Smith, Dietterick & Connelly, LLP, 555 Gettysburg Pike, Suite C-400, Mechanicsburg, PA 17055. Telephone (717) 533-3280. d24-j7

ESTATE OF MARY E. GOHO, late of Susquehanna Township, Dauphin County, Pennsylvania. Executor: David L. Foreman, 451 Rosewood Lane, Harrisburg, PA 17111. d24-j7

ESTATE OF REGINA S. HIPPLE, late of the Borough of Highspire, Dauphin County, Pennsylvania (died September 7, 2010). Administrator: Scott A. Gaylor. Attorney: Nora F. Blair, Esq., 5440 Jonestown Road, P.O. Box 6216, Harrisburg, PA 17112. d24-j7

ESTATE OF JAMES C. KEPNER, late of the City of Harrisburg, Dauphin County, Pennsylvania (died December 3, 2010). Executor: Thomas D. Cope, 50 Locust Street, Steelton, PA 17113. Attorney: Jill M. Wineka, Esq., Purcell, Krug & Haller, 1719 North Front Street, Harrisburg, PA 17102. d24-j7

ESTATE OF JANET H. HOFFSTOT, late of the Township of Derry, Dauphin County, Pennsylvania. Executor: Francis Donnelly Hoffstot, 869 D Rhue Haus Lane, Hummelstown, PA 17036. Attorney: Jerry A. Weigle, Esq., Weigle & Associates, P.C., 126 East King Street, Shippensburg, PA 17257. d24-j7

ESTATE OF CHARLES S. DAVENHALL, late of Swatara Township, Dauphin County, Pennsylvania. Executor: Thomas E. Davenhall, 3690 Sandy Plains Road, Marietta, GA 30066-3020. Attorney: Suzanne S. Friday, Esq., Nauman, Smith, Shissler & Hall, LLP, P.O. Box 840, Harrisburg, PA 17108-0840. d24-j7

THIRD PUBLICATION

ESTATE OF DOROTHY C. KLINGER, late of Millersburg Borough, Dauphin County, Pennsylvania (died November 12, 2010). Executrix: Mae D. Shade, 452 Rising Sun Road, Millersburg, PA 17061. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, 27 North Front Street, Harrisburg, PA 17101. d17-d31

ESTATE OF CLEE E. BEARD, late of Middletown, Dauphin County, Pennsylvania (died October 19, 2010). Executor: Clee E. Shope. Attorney: David C. Miller, Jr., Esq., 1100 Spring Garden Drive, Suite A, Middletown, PA 17057. Telephone (717) 939-9806 and E-mail: DavidCMillerJr@verizon.net. d17-d31

THIRD PUBLICATION

Estate Notices

ESTATE OF MARY JOANNE BRINSER, late of Lower Swatara Township, Dauphin County, Pennsylvania. Administrator: Ronald D. Butler, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108. Attorneys: Butler Law Firm, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108. d17-d31

ESTATE OF C.F.S. GRUBMEYER a/k/a C.F. GRUBMEYER a/k/a CHARLES F.S. GRUBMEYER, late of Susquehanna Township, Dauphin County, Pennsylvania (died November 8, 2010). Co-Executors: Cheryl E. Merrell and Richard C. Merrell, 137 Cromwell Lane, West Chester, PA 19380. Attorney: Ann E. Rhoads, Esq., Cleckner and Fearen, 119 Locust Street, P.O. Box 11847, Harrisburg, PA 17108-1847. d17-d31

ESTATE OF MARION G. MATTIS a/k/a MARIAN G. MATTIS, late of Millersburg Borough, Dauphin County, Pennsylvania. Co-Executors: Jacqueline Deibler, 4199 Powells Valley Road, Halifax, PA 17032 and Jeffrey A. Mattis, 1220 Upton Circle, West Chester, PA 19380. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. d17-d31

ESTATE OF ROMAINE I. ROBINSON, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executor: Christopher M. Andreoli, 2510 Blarney Drive, Harrisburg, PA 17110. Attorney: David J. Lenox, Esq., The Wiley Group, P.C., 130 W. Church Street, Suite 101, Dillissburg, PA 17019. d17-d31

ESTATE OF JUDITH A. WICKENHISER, late of Lower Paxton Township, Dauphin County, Pennsylvania. Administrator: Keystone Guardianship Services, NPC, P.O. Box 804, Elizabethville, PA 17023. Attorney: David H. Stone, Esq., Stone LaFaver & Shekletski, P.O. Box E, New Cumberland, PA 17070. d17-d31

ESTATE OF GLADYS E. KLINGER, late of Gratz Borough, Dauphin County, Pennsylvania. Executor: Eugene Klinger, 280 Rich Valley Road, Mechanicsburg, PA 17050. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 State Route 209, Elizabethville, PA 17023. d17-d31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that a Certificate of Authority for a Foreign Business Corporation was filed in the Department of State of the Commonwealth of Pennsylvania for **FLIR Government Systems Pittsburgh Inc.** The address of its principal office under the laws of its jurisdiction is 27700 SW Parkway Avenue, Wilsonville, OR 97070. The Commercial Registered Office Provider is National Registered Agents, Inc. in the County of Dauphin.

The Corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 4124(b). d31

NOTICE IS HEREBY GIVEN that a Certificate of Authority for a Foreign Business Corporation was filed in the Department of State of the Commonwealth of Pennsylvania for **U.S. Alliance Group, Inc.** The address of its principal office under the laws of its jurisdiction is 30052 Aventura, Suite B, Rancho Santa Margarita, CA 92688. The Commercial Registered Office Provider is National Registered Agents, Inc. in the County of Dauphin.

The Corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 4124(b). d31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed and approved by the Department of the State of the Commonwealth of Pennsylvania in Harrisburg, PA, on or about December 14, 2010, for the purpose of obtaining a Certificate of incorporation pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988.

The name of the Corporation is **Katherine L. Niven & Associates, P.C.** d31

NOTICE IS HEREBY GIVEN that on December 10, 2010, Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania for **AdMax Media, Inc.**, a corporation organized under the provisions of the Business Corporation Law of 1988, as amended, for the purpose of engaging in all lawful business for which corporations may be incorporated under said Act. d31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on November 22, 2010, by **MediMedia Foundation, Inc.**, a foreign non-profit corporation formed under the laws of the State of Delaware, where its principal office is located at One Atlantic Street, Suite 604, Stamford, CT 06901, for a Certificate of Authority to do business under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, exclusively for religious, charitable, scientific, literary or educational purposes under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended.

The registered office in Pennsylvania is located at c/o Corporation Service Company, Dauphin County, Pennsylvania. d31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **TCR Northeast Properties, Inc.**, a corporation of the State of Texas, with principal office located at 2001 Bryan Street, Suite 3250, Dallas, TX 75201, and having a Commercial Registered office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on September 15, 1999, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **Black/White & Associates of Nevada, Inc.**, a corporation of the State of Nevada, with principal office located at c/o PointSure Insurance Services Inc., 931 America Pacific Drive, Suite 104, Henderson, NV 89014, and having a Commercial Registered office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on December 18, 2006, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN to all persons interested or who may be affected by **Commonwealth Palm Coast Corporation**, a Pennsylvania business corporation, with a registered office at c/o Corporation Service Company, Dauphin County, that the members and directors have approved a proposal that the corporation dissolve voluntarily and that the corporation and its Board of Directors is now engaged in winding up and settling the affairs of the corporation under the provisions of Section 1975 of the Pennsylvania Corporation Law of 1988, as amended. d31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 16, 2010, by **Smilemakers, Inc. d/b/a SC SmileMakers, Inc.**, a foreign corporation formed under the laws of the State of South Carolina, where its Principal office is located at 2 Office Park Court, Columbia, SC 29223, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. d31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 14, 2010, by **ShamrockClean, Inc.**, a foreign corporation formed under the laws of the State of Florida, where its principal office is located at 9176 Silverthorn Road, Largo, FL 33777, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o National Registered Agents, Inc., Dauphin County, Pennsylvania. d31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **COLTEC HOLDINGS INC.**, a corporation of the State of Delaware, with principal office located at 2595 Interstate Drive, Suite. 103, Harrisburg, PA 17110, and having a Commercial Registered Office Provider and county of venue as follows: Corporation Service Company, Dauphin County, which on April 1, 1988, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 14, 2010, by **HealthSouth of Altoona, LLC**, a foreign Limited Liability Company formed under the laws of the State of Delaware, where its principal office is located at 3660 Grandview Parkway, Suite 200, Birmingham, AL 35243, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Limited Liability Company Law.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. d31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **Atlas Bolt & Screw Company**, a corporation of the State of Delaware, with principal office located at 1628 Troy Road, Ashland, OH 44805, and having a Commercial Registered Office Provider and county of venue as follows: Corporation Service Company, Dauphin County, which on February 5, 1991, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 15, 2010, for the purpose of obtaining a charter of a Nonprofit Corporation organized under the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania. The name of the corporation is: **GMDC Philadelphia**.

The purposes for which it was organized are: organized exclusively for charitable, scientific, literary and educational purposes within the meaning of Section 501(c) (3) of the IRS Code.

COZEN O'CONNOR P.C., Solicitors
1900 Market Street
Philadelphia, PA 19103
d31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **TCR NJ/PA Properties, Inc.**, a corporation of the State of Texas, with principal office located at 2001 Bryan Street, Suite 3250, Dallas, TX 75201, and having a Commercial Registered Office Provider and county of venue as follows. CT Corporation System, Dauphin County, which on August 12, 2003, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **BTMU Leasing & Finance, Inc.**, a corporation of the State of Delaware, with principal office located at 1251 Avenue of the Americas, New York, NY 10020, and having a Commercial Registered Office Provider and county of venue as follows: Corporation Service Company, Dauphin County, which on January 25, 2002, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **AAG Benefit Plan Administrators, Inc.**, a corporation of the State of Texas, with principal office located at 222 W. Las Colinas Boulevard, Suite 600N, Irving, TX 75039, and having a Commercial Registered Office Provider and county of venue as follows: Corporation Service Company, Dauphin County, which on September 9, 2002, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **Special Jet Services, Inc.**, a corporation of the State of Delaware, with principal office located at 7301 South Peoria Street, Englewood, CO 80112, and having a Commercial Registered Office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on June 17, 2010, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 16, 2010, by **TriTex Real Estate Advisors, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 3424 Peachtree Road, Suite 2200, Atlanta, GA 30326, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. d31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 21, 2010, by **Veyance Industrial Services, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 703 S. Cleveland-Massillon Road, Fairlawn, OH 44133, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. d31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 9, 2010, by **Economic Consultants Oregon, Ltd.**, a foreign corporation formed under the laws of the State of Oregon, where its principal office is located at 99 West 10th Avenue, Suite 400, Eugene, OR 97401, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. d31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **TCR NJ/PA Residential, Inc.**, a corporation of the State of Texas, with principal office located at 2001 Bryan Street, Suite 3250, Dallas, TX 75201, and having a Commercial Registered Office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on August 12, 2003, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN that **The CIMA Companies, Inc.**, a foreign business corporation incorporated under the laws of the State of Delaware, where its principal office is located at Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at C T Corporation System, Dauphin County.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. d31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 16, 2010, by **Dari-Farms Ice Cream Co., Inc.**, a foreign Corporation formed under the laws of the State of Connecticut, where its principal office is located at One Dari Farms Way, Tolland, CT 06084, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. d31

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 16, 2010, by **AMERICAN SERVICE INDUSTRIES, INC.**, a foreign corporation formed under the laws of the State of Illinois, where its principal office is located at 1641 Barclay Boulevard, Buffalo Grove, IL 60089, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. d31

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **PRIME CARE AMBULANCE, INC.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. d31

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **TCR Princeton No. 2, Inc.**, a corporation of the State of Texas, with principal office located at 2001 Bryan Street, Suite 3250, Dallas, TX 75201, and having a Commercial Registered Office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on September 23, 1988, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **TCR Mid Atlantic Properties, Inc.**, a corporation of the State of Texas, with principal office located at 2001 Bryan Street, Suite 3250, Dallas, TX 75201, and having a Commercial Registered Office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on September 15, 1999, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. d31

NOTICE IS HEREBY GIVEN that a Certificate of Authority for a foreign business corporation was filed in the Department of State of the Commonwealth of Pennsylvania for **Surrey Investment Services, Inc. DBA: SB&T Insurance** on December 13, 2010. The address of its principal office under the laws of the jurisdiction in which it is incorporated is North Carolina. The registered office for this business is: Nauman, Smith, Shissler & Hall, LLP, Dauphin County, PA.

The corporation is filed in compliance with the requirements of the applicable provision of 15 Pa. C.S. 4124. d31

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed with the Department of State, Commonwealth of Pennsylvania, in Harrisburg, Pennsylvania on November 24, 2010, for the purpose of organizing the limited liability company of **204 Hillcrest Group, LLC**, under the provisions of the Pennsylvania Partnership and Limited Liability Code (15 Pa. C.S. Section 8913).

JAMES N. BRYANT, Esq.
Bryant & Cantorna, P.C.
107 East Main Street
P.O. Box 551
Millheim, PA 16854

d31

FIRST PUBLICATION

Fictitious Notices

NOTICE IS HEREBY GIVEN, pursuant to the provisions of the Act of Assembly of December 16, 1982, Act 295, as amended, that an Application for Registration of Fictitious Name has been/will be filed in the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the conduct of business in Dauphin County, Pennsylvania, under the assumed or fictitious name of **Preferred Physicians Healthcare Alliance, LLC**, with its principal place of business at: 777 East Park Drive, Harrisburg, PA 17111.

The name and address of the entity owning or interested in said business is KePRO Acquisitions, Inc. of 777 East Park Drive, Harrisburg, PA 17111.

The purpose of the business will be Health Management.

JAMES A. ULSH, Esq.
Mette, Evans & Woodside
3401 North Front Street
P.O. Box 5950
Harrisburg, PA 17110-0950
(717) 232-5000

d31

FIRST PUBLICATION

Miscellaneous Notices

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

No. 2010-CV-12527-QT

COMPLAINT TO QUIET TITLE

ALAN OTWELL, Plaintiff

vs.

PUN COLLECTIONS V, LLC, Defendant

FIRST PUBLICATION

Miscellaneous Notices

NOTICE OF QUIET TITLE ACTION

**TO: PUN COLLECTIONS V, LLC,
their heirs and assigns**

YOU ARE HEREBY NOTIFIED that an action to Quiet Title was brought against you in the Court of Common Pleas of Dauphin County Filed No. 2010-CV-12527-QT requesting that you be forever barred from asserting any right, title or interest in and to the real property described herein PUN COLLECTIONS V, LLC, their heirs and assigns have extinguished any right, lien title or interest claimed by you or any other person or persons in and to the real property described herein as follows:

ALL THAT CERTAIN PIECES OR PARCEL OF LAND, TO WIT, 1925 Logan Street, in the City of Harrisburg, County of Dauphin, more particularly bounded and described as follows, to wit:

BEGINNING at a point on the eastern side of Logan Street, which point and Delaware Avenue; thence extending easterwardly through the center of a partition wall between premises 1923 and 1925 Logan Street, Seventy-eight (78) feet four (4) inches more or less, to line of property now or late of Charles E. Miller; thence extending northwardly at right angles to Delaware Avenue, Twelve (12) feet six (6) inches, more or less, to a point; thence extending westwardly through the center of a partition wall between 1925 and 1927 Logan Street, seventy-eight (78) feet four (4) inches, more or less, to the easterly line of Logan Street; thence extending southwardly along said Logan Street, twelve (12) feet six (6) inches, more or less, to place of BEGINNING.

HAVING thereon a frame dwelling known as 1925 Logan Street, Harrisburg, Dauphin County, Pennsylvania.

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following, you must take action within twenty (20) days after this Complaint and Notice are served, by entering a written appearance personally or by attorney and filing in writing with the Court your defenses or objections to the claims

set forth against you. You are warned that if you fail to do so the case may proceed without you and judgment may be entered against you by the Court without further notice for any money claimed in the Complaint or for any other claim or 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 OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

DARRIN C. DINELLO, Esq.
5405 Jonestown Road
Suite 101
Harrisburg, PA 17112
(717) 909-6730

d31

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

No. 2010-CV-103005-NC

PETITION FOR CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on August 20th, 2010, the Petition of **Andrew Carl Hermeling a/k/a Andrew Dyrli Hermeling** was filed in the above named court, requesting a decree to change his name from **Andrew Carl Hermeling** to **Andrew Dyrli Hermeling**.

The Court has fixed January 11, 2011 in Courtroom No. 9 at 8:30 a.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted.

d31

FIRST PUBLICATION

Miscellaneous Notices

NOTICE OF TRANSFER OF ATTORNEYS
TO INACTIVE STATUS

NOTICE IS HEREBY GIVEN that the following **Dauphin County** attorneys have been *Administratively Suspended* by Order of the Supreme Court of Pennsylvania dated November 18, 2010, pursuant to Rule 219, Pa. R.D.E., which requires that all attorneys admitted to practice in any court of this Commonwealth must pay an annual assessment of \$200.00. The Order became effective December 18, 2010.

Davison, Virginia J.
Giunta, Mary Abbigael

SUZANNE E. PRICE
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania
d31

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 2010-CV-15206-NC

PETITION FOR
CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on December 15, 2010, the Petition of **Mrs. Cindy Ho** and **Mr. Ha D. Hoang** on behalf of minor child, **Sarah Ho** was filed in the above named court, requesting a decree to change their minor child's name from **Sarah Ho** to **Sarah Hoang**.

The Court has fixed Tuesday, January 11, 2011 in Courtroom No. 9, Second Floor, at 1:45 p.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted. d31

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 2010 CV 9872 NC

PETITION FOR
CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on November 15, 2010, the Petition of **Maria Soledad Palacios** was filed in the above named court, requesting a decree to change her name from **Maria S. Palacios** to **Mariasol Palacios Hill**.

The Court has fixed January 11, 2011 in Courtroom No. 9 at 11:00 a.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted. d31

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 2010-CV-15207-NC

PETITION FOR
CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on December 2, 2010, the Petition of **Mrs. Cindy Ho** and **Mr. Ha D. Hoang** on behalf of minor child, **Olivia Hoang Ho** was filed in the above named court, requesting a decree to change their minor child's name from **Olivia Hoang Ho** to **Olivia Hoang**.

The Court has fixed Tuesday, January 11, 2011 in Courtroom No. 9, Second Floor, at 9:45 a.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted. d31

FIRST PUBLICATION

Miscellaneous Notices

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

No. 2010-CV-10935-NT

**U.S. DISTRICT COURT
MIDDLE DISTRICT, PENNSYLVANIA
CIVIL ACTION
No. 1:04-CV-0476**

**NATIONAL CASUALTY COMPANY
and SCOTTSDALE INSURANCE
COMPANY, Plaintiffs**

vs.

**DAVID L. ELLIS AGENCY, INC. and
DAVID L. ELLIS, Defendants**

WRIT OF REVIVAL

NOTICE

**TO: DAVID L. ELLIS AGENCY, INC. and
DAVID L. ELLIS**

1. YOU ARE NOTIFIED that the Plaintiffs have commenced a proceeding to revive and continue the lien of the judgment originally entered to 1:04-CV-0476.
2. THE PLAINTIFFS claim that the amount due and unpaid is \$524,024.92, plus interest from November 24, 2004.
3. YOU ARE REQUIRED within twenty (20) days after service of this Writ to file an answer or otherwise plead to this Writ. If you fail to do so judgment of revival in the amount claimed by the Plaintiffs may be entered without a hearing and you may lose your property or other important rights.

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 THE 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.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

WILLIAM R. BALABAN, Esq.
wrb@elliottgreenleaf.com
Elliott Greenleaf & Balaban
KATHRYN L. MASON, Esq.
klm@elliottgreenleaf.com
27 North Front Street
P.O. Box 1284
Harrisburg, PA 17108
Telephone: (717) 234-3282
Telecopy: (717) 233-4264

d31

**IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA**

CIVIL ACTION – LAW

No. 2010-CV-10936-NT

**U.S. DISTRICT COURT
MIDDLE DISTRICT, PENNSYLVANIA
CIVIL ACTION
No. 1:04-CV-0476**

**NATIONAL CASUALTY COMPANY
and SCOTTSDALE INSURANCE
COMPANY, Plaintiffs**

vs.

**DAVID L. ELLIS AGENCY, INC. and
DAVID L. ELLIS, Defendants**

FIRST PUBLICATION

Miscellaneous Notices

WRIT OF REVIVAL

NOTICE

TO: DAVID L. ELLIS AGENCY, INC. and
DAVID L. ELLIS

1. YOU ARE NOTIFIED that the Plaintiffs have commenced a proceeding to revive and continue the lien of the judgment originally entered to 1:04-CV-0476.
2. THE PLAINTIFFS claim that the amount due and unpaid is \$98,786.03, plus interest from April 18, 2005.
3. YOU ARE REQUIRED within twenty (20) days after service of this Writ to file an answer or otherwise plead to this Writ. If you fail to do so judgment of revival in the amount claimed by the Plaintiffs may be entered without a hearing and you may lose your property or other important rights.

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 THE 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.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

WILLIAM R. BALABAN, Esq.
wrb@elliottgreenleaf.com
Elliott Greenleaf & Balaban
KATHRYN L. MASON, Esq.
klm@elliottgreenleaf.com
27 North Front Street
P.O. Box 1284
Harrisburg, PA 17108
Telephone: (717) 234-3282
Telecopy: (717) 233-4264

d31

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 2010-CV-15205-NC

PETITION FOR
CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on December 15, 2010, the Petition of **Mrs. Cindy Ho** and **Mr. Ha D. Hoang** on behalf of minor child, **Sandra Ho** was filed in the above named court, requesting a decree to change their minor child's name from **Sandra Ho** to **Sandra Hoang**.

The Court has fixed Tuesday, January 11, 2011 in Courtroom No. 9, Second Floor, at 1:15 p.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted.

d31

FIRST PUBLICATION

Miscellaneous Notices

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

No. 2010-CV-14040-NC

PETITION FOR
CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on November 15, 2010, the Petition of **Carl Richard Waxman** was filed in the above named court, requesting a decree to change his name from **Carl Richard Waxman** to **Ali Eric Waxman**.

The Court has fixed Tuesday, January 11, 2011 in Courtroom No. 9, Second Floor, at 2:00 p.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted. d31

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

CIVIL ACTION – LAW

CIVIL DIVISION

No. 2010-CV-06948-MF

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE

U.S. BANK, NATIONAL ASSOCIATION,
AS SUCCESSOR TRUSTEE TO BANK OF
AMERICA, N. A. AS SUCCESSOR BY
MERGER TO LASALLE BANK N. A., AS
TRUSTEE FOR MERRILL LYNCH FIRST
FRANKLIN MORTGAGE LOAN TRUST,
MORTGAGE LOAN ASSET-BACKED
CERTIFICATES, SERIES 2007-2, Plaintiff

vs.

**KARYL CLARONI and
DAVID KISCADDENS, Defendants**

NOTICE

**TO: KARYL CLARONI and
DAVID KISCADDEN:**

YOU ARE HEREBY NOTIFIED that on MAY 20, 2010, Plaintiff, U.S. BANK, NATIONAL ASSOCIATION, AS SUCCESSOR TRUSTEE TO BANK OF AMERICA, N. A. AS SUCCESSOR BY MERGER TO LASALLE BANK N. A., AS TRUSTEE FOR MERRILL LYNCH FIRST FRANKLIN MORTGAGE LOAN TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFICATES, SERIES 2007-2, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of DAUPHIN County Pennsylvania, docketed to No. 2010-CV-06948-MF. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 1622 NORTH 4TH STREET, HARRISBURG, PA 17102, whereupon your property would be sold by the Sheriff of DAUPHIN County.

YOU ARE HEREBY NOTIFIED to plead to the above referenced Complaint on or before twenty (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.

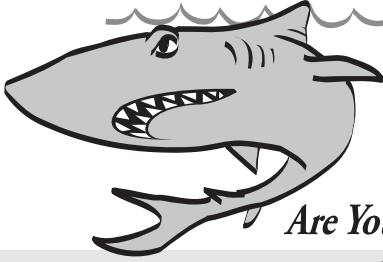
YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

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.

DAUPHIN COUNTY
LAWYER REFERRAL SERVICE
213 North Front Street
Harrisburg, PA 17101
(717) 232-7536

d31

Tri-State Shredding



“Your
Document
Shredding
Specialist”

Are You HIPAA Compliant??

**On-Site and Off-Site
Document Shredding**

Bonded Personnel with 10 years experience
“DON'T THROW YOUR BUSINESS OUT
WITH YOUR TRASH”

CALL 717-233-5606 TODAY
www.tristateshredding.com

ECONOMIC ANALYSIS AND TESTIMONY

THE CENTER FOR FORENSIC ECONOMIC STUDIES



Staller



Lentz



Markham



Rosen

CHAD L. STALLER, J.D., M.B.A., M.A.C. ■ STEPHEN ROSEN, Enrolled Actuary
JAMES MARKHAM, Ph.D., J.D., CPCU ■ BERNARD F. LENTZ, Ph.D.

215-546-5600

www.cfes.com

**METRO
BANK**

we  our
customers

mymetrobank.com
888.937.0004

Convenient Locations in Berks, Cumberland, Dauphin,
Lancaster, Lebanon and York Counties

Open 7 Days

Next-Day Availability

**Local Loans
by Local Lenders**

Cash Management

Member FDIC

**INCORPORATION AND
LIMITED LIABILITY COMPANY
FORMATION**

CONVENIENT, COURTEOUS SAME DAY SERVICE

PREPARATION AND FILING SERVICES IN ALL STATES

**CORPORATION OUTFITS AND
LIMITED LIABILITY COMPANY OUTFITS**

SAME DAY SHIPMENT OF YOUR ORDER

**CORPORATION, LIMITED LIABILITY COMPANY
AND UCC FORMS**

**CORPORATE AND UCC, LIEN AND
JUDGMENT SERVICES**

M. BURRKEIM COMPANY

SERVING THE LEGAL PROFESSIONAL SINCE 1931

PHONE: (800) 533-8113 FAX: (888) 977-9386

2021 ARCH STREET, PHILADELPHIA, PA 19103

WWW.MBURRKEIM.COM

KURZENKNABE PRESS

*Printing The Dauphin County Reporter every
week for nearly 100 years*

Graphic Design • Electronic Pre-Press • Invitations

Announcements • Legal Briefs • Legal Backers

Newsletters • Business Cards • Business Forms

Envelopes • Multi Color Printing • Flyers

Questionnaires • Posters

Tickets • Photo Copies

Labels • Brochures

Bindery



**1424 HERR STREET
HARRISBURG, PA 17103**

TOLL FREE 1-888-883-2598

PHONE 232-0541 • FAX 232-7458

EMAIL: KURZENKNABEPRESS@COMCAST.NET

Quality Printing Since 1893



ATTORNEY DISCIPLINARY/ETHICS MATTERS

Representation, consultation and expert testimony in disciplinary matters and matters involving ethical issues, bar admissions and the Rules of Professional Conduct

James C. Schwartzman, Esq.

Former Chairman, Disciplinary Board of the Supreme Court of Pennsylvania
Former Federal Prosecutor • Pennsylvania Interest on Lawyers Trust Account Board
Former Chairman, Continuing Legal Education Board of the Supreme Court of Pennsylvania

Dana Pirone Carosella, Esq.

Representing attorneys in disciplinary/ethics matters for 15 years • Author/Speaker on ethics matters

17 North Second Street, 16th Floor • Harrisburg, PA 17101
(717) 255-7388

Solutions
for Real Estate
Challenges

- Office
- Industrial
- Retail
- Land

Central PA's #1 ranked
commercial real estate firm

Ranked by transaction volume
CPBJ February 2008/2009

NAI CIR

Commercial Real Estate Services, Worldwide.

www.naicir.com

717 761 5070

CUMULATIVE TABLE OF CASES

Adams, Commonwealth v.	296
Atlantic Credit & Finance Inc. v. Wylie	163
Cameron Real Estate, LP, et al., Pennsy Supply, Inc. v.	99
Carroll, Commonwealth v.	102
Centric Bank, Schmitt v.	1
Commonwealth v. Adams	296
Commonwealth v. Carroll	102
Commonwealth v. Fernsler	64
Commonwealth v. Hosby	32
Commonwealth v. Jones	194
Commonwealth v. Montelione	10
Commonwealth v. Perretta-Rosepink	
Commonwealth v. Veon	262
Commonwealth v. Wingus	82
Commonwealth v. Veon	
Commonwealth v. Perretta-Rosepink	262
Consoli v. Elias	281
Cox, Wilson, et al. v.	57
Daniels, et al., v. Norfolk Southern Corporation, et al.,	
Walleth's Flooring Services, Inc. v.	94
DeHart, Fletcher v.	134
Dock v. Harrisburg Hospital, et al.	106
East Hanover Township Board of Supervisors	
v. RVG Land, LLC, Mundy, et al. v.	116
Elias, Consoli v.	281
Estrada v. Olt, et al.	42
Estright v. Harrisburg Hospital, et al.	153

Cumulative Table of Cases

Fenstermacher, Mihelich v.	158
Fernsler, Commonwealth v.	64
Fletcher v. DeHart	134
Harrisburg Hospital, et al., Dock v.	106
Harrisburg Hospital, et al., Estright v.	153
Hartman, et al. v. Hershey Medical Center, et al.	243
Herd Chiropractic v. State Farm	180
Hershey Medical Center, et al., Hartman, et al. v.	243
Hershey Medical Center, et al., Lopresti v.	48
Hosby, Commonwealth v.	32
In re: Appeal of City of Harrisburg	200
In re: Condemnation of Sheesley Estate	223
In re: Estate of Benjamin F. Herr	171
Investigative Consultant Services, Inc., et al., Tagouma v.	121
Jones, Commonwealth v.	194
Kelly v. Kelly	110
Kelly, Kelly v.	110
Kelly Systems, Inc. v. Koda	21
Keystone Service Systems, Inc., Pennswood Apartments L.P. v.	27
Koda, Kelly Systems, Inc. v.	21
Lopresti v. Hershey Medical Center, et al.	48
McAfee v. Quantum Imaging and Therapeutic Associates, Inc.	70
McGarrie v. Short	90
McNany, Walter v.	147

Cumulative Table of Cases

Mihelich v. Fenstermacher	158
Montelione, Commonwealth v.	10
Mundy, et al. v. East Hanover Township Board of Supervisors v. RVG Land, LLC	116
Norfolk Southern Corporation, et al. v. Wallett's Flooring Services, Inc. v. Daniels, et al.	94
Olt, et al., Estrada v.	42
Papadopoulos v. Schmidt, Ronca & Kramer, P.C.	205
Pennswood Apartments L.P. v. Keystone Service Systems, Inc.	27
Pennsy Supply, Inc. v. Cameron Real Estate, LP, et al.	99
Perretta-Rosepink, Commonwealth v. Commonwealth v. Veon	262
Peters v. Zoning Hearing Board of Londonderry Township	166
Quantum Imaging and Therapeutic Associates, Inc., McAfee v.	70
RVG Land, LLC, Mundy, et al. v. East Hanover Township Board of Supervisors v.	116
Schmitt v. Centric Bank	1
Schmidt, Ronca & Kramer, P.C., Papadopoulos v.	205
Short, McGarrie v.	90
State Farm, Herd Chiropractic v.	180
State Farm, Tomasetti v.	186
Tagouma v. Investigative Consultant Services, Inc., et al.	121
Tomasetti v. State Farm	186

Cumulative Table of Cases

Veon, Commonwealth v.
Commonwealth v. Perretta-Rosepink 262

Wallett’s Flooring Services, Inc. v. Daniels, et al.,
v. Norfolk Southern Corporation, et al. 94

Walter v. McNany 147

Warner, Wege v. 219

Wege v. Warner 219

Wilson, et al. v. Cox 57

Wingus, Commonwealth v. 82

Wylie, Atlantic Credit & Finance Inc. v. 163

Zoning Hearing Board of Londonderry Township, Peters v. 166

TRIAL AHEAD?

**CONSIDER
AN ALTERNATE
ROUTE:**

Dauphin County Bar Association
Civil Dispute Resolution Program

**CALL
(717) 232-7536
FOR DETAILS**

BAR ASSOCIATION PAGE
Dauphin County Bar Association
213 North Front Street • Harrisburg, PA 17101-1493
Phone: 232-7536 • Fax: 234-4582

Board of Directors

James P. DeAngelo <i>President</i>	Elizabeth “Liesl” Beckley <i>President-Elect</i>
Brett M. Woodburn <i>Vice President</i>	John D. Sheridan <i>Treasurer</i>
Jonathan W. Kunkel <i>Secretary</i>	Renee Mattei Myers <i>Past President</i>
Courtney Kishel Powell <i>Young Lawyers’ Chair</i>	Carrie E. Smyth <i>Young Lawyers’ Vice Chair</i>
William L. Adler	Tracy L. Boak
C. Grainger Bowman	Judson B. Perry
Robert E. Chernicoff	Gerald S. Robinson
Brooks R. Foland	Richard A. Sadlock
S. Barton Gephart	J. Michael Sheldon
Stephen M. Greecher, Jr.	Robert F. Teplitz
Darren J. Holst	Claudia M. Williams
James J. McCarthy	

Directors

The Board of Directors of the Bar Association meets on the third Thursday of the month at the Bar Association headquarters. Anyone wishing to attend or have matters brought before the Board should contact the Bar Association office in advance.

REPORTING OF ERRORS IN ADVANCE SHEET

The Bench and Bar will contribute to the accuracy in matters of detail of the permanent edition of the Dauphin County Reporter by sending to the editor promptly, notice of all errors appearing in this advance sheet. Inasmuch as corrections are made on a continuous basis, there can be no assurance that corrections can be made later than thirty (30) days from the date of this issue but this should not discourage the submission of notice of errors after thirty (30) days since they will be handled in some way if at all possible. Please send such notice of errors to: Dauphin County Reporter, Dauphin County Bar Association, 213 North Front Street, Harrisburg, PA 17101-1493.

DAUPHIN COUNTY COURT SECTION

Motion Judge of the Month

DECEMBER 2010
JANUARY 2011

Judge John F. CHERRY
Judge John F. CHERRY

Opinions Not Yet Reported

December 3, 2010 – Clark, J., **Wagner v. PennDOT**, No. 1646 CD 2010

BAR ASSOCIATION PAGE – Continued

MISCELLANEOUS SECTION

OFFICE SPACE — Very impressive class A office space located in great building on Pine Street in walking distance to everything. Includes one private large office with shared use of conference room and reception area. Asking \$500 per month. Email Ben@midstatelaw.com d17-j7

PARALEGAL — Harrisburg law firm is seeking an experienced Paralegal with a minimum of 3 to 5 years experience working in civil litigation. Applicants must have excellent organizational, research, and writing skills. Salary will be commensurate with experience. Paid parking and excellent benefits. Please e-mail resume to dstrotle@schmidtkramer.com for immediate consideration. d31-j14

Alcohol or Other Drugs
a Problem?

Help is Only
a Phone Call Away

LAWYERS
CONFIDENTIAL
HELP-LINE
1-888-999-1941

24 Hours Confidential

A Service Provided by

Lawyers Concerned for Lawyers of Pennsylvania, Inc.