

**ADVANCE SHEET**

Pages 64-69

**THE**  
**Dauphin County Reporter**

(USPS 810-200)

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

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November 28, 2008

No. 22

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Commonwealth v. Fernsler  
Bar Association Page

64  
Inside Back Cover

**INTELLECTUAL PROPERTY LAW**

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38 Years in Harrisburg

**THE  
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**by the**  
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**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

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**Estate Notices**

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**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 LATOSHA S. GRANNISON, late of the Township of Susquehanna, Dauphin County, Pennsylvania. Administratrix: Dolores A. Chandler, 1616 Churchill Road, Harrisburg, PA 17111. Attorney: Johanna H. Rehkamp, Esq., Turner and O'Connell, 4701 North Front Street, Harrisburg, PA 17110. n28-d12

ESTATE OF GERALD N. KREISER, JR., late of Londonderry Township, Dauphin County, Pennsylvania (died October 18, 2008). Administrator: Gerald N. Kreiser, III, 1321 Newberry Road, Middletown, PA 17057. Attorney: James B. Pannebaker, Esq., Pannebaker & Mohr, P.C., 4000 Vine Street, Middletown, PA 17057. Telephone (717) 944-1333. n28-d12

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ESTATE OF SANDRA E. ROMBERGER, late of the Borough of Lykens, Dauphin County, Pennsylvania (died October 11, 2008). Administrator: Scott C. Romberger, One Blair Court, Carlisle, PA 17015. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023. n28-d12

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ESTATE OF THELMA B. MARIANO, late of Lower Swatara Township, Dauphin County, Pennsylvania (died November 5, 2008). Executrix: Phyllis A. Youtz, 651 Lenker Road, Harrisburg, PA 17111. Attorney: Jean D. Seibert, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. n28-d12

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ESTATE OF HELEN C. CASNER, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executrix: Shirley M. Miller, 916 Meadow Lane, Millersburg, PA 17061. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023. n28-d12

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ESTATE OF JACK S. PINCUS a/k/a JACOB SIDNEY PINCUS, late of Susquehanna Township, Dauphin County, Pennsylvania (died November 10, 2008). Personal Representatives: Gail P. Ledger and Lynn S. Katz, 3424 N. 4th Street, Harrisburg, PA 17110-1415. n28-d12

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ESTATE OF CHRISTIAN M. RATHFON, late of the City of Harrisburg, Dauphin County, Pennsylvania (died November 5, 2008). Administratrix: Judith A. Rathfon, 905 Braeburn Road, Elizabethtown, PA 17022. Attorney: Jean D. Seibert, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. n28-d12

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**SECOND PUBLICATION**

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**Estate Notices**

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ESTATE OF MERLE M. YANTIS, late of Lower Paxton Township, Dauphin County, Pennsylvania (died October 25, 2008). Executrix: Suzanne M. Stuck, 6120 Forrestral Circle, Harrisburg, PA 17112. Attorney: Gary L. Rothschild, Esq., 2215 Forest Hills Drive, Suite 35, Harrisburg, PA 17112. n21-d5

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ESTATE OF DEAN F. DUNKLE, late of the Borough of Hummelstown, Dauphin County, Pennsylvania (died October 21, 2008). Executrix: Beth E. Krick, 131 Clover Lane, Palmyra, PA 17078. Attorney: Jeffrey M. Mottern, Esq., 28 East Main Street, Hummelstown, PA 17036. n21-d5

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ESTATE OF RUTH R. LOWER, late of the City of Harrisburg, Dauphin County, Pennsylvania (died July 14, 2008). Executor: John W. Mullen, 3521 Ridgeway Road, Harrisburg, PA 17109. Attorney: John D. Killian, Esq., Killian & Gephart, LLP, 218 Pine Street, Harrisburg, PA 17101. n21-d5

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ESTATE OF MARGERY A. BROOKS, late of the City of Harrisburg, Dauphin County, Pennsylvania. Executor: Lawrence E. Jack, 9 Beaver Road, Hershey, PA 17033. Attorney: Samuel T. Cooper, III, Esq., Dilworth Paxson LLP, 112 Market Street, 8th Floor, Harrisburg, PA 17101. n21-d5

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ESTATE OF DONALD H. TEUFEL, late of Derry Township, Dauphin County, Pennsylvania (died September 4, 2004). Executor / Attorney: Jon A. Yost, Esq., 320 West Chocolate Avenue, P.O. Box 437, Hershey, PA 17033-0437. n21-d5

ESTATE OF DOROTHY J. KOHR, late of Middletown, Dauphin County, Pennsylvania. Co-Executors: John R. Kohr, Jr., 1847 Meadow Ridge Drive, Hummelstown, PA 17036 and William H. Kohr, 112 Red Oak Road, Lancaster, PA 17602. Attorney: Jay R. Braderman, Esq., Lavery, Faherty, Young & Patterson, P.C., 225 Market Street, Suite 304, P.O. Box 1245, Harrisburg, PA 17108-1245. n21-d5

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ESTATE OF GENE E. MICHAEL, late of Penbrook Borough, Dauphin County, Pennsylvania (died June 23, 2004). Administratrix d.b.n.c.t.a.: Ruth K. Sayers. Attorney: Patricia M. David, Esq., Maza & David, 120 East Broad Street, Souderton, PA 18964. n21-d5

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**THIRD PUBLICATION**

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ESTATE OF VICKI L. DUNCAN, late of Dauphin County, Pennsylvania (died October 24, 2008). Executor: Keith Allan Leader. Attorney: Patricia Carey Zucker, Esq., Daley Zucker Meilton Miner & Gingrich, LLC, 1025 Mumma Road, Suite 101, Wormleysburg, PA 17043. n14-n28

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ESTATE OF JAMES R. ROGERS, late of Harrisburg, Dauphin County, Pennsylvania (died May 23, 2008). Administratrix/Attorney: Kathy M. Shughart, Esq., P.O. Box 6315, Harrisburg, PA 17112-0315. n14-n28

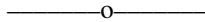
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ESTATE OF DORIS A. DAUPHIN, late of Swatara Township, Dauphin County, Pennsylvania (died September 29, 2008). Executor: Charles H. Dauphin, Middletown, PA. Attorney: Jacqueline A. Kelly, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. Telephone (717) 541-5550. n14-n28

## Commonwealth v. Fernsler

class offered at the Dauphin County Work Release Center by the Pennsylvania Department of Health, educates attendees of the importance of “safe sex” not only for the purpose of prevention of STDs but also of pregnancies, an important lesson for individuals who can not or will not financially support the children they already have.

Accordingly, I issued orders of contempt on April 28, 2008.

**Commonwealth v. Fernsler****Crimes and Criminal Procedure — Sentencing.**

Defendant was convicted, pursuant to his guilty plea, of various sex offenses involving 4 year-old twin girls, who were sisters of his twin foster boys. He appealed, alleging the Court failed to state sufficient reasons on the record for imposition of a sentence in the aggravated range.

1. In challenging the discretionary aspects of a sentence, the defendant must demonstrate a manifest abuse of discretion. *Commonwealth v. White*, 341 Pa. Super. 261, 270, 491 A.2d 252, 257 (1985).

2. A sentencing court need only consider the sentencing guidelines prior to imposition of a sentence, and, if it chooses to sentence outside the guidelines, explain the reasons for the deviation. *Commonwealth v. Wright*, 411 Pa. Super. 111, 600 A.2d 1289 (1991).

3. The abuse of discretion standard includes whether the judgment exercised was unreasonable. *Commonwealth v. Walls*, 592 Pa. 557, 565, 926 A.2d 957 (Pa. 2007). In making the “unreasonableness” inquiry, the appellate court is to consider (1) the nature and circumstances of the offense and the history and characteristics of the defendant, (2) the opportunity of the sentencing court to observe the defendant, including any presentence investigation, (3) the findings upon which the sentence was based, (4) the guidelines promulgated by the commission. 42 Pa.C.S. § 9781 (d).

Pa.R.A.P. 1925 Opinion. C.P., Dau. Co., No. 2173 CR 2006.

*Sean M. McCormack*, for the Commonwealth

*Deanna A. Muller*, for Defendant

HOOVER, J., November 12, 2008. – This appeal follows the guilty plea and sentencing of Michael Fernsler (“Defendant”). For the reasons set forth herein, the judgment of sentence should be affirmed.

## Commonwealth v. Fernsler

## RELEVANT FACTUAL AND PROCEDURAL HISTORY

Defendant pled guilty, pursuant to a negotiated plea agreement, to Involuntary Deviate Sexual Intercourse with a Child, Indecent Assault, Corruption of Minors (2 counts) and Unlawful Sexual Contact with a Minor, based upon the following facts:

The victims of the instant offenses were 4 year-old twin girls (DOB 3/15/02) who were sisters of Michael Fernsler's twin foster boys. Mr. Fernsler had been in the company of the victims on only two or three occasions prior to the instant offense. On the day of the instant offense, Mr. Fernsler and his wife were at the victims' residence to briefly talk about the boys' schedules and needs with Marie, the victims' foster mother, in preparation for her caring for the boys while the Fernslers went out of town. According to police reports, while Marie and Mr. Fernsler's wife were in the kitchen talking, Mr. Fernsler was in the living room playing with the victims. Marie noted that they were playing for a while and then at some point Mr. Fernsler went upstairs with one of the girls and the other twin followed shortly thereafter. Marie stated that she found out that they had gone upstairs when it became very quiet in the living room.

After the Fernslers left, Marie took the victims to a structured play group. On the way to the play group in the car, one of the victims began telling Marie that Mr. Fernsler put his "peanut" (meaning penis) in her mouth and it tasted bad. The victim further related that Mr. Fernsler had to wipe it off her mouth and her shirt. The second victim stated to her foster mother that Mr. Fernsler made her touch his "peanuts" and that she did not like it. The victims told Marie that the sexual assaults took place in Marie's 14 year-old daughter's bedroom.

According to Mr. Fernsler's taped statement to police, he related that he was playing with the victims downstairs in their foster home prior to the instant offense. He stated that when the victims wandered upstairs, he followed them. While Mr. Fernsler and the victims were in one of the bedrooms, he reported that they were showing him their stuffed animals and telling him stories. During those few minutes, Mr. Fernsler stated that he took his penis and told one of the girls to touch it and when the victim complied, Mr. Fernsler "told them to taste it, to put their mouths around it." Mr. Fernsler reported that he was standing by the bed and the victims were sitting on the bed during the offense. When asked what happened after he put his penis in one of the victim's mouth, Mr. Fernsler replied, "I was feeling the urge to ejaculate and I tried to pull out but I got a little bit on her face." He admitted that he ejaculated in the victim's mouth and on her mouth. After wiping off the victim's mouth with toilet paper, Mr. Fernsler stated that he returned downstairs.

(Commonwealth Sentencing Memorandum, pp. 1-3)

On August 8, 2007, the Defendant pleaded guilty to Involuntary Deviate Sexual Intercourse with a Child Less Than 13 Years, Indecent Assault, Corruption of Minors, (2 Counts), and Unlawful Contact with a Minor. The court ordered a sexual offender assessment. The assessment deemed Defendant to be a sexually violent predator. Defendant did not contest that finding. (Transcript of Proceedings, Sentencing, January 25, 2008, p. 2-5) (hereinafter, "N.T.")

On January 25, 2008, the court sentenced Defendant as follows:

THE COURT: On the case 2173 CD 2006, at Count 1, we'll impose a sentence of not less than 20 years nor more than 40 years in a state correctional institute. The sentence is effective today's date.

We'll give you credit—Ms. Muller, do you have the time credit?

MS. MULLER (Defense Counsel): I do. From November 14, 2007.

THE COURT: All right. From November 14, 2007 until the present. We'll direct that while you're incarcerated you do sexual offenders counseling and successfully complete the same. You undergo mental health evaluation and abide by and successfully complete any treatment, mental health treatment, as recommended by the evaluation while you're incarcerated.

We'll further direct that as a condition of your parole that you be placed on any GPS restrictions as afforded you by the state probation and parole department, you have no contact with the victims or families in this case and no unsupervised contact with minors except your own children in this particular matter. And you'll have geographic restrictions places upon you that would restrict you from areas frequented by minors. We'll further direct that you continue with any sexual offenders counseling as a condition of your parole as well.

On Count 2, on the indecent assault, we'll impose a sentence of not less than 1 year nor more than 2 years in a state correctional institute. That is to run concurrently

## Commonwealth v. Fernsler

with the sentence imposed at Count No. 1. We'll impose a fine at Count 1 of \$250 and the costs as well. A fine of \$100 at Count 2.

Count 3 was withdrawn.

Count 4, on the corruption of minors, we'll impose a sentence at Count 4, this is in the aggravated range, of not less than 2 and a half nor more than 5 years in the state correctional institute.

That sentence is to run consecutive to the sentence imposed at Count No. 1, a fine of \$100, and the costs of prosecution.

The same terms and conditions imposed at that docket as imposed at Count 1. At Count 5, corruption of minors of SG, we'll impose a sentence of not less than 2 and a half nor more than 5 years in the state correctional institute. They are to run consecutively.

Count 4 and 5, are consecutive to the sentence imposed at Count 1. The same fine.

Count 6 and Count 7 were withdrawn.

At Count 8, the unlawful contact with a minor, we'll impose a sentence of not less than 6 years nor more than 12 years in the state correctional institute, a fine of \$100, and the costs of prosecution.

That sentence is to run concurrently with the sentences at Count 4 and 5, but consecutive to the sentence at Count No. 1. Same terms and conditions.

It's the Courts sentencing scheme to impose a sentence of not less than 26 nor more than 52 years in the state correctional institute in this case for the reasons we set forth on the record.

(N.T. pp. 28-30).

Following sentencing, the defense filed a Motion to Modify Sentence which the court denied by Order of February 12, 2008. Defendant filed a Notice of Appeal on March 10, 2008, which the Superior Court quashed as untimely on May 14, 2008. Upon consideration of Defendant's Petition for Post Conviction Relief, and the

## Commonwealth v. Fernsler

Commonwealth's Answer thereto, the court reinstated Defendant's appellate rights.

Defendant filed a Concise Statement of Matters Complained of on Appeal in which he asserted that the Court failed to state sufficient reasons on the record for imposition of a sentence on Counts 2, 4 and 5 in the aggravated range.

## DISCUSSION

The court properly exercised its discretion in sentencing Defendant and fully set forth on the record appropriate reasons for the sentence.

"In challenging the discretionary aspects of a sentence, the defendant must demonstrate a manifest abuse of discretion." *Commonwealth v. White*, 341 Pa. Super. 261, 270, 491 A.2d 252, 257 (1985). Further, "a sentencing court need only consider the sentencing guidelines prior to imposition of a sentence, and, if it chooses to sentence outside the guidelines, explain the reasons for the deviation." *Commonwealth v. Wright*, 411 Pa. Super. 111, 600 A.2d 1289 (1991) (*citations omitted*). Our Supreme Court has emphasized that "guidelines serve the laudatory role of aiding and enhancing the judicial exercise of judgment regarding case-specific sentencing. ... [t]he guidelines create no presumption in sentencing and do not predominate over other sentencing factors – they are advisory guideposts that are valuable, may provide an essential starting point, and they may be respected and considered; they recommend however, rather than require a particular sentence." *Commonwealth v. Walls*, 592 Pa. 557, 570, 926 A.2d 957, 964 (Pa. 2007).

In reviewing the nature of the sentencing court's discretion, our Supreme Court has explained, "the abuse of discretion standard includes whether the judgment exercised was unreasonable." *Commonwealth v. Walls*, 592 Pa. 557, 565, 926 A.2d 957, 962 (Pa. 2007). In making the "unreasonableness" inquiry, the appellate court is to consider: (1) the nature and circumstances of the offense and the history and characteristics of the defendant, (2) the opportunity of the sentencing court to observe the defendant, including any presentence investigation, (3) the findings upon which the sentence was based, (4) the guidelines promulgated by the commission. 42 Pa.C.S. § 9781 (d).

This sentencing court imposed a sentence in the aggravated range based upon a number of appropriate considerations, including the sexual offenders assessment, which it made part of the record. The Pennsylvania Supreme Court has held that the sentencing court's consideration of particularly egregious facts surrounding sexual abuse of a child,

## Commonwealth v. Fernsler

such as the age of the victim, and an abuse of trust, is a proper exercise of discretion. *Walls, Id.* In the instant matter, we considered the history of the offense, statements by the families of the victims and of the Defendant, and the sentencing guidelines. We found it significant that the Defendant preyed upon these two very young girls, who suffered developmental delays, while they were present in the same room. (N.T. pp. 24-25).

We further noted that the defense presented evidence of Mr. Fernsler's service as a police officer and his volunteer community activities as a clown for children's events and in youth ministry. However, the Sexual Offenders Assessment Board found those to be "grooming" activities whereby Defendant placed himself in a position of trust in order to manipulate children. (N.T. pp. 26-27; Report of Sexual Offenders Assessment Board, October 24, 2007, p. 9). The court considered the testimony of the girls' foster parents as to the impact of the assault upon these children, to whom the parents were seeking to provide security, love and trust following earlier hardships in the children's lives. (N.T. pp. 7-10).

The court considered the Defendant's rehabilitative needs, including evidence of a long term addiction to pornography, which will undoubtedly require many years to address. We also considered Defendant's pattern of denying allegations of his conduct, until it becomes clear that such claims are undeniable. (N.T. pp. 27-28).

Finally, the court properly considered the danger posed to the community by Defendant's apparent inability to control pedophile impulses. One day prior to an original sentencing date of November 14, 2007, Defendant was alleged to have attempted a violent kidnapping of a child in Lebanon County, Pennsylvania.<sup>1</sup>

## CONCLUSION

The court properly exercised its discretion in sentencing Defendant in the aggravated range based upon appropriate reasons fully set forth in the record.

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1. Defendant was charged in Lebanon County with numerous offenses related to Kidnap and Criminal Attempt – Rape. Defendant pled guilty on March 26, 2008 to Criminal Attempt – Rape Forcible Compulsion.

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**THIRD PUBLICATION**

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**Estate Notices**

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ESTATE OF ROBERT D. KELLEY, late of the Township of Wiconisco, Dauphin County, Pennsylvania (died September 12, 2008). Executrix: Janet M. Umberger, 626 North Street, Lykens, PA 17048. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, 4245 Route 209, Elizabethtown, PA 17023. n14-n28

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ESTATE OF ANTHONY D. BASKO, late of Swatara Township, Dauphin County, Pennsylvania. Executor: Jeffrey J. Basko, 2158 Bear Pen Hollow Road, Lock Haven, PA 17745. Attorney: Larry E. Coploff, Esq., Coploff, Ryan & Welch, 136 East Water Street, Lock Haven, PA 17745. n14-n28

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ESTATE OF MARTIN M. SHAMBEDA, late of Hummelstown Borough, Dauphin County, Pennsylvania (died August 26, 2008). Executor: Steven M. Shambeda, Etters, PA. Attorney: Jacqueline A. Kelly, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. Telephone (717) 541-5550. n14-n28

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ESTATE OF CRAIG NEAL EVANS, late of the City of Harrisburg, Dauphin County, Pennsylvania. Executrix: Janice C. Evans, 75 Sam Snead Circle, Etters, PA 17319. Attorney: Gerald J. Shekletski, Esq., Stone LaFaver & Shekletski, P.O. Box E, New Cumberland, PA 17070. n14-n28

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ESTATE OF DORA M. HARTMAN, late of Halifax, Dauphin County, Pennsylvania (died October 31, 2008). Personal Representative: Denise Reinfeld, 668 McClellan Road, Halifax, PA 17032. Attorney: Jeffrey B. Engle, Esq., Shaffer & Engle Law Offices, 512 Market Street, Millersburg, PA 17061. n14-n28

ESTATE OF ERMA M. HOY, late of the City of Harrisburg, Dauphin County, Pennsylvania. Executrix: Sally Morris Moore. Attorneys: Miller & Associates, PC, 1822 Market Street, Camp Hill, PA 17011. n14-n28

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ESTATE OF PHYLLIS A. MOYER, late of Susquehanna Township, Dauphin County, Pennsylvania (died June 10, 2008). Executrix: Mrs. Pamela A. Lytle, 363 Sweetbriar Drive, Harrisburg, PA 17111. Attorney: Stanley A. Smith, Esq., Rhoads & Sinon LLP, One South Market Square, P.O. Box 1146, Harrisburg, PA 17108. n14-n28

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ESTATE OF ANN G. McMICHAEL, late of Lower Paxton Township, Dauphin County, Pennsylvania (died October 5, 2008). Executrix: Colleen L. Krouse, 3453 Ellwood Road, New Castle, PA 16101. Attorney: Gary L. James, Esq., James, Smith, Dietterick & Connelly, LLP, 134 Sipe Avenue, Hummelstown, PA 17036. Telephone (717) 533-3280. n14-n28

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**FIRST PUBLICATION**

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**Corporate Notices**

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on November 10, 2008, with the Commonwealth of Pennsylvania. The name of the corporation is **AKANE Sleep Solutions, Inc.** The corporation has been incorporated under the provisions of the Business Corporation Law of 1988, as amended.

MEGAN C. HUFF, Esq.  
840 East Chocolate Avenue  
Hershey, PA 17033  
(717) 533-5406

n28

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that **Ranger Financial Services, Inc.**, a foreign business corporation incorporated under the laws of the State of TX, where its principal office is located at 1651 N. Collins Boulevard, Suite 215, Richardson, TX 75080, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at c/o Corporation Service Company, Dauphin County, Pennsylvania.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. n28

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NOTICE IS HEREBY GIVEN that **Total Card, Inc.**, a foreign business corporation incorporated under the laws of the State of South Dakota where its principal office is located at 5109 S. Broadband Lane, Sioux Falls, SD 57108, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at c/o Corporation Service Company, Dauphin County, Pennsylvania.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. n28

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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 **Foxxhole Productions, Inc.** on November 12, 2008. The address of its principal office under the laws of its jurisdiction is 2120 Colorado Avenue, Suite 200, Santa Monica CA 9040. The address of its 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 provisions of 15 Pa. C.S. 4124(b). n28

NOTICE IS HEREBY GIVEN that **FIXTURES INSTALLATIONS, INC.**, a foreign business corporation incorporated under the laws of the State of ILLINOIS, received a Certificate of Authority in Pennsylvania on JULY 27, 1999 and surrenders its certificate of authority to do business in Pennsylvania.

Its last registered office in this Commonwealth was located at: Corporation Service Company, 319 Market Street, Harrisburg, PA, and its last registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania.

Notice of its intention to withdraw from Pennsylvania was mailed by certified or registered mail to each municipal corporation in which the registered office or principal place of business of the corporation in Pennsylvania is located.

The post office address, including street and number, if any, to which process may be sent in an action or proceeding upon any liability incurred before the filing of the application for termination of authority is P.O. Box 326, Lincoln, IL 62656. n28

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NOTICE IS HEREBY GIVEN that **PLIBRICO SALES & SERVICE INC.**, a foreign business corporation incorporated under the laws of Illinois, intends to surrender its certificate of authority to do business in Pennsylvania.

Its last registered office in this Commonwealth is c/o PRENTICE-HALL CORPORATION SYSTEM INC, 2704 Commerce Dr., Harrisburg PA 17110-9380 and is deemed for venue and official publication purposes to be located in Dauphin County.

The address of its principal office is c/o KMK Service Corp., One East 4th Street, Suite 1400, Cincinnati, Ohio 45202. n28

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NOTICE IS HEREBY GIVEN that **FOXWOOD GP, INC.** has been organized under the provisions of the Business Corporation Law of 1988 and has filed Articles of Incorporation with the Pennsylvania Department of State. n28

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that **PIKE STATION, INC.** has been organized under the provisions of the Business Corporation Law of 1988 and has filed Articles of Incorporation with the Pennsylvania Department of State. n28

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania on the 23rd day of October, 2008, for the purpose of obtaining a Certificate of Incorporation of a business corporation organized under the Business Corporation Law of the 1988, Act of December 21, 1988 (P.L. 1444, No. 177, as amended).  
The name of the corporation is **MemorySports, Inc.**

The purpose of the corporation is to own and operate an internet-based business and all other activities permitted at law.

A. MARK WINTER, Esq.  
310 W. Chocolate Avenue  
n28 Hershey, PA 17033

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NOTICE IS HEREBY GIVEN that pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, that **PHILADELPHIA BIOGAS SUPPLY, INC.**, a corporation incorporated under the laws of the State of Delaware, with principal office at c/o Linda de la Cerda, Legal Dept., Calpine Corporation, 5th Floor, 50 West San Fernando, San Jose, CA 95113, and registered office in Pennsylvania c/o CT Corporation, Dauphin County, which on July 9, 1992, was granted a Certificate of Authority to transact business in the Commonwealth of Pennsylvania, intends to file an Application for Termination of Authority with the Department of State. n28

NOTICE IS HEREBY GIVEN that **Hilton Service Corporation**, a foreign business corporation incorporated under the laws of Delaware, intends to withdraw from doing business in this Commonwealth. The address, including street and number, if any, of its principal office under the laws of its jurisdiction is c/o Corporation Service Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808.

Its last registered office in this commonwealth is c/o The Prentice-Hall Corporation System, Inc. and is deemed for venue and official publication purposes to be located in Dauphin County. n28

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NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with and approved by the Department of State of the Commonwealth of Pennsylvania at Harrisburg, PA, on November 10, 2008, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Professional Corporation Act of the Commonwealth of Pennsylvania. The name of the corporation is: **NIX & NIX FUNERAL HOMES, INC.** n28

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on October 27, 2008, by **KARCHER FLOOR CARE, INC.**, a foreign corporation formed under the laws of the State of Delaware where its principal office is located at Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801, 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 Corporation Service Company, Dauphin County, Pennsylvania.

DUANE MORRIS, LLP, Solicitors  
30 South 17th Street  
n28 Philadelphia, PA 19103-4196

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on October 14, 2008, by **SynTerra Corporation**, doing business in the Commonwealth of Pennsylvania under the fictitious name of **SYNPA Corporation**, a foreign corporation formed under the laws of the State of South Carolina, where its principal office is located at 148 River Street, Suite 220, Greenville, SC 29601, 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 shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. n28

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on November 19, 2008, by **Strand Systems Engineering, Inc.**, a foreign corporation formed under the laws of the State of Texas where its principal office is located at 2964 LBJ Freeway, #312, Dallas, TX 75234, 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 shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. n28

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NOTICE IS HEREBY GIVEN that the shareholders and directors of **WILKESBARRE STAFFING SERVICES, INC.**, a Pennsylvania corporation, have approved a proposal that the corporation voluntarily dissolve, and that the 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 Business Corporation Law of 1988, as amended. n28

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, that **CarMax Auto Owner Trust 2004-1**, a corporation incorporated under the laws of the State of Delaware, with principal office at c/o John M. Stuckey, III, Esq., **CarMax Business Services LLC**, 12800 Tuckahoe Creek Parkway, Richmond, VA 23238, and registered office in Pennsylvania c/o Corporation Service Company, Dauphin County, which on April 9, 2004, was granted a Certificate of Authority to transact business in the Commonwealth of Pennsylvania, intends to file an Application for Termination of Authority with the Department of State. n28

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on November 18, 2008, by **PACIOLI OPERATIONS CORP.**, a foreign corporation formed under the laws of the State of Florida where its principal office is located at One Independent Drive, Suite 800, Jacksonville, FL 32202, 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 Corporation Service Company, Dauphin County, Pennsylvania. n28

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on November 19, 2008, by **THE NHP FOUNDATION**, a foreign nonprofit corporation formed under the laws of the District of Columbia, where its principal office is located at 122 East 42nd St., Suite 3605, New York, NY 10168, 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. n28

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FIRST PUBLICATION

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Corporate Notices

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on October 15, 2008, by **ClickBuyDrive.com, Inc.**, a foreign corporation formed under the laws of the State of Texas where its principal office is located at 6700 Hollister, Houston, TX 77040, 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 shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. n28

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NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on November 12, 2008, by **RethinkVFX LA**, doing business in the Commonwealth of Pennsylvania as **Rethink VFX LA Inc**, a foreign corporation formed under the laws of the State of California where its principal office is located at 4321 Edenhurst Avenue, Los Angeles, CA 90039, 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 shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. n28

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FIRST PUBLICATION

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Fictitious Notices

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NOTICE IS HEREBY GIVEN that an application for registration of the fictitious name, **Re-Discover Sleep**, with the principal place of business being 907 Muirfield Drive, Hummelstown, PA 17036 was made to the Commonwealth of Pennsylvania on November 10, 2008, pursuant to the provisions of the Business Corporation Law of 1988, as amended. The entity owning or interested in said business is AKANE Sleep Solutions, Inc., 907 Muirfield Drive, Hummelstown, PA 17036.

MEGAN. C. HUFF, Esq.  
840 East Chocolate Avenue  
Hershey, PA 17033  
(717) 533-5406

n28

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NOTICE IS HEREBY GIVEN that an application for registration of the fictitious name, **Rediscover Sleep**, with the principal place of business being 907: Muirfield Drive, Hummelstown, PA 17036 was made to the Commonwealth of Pennsylvania on November 10, 2008, pursuant to the provisions of the Business Corporation Law of 1988, as amended. The entity owning or interested in said business is AKANE Sleep Solutions, Inc., 907 Muirfield Drive, Hummelstown, PA 17036.

MEGAN C. HUFF, Esq.  
840 East Chocolate Avenue  
Hershey, PA 17033  
(717) 533-5406

n28

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

**PETITION FOR CHANGE  
OF NAME**

**NOTICE**

NOTICE IS HEREBY GIVEN that on August 14, 2008 the Petition of **Ashia L. Richardson** was filed in the above named court, requesting a decree to change her son's name from **Kingston Emmanuel Hawkins** to **Kingston James Arthur Richardson**.

The Court has fixed December 9, 2008 in Courtroom No. 7 at 2:30 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.

/s/ ASHIA L. RICHARDSON  
1856 Holly Street  
Harrisburg, PA 17104  
(717) 943-4029

n28

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

**CIVIL ACTION – LAW**

**No. 2008-CV-7867-MF**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**WACHOVIA BANK, N.A., Plaintiff**

vs.

**DODY M. GEWORGES, Defendant**

**TO: DODY M. GEWORGES,  
Defendant**

NOTICE IS HEREBY GIVEN that on 06/25/08, Wachovia Bank, N.A., Plaintiff, filed

a Complaint against you for a default in payment on a Mortgage. The Complaint was reinstated on 11/12/08. The Complaint seeks recovery on the Mortgage in the amount of \$106,847.95 with interest continuing from 06/01/08 at the Mortgage per diem of \$13.30, plus costs of suit and for foreclosure and sale of the mortgaged premises located at 1722 Elm Street, Harrisburg, Dauphin County, PA, Parcel Number of 08-008-039.

**NOTICE**

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 a 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, 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

ANTHONY R. DISTASIO, Esq.  
Linton, Distasio, Edwards & Miller, P.C.  
1720 Mineral Spring Road  
P.O. Box 461  
Reading, PA 19603-0461  
(610) 374-7320

n28

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FIRST PUBLICATION

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Miscellaneous Notices

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IN THE COURT OF COMMON PLEAS  
OF DAUPHIN COUNTY  
PENNSYLVANIA

CIVIL ACTION – LAW

ACTION TO QUIET TITLE

No. 2008 CV 15533 Q.T.

**J. ALEX HARTZLER, Plaintiff**  
vs.

**NICHOLAS C. DISTEFANO,  
and IRENE N. DISTEFANO,  
husband and wife, their heirs,  
successors and assigns, Defendants**

**TO: NICHOLAS C. DISTEFANO,  
and IRENE N. DISTEFANO,  
husband and wife, their heirs,  
successors and assigns**

NOTICE IS HEREBY GIVEN that on the 10th day of November, 2008, the above named Plaintiffs filed a Complaint to Quiet Title as above noted against you seeking a Court Order decreeing that Plaintiffs owner the premises below described in fee simple, free and clear of any and all right, title, interest, claim or demand which you may have in and to said premises. Plaintiff claims to be the owner of said premises by virtue of a tax sale. Plaintiffs further seek to clear and remove any and all clouds of title for the premises which are described as follows:

ALL THAT CERTAIN land in the Eleventh Ward of the City of Harrisburg, County of Dauphin, State of Pennsylvania, more particularly bounded and described as follows:

BEGINNING on the western line of Susquehanna street one hundred four (104) feet and nine (9) inches north of the northern line of Peffer Street; thence westwardly thru the center of the partition wall sixty-nine (69) feet and six (6) inches to a four foot wide private alley; thence northwardly along said alley; thence northwardly along said alley fifteen (15) feet and three (3) inches to Geiger street; thence eastwardly along Geiger Street sixty-nine (69) feet and six (6) inches to Susquehanna Street; thence southwardly along Susquehanna Street fifteen (15) feet and three (3) inches to the place of BEGINNING.

BEING known as 2020 Susquehanna Street.

YOU ARE FURTHER NOTIFIED that the Court of Common Pleas of Dauphin County, Pennsylvania, has ordered that service of the Complaint be made upon Nicholas C. Distefano, his heirs, successors and assigns and Irene N. Distefano, her heirs, successors and assigns, Defendants, by an Order dated November 17, 2008, which requires that this notice be published on time in the Dauphin County Reporter and also in one newspaper of general circulation in Dauphin County, Pennsylvania.

**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

SUSAN H. CONFAIR, Esq.  
2331 Market Street  
Camp Hill, PA 17011  
(717) 763-1383

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

**No. 2008 CV 12711**

**PENNSYLVANIA STATE  
LODGE, FRATERNAL ORDER  
OF POLICE, and LES NERI,  
as President of the Pennsylvania  
State Lodge and Trustee  
Ad Litem of the PENNSYLVANIA  
POLICE LABOR FUND,  
Plaintiffs**

**vs.**

**PENNSYLVANIA POLICE  
LABOR FUND, Defendant**

**ACTION TO COMPEL  
TERMINATION AND DISTRIBUTION  
OF TRUST**

**NOTICE**

TO: Pennsylvania Police Labor Fund and all persons claiming any right, title, claim or interest to the Fund's assets.

TAKE NOTICE THAT Plaintiffs have filed an Action to Compel Termination and Distribution of Trust in the aforesaid Court as of the above number, averring that the purpose of the Fund no longer exists. Plaintiffs request an order declaring the Fund to be terminated and all assets be turned over to Plaintiffs. You are hereby notified to file an Answer within twenty (20) days following the date of this publication. If you fail to do so final judgment may be entered against you, as prayed for in the complaint.

IF YOU WISH TO DEFEND, you must enter a written appearance personally or by an 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. THE 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

/s/ SEAN T. WELBY, Esq.  
Richardson Todd Eagen, Esq.  
Lightman Welby Stoltenberg & Caputo  
2705 North Front Street  
Harrisburg, Pennsylvania 17110  
(717) 234-0111

n28

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

**CIVIL ACTION – LAW**

**No. 2007-CV-12556-MF**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**U.S. BANK NATIONAL  
ASSOCIATION, AS TRUSTEE,  
SUCCESSOR-IN-INTEREST  
TO WACHOVIA BANK, N.A.  
AS TRUSTEE OF MAST ALT  
TRST 2004-5, Plaintiff**

**vs.**

**EDWARD P. CASE and  
JOY A. CASE, Defendants**

**NOTICE**

**TO: EDWARD P. CASE and  
JOY A. CASE**

**NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY**

ALL THAT following described lot of ground situate, lying and being in STEELTON TOWNSHIP, County of DAUPHIN, Commonwealth of Pennsylvania, bounded and limited as follows, to wit:

YOU ARE HEREBY NOTIFIED that your house (real estate) at 321 SOUTH 3RD STREET, STEELTON, PA 17113 is scheduled to be sold at the Sheriff's Sale on January 8, 2009 at 10:00 A.M., at the DAUPHIN County Courthouse, to enforce the Court Judgment of \$43,374.54 obtained by U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE, SUCCESSOR-IN-INTEREST TO WACHOVIA BANK, N.A. AS TRUSTEE OF MAST ALT TRST 2004-5, (the mortgagee), against your Prop. sit. in the City of STEELTON, County of DAUPHIN, and State of Pennsylvania.

BEING PREMISES: 321 SOUTH 3RD STREET, STEELTON, PA 17113. Improvements consist of residential property. Sold as the property of EDWARD P. CASE, JOY A. CASE.

TERMS OF SALE: The purchaser at the sale must take ten (10%) percent down payment of the bid price or of the Sheriff's cost, whichever is higher, at the time of the sale in the form of cash, money order or bank check. The balance must be paid within ten (10) days of the sale or the purchaser will lose the down money.

**THE HIGHEST AND  
BEST BIDDER SHALL BE  
THE BUYER.**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN piece or parcel of land situate in the Borough of Steelton, County of Dauphin and State of Pennsylvania, being seven and one-half (7-1/2) feet of Lot No. 9 and ten (10) feet of Lot No. (blank) in the plan of lots laid out by Rudolph F. Kelker in his third addition to the Borough of Steelton, bounded and described as follows, to wit:

BEGINNING sixty-five (65) feet north of a corner of South Third Street and Cherry Alley at a point on said Third Street; thence in an easterly direction and at right angles to said Third Street one hundred (100) feet, more or less, to Hyacinthe Avenue; thence along said Hyacinthe Alley in a northerly direction seventeen and one-half (17-1/2) feet to a point and land formerly owned by John G. Gurtner; thence along said land formerly of John G. Gurtner in a westerly direction one hundred (100) feet, more or less, to South Third Street; thence along said South Third Street in a southerly direction seventeen and one-half (17-1/2) feet to the place of BEGINNING.

HAVING THEREON ERECTED a frame dwelling house known and numbered as 321 South Third Street, Steelton, Pennsylvania.

TITLE TO SAID PREMISES IS VESTED IN Edward P. Case, III and Joy A. Case, h/w, by Deed from PA. Property Group, II, Inc., a Pennsylvania Corporation, dated 02/27/2004, recorded 03/16/2004, in Deed Book 5409, page 263.

PREMISES BEING: 321 SOUTH 3RD STREET, STEELTON, PA 17113.

Tax Parcel No. 58-011-012.

DANIEL SCHMIEG, Esq.  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

**CIVIL ACTION – LAW**

**No. 2008-CV-03105-MF**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**CITIMORTGAGE, INC.,  
S/B/M TO ABN AMRO MORTGAGE  
GROUP, INC., Plaintiff**

**vs.**

**KIM L. BURROWS, Defendant**

**NOTICE**

**TO: KIM L. BURROWS**

**NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY**

ALL THAT following described lot of ground situate, lying and being in LONDONDERRY TOWNSHIP, County of DAUPHIN, Commonwealth of Pennsylvania, bounded and limited as follows, to wit:

YOU ARE HEREBY NOTIFIED that your house (real estate) at 1442 ZION ROAD, MIDDLETOWN, PA 17057 is scheduled to be sold at the Sheriff's Sale on JANUARY 8, 2009 at 10:00 AM, at the DAUPHIN County Courthouse, to enforce the Court Judgment of \$59,048.60 obtained by CITIMORTGAGE, INC., S/B/M TO ABN AMRO MORTGAGE GROUP, INC., (the mortgagee), against your Prop. sit. in the City of LONDONDERRY, County of DAUPHIN, and State of Pennsylvania.

BEING PREMISES: 1442 ZION ROAD, MIDDLETOWN, PA 17057. Improvements consist of residential property. Sold as the property of KIM L. BURROWS.

TERMS OF SALE: The purchaser at the sale must take ten (10%) percent down payment of the bid price or of the Sheriff's cost, whichever is

higher, at the time of the sale in the form of cash, money order or bank check. The balance must be paid within ten (10) days of the sale or the purchaser will lose the down money.

**THE HIGHEST AND BEST BIDDER  
SHALL BE THE BUYER.**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN LOT OF LAND, WITH THE IMPROVEMENTS THEREON ERECTED, KNOWN AS 1442 ZION ROAD, LOCATED IN LONDONDERRY TOWNSHIP, DAUPHIN COUNTY, PENNSYLVANIA, AND DESCRIBED IN DEED BOOK 1266, PAGE 601, IN THE DAUPHIN COUNTY, PENNSYLVANIA, RECORDER OF DEEDS' OFFICE, SAID LOT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT IN THE CENTERLINE OF ZION ROAD (T-303), SAID POINT BEING APPROXIMATELY FOUR HUNDRED SEVENTY FEET (470 FEET) NORTHEAST OF THE INTERSECTION OF THE SAID ZION ROAD WITH PECK ROAD (T-484); THENCE ALONG LANDS NOW OR LATE OF IRA M. GOOD AND MILDRED E. GOOD AND LANDS NOW OR LATE OF J. MELVIN AND MARILYN L. NISSLEY, RESPECTIVELY, NORTH ZERO DEGREES (0 DEGREES) EIGHTEEN MINUTES (18 MINUTES) ZERO SECONDS (0 SECONDS) WEST, SEVEN HUNDRED FEET (700.00 FEET) TO A POINT; THENCE ACROSS LANDS NOW OR LATE OF EDWARD G. AND CHRISTINE L. WISE AND ALONG LOT 2 OF THE HERINAFTER MENTIONED FINAL PLAN, THE FOLLOWING THREE (3) COURSES AND DISTANCES; (1) NORTH EIGHTY-NINE DEGREES (89 DEGREES) FORTY-TWO MINUTES (42 MINUTES) ZERO SECONDS (0 SECONDS) EAST, FIFTY-FIVE FEET (55.00 FEET) TO A POINT; THENCE (2) SOUTH NINETEEN DEGREES (19 DEGREES) FORTY-TWO MINUTES (42 MINUTES) TWENTY-SEVEN SECONDS (27 SECONDS) EAST, THREE HUNDRED THIRTY-FIVE AND FIFTY HUNDREDTHS FEET (335.50 FEET) TO A POINT; THENCE (3) SOUTH FIFTY-THREE DEGREES (53 DEGREES) ZERO MINUTES (0 MINUTES) ZERO SECONDS (0 SECONDS) EAST, ONE

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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HUNDRED FEET (100.00 FEET) TO A POINT IN THE CENTERLINE OF THE AFORESAID ZION ROAD (T-303); THENCE ALONG THE CENTERLINE OF THE SAID ZION ROAD, SOUTH THIRTY-SEVEN DEGREES (37 DEGREES) ZERO MINUTES (0 MINUTES) ZERO SECONDS (0 SECONDS) WEST, FIVE HUNDRED EIGHTY-ONE FEET (581.00 FEET) TO THE POINT OF BEGINNING. CONTAINING EIGHTY-SEVEN THOUSAND TWO HUNDRED SEVENTY-ONE (87,271) SQUARE FEET, 2.0035 ACRES, BEING LABELED LOT I ON A CERTAIN PLAN TITLED 'FINAL PLAN FOR WISE SUBDIVISION,' PREPARED BY LIGHT-HEXGEL AND ASSOCIATES, INC. DATED NOVEMBER 9, 1990, DRAWING 090-123, RECORDED IN SUBDIVISION PLAN BOOK F-5-44 ON MAY 20, 1991.

A.P.N. 34-28-22.

TITLE TO SAID PREMISES IS VESTED IN Barry L. Burrows and Kim L. Burrows, h/w, by Deed from Edward G. Wise and Christine L. Wise, h/w, dated 09/27/1991, recorded 10/01/1991, in Deed Book 1635, page 241.

PREMISES BEING: 1442 ZION ROAD, MIDDLETOWN, PA 17057.

Tax Parcel No. 34-028-032.

DANIEL SCHMIEG, Esq.  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

n28

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

**CIVIL ACTION – LAW**

**No. 2007-SU-9284-MF**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**U.S. BANK NATIONAL  
ASSOCIATION, AS TRUSTEE  
FOR CSFB HEAT 2006-4, Plaintiff**

**vs.**

**JANICE K. HICKS and  
TONYA HUSTON, Defendants**

**NOTICE**

**TO: JANICE K. HICKS and  
TONYA HUSTON**

**NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY**

ALL THAT following described lot of ground situate, lying and being in HARRISBURG TOWNSHIP, County of DAUPHIN, Commonwealth of Pennsylvania, bounded and limited as follows, to wit:

YOU ARE HEREBY NOTIFIED that your house (real estate) at 2312 SWATARA STREET, HARRISBURG, PA 17104 is scheduled to be sold at the Sheriff's Sale on JANUARY 8, 2009 at 10:00 AM, at the DAUPHIN County Courthouse, to enforce the Court Judgment of \$142,473.60 obtained by U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR CSFB HEAT 2006-4, (the mortgagee), against your Prop. sit. in the City of HARRISBURG, County of DAUPHIN, and State of Pennsylvania.

BEING PREMISES: 2312 SWATARA STREET, HARRISBURG, PA 17104. Improvements consist of residential property. Sold as the property of JANICE K. HICKS, TONYA HUSTON.

TERMS OF SALE: The purchaser at the sale must take ten (10%) percent down payment of the bid price or of the Sheriff's cost, whichever is higher, at the time of the sale in the form of cash, money order or bank check. The balance must be paid within ten (10) days of the sale or the purchaser will lose the down money.

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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**THE HIGHEST AND BEST BIDDER  
SHALL BE THE BUYER.**

**LEGAL DESCRIPTION**

ALL THAT CERTAIN lot or piece of ground situate in the 13th Ward of the City of Harrisburg, County of Dauphin, Pennsylvania, described as follows:

BEGINNING at an iron pipe on the north side of Swatara Street, 445 feet west of the northwest corner of 24th and Swatara Streets; Thence in a northerly direction at right angles to Swatara Street, along the eastern boundary line of land now or late of Joseph K. Noll, et ux, 120.22 feet to an iron pipe on the south side of what was formerly Sullivan Alley, now vacated; Thence in an easterly direction along the southern side of Sullivan Alley, 75.03 feet to an iron pipe; Thence in a southerly direction 123.35 feet, more or less, to an iron pipe on the north side of Swatara Street; And Thence westerly along the northern line of Swatara Street 75 feet, more or less, to the place of BEGINNING.

BEING the eastern one-half of Lot No. K-20 and all of Lot No. K-21 on Plan of Bellevue Park, said Plan being recorded in the Office of the Recorder of Deeds in and for Dauphin County, Pennsylvania, in Plan Book J, Page 38.

HAVING thereon erected a single family ranch type dwelling known as 2312 Swatara Street, Harrisburg, Pennsylvania.

THIS CONVEYANCE is exclusive of the southern one half of vacated Sullivan Alley adjacent to the northern boundary of the land herein conveyed, part of the which southern one half of vacated Sullivan Alley was conveyed by the Edward F. Kramer and Mariam S. Kramer, his wife to Sidney E. Friedman and Florence B. Friedman, his wife by deed dated May 27, 1965, and part of which southern one half of vacated Sullivan Alley was conveyed by Edward F. Kramer and Mariam S. Kramer, his wife, to Fourth United Church of Christ by Deed dated May 27, 1965 title to which vested in Edward F. Kramer and Mariam S. Kramer, by reason of the vacation of Sullivan Alley aforesaid.

TITLE TO SAID PREMISES IS VESTED IN Janice K. Hicks, a single woman and Tonya Huston, an adult individual, as joint tenants with the right of Survivorship, by Deed from Cynthia L. Harris, a/k/a, Cynthia Scott Harris, a single woman, dated 02/10/2006, recorded 02/14/2006, in Deed Mortgage Inst# 20060005892.

PREMISES BEING: 2312 SWATARA STREET, HARRISBURG, PA 17104.  
Tax Parcel No. 13-006-013.

DANIEL SCHMIEG, Esq.  
One Penn Center at Suburban Station  
1617 John F. Kennedy Boulevard  
Suite 1400  
Philadelphia, PA 19103  
(215) 563-7000

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For Information or Fee Schedule

Contact us at:

104 Walnut Street  
Harrisburg, PA 17101

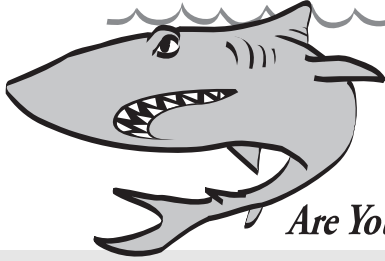
Or

P: 717-232-6739

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## CUMULATIVE TABLE OF CASES

Centric Bank, Schmitt v. . . . .	1
Commonwealth v. Fernsler . . . . .	64
Commonwealth v. Hosby . . . . .	32
Commonwealth v. Montelione . . . . .	10
Cox, Wilson, et al. v. . . . .	57
Estrada v. Olt, et al. . . . .	42
Fernsler, Commonwealth v. . . . .	64
Hershey Medical Center, et al., Lopresti v. . . . .	48
Hosby, Commonwealth v. . . . .	32
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
Montelione, Commonwealth v. . . . .	10
Olt, et al., Estrada v. . . . .	42
Pennswood Apartments L.P. v. Keystone Service Systems, Inc. . . . .	27
Schmitt v. Centric Bank . . . . .	1
Wilson, et al. v. Cox . . . . .	57

**BAR ASSOCIATION PAGE**  
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**DAUPHIN COUNTY COURT SECTION**

*Motion Judge of the Month*

NOVEMBER 2008  
DECEMBER 2008

Judge Todd A. HOOVER  
Judge Bruce F. BRATTON

*Opinions Not Yet Reported*

**BAR ASSOCIATION PAGE – Continued**

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