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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 MICHAEL THOMAS SAMMARTINO, late of Lower Paxton Township, Dauphin County, Pennsylvania (died January 21, 2013). Administrator: Shelby LW Sammartino. Attorney: Susan H. Confair, Esq., Reager & Adler, PC, 2331 Market Street, Camp Hill, PA 17011 a5-a19

ESTATE OF JOSEPH C. WHITE, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executrix: Sharee C. White, 106 Lincoln Lane, Millersburg, PA 17061. Attorney: Earl Richard Eitzweiler, Esq., 105 N. Front Street, Harrisburg, PA 17101.

a5-a19

ESTATE OF LUCILLE M. STABILE, late of Susquehanna Township, Dauphin County, Pennsylvania. Executrix: Anita L. Stabile, 112 South Madison Street, Harrisburg, PA 17109. Attorney: Keith O. Brenneman, Esq., Snelbaker & Brenneman, P. C., 44 W. Main Street, P. O. Box 318, Mechanicsburg, PA 17055 a5-a19

ESTATE OF RICHARD W. FERRETTI, late of Lower Paxton Township, Dauphin County, Pennsylvania (died February 13, 2013). Executrix: Maryland Kay Ferretti, 4419 Avon Drive, Harrisburg, PA 17112. Attorney: Leon P. Haller, Esq., Purcell, Krug & Haller, 1719 North Front Street, Harrisburg, PA 17102. a5-a19

ESTATE OF PEARL M. SHANNON, late of West Hanover Township, Dauphin County, Pennsylvania (died March 11, 2013). Administrators: Kevin B. Shannon, 6760 Cornell Road, Harrisburg, PA 17112 and Kathleen M. Sarver, 7772 Windwood Drive, Dublin, OH 43017. Attorney: Elyse E. Rogers, Esq., Saidis, Sullivan & Rogers, 635 North 12th Street, Suite 400, Lemoyne, PA 17043.

a5-a19

ESTATE OF MARGARET G. HANNAGAN, late of Dauphin County, Pennsylvania (died January 24, 2013). Executor/Administrator: Margaret H. Cyran, 1670 Brookline Drive, Hummelstown, PA 17036 a5-a19

FIRST PUBLICATION

Estate Notices

ESTATE OF JACK D. ETNOYER, late of South Hanover Township, Dauphin County, Pennsylvania, (died July 28, 2012) Administrator: Sherry L. Etnoyer (Aldinger), 3041 Fermanagh Drive, Tallahassee, FL 32309. Attorney: Jean D. Seibert, Esq., WION, ZULLI & SEIBERT, 109 Locust Street, Harrisburg, PA 17101. a5-a19

ESTATE OF DALE L. KOPPENHAVER, late of Millersburg Borough, Dauphin County, Pennsylvania. Co-Executors: Brandi K. Koppenhaver (Switek), 115 Foxcroft Lane, Robesonia, PA 19551 and Jason D. Koppenhaver, 175 Green Acres Avenue, Elizabethtown, PA 17023. Attorney: Earl Richard Etzweiler, Esq., 105 N. Front Street, Harrisburg, PA 17101. a5-a19

ESTATE OF RUTH E. SHANK, late of Lower Swatara Township, Dauphin County, Pennsylvania. Personal Representative/ Executrix: Mary K. Lemon, 12 Midland Court, Middletown, PA 17057. Attorney: David H. Judy, Esq., SkarlatosZonarich LLC, 17 South 2nd Street, Floor 6, Harrisburg, PA 17101. a5-a19

ESTATE OF EDITH M. WERT, late of South Hanover Township, Dauphin County, Pennsylvania (died January 3, 2013). Co-Executors: Larry Raynes, 341 Rexmont Road, Rexmont, PA 17085, and Robyn Hare, 712 Russell Drive, Harrisburg, PA 17112. Attorney: Christa M. Aplin, Esq., Jan L. Brown & Associates, 845 Sir Thomas Court, Suite 12, Harrisburg, PA 17109. a5-a19

ESTATE OF GRACE M. MARTINEC, late of Susquehanna Township, Dauphin County, Pennsylvania. Executrix: Elizabeth A. Martinec, 5883 Laurel Street, Harrisburg, PA 17112. Attorney: John R. Beinhaur, Esq., Curcillo Law, LLC, 3964 Lexington Street, Harrisburg, PA 17109. a5-a19

SECOND PUBLICATION

Estate Notices

ESTATE OF CHRISTOPHER HAWK, late of Halifax, Dauphin County, Pennsylvania. Administrator: Anne Hawk. Attorney: Richard G. Scheib, Esq., 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293. m29-a12

ESTATE OF STELLA J. COBAUGH, late of Paxtang Township, Hummelstown, Dauphin County, Pennsylvania (died March 6, 2013). Executrix: Nancy J. Kennedy. Attorney: David M. Watts, Jr., Esq., McNees Wallace & Nurick LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166. m29-a12

ESTATE OF JOHN K. LYTER, late of Borough of Dauphin, Dauphin County, Pennsylvania. Executrix: Suzi K. Lyter a.k.a. Suzanne K. Lyter. Attorney: Charles E. Shields, III, Esq., 6 Clouser Rd., Mechanicsburg, Pennsylvania 17055. m29-a12

ESTATE OF SANDOR STERNBERG late of Susquehanna Township, Dauphin County, Pennsylvania (died February 1, 2013). Co-Executors: Edwin Sternberg, 2313 Forest Lane, Harrisburg, PA 17112 and Rita Gordon, 3493 Green St., Harrisburg, PA 17110. Attorney: Herschel Lock, 3107 North Front St., Harrisburg, PA 17110. m29-a12

Poskin v. Pennsylvania State Board of Nursing**Constitutional Law — Due Process - Professional Licensure — Disciplinary Record — Expungement — Appellate Jurisdiction.**

Plaintiff/Appellant sought expungement of a disciplinary action against him for lapse of his RN license and practicing nursing without a license. The Court found that jurisdiction for Appellant's appeal was vested in the Commonwealth Court and not the Court of Common Pleas.

1. A preliminary objection in the nature of a demurrer is properly granted where the contested pleading is legally insufficient. *Kirschner v. K & L Gates LLP*, 46 A.3d 737, 747 (Pa. Super. 2012). Preliminary objections in the nature of a demurrer should be sustained only if, assuming the averments of the complaint to be true, the plaintiff has failed to assert a legally cognizable cause of action. *Lerner v. Lerner*, 954 A.2d 1229, 1234 (Pa. Super. 2008).

2. When judging an appeal from a Commonwealth agency on the merits, a reviewing court "must affirm the decision . . . unless there has been an error of law, a violation of constitutional rights or the decision is not supported by substantial evidence." *Rafferty v. Com., State Bd. of Nurse Examiners*, 471 A.2d 1339, 1340 (Pa. Commw. 1984) *rev'd in part*, 508 Pa. 566, 499 A.2d 289 (1985).

3. The Pennsylvania Constitution provides "There shall be a right of appeal in all cases to a court of record from a court not of record; and there shall also be a right of appeal from a court of record or from an administrative agency to a court of record or to an appellate court, the selection of such court to be as provided by law; and there shall be such other rights of appeal as may be provided by law." *Pa. Const. art. V, §9*. Section 702 of the Administrative Agency Law provides "any person aggrieved by an adjudication of a Commonwealth agency who has a direct interest in such adjudication shall have the right to appeal therefrom to the court vested with jurisdiction of such appeals by or pursuant to Title 42 (relating to judiciary and judicial procedure). 2 *Pa. Cons. Stat. §702*. Title 42 provides that "each court of common pleas shall have jurisdiction of appeals from final orders of government agencies" and when specifically involving an agency of the Commonwealth, jurisdiction is limited to determinations of the Department of Health, Transportation, Revenue, Labor and Commerce, and the Liquor Control and Workers' Compensation Boards. The statute says nothing about determinations of the Department of State or specifically the Board of Nursing.

4. The Courts of Common Pleas in Pennsylvania lack jurisdiction to hear appeals from the State Board of Nursing.

Preliminary Objections. C.P., Dau. Co., No. 2012-CV-2493-MP. Objections granted.

Neal A. Sanders, for Appellant

Timothy P. Keating, for Appellee

EVANS J. February 12, 2013 – In March 2012, Joel Poskin (Appellant), a licensed Registered Nurse in the Commonwealth of Pennsylvania, brought suit in Court of Common Pleas, Dauphin County against the Pennsylvania State Board of Nursing (Appellee) alleging his

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rights under the Pennsylvania Constitution were violated because the Board denied his petition seeking the expungement of a disciplinary action against him for lapse of his RN license and practicing nursing without a license.

Sometime in 2008, Appellant claimed to have moved his residence and to have notified Appellee of the change of address at that time. Appellee, an agency of the Commonwealth which grants licenses to nurses, had mailed Appellant's license renewal application to Appellant's address, but Appellant claimed Appellee had mailed the renewal application to his previous address instead of properly mailing it to his new address. As a result, Appellant claimed he did not receive the renewal application and was, therefore, unaware that he needed to renew his RN license. Consequently, his license lapsed. In October 2010, Appellant's employer, having become aware that Appellant's RN license had lapsed, decided to terminate his employment. Appellant has asserted this was the first time he became aware that his license had lapsed.

Based on the lapse of his license, Appellee issued to Appellant a citation for practicing nursing without a license for 12 months, and assessed a fine of \$1,000. Appellant did not contest the issuing of the citation, and paid the \$1,000 fine. In response to the satisfactory payment of the fine, Appellee reinstated Appellant's RN license. Appellant claimed, however, that because of the presence of the citation on his licensing disciplinary record, no private or public employers would hire him as an RN in the state.

In June 2011, Appellant filed an administrative petition with Appellee seeking to have the citation removed from his licensing disciplinary record. In July 2011, Appellee rendered a decision denying his petition. In doing so, Appellee noted in its Order "that there is no procedure in the Professional Nursing Law or Board regulations authorizing [Appellee] to remove disciplinary action such as a citation from [Appellant's] past disciplinary history"

In March 2012, in response to this denial from Appellee, Appellant filed a Complaint with the Court of Common Pleas, Dauphin County, asserting a violation of his rights under the Pennsylvania State Constitution. Specifically, Appellant claimed violation of his rights under article I, section 1, guaranteeing "inherent and indefeasible rights, among which are those of enjoying life and liberty, of acquiring, possessing and protecting property" Pa. Const. art. I, §1. Appellant

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claimed these rights were violated because Appellee failed to maintain a licensee's disciplinary history in such a way as to differentiate between citations issued for lapsed licenses as a result of licensee ignorance and citations for more egregious substandard nursing practices or willful misconduct; and failed to implement a procedure, by either petition or passage of time, for expunging citations from a licensee's record which do not involve substandard nursing practices. Appellant additionally claimed Appellee's denial of his petition was not reasonably related to the state's interest in regulating professional nurses to ensure quality healthcare. Appellant sought an order from the Court declaring Appellant's practices and procedures in violation of the Pa. State Constitution, requiring expungement of the Citation from Appellee's licensing disciplinary record, and ordering Appellee to implement administrative procedures to effectuate such expungement.

In June 2012, in response to Appellant's Complaint, Appellee filed Preliminary Objections. Appellee's Preliminary Objections asserted Appellant failed to state a cause of action, and lack of jurisdiction by this Court. Oral argument was heard on the matter, and in August of 2012, the Court granted Appellee's Preliminary Objections for failure to state a cause of action for which relief could be granted. In December 2012, Appellant filed notice of Appeal to Commonwealth Court.

In his statement of matters complained of on appeal, Appellant claims that (1) he properly set forth a valid claim for the deprivation of rights secured under the Pennsylvania Constitution; (2) the Board's failure to provide a mechanism for offenders to expunge their disciplinary records infringed on his constitutional rights; and (3) Appellant's action was not a mandamus action in disguise.

A trial court may properly rule on preliminary objections relying only on the pleadings submitted by the parties where no factual issues are raised which necessitate the reception of evidence. *Wimble v. Parx Casino & Greenwood Gaming & Entm't Inc.*, 40 A.3d 174, 179 (Pa. Super. 2012). A trial court's decision regarding preliminary objections will be reversed only where there has been an error of law or abuse of discretion. *Cooper v. Frankford Health Care Sys., Inc.*, 960 A.2d 134, 144 (Pa. Super. 2008).

An order granting preliminary objections in the nature of a demurrer is a final order and is, therefore, appealable immediately. *D'Elia v. Folino*, 933 A.2d 117, 121 (Pa. Super. 2007). When reviewing the dismissal of a complaint based upon preliminary objections in the nature of a demurrer, the reviewing court treats as true all well-pleaded material,

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factual averments, and all inferences fairly deducible therefrom. *Id.* Where the preliminary objections will result in the dismissal of the action, the objections may be sustained only in cases that are clear and free from doubt *Id.* To be clear and free from doubt that dismissal is appropriate, it must appear with certainty that the law would not permit recovery by the plaintiff upon the facts averred. *Id.* Any doubt should be resolved by a refusal to sustain the objections. *Id.* Moreover, the court reviews the trial court's decision for an abuse of discretion or an error of law. *Id.*

Pennsylvania Rule of Civil Procedure 1028 provides for preliminary objections to be filed by any party to any pleading, but limits them to certain grounds, including, among other things, subject matter and personal jurisdiction, and legal insufficiency of a pleading (demurrer). Pa.R.C.P. 1028. A preliminary objection in the nature of a demurrer is properly granted where the contested pleading is legally insufficient. *Kirschner v. K & L Gates LLP*, 46 A.3d 737, 747 (Pa. Super. 2012). Preliminary objections in the nature of a demurrer should be sustained only if, assuming the averments of the complaint to be true, the plaintiff has failed to assert a legally cognizable cause of action. *Lerner v. Lerner*, 954 A.2d 1229, 1234 (Pa. Super. 2008).

Appellant claimed the Nursing Board's current practices, procedures, or regulations violate the Pa. Constitution because the agency does not differentiate between citations issued for lapse of license and those issued for more egregious misconduct. When judging an appeal from a Commonwealth agency on the merits, a reviewing court "must affirm the decision ... unless there has been an error of law, a violation of constitutional rights or the decision is not supported by substantial evidence." *Rafferty v. Com., State Bd. of Nurse Examiners*, 471 A.2d 1339, 1340 (Pa. Commw. 1984) *rev'd in part*, 508 Pa. 566, 499 A.2d 289 (1985). Our courts have upheld, as Appellant has correctly stated, the principle that "the right to lawful employment is absolute," *Nixon v. Pennsylvania*, 789 A.2d 376, 382 (Pa. Commw. 2001).

Appellant argues that because no employers will hire a RN with a citation of any sort on his or her disciplinary record, Appellee, by failing to permit the expungement of his citation from his record, has effectively "barred every offender from ever again obtaining employment in the field of nursing." Plaintiff's Brief in Opposition to Defendant's Preliminary Objections to Plaintiff's Complaint at 6, *Poskin v. State Bd. of Nursing*, No. 2012-CV-2493 MP. Appellant stated the "eternal stigma imposed by an entry in [Appellant]'s disciplinary history database..." is

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not deserved, and that a regulatory scheme that does not provide for expungement of the disciplinary record for commission of “minor or administrative offense[s]...” *Id* at 8. Appellant claims that it is because of an “administrative oversight” he is “barred from the profession forever...” *Id*. In other words, the maintenance of a disciplinary record of minor offenses for nurses damages Appellant’s reputation, preventing him from obtaining employment. Appellant also argues that “a state may not deprive an individual of [an important] right unless it can be shown that such deprivation is reasonably related to the state interest that is sought to be protected.” *Id*.

Citing to *Warren County Human Services v. Pennsylvania*, 844 A.2d 70, (Pa. Commw. 2004), Appellant asserts that a statutory ban from employment held to be unconstitutional is held to a rational basis test, and that “a state may not deprive an individual of [the right to engage in a particular occupation] unless it can be shown that such a deprivation is reasonably related to the state interest that is sought to be protected.” Appellant’s Concise Statement of Matters Complained of on Appeal at 3. There are few similarities between *Warren* and the facts in Appellant’s case. In *Warren*, a government employee was fired, on the basis of the Child Protective Services Law (CPSL), 23 Pa.C.S. §§6301-6385, because of a previous criminal conviction for aggravated assault. Here, Appellant has not presented any specific facts indicating he has been fired or denied employment by an agency of the Commonwealth, nor is he able to assert that his license to practice as a nurse has been withheld. Appellant has incorrectly analogized an actual statutory ban on employment with a disciplinary history upon which employers may rely when making hiring decisions. Still, Appellant has made no factual allegations concerning specific employers, private or public, who have denied him employment.

Appellee, as an agency of the Commonwealth, has been vested by the legislature with the power to suspend or revoke nursing licenses in the state. The Professional Nursing Law provides as follows:

All suspensions and revocations shall be made only in accordance with the regulations of the Board, and only by majority vote of the members of the Board after a full and fair hearing before the Board. All actions of the Board shall be taken subject to the right of notice, hearing and adjudication, and the right of appeal therefrom, in accordance with the provisions in Title 2 of the Pennsylvania Consolidated Statutes (relating to administrative law and procedure), or any amend-

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ment or reenactment thereof, relating to adjudication procedure. The Board, by majority action and in accordance with its regulations, may reissue any license which has been suspended. If a license has been revoked, the Board can reissue a license only in accordance with section 15.2.

63 Pa. Stat. §225. The law, as stated, clearly provides for a process which is due to a person subject to suspension or revocation.

Appellant has declared a violation of his rights under the Pennsylvania State Constitution, specifically under article I, section 1, guaranteeing “inherent and indefeasible rights, among which are those of enjoying life and liberty, of acquiring, possessing and protecting property” Pa. Const. art. I, §1. The Pennsylvania Supreme Court has said that “due process rights are considered to emanate from . . . “this and other sections of our state Constitution. *R. v. Pennsylvania*, 535 Pa. 440, 460, 636 A.2d 142, 152 (1994). The Court took that occasion to reiterate that “in Pennsylvania, reputation is an interest that is recognized and protected by our. . . Constitution.” The Court also referenced section 11 of article 1, in that it makes “explicit reference to ‘reputation,’ providing the basis for this [c]ourt to regard it as a fundamental interest which cannot be abridged without compliance with constitutional standards of due process and equal protection.” *Id.* at 454, 636 A.2d at 149. Having determined that Appellant possesses such a protected interest that will be affected by his petition for expungement, a court must assess the extent to which he would be deprived of that interest. *Id.* Because we are dealing with Appellant’s reputation, an inquiry would have to “focus on the extent to which the information contained in [a disciplinary record] is readily available and/or accessible.” *Id.* The court would be specifically “concerned with the circumstances under which [a petitioner]’s identity [would] be revealed.” *Id.*

It is quite natural, then, that most cases attacking the suspension or revocation of a nursing license in Pennsylvania have been on due process grounds. *See, e.g. Kindle v. State Bd of Nurse Examiners*, 512 Pa. 44, 515 A.2d 1342 (1986) (length of delay between nurse’s misconduct and administrative proceeding to suspend her license for that misconduct was an important consideration in determining whether nurse had been prejudiced by the delay). The Pennsylvania Supreme Court focuses on the similarities between article 1, section 1 and the Fourteenth Amendment of the U.S. Constitution in the area of deprivations of property. *R. v. Pennsylvania* at 462, 636 A.2d at 152. However, unlike federal standards, the Court noted the ‘Declaration of Rights

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places reputation in the same class with life, liberty and property.’ ” *Id.* (citing *Hatchard v. Westinghouse Broadcasting Co.*, 516 Pa. 184, 194, 532 A.2d 346, 351 (1987) (quoting *Meas v. Johnson*, 185 Pa. 12, 19, 39 A. 562, 563 (1898))). Therefore, the “due process guarantees that apply to deprivations of property under Section 1 apply with equal force to deprivations of reputation and [the] other protected interests.” *Id.* Moreover, those guarantees “are identical to those which extend to interests protected by the Due Process Clause of the Fourteenth Amendment.” *Id.*

In view of this, the Court adopted the *Mathews v. Eldridge*, 424 U.S. 319 (1976) methodology to assess due process claims brought under article 1, section 1 of the Pennsylvania Constitution. In *Mathews*, the United States Supreme Court formulated an approach for assessing whether state action offends the Fourteenth Amendment’s due process guarantees. The Court stressed that procedural due process calls for protections tailored to the demands of the particular situation, making it necessary to balance competing interests. The Court identified three distinct factors that must be considered:

First, the private interest that will be affected by the official, action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government’s interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirements will entail.

Mathews at 334.

Appellant here has not only failed to address these factors of a due process claim, but has failed even to infer that such due process standards were violated. He asserts that his constitutional rights have been violated because of the maintenance of a disciplinary record which contains evidence of the lapse of his license. As stated *supra*, Appellee issued a citation to Appellant and assessed a \$1,000 fine. Once paid, Appellee reinstated Appellant’s license to practice nursing in Pennsylvania. Issuance of citations and assessment of fines in an administrative or regulatory setting are commonplace; so is maintenance of disciplinary histories. Appellee has taken no affirmative action to prevent Appellant in any way from obtaining employment in the state with either a private or public employer, and cannot be derivatively held to have barred Appellant from obtaining employment in this state, nor to

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have violated his constitutional rights, because of the decisions of such employers. Appellant has failed to raise any cognizable cause of action, and hence, the Court of Common Pleas did not make an error of law or abuse its discretion in granting Appellee's Preliminary Objections.

Appellant has demanded that this Court issue an order requiring the Nursing Board to amend its current practices, procedures, or regulations because the agency does not differentiate between citations issued for lapse of license and those issued for more egregious misconduct. Appellant argues that the lapse of a license as a result of licensee ignorance should be differentiated from more serious misconduct such as substandard nursing practices. Still, Appellant has not at all argued that an agency of the Commonwealth ought to make such a differentiation, but has inferred that less egregious, administrative violations are not harmful of the public interest. As the Court stated in *Ullo v. State Bd. of Nurse Examiners*, 41 Pa. Commw. 204, 208, 398 A.2d 764, 766 (1979), the "fallacy of this argument, however, is that the public interest served by a license suspension or revocation is not limited to the protection of patients. Equally important to the public interest is the necessity for regulation and discipline of the profession to prevent such unauthorized medical practices in the future." *Id.* Appellant permitted his nursing license to lapse for 12 months, and continued to practice nursing, in contravention to the regulations, during that time period. Appellant failed to make out the elements of a cognizable cause of action, and this Court did not make an error of law or abuse its discretion in granting Appellee's Preliminary Objections.

Appellant also asked that this Court issue an order directing the Nursing Board to expunge Appellant's disciplinary history with respect to the citation issued to Appellant for lapse of his RN license, and for practicing nursing for 12 months when he failed to timely renew his license. Expungement means the removal of "information so that there is no trace or indication that such information existed; the elimination of "all identifiers which may be used to trace the identity of an individual, allowing remaining data to be used for statistical purposes; or" the "maintenance of certain information required or authorized under the provisions of section 9122(c) (relating to expungement), when an individual has successfully completed the conditions of any pretrial or post-trial diversion or probation program." 18 Pa. Cons. Stat. §9102.

Appellant has failed to present any facts which lead to an inference that expungement proceedings are required by an agency of the Commonwealth. Once again, as stated *supra*, Appellant has failed to

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attack the maintenance of nursing disciplinary histories, or any expungement proceeding, on reputational and due process grounds, and as a result has failed to make out the elements of a cognizable cause of action.

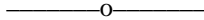
Finally, the Pennsylvania Constitution provides “There shall be a right of appeal in all cases to a court of record from a court not of record; and there shall also be a right of appeal from a court of record or from an administrative agency to a court of record or to an appellate court, the selection of such court to be as provided by law; and there shall be such other rights of appeal as may be provided by law.” Pa. Const. art. V, §9. A constitutional provision addressing the original jurisdiction of the court of common pleas does not govern the jurisdiction of the court of common pleas to consider appeals from final orders of government agencies. *Mohamed v. Commonwealth*, 40 A.3d 1186, 1195 (Pa. 2012). Section 702 of the Administrative Agency Law provides “any person aggrieved by an adjudication of a Commonwealth agency who has a direct interest in such adjudication shall have the right to appeal therefrom to the court vested with jurisdiction of such appeals by or pursuant to Title 42 (relating to judiciary and judicial procedure). 2 Pa. Cons. Stat. §702. Title 42 provides that “each court of common pleas shall have jurisdiction of appeals from final orders of government agencies” and when specifically involving an agency of the Commonwealth, jurisdiction is limited to determinations of the Departments of Health, Transportation, Revenue, Labor, and Commerce, and the Liquor Control and Workers’ Compensation Appeal Boards. The statute also provides for appeals jurisdiction being vested in the courts of common pleas by any statute hereafter enacted. 42 Pa. Cons. Stat. §933. The statute says nothing about determinations of the Department of State or specifically the Board of Nursing.

1. Appellant also takes issue with Appellee’s assertion that Appellant’s complaint is a defacto request for mandamus relief. Mandamus is a “writ issued by a superior court to compel a lower court or a government officer to perform mandatory or purely ministerial duties correctly.” Black’s Law Dictionary 980 (80th ed. 2004). Ministerial means “of or relating to an act that involves obedience to instructions or laws instead of discretion, judgment, or skill.” *Id.* at 1017. A ministerial act is one “performed without the independent exercise of discretion of judgment. If the act is mandatory, it is also termed a ministerial duty.” *Id.* at 26. A ministerial duty is one that “requires neither the exercise of official discretion nor judgment.” *Id.* at 545

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In light of the foregoing, this Court did not make an error law or abuse its discretion in granting the Preliminary Objections because Appellant failed to plea a cognizable cause of action and because the courts of common pleas in Pennsylvania lack jurisdiction to hear appeals from the State Board of Nursing. Accordingly, the granting of the Preliminary Objections should be upheld.

Pennsylvania's Nursing Law does not provide specifically for appeals jurisdiction in courts of common pleas. Also, it is evident from these statutes that jurisdiction of any appeal from an agency of the Commonwealth, other than those listed in Title 42, is vested in Commonwealth Court and not the courts of common pleas. As a result, jurisdiction to hear Appellant's appeal is not properly vested in the Court of Common Pleas, Dauphin County.¹



1. (*continued*) A request for a writ of mandamus is an extraordinary remedy designed to compel performance of a ministerial act or mandatory duty. *Orange Stones Co. v. City of Reading, Zoning Hearing Bd.*, 32 A.3d 287 (Pa. Commw. 2011). There must be a clear legal right in the petitioner, a corresponding duty in the governmental body, and absence of any other adequate and appropriate remedy. *Id.* It is apparent from the facts of this case that Appellant's request is not at all a mandamus request. Although it may be within Appellee's discretion to delete certain information from Appellant's disciplinary history, there no admitted duty to do so, nor is there is anything that suggests Appellee's duty to perform a mandatory act correctly, as there is no admitted or alleged duty in Appellee to act. Hence, we find that Appellant's claim is not a request for writ of mandamus.

SECOND PUBLICATION

Estate Notices

ESTATE OF LORENA FEIDT LEMONS
late of Millersburg, Pennsylvania (died
February 19, 2013). Executor/Administrator:
Ruth Ann (Troutman) Dreher, 5404 Route 25,
Lykens, PA 17048. Attorney: Dale K. Ketner,
Esq., Ketner Law Office, LLC, 129 Market
Street, Millersburg, PA 17061 m29-a12

ESTATE OF LEVERE L. HOFFMAN, late
of Harrisburg, Dauphin County, Pennsylvania
(died December 13, 2013). Executor: Anthony
L. Hoffman. Attorney: Kathy M. Shughart,
Esq., P.O. Box 6315, Harrisburg, PA 17112-
0315. m29-a12

ESTATE OF JOSEPH H. CLARK, late of
Susquehanna Township, Dauphin County,
Pennsylvania (died February 22, 2013).
Executrix: Audrey L. Casey Black, 695 Salem
Road, Lot 107, Etters, PA 17319. Attorney:
Elyse E. Rogers, Esq., Saidis, Sullivan &
Rogers, 635 North 12th Street, Suite 400,
Lemoyne, PA 17043. m29-a12

THIRD PUBLICATION

Estate Notices

ESTATE OF EDGAR GERARD
SCOONES, late of Derry Township, Dauphin
County, Pennsylvania. Executrix: Karen M.
Paris. Attorney: Michael L. Bangs, Esq.,
Bangs Law Office, LLC, 429 South 18th
Street, Camp Hill, PA 17011. m22-a5

ESTATE OF MARTHA ANN ROBERTS,
AKA MARTHA A. ROBERTS, late of Lower
Paxton Township, Dauphin County,
Pennsylvania. Administrators Yaivette M.
Roberts, 2032 Deer Path Road, Harrisburg,
PA 17110 and Yonise A. Roberts Paige, 6239
Warren Ave, Harrisburg, PA 17112. Attorney:
John R. Beinhaur, Esq., Curcillo Law, LLC,
3964 Lexington Street, Harrisburg, PA 17109.
m22-a5

ESTATE OF MARIE PHILLIPS, late of the
Borough of Middletown, Dauphin County,
Pennsylvania (died February 19, 2013).
Executrix: Michele A. Phillips, 224 East Main
Street, Hummelstown, PA 17036. Attorney:
Jean D. Seibert, Esq., WION, ZULLI &
SEIBERT, 109 Locust Street, Harrisburg, PA
17101. m22-a5

ESTATE OF ROBERT V. YOST, late of
Lower Paxton Township, Dauphin County,
Pennsylvania. Executrix: Diane L. Adams,
624 Thrush Court, Mechanicsburg, PA 17050.
Attorney: Mindy S. Goodman, Esq., 2215
Forest Hills Drive, Suite 35, Harrisburg, PA
17112. m22-a5

ESTATE OF SARA C. MILLER, late of the
Township of Wayne, Dauphin County,
Pennsylvania (died February 20, 2013).
Executrix: Carole Y. Landvater, 1474 Enders
Road, Halifax, PA 17032. Attorney: Joseph D.
Kerwin, Esq., Kerwin & Kerwin, LLP, 4245
State Route 209, Elizabethtown, PA 17023.
m22-a5

ESTATE OF JOHN E. AUSTIN, late of
the Hummelstown, Dauphin County,
Pennsylvania. Executrix: Pamella D. Austin,
608 W. 2nd Street, Hummelstown, PA 17036.
Attorney: Howard B. Krug, Esq., Purcell,
Krug & Haller, 1719 North Front Street,
Harrisburg, PA 17102. m22-a5

THIRD PUBLICATION

Estate Notices

ESTATE OF MARLIN J. GREIDER, late of Dauphin Borough, Dauphin County, Pennsylvania. Executrix: Sandra K. Marshall, 16 Gardner Road, Duncannon, PA 17020. Attorney: Adam P. Britcher, Esq., Allen E. Hench Law Office, P.C., 220 Market Street, Newport, PA 17074. m22-a5

ESTATE OF ANGELINA M. BENKO, A/K/A LENA G. BENKO, A/K/A LENA M. BENKO, late of Highspire, Dauphin County, Pennsylvania (died February 17, 2013). Administrators: Roberta Benko Horney and Michael A. Benko. Attorney: David C. Miller, Jr., Esq., 1100 Spring Garden Drive, Suite A, Middletown, PA 17057. m22-a5

ESTATE OF DONALD ROBERT ORRIS, A/K/A DONALD R. ORRIS, late of Steelton Borough, Dauphin County, Pennsylvania. Executor: Edward James Baer, P.O. Box 38, Sabinsville, PA 16943. Attorney: John R. Zonarich, Esq., SkarlatosZonarich LLC, 17 South 2nd Street, Floor 6, Harrisburg, PA 17101. m22-a5

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of the Commonwealth of Pennsylvania on 3/18/2013 under the Domestic Business Corporation Law, for **ATHOS, INC**, and the name and county of the commercial registered office provider is c/o: Corporation Service Co., Dauphin County. a5

NOTICE IS HEREBY GIVEN that **River Works, Inc.** a foreign business corporation incorporated under the laws of the State of NC, where its principal office is located at 6105 Chapel Hill Road Raleigh, NC 27607, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at 2595 Interstate Drive, Suite 103, Harrisburg, PA 17110 a5

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed in the Department of State of The Commonwealth of Pennsylvania for **Stanford James, Inc.** under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended. a5

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 11, 2013, by **Utility Sales and Service, Inc.**, a foreign corporation formed under the laws of the State of Illinois, where its principal office is located at 1927 Miller Dr., P.O. Box 531, Olney, IL 62450, 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 National Registered Agents, Inc., Dauphin County. a5

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 March 22, 2013, by **ALS Group USA, Corp.**, a foreign corporation formed under the laws of the State of Texas, where its principal office is located at 34 Dogwood Ln., Middletown, PA 17057, 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. a5

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 15, 2013, by **Bauer Performance Sports Uniforms Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange St., 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 shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a5

NOTICE IS HEREBY GIVEN that **SAULS SEISMIC, INC.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at 3710 4th Ave., South, Birmingham, AL 35222, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. a5

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 19, 2013, by **DHR, Inc.**, a foreign corporation formed under the laws of the State of Nevada, where its principal office is located at 311 S. Division St., Carson City, NV 89703, 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 Business Filings Incorporated, Dauphin County. a5

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on March 20, 2013, by **Eaton US Holdings, Inc.**, a foreign corporation formed under the laws of the State of Ohio, where its principal office is located at 1000 Eaton Blvd., Cleveland, OH 44122, 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. a5

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 19, 2012, by **Central Payment Deployment, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1209 Orange St., 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 shall be deemed for venue and official publication purposes to be located at c/o CT Corporation System, Dauphin County. a5

FIRST PUBLICATION

Corporate Notices

NOTICE IS HEREBY GIVEN that **Imperial USA, Ltd.**, a foreign business corporation incorporated under the laws of North Carolina, with its princ. office located at 5808 Long Creek Park Dr., Ste. A, Charlotte, NC 28269, has applied for a Certificate of Authority in Pennsylvania under the PA Bus. Corp. Law of 1988. The commercial registered office provider in PA is c/o: Corporation Service Co., and shall be deemed for venue and official publication purposes to be located in Dauphin County. a5

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 03/11/2013 for **Big Oak Crossing Planned Community Association**, a Pennsylvania non-profit corporation. Purpose: Homeowner's Association. Said corporation has been incorporated under the provisions of the PA Non-Profit Corporation Law of 1988, as amended. a5

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 03/07/2013 for **MA STORAGE, INC.** Said corporation has been incorporated under the provisions of the PA Business Corporation Law of 1988, as amended. a5

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority was filed with the PA Dept. of State on 03/21/2013 by **Merit Dental, Inc.**, a foreign corporation formed under the laws of the State of DE with its principal office located at 160 Greentree Dr., Ste. 101, Dover, DE 19904, to do business in PA under the provisions of the Business Corporation Law of 1988. The registered office in PA shall be deemed for venue and official publication purposes to be located in Dauphin County. a5

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority was filed with the PA Dept. of State on 03/21/2013 by **Parsons Construction Group Inc.**, a foreign corporation formed under the laws of the State of DE with its principal office located at 100 West Walnut St., Pasadena, CA 91124, to do business in PA under the provisions of the Business Corporation Law of 1988. The registered office in PA shall be deemed for venue and official publication purposes to be located in Dauphin County. a5

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority was filed with the PA Dept. of State on 02/28/2013 by **ZO Skin Health, Inc.**, a foreign corporation formed under the laws of the State of CA with its principal office located at 1 Technology Dr., Ste. B123, Irvine, CA 92618, to do business in PA under the provisions of the Business Corporation Law of 1988. The registered office in PA shall be deemed for venue and official publication purposes to be located in Dauphin County. a5

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 **POWERBAND CONSULTING GROUP, INC.** The address of its principal office under the laws of its jurisdiction is 7100 SECURITY BOULEVARD, WINDSOR, MD 21244. The name of this corporations Commercial Registered Office Provider is United Corporate Services, 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). a5

FIRST PUBLICATION

Fictitious Notices

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **Homesnap** for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 7208 Red Top Road, Hummelstown, PA 17036 was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 20th day of March, 2013 pursuant to the Act of Assembly of December 16, 1982, Act 295.

The name and address of the only person or persons owning or interested in the said business are: **Sawbuck Realty, Inc.**, 5335 Wisconsin Ave, NW, #750, Washington, DC 20015 a5

FIRST PUBLICATION

Miscellaneous Notices

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

CIVIL ACTION - LAW

NO: 2012-CV--10563-MF

**NOTICE OF ACTION IN MORTGAGE
FORECLOSURE**

WELLS FARGO BANK, N.A.

Plaintiff

vs.

**JEROME A. BLACK and
APRIL L. GUESS, Defendants**

**To JEROME A. BLACK and
APRIL L. GUESS**

NOTICE

You are hereby notified that on December 12, 2012, Plaintiff, WELLS FARGO BANK, N.A., 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. 2012-CV-10563-MF. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 5807 SEVERNA PLACE, HARRISBURG, PA 17111-4150 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 20 days from the date of this publication or a Judgment will be entered against you.

FIRST PUBLICATION

Miscellaneous Notices

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
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HARRISBURG, PA 17101
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a5

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

NO. 2013 CV 1770 NC

PETITION FOR CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on March 5, 2013, the Petition of Laura Hulstine, on behalf of the minor child, **Lexi Lynn Hulstine** was filed in the above named court, requesting a decree to change minor child's name from **Lexi Lynn Hulstine** to **Lexi Lynn Baumbach**. The Court has fixed Wednesday, May 22, 2013 in Courtroom No. 11, at 1:30 p.m., Juvenile Justice Center, 25 South Front Street, 7th Floor, 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. a5

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

NO. 2013 CV 1771 NC

PETITION FOR CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on March 5, 2013, the Petition of Laura Hulstine, on behalf of the minor child, **Chasey Renee Hulstine** was filed in the above named court, requesting a decree to change minor child's name from **Chasey Renee Hulstine** to **Chasey Renee Baumbach**. The Court has fixed Wednesday, May 22, 2013 in Courtroom No. 11, at 1:30 p.m., Juvenile Justice Center, 25 South Front Street, 7th Floor, 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. a5

FIRST PUBLICATION

Corporate Notices

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY,
PENNSYLVANIA

NO. 2012-CV-6120-MF

NOTICE OF SHERIFF'S SALE

CITIMORTGAGE, INC., Plaintiff

vs.

**THERESA J. MCCARTHY, IN HER
CAPACITY AS HEIR OF ARMENTA J.
WOODITCH A/K/A ARMENTA JOYCE
WOODITCH, DECEASED AND
UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS, AND ALL PERSONS, FIRMS,
OR ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST FROM
OR UNDER ARMENTA J. WOODITCH
A/K/A ARMENTA JOYCE WOODITCH,
DECEASED, Defendants**

NOTICE

**TO: UNKNOWN HEIRS, SUCCE-
SORS, ASSIGNS, AND ALL
PERSONS, FIRMS, OR ASSOCIA-
TIONS CLAIMING RIGHT, TITLE
OR INTEREST FROM OR UNDER
ARMENTA J. WOODITCH A/K/A
ARMENTA JOYCE WOODITCH,
DECEASED**

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

BEING PREMISES: 3504 CENTERFIELD
ROAD, HARRISBURG, PA 17109-2429.

BEING in SUSQUEHANNA TOWNSHIP,
County of DAUPHIN, Commonwealth of
Pennsylvania, 62-047-046.

IMPROVEMENTS consist of residential
property.

SOLD as the property of THERESA J.
MCCARTHY, IN HER CAPACITY AS HEIR
OF ARMENTA J. WOODITCH A/K/A

ARMENTA JOYCE WOODITCH, DE-
CEASED AND UNKNOWN HEIRS, SUC-
CESSORS, ASSIGNS, AND ALL PERSONS,
FIRMS, OR ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST FROM OR
UNDER ARMENTA J. WOODITCH A/K/A
ARMENTA JOYCE WOODITCH,
DECEASED

YOU ARE HEREBY NOTIFIED that your
house (real estate) at 3504 CENTERFIELD
ROAD, HARRISBURG, PA 17109-2429 is
scheduled to be sold at the Sheriff's Sale on
07/11/2013 at 10:00 AM, at the DAUPHIN
County Courthouse, 101 Market Street,
Harrisburg, PA 17107-2012, to enforce the
Court Judgment of \$67,130.91 obtained by,
CITIMORTGAGE, INC. (the mortgagee),
against the above premises.

a5 PHELAN HALLINAN, LLP

IN THE COURT OF COMMON PLEAS
DAUPHIN COUNTY
PENNSYLVANIA

NO. 2013-CV-01039-QT

**CIVIL ACTION - LAW
COMPLAINT TO QUIET TITLE**

KDR Investments, LLP, Plaintiff

VS.

**Arnold C. Okerberg and
Nancy E. Okerberg, Defendants**

NOTICE OF QUIET TITLE ACTION

**TO: Arnold C. Okerberg; and
Nancy E. Okerberg**

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. 2013-CV-01039-QT
requesting that you be forever barred from
asserting any right, title or interest in and to
the real property described herein Arnold C.
Okerberg; and Nancy E. Okerberg, his 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:

FIRST PUBLICATION

Miscellaneous Notices

ALL THAT CERTAIN piece or parcel of land, situate In Lower Paxton Township, Dauphin County, Pennsylvania, bounded and described in accordance With a survey and plan thereof made by William E. Sees, Jr. Consulting engineer of Harrisburg, Penns. Dated November 11, 1958, as follows:

BEGINNING at a point on the eastern side of Bluebell Avenue fifty (50) feet wide at the Distance of ninety (90) feet north of the Northeast corner of Bluebell Avenue and Pine Street; thence along the said side of Pine Street north five (5) degrees east sixty (60) feet To a stake at a corner of premises known as No.905 Bluebell Avenue; thence along the same South Eighty-five (85) degrees east one hundred Fifty (150) feet to a stake at a corner of Lot No. 53 on the hereinafter mentioned Plan of Lots; thence along the same south five (5) degrees west sixty (60) feet to an iron pipe at a corner of Lot No. 3 on said Plan thence along the same north eighty-five (85) degrees west one hundred fifty (150) feet to the Point and Place of BEGINNING.

BEING Lots Nos. 4 and 5, Block "E" on Plan of Lots Entitled "Maple Crest Manor", which said Plan Is recorded in Wall file No. 4 in the Dauphin County Recorder of Deeds Office.

YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, 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.

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Darrin C. Dinello, Esq.
5405 Jonestown Road
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Harrisburg, PA 17112
(717) 909-6730

a5

IN THE COURT OF COMMON PLEAS
OF DAUPHIN COUNTY
PENNSYLVANIA

DOCKET NO: 2013-CV-874-NC

PETITION FOR CHANGE
OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on February 13, 2013, the Petition of **Roberto Perez** was filed in the above named court, requesting a decree to change his/her name from **Roberto Perez** to **Roberto Isaiah Perez**.

The Court has fixed Tuesday, April 16, 2013 in Courtroom No. 11, at 1:30 p.m., at the Juvenile Justice Center, 25 South Front Street, 7th Floor, 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.

a5



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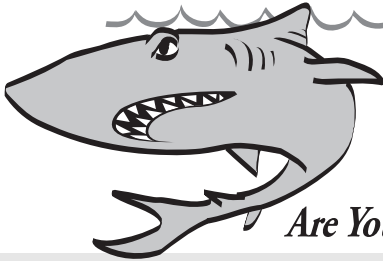
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The Board of Directors of the Bar Association meets on the third Thursday of the month at the Bar Association headquarters. Anyone wishing to attend or have matters brought before the Board should contact the Bar Association office in advance.

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

Opinions Not Yet Reported

March 8, 2013 – Turgeon, J., **Commonwealth vs. Lee** No. CP-22-CR-3066-2008

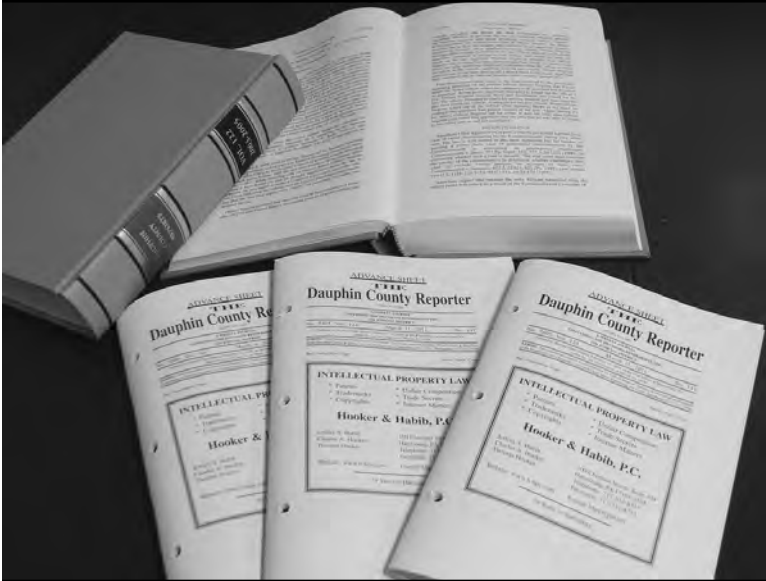
March 21, 2013 – Turgeon, J., **Immanuel vs. Members 1st Federal Credit Union**
No. 2008 CV 16071 QT

BAR ASSOCIATION PAGE – Continued
MISCELLANEOUS SECTION

ASSISTANT CITY SOLICITOR — The City of Harrisburg is hiring an Assistant City Solicitor. This position is responsible for advising elected City officials, City departments, employees, and authorities in all legal matters pertaining to the business of the City. The Assistant City Solicitor represents the City in all actions brought by or against the City or against City officials in their official capacity. The selected candidate will participate in all phases of municipal trial work. For full consideration, please submit a cover letter, résumé, three employment references and salary history to: City of Harrisburg, Bureau of Human Resources, 10 North 2nd Street, Hbg., PA 17101. Phone (717) 255-6475. Email: gbond@cityofhbg.com (Electronic submission is preferred). m22-a5

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