

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

(USPS 810-200)

---

---

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

---

---

No. 5800, Vol. 124

February 4, 2011

No. 136

---

---

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

---

---

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

---

---

Commonwealth v. Gross  
Bar Association Page

334  
Inside Back Cover

**INTELLECTUAL PROPERTY LAW**

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

**Hooker & Habib, P.C.**

Jeffrey S. Habib  
Charles A. Hooker  
Thomas Hooker

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

Website: [www.h-hpc.com](http://www.h-hpc.com)

E-mail: [hphc@ptd.net](mailto:hphc@ptd.net)

---

39 Years in Harrisburg

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

**MICHELLE M. SHUKER**  
**Executive Director**  
**JOYCE TAMBOLAS**  
**Administrative Assistant**  
**BRIDGETTE L. HILBISH**  
**Office Assistant**

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

---

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

---

#### **TERMS**

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

Telephone (717) 232-7536

---

#### **Estate Notices**

---

##### **DECEDENTS ESTATES**

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

##### **FIRST PUBLICATION**

ESTATE OF ELVA P. BEDNAR, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executor: Fredrick W. Bednar, 264 Center Street, Millersburg, PA 17061. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f4-f18

ESTATE OF MICHAEL G. SUCHAR, late of Elizabethville Borough, Dauphin County, Pennsylvania. Administratrix: Dorothy S. Shumaker, 104 Mountain View Drive, Halifax, PA 17032. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f4-f18

---

ESTATE OF VIOLET M. KLINGER, late of Upper Paxton Township, Dauphin County, Pennsylvania. Co-Executors: Lorraine M. Witmer, Clyde M. Witmer, 6870 State Route 225, Elizabethville, PA 17023. Attorney: Earl Richard Etzweiler, Esq., 105 North Front Street, Harrisburg, PA 17101. Telephone (717) 234-5600. f4-f18

---

ESTATE OF VIOLET E. MILLER, late of Dauphin County, Pennsylvania (died April 17, 2010). Administratrix: Pamela Yandrich, 1439 Candlewick Drive, Middletown, PA 17057. Attorney: Cynthia M. von Schlichten, Esq., RJ Marzella & Associates, 3513 North Front Street, Harrisburg, PA 17110. f4-f18

---

ESTATE OF MICHAEL KOVALCHICK, late of the City of Harrisburg, Dauphin County, Pennsylvania. Administratrix: Michelle R. Andujar. Attorney: Nicholas T. Gard, Esq., Smoker Gard Associates LLP, 912 West Main Street, Suite 402, New Holland, PA 17557. f4-f18

---

ESTATE OF MILDRED I. MARCH, late of Lower Swatara Township, Dauphin County, Pennsylvania (died November 7, 2010). Executor: Craig R. March, 5652 Union Deposit Road, Harrisburg, PA 17111. Attorney: Jean D. Seibert, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. f4-f18

---

ESTATE OF SARA JANE REED, late of Millersburg Borough, Dauphin County, Pennsylvania (died January 14, 2011). Executor: Elam D. Lapp, 420 Weaver Road, Millersburg, PA 17061. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, LLP, 27 North Front Street, Harrisburg, PA 17101. f4-f18

---

---

**FIRST PUBLICATION**

---

**Estate Notices**

---

ESTATE OF DOROTHY E. SCHREFFLER, late of Upper Paxton Township, Dauphin County, Pennsylvania (died December 18, 2010). Co-Executors: Paul E. Schreffler, 706 Berrysburg Road, Millersburg, PA 17061 and Pamela A. Mauser, 104 Stence Lane, Millersburg, PA 17061. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, LLP, 27 North Front Street, Harrisburg, PA 17101. f4-f18

---

ESTATE OF ARLENE S. DEPPEN, late of Elizabethville Borough, Dauphin County, Pennsylvania (died January 9, 2011). Executor: Dean P. Deppen, 36 Simon Boulevard, Elizabethville, PA 17023. Attorney: Terrence J. Kerwin, Esq., Kerwin & Kerwin, LLP, 27 North Front Street, Harrisburg, PA 17101. f4-f18

---

---

---

**SECOND PUBLICATION**

---

ESTATE OF WILLIAM W. JOHNSON, late of the City of Harrisburg, Dauphin County, Pennsylvania. Administrator: Ronald D. Butler, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108. Attorneys: Butler Law Firm, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108. j28-f11

---

ESTATE OF DONALD P. MINIUM, JR., late of Harrisburg, Dauphin County, Pennsylvania (died December 13, 2010). Administrator: Neoma P. Minium, 1618 Market Street, Harrisburg, PA 17103. Attorney: Bruce G. Baron, Esq., Capozzi & Associates, P.C., 2933 North Front Street, Harrisburg, PA 17110-1250. j28-f11

---

ESTATE OF HAROLD T. ECKELS, late of Harrisburg, Dauphin County, Pennsylvania (died April 23, 2010). Executrix: Karen S. Fleisher, 1026 Valley Road, Enola, PA 17025. Attorney: Amy M. Moya, Esq., 5011 Locust Lane, Harrisburg, PA 17109. j28-f11

ESTATE OF GERALDINE L. BERGER a/k/a GERALDINE BERGER, late of Harrisburg, Dauphin County, Pennsylvania (died November 17, 2010). Executrix: Rochelle S. Berger, 301 Fenway Road, Apt. E, Columbus, Ohio 43214. Attorney: Herschel Lock, Esq., 3107 North Front Street, Harrisburg, PA 17110. j28-f11

---

ESTATE OF PATTIE L. BARBUSCIO, late of Swatara Township, Dauphin County, Pennsylvania (died December 21, 2010). Co-Executrices: Dena Stump, 234 Adelia Street, Middletown, PA 17057 and Michele Devaney, 1398 Overlook Road, Middletown, PA 17057. Attorney: Kendra A. Mohr, Esq., Pannebaker & Mohr, P.C., 4000 Vine Street, Middletown, PA 17057. Telephone (717) 944-1333. j28-f11

---

ESTATE OF MILDRED M. BOWMAN, late of the Township of Upper Paxton, Dauphin County, Pennsylvania (died December 23, 2010). Executrix: Ginger J. Fishel, 5255 State Route 25, Gratz, PA 17030. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, 4245 State Route 209, Elizabethville, PA 17023. j28-f11

---

ESTATE OF JEAN I. WESNER a/k/a JEAN WESNER, late of Upper Paxton Township, Dauphin County, Pennsylvania. Executor: Ronald A. Wesner, c/o Rudnitsky & Hackman, L.L.P., 1372 North Susquehanna Trail, Suite 130, Selinsgrove, PA 17870. Attorney: Karen L. Hackman, Esq., Rudnitsky & Hackman, L.L.P., 1372 North Susquehanna Trail, Suite 130, Selinsgrove, PA 17870. Telephone (570) 743-2333. j28-f11

---

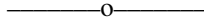
ESTATE OF LEO P. DeBON, late of Derry Township, Dauphin County, Pennsylvania (died October 23, 2010). Executrix: Patricia DeBon, 922 Carter Cove, Hummelstown, PA 17036. Attorney: Peter J. Ressler, Esq., Mette, Evans & Woodside, 3401 North Front Street, Harrisburg, PA 17110. Telephone (717) 232-5000. j28-f11

## Commonwealth v. Gross

amount of assets. Even were we to consider half of that amount, \$1.5 million as Defendant's share of net assets, the award of \$1.6 million is appropriate.

## CONCLUSION

For all of the foregoing reasons, the judgment should be affirmed.

**Commonwealth v. Gross****Crimes and Criminal Procedure — Sufficiency of Evidence — Ineffective Assistance of Counsel.**

Defendant was convicted, following a four-day jury trial, of first degree murder, conspiracy to commit first degree murder, possession of a firearm and possession of a firearm with an altered serial number. She was sentenced to a mandatory life term for murder and concurrent sentences on the remaining charges. After her initial appeal was dismissed by the Superior Court, she filed a *pro se* PCRA petition and was appointed counsel. PCRA counsel filed a supplemental petition which the Commonwealth did not oppose. The Court then issued an order reinstating Defendant's right to appeal *nunc pro tunc*.

1. The standard we apply in reviewing the sufficiency of the evidence is whether viewing all the evidence admitted at trial in the light most favorable to the verdict winner, there is sufficient evidence to enable the fact-finder to find every element of the crime beyond a reasonable doubt. In applying the [above test], we may not weigh the evidence and substitute our judgment for the fact-finder. In addition, we note that the facts and circumstances established by the Commonwealth need not preclude every possibility of innocence. Any doubts regarding a defendant's guilt may be resolved by the fact-finder unless the evidence is so weak and inconclusive that as a matter of law no probability of fact may be drawn from the combined circumstances. The Commonwealth may sustain its burden of proving every element of the crime beyond a reasonable doubt by means of wholly circumstantial evidence. Moreover, in applying the above test, the entire record must be evaluated and all evidence actually received must be considered. Finally, the trier of fact while passing upon the credibility of witnesses and the weight of the evidence produced, is free to believe all, part or none of the evidence. *Commonwealth v. Schoff*, 911 A.2d 147, 159 (Pa. Super. 2006).

2. As a general rule, a defendant must wait to raise claims of ineffective assistance of trial counsel upon collateral review and not upon direct review. *Commonwealth v. Grant*, 813 A.2d 726, 738 (Pa. 2002).

Pa.R.A.P. 1925(a) Opinion. C.P., Dau. Co., No. CP-22-CR-3356-2006

*Jason E. McMurry*, for the Commonwealth

*Jennifer E. Tobias*, for Defendant

## Commonwealth v. Gross

TURGEON, J., January 5, 2011. – Defendant Latosha Gross appeals, nunc pro tunc, from a judgment of sentence imposed following her conviction of a number of crimes, including the first degree murder of Natai Williams. Gross argues that there was insufficient evidence to prove her guilty of first degree murder. She also argues that her trial attorney was ineffective for failing to offer an intoxication defense. This opinion is written in support of the judgment of sentence pursuant to Pa.R.A.P. 1925(a).

## BACKGROUND

On March 14, 2008, following a four-day trial, a jury found defendant, as well as her co-defendants Kyra Clardy and William Taylor, guilty of first degree murder, conspiracy to commit first degree murder, possession of a firearm and possession of a firearm with an altered serial number. Another co-defendant, Kiada Nelson, had earlier reached an agreement to plead guilty to third degree murder and to the related firearm charges.

The evidence presented at trial, relevant to defendant's convictions, was as follows: At about 2:00 a.m. on Saturday May 27, 2006, twenty-year-old Natai Williams and a number of her friends were hanging out near their homes at the intersection of 18th and Carnation Streets in Harrisburg. (N.T. 332-33, 335, 340, 368) A sedan driven by co-defendant Clardy, then twenty-three years of age, approached Natai Williams and her friends. Defendant Gross, twenty-eight years old, and Kiada Nelson, twenty-two years old, were passengers in Clardy's vehicle. Defendant Gross and Nelson are sisters, and Gross and Clardy cousins. (N.T. 236, 534)

One of the victim's friends, Shaneice Smith, testified that words were exchanged between the defendant and Natai Williams. Defendant got out of the car to continue the argument with the victim. (N.T. 368-70) Jessica Tate, also a friend of the victim, testified that defendant mentioned something about a boyfriend and the victim responded that she was not involved with him. (N.T. 390) Defendant and the victim began to fist fight and soon a melee ensued as almost everyone at the scene began fighting: defendant, Clardy and Nelson against the victim and her group of between eight and fifteen teenaged girls/young women. (N.T. 352, 358, 361, 370, 389-90, 397) One of the victim's friends, Dyneisha Gamble, described Gross, Clardy and Nelson as drunk and otherwise acting in an intoxicated manner. (N.T. 333, 346) Another of the victim's friends, Timika Barnes, believed Gross to be intoxicated. (N.T. 362)

Timika Barnes testified that Clardy encouraged defendant to fight while Nelson told them both to get back in the car. (N.T. 358) Barnes

## Commonwealth v. Gross

testified that defendant hit the victim in the eye with the crow bar and that while everyone scattered, defendant got back in the car with Clardy and Nelson. Barnes testified that defendant then yelled out: "I am going to come back. I am going to kill all you bitches." (N.T. 353-55)

Dyneisha Gamble testified that she arrived at the scene after the fight had begun and saw everyone fighting each other. (N.T. 332-33) She observed defendant Gross get a crow bar from the trunk, chase her and Victoria Sawyers and finally throw the crow bar at Sawyers. She then heard defendant say she was going to "come back and light the block up." (N.T. 333-34)

According to Jessica Tate, after Nelson tried to get the defendant and Clardy back in the car, defendant said "I got something for y'all bitches" and went to the trunk and retrieved a crow bar and proceeded to throw it at Victoria Sawyers. (N.T. 391) Defendant Gross then said "I am going to come back and air [kill] y'all bitches out." (N.T. 392-93)

Victoria Sawyers testified that she happened upon the fight at 18th and Carnation Streets. When she arrived, she saw defendant and the victim fighting as well as Clardy and another girl. She then saw Clardy pop open her trunk and say to Sawyers "did I want some of it. [?]" According to Sawyers, Clardy retrieved a crow bar and threw it at her. (N.T. 406) She then observed defendant Gross, Clardy and Nelson get back in their car while defendant Gross yelled out "y'all bitches better not be on the block because I am coming back to light the block up." (N.T. 406-07)

Debra Sue Smith, Natai Williams' aunt, testified on Kyra Clardy's behalf. On the night in question, she was walking in the area of the altercation when she heard someone say "I am going to fuck you up, [Na]Tai." (N.T. 441) She approached the scene and saw defendant in the victim's face. Debra Sue Smith told defendant Gross she was too big for Natai and that she should be in her face instead. (N.T. 441) According to Smith, Clardy was out of the vehicle at this point and tried to step between defendant and the victim to stop them from fighting. (N.T. 442) Defendant took a swing, however, and everyone started fighting. (N.T. 442-43) Someone said the cops were coming and the group split up. She heard defendant say "Tai, bitch I am going to come back and I am going to kill you." (N.T. 451)

The victim's friends, Nykeisha Gamble, Shaneice Smith, Jessica Tate and Victoria Sawyers, all testified that after their altercation, defendant Gross, Clardy and Nelson drove away while they, their friends and Natai Williams continued to walk in the direction of a local fast food restaurant. (N.T. 335, 372, 394, 408) While walking, police stopped them and

## Commonwealth v. Gross

inquired about the fight that had been reported. After discussing the matter, police directed Natai Williams' group to continue on to the restaurant but then to go home. (N.T. 336, 372)

Harrisburg Police Officer Thomas McGarrity testified that just before 2:30 a.m. on May 27, 2006, he responded to a report of a disturbance at 18th and Carnation Streets. He arrived and observed three adult females and about ten to twelve girls in their late teens who appeared to have just been in a fight. (N.T. 93, 115) He told them to move along and remained on the scene to speak with one of the women who had called the police. (N.T. 94)

Carlton Taylor, then fourteen years old, testified that on the night of May 26-27, 2006, he was sleeping over at his cousin William Taylor's home. William Taylor was nineteen years old at the time. William Taylor's home was only a few blocks from the site of the fight between Gross, Clardy and Nelson, and Natai Williams and her friends. Carlton Taylor testified that both he and his cousin were asleep in William's second floor bedroom when William's girlfriend, Kiada Nelson, began banging on the door. (N.T. 184-85) Nelson told them "she got jumped" or "swooped" and was looking for a pistol. (N.T. 186, 207) Carlton Taylor unlocked the door and Nelson entered, grabbing a gun from under William Taylor's bed. (N.T. 187)

According to Carlton Taylor, William Taylor grabbed the gun from Nelson, put it on the bed and started to get dressed. (N.T. 187-88) While William Taylor dressed, Nelson repeated that "she got jumped"; otherwise, there was no conversation between the parties about their intentions, according to Carlton Taylor. (N.T. 188, 210-11) Nelson then grabbed the gun from William Taylor who took it back from her a second time. (N.T. 209-10) William Taylor picked up the gun and the three of them left the house and got in defendant Kyra Clardy's car, awaiting outside. (N.T. 188-89) Carlton Taylor sat in the back seat on the passenger's side, William Taylor in the middle back seat and Kiada Nelson in the back seat on the driver's side. (N.T. 189-191) Defendant Latosha Gross was the front seat passenger.

Carlton Taylor testified that they drove off and defendant Gross directed Clardy where to drive. (N.T. 259) Taylor recalled that at some point while driving, someone said "some bitch is going to die tonight," though he denied at trial recalling who said that. (N.T. 203-04, 266-67) Earlier, he had told police, shortly after the murder, that it was defendant Gross who made the threat, though later at the preliminary hearing, he said it was defendant's girlfriend Nelson who had said in the car that "I am going to end up having to kill me a bitch tonight." (N.T. 203-04,

## Commonwealth v. Gross

243, 253-54) Carlton Taylor testified that neither the defendant nor William Taylor said anything during the drive. (N.T. 196-97, 213) Taylor testified that as Clardy drove her car near a corner, she slowed down and defendant Gross opened the door and started firing the gun. (N.T. 196-97)

Carlton Taylor testified that before the shooting, while in the car, William Taylor had initially passed the gun to Nelson, who then passed it back to him. William Taylor then reached out with the gun and handed it forward to Gross in the front passenger seat at the same time she reached back for it and grabbed it. (N.T. 194-96, 219, 267-68) During cross examination, Carlton Taylor stated that he told police the morning after the shooting that after the gun had passed from William Taylor to Nelson, Nelson tried to give it back to William Taylor but that Gross grabbed it from him. (N.T. 270-71)

According to the testimony of the victim's friends, as they were walking on Regina Street, between 14th and 15th Streets, they saw Clardy's car turn onto Regina Street. Numerous witnesses heard someone yell from the car, "there them bitches go." (N.T. 374, 394, 408) As the vehicle approached the group of girls/women, Clardy slowed or stopped her vehicle. Jessica Tate saw the passenger door open and saw defendant Gross hanging out of the door firing at them, seven or more shots total. (N.T. 394-95) Victoria Sawyers testified that she saw Gross either leaning out the window or out of an open door on the passenger side of the car and fire six or seven shots. (N.T. 408-09, 416-17) Shaneice Smith testified that she saw the front passenger shoot at them. (N.T. 376) The car then sped away. They discovered moments later that Natai Williams had been shot in the head. Williams died a short time later.

Police, who were still in the area concluding their investigation of the initial fight, heard the gun shots and were directed by the victim's friends to defendant's car. Police immediately stopped Clardy's car and arrested all the occupants, including the defendant. Just prior to her arrest, Gross walked out of the car against the orders of police, after trying to hide the gun underneath the car on the passenger side. (N.T. 199)

A short time later, police recovered a nine millimeter handgun from just underneath the edge of the passenger side of the vehicle, laying on the ground in the gutter, as well as six shell casings. (N.T. 101, 141, 146, 163, 325) Forensics tests verified that the casings discharged from area of the shooting came from the gun recovered under the car. (N.T. 316, 321) Additionally, the Commonwealth presented evidence that one of the shots fired from Clardy's car was shot into the front passenger door of her car, leaving a piece of the bullet's copper jacket imbedded in the door. (N.T. 155-56, 173)



## Commonwealth v. Gross

A few hours after the murder, Clardy made a recorded statement to a Harrisburg Police detective, which was played for the jury. In her statement, Clardy stated that she, defendant Gross and Kiada Nelson had been to a number of bars that evening and that Gross consumed two shots of liquor and two beers. (N.T. 285-85) They left the last bar around 2:00 a.m. to go joy riding following which they had the altercation with the victim and her friends. (N.T. 285-86)

Upon arresting all five occupants of Kyra Clardy's vehicle, police swabbed their hands in order to conduct gun shot residue (GSR) tests with a scanning electron microscope. This evidence was submitted to the Pennsylvania State Police forensics lab and analyzed by Trooper John E. Evans, who performed the tests. He issued a report on May 27, 2006, in which he found that no particles "characteristic" of gunshot residue primer were found on any of the five subjects. He did find, however, that particles "indicative" of gunshot residue primer were found on all the subjects. He concluded that "any of the [five] subjects ... may have recently handled or discharged a firearm. They may also indicate any of the subjects were in very close proximity to a firearm when it was discharged." On March 7, 2008, I held a pre-trial hearing to address a motion in limine filed by defendants William Taylor and Kyra Clardy in which they sought to preclude the introduction of this report and its results. Defendant Gross opposed the motion claiming the evidence should be admitted to show that some amount of gunshot residue was found on all of the automobile occupants at the time of the shooting, with the smallest amounts on defendant's body, which evidence would have cast a reasonable doubt upon her guilt. After the hearing, I granted the limine motion precluding this evidence.<sup>1</sup>

---

1. According to testimony from the pre-trial hearing, GSR testing is used to look for three different gunshot residue elements – lead, antimony and barium – which may be detected as a single element particle (lead, barium or antimony), as a two element particle (lead/barium, lead/antimony or barium/antimony), or as a three element particle (lead/barium/antimony). In this case, only single element particles were detected on the five subjects; none of the subjects tested for two or three element particles. (N.T. 3/7/08 at 6-7, 20-21) Trooper Evans testified that the Pennsylvania State Police considers a finding of two or three element particles "characteristic" of gunshot residue and that single element particles are considered "indicative" of gunshot residue. (N.T. 26) He admitted, however, that he could not produce any peer reviewed sources from the forensic community to support his conclusion that single element particles were indicative of gunshot residue. (N.T. 27) Defendants Taylor and Clardy presented GSR expert A.J. Schwoeble who testified that the forensic community does not consider GSR results of single element particles as indicative of gunshot residue and that this position is supported by peer reviewed sources within the forensic community. (N.T. 15-16) Mr. Schwoeble testified that results showing only single element particles are instead inconclusive. (N.T. 8) Based upon this testimony, I held that Trooper Evans' report would not be admitted since his conclusion of "indicative" was not a conclusion supported in the scientific (forensic) community.

## Commonwealth v. Gross

On April 21, 2008, I sentenced defendant to a mandatory life term for murder and to concurrent sentences on the remaining charges. Defendant's trial attorney, Allen Welch, filed a timely appeal which was dismissed by the Superior Court on April 30, 2009, due to counsel's failure to file a brief. Defendant thereafter filed a timely pro se PCRA petition following which I appointed her PCRA counsel. PCRA counsel filed a supplemental petition raising trial counsel's ineffectiveness and after the Commonwealth indicated it did not oppose the petition, I issued an order December 1, 2010, reinstating defendant's right to appeal nunc pro tunc. Defendant filed her appeal on December 7, 2010, currently pending.

## LEGAL DISCUSSION

In her statement of errors complained of on appeal, defendant argues that: (1) the Commonwealth failed to provide sufficient evidence at trial to support the jury's finding of guilt on the charge of first degree murder and (2) trial counsel was ineffective for failing to provide an intoxication defense as provided for in 18 Pa.C.S.A. §308.

**Sufficiency of the Evidence – First Degree Murder**

A challenge to the sufficiency of the evidence implicates the following principles:

The standard we apply in reviewing the sufficiency of the evidence is whether viewing all the evidence admitted at trial in the light most favorable to the verdict winner, there is sufficient evidence to enable the fact-finder to find every element of the crime beyond a reasonable doubt. In applying the [above test], we may not weigh the evidence and substitute our judgment for the fact-finder. In addition, we note that the facts and circumstances established by the Commonwealth need not preclude every possibility of innocence. Any doubts regarding a defendant's guilt may be resolved by the fact-finder unless the evidence is so weak and inconclusive that as a matter of law no probability of fact may be drawn from the combined circumstances. The Commonwealth may sustain its burden of proving every element of the crime beyond a reasonable doubt by means of wholly circumstantial evidence. Moreover, in applying the above test, the entire record must be evaluated and all evidence actually received must be considered. Finally, the trier of fact while passing upon the credibility of witnesses and

## Commonwealth v. Gross

the weight of the evidence produced, is free to believe all, part or none of the evidence.

*Commonwealth v. Schoff*, 911 A.2d 147, 159 (Pa. Super. 2006) (citation omitted).

Numerous witnesses provided consistent and credible testimony that defendant was not only present, but was the principal actor in the murder of Natai Williams. According to five witnesses, Gross announced during the initial altercation with the victim, that she would be back to “shoot/light up” “some bitches/Natai Williams.”<sup>2</sup> Gross was additionally present when she and her confederates immediately traveled to William Taylor’s home to obtain a weapon. It was Gross who then directed the driver, Clardy, where to go to find the victim. Defendant was later observed by numerous witnesses sitting in the passenger seat in Clardy’s car approaching her target while someone yelled from her car, “there them bitches go.” Additionally, while in the car, either defendant Gross or someone else stated that “some bitch is going to die tonight.” While Clardy slowed or stopped her car upon approaching the victim and her friends, Gross was again observed by numerous witnesses firing the gun in the direction of the crowd of girls gathered on the sidewalk. Carlton Taylor, who was in the car with her, so testified, as did three witnesses who saw the shooting as they stood near the victim. (N.T. 196-97, 376, 394-95, 408-09, 416-17) Defendant was also observed by arresting police officers, immediately after the shooting, exiting the car with the murder weapon in her hand, trying to hide it under the car. This evidence revealed a clear intent on defendant’s part to kill the victim.

Defendant has argued that there was insufficient evidence of first degree murder because there were conflicting statements offered at trial. Appellate counsel has not indicated which statements are conflicting so it is difficult for this court to address the issue.<sup>3</sup> Nevertheless, this court

---

2. The eyewitnesses variously testified that Gross declared before leaving the fight scene: “I am going to come back. I am going to kill all you bitches,” (N.T. 353-55), she was going to “come back and light the block up,” (N.T. 333-34), “I am going to come back and air [kill] y’all bitches out” (N.T. 392-93), “y’all bitches better not be on the block because I am coming back to light the block up” (N.T. 406-07), and “[Na]Tai, bitch I am going to come back and I am going to kill you.” (N.T. 451)

3. Generally, an assertion that evidence is unreliable or contradictory goes to the weight of the evidence and not the sufficiency of the evidence. A new trial on the ground that the verdict is against the weight of the evidence is warranted only if the verdict was so contrary to the evidence as to shock one’s sense of justice and make the award of a new trial imperative. *Commonwealth v. Hunter*, 554 A.2d 550, 555 (Pa. Super. 1989). A verdict is against the weight of the evidence if the evidence is so unreliable and/or contradictory as to make any verdict based thereon pure conjecture. *Id.*

## Commonwealth v. Gross

notes that the evidence presented by the Commonwealth's principal witness, Carlton Taylor, contained some conflicts: Carlton Taylor first told police that while in the car, William Taylor initially possessed the gun and that it had then passed to Nelson and that defendant Gross grabbed it from Nelson, whereas at trial Carlton Taylor testified that William Taylor passed the gun to the defendant. Carlton Taylor was also unclear as to who in the car said "some bitch is going to die tonight," denying at trial he knew who said it even though he told police after the murder that defendant Gross made the threat but said later at the preliminary hearing that the threat was made by Kiada Nelson. These contradictions did not render the jury's verdict pure conjecture or surmise as regards defendant's involvement. Under any version of Carlton Taylor's testimony, after someone in the car made a threat that "some bitch is going to die tonight," the loaded gun came in to defendant's possession.<sup>4</sup> Otherwise, the witness accounts of events leading up to the murder of the victim were generally in accord; the evidence in support of the verdicts was clearly both sufficient and weighty.

Defendant also argues that had the jury been provided with evidence that she was not permitted to raise at trial due to pre-trial rulings, that the jury would not have had sufficient evidence to convict defendant of first degree murder. The precluded evidence included the gun shot residue (GSR) results and that defendant had been precluded from offering testimony that the victim Natai Williams was allegedly a member of a gang.

With regard to the GSR evidence, my decision to preclude it was proper since the conclusion defendant wanted to draw from it – that gun shot residue was found on all of the automobile occupants at the time of the shooting, with the smallest amounts on defendant's body – was scientifically not permissible and it would have been error for such evidence to be presented to the jury. (See Footnote 1). Nevertheless, even had such evidence been permitted, it would not have cast reasonable doubt upon defendant's guilt. The evidence proposed by Trooper Evans was not exculpatory of the defendant. His testimony would have been that defendant and her four companions may all have recently handled or discharged a firearm. Trooper Evans' GSR evidence thus tended to suggest that defendant Gross handled or was in close

---

4. Though Carlton Taylor was the only witness who testified as to what occurred in the car, the overt threat he heard made in the car by either Gross or Nelson (that "some bitch is going to die tonight") indicating intent to kill was quite similar to the threats Gross had made at the scene of the fight at which Taylor was not present, lending his testimony additional credibility.

## Commonwealth v. Gross

proximity to a discharged firearm. In addition, this evidence did not suggest that because there were fewer trace single element particles found on defendant's hands than on any of the other four subjects, that this also casts doubt upon her guilt. There was no evidence presented supporting a correlation between the existence of relatively fewer particles on one subject and a conclusion that that subject never handled or fired the weapon. Furthermore, even were such evidence to indicate that defendant was not the shooter, there was more than sufficient evidence for a jury to have convicted her of first degree murder under a theory of accomplice liability. A jury may convict a defendant as an accomplice so long as the facts adequately support the conclusion that he or she aided, agreed to aid, or attempted to aid the principal in planning or committing the offense, and acted with the intention to promote or facilitate the offense; the amount of aid need not be substantial so long as it was offered to the principal to assist him in committing or attempting to commit the crime. *Commonwealth v. Markman*, 916 A.2d 586, 597-98 (Pa. 2007) (citations and footnote omitted). There was a myriad of such evidence against defendant. With regard to the victim's alleged gang membership, it is unclear to this court how knowledge of that fact by the jury would have rendered the mountain of evidence against defendant any less mountainous.

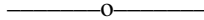
**Ineffective Assistance of Trial Counsel**

Appellate counsel argues that defendant's trial attorney was ineffective for failing to pursue an intoxication defense pursuant to Crimes Code Section 308. Section 308 provides that evidence of a defendant's intoxication may be offered to reduce murder from a higher degree to a lower degree, though it can not be used to acquit. 18 Pa.C.S.A. §308. As a general rule, a defendant must wait to raise claims of ineffective assistance of trial counsel upon collateral review and not upon direct review. *Commonwealth v. Grant*, 813 A.2d 726, 738 (Pa. 2002) (abrogating prior rule that ineffectiveness claims based on trial counsel's performance must be raised at the first opportunity where a defendant has new counsel including upon direct appeal). As set forth in *Grant*, "ineffectiveness claims, by their very nature, often involve claims that are not apparent on the record" and accordingly "appellate counsel must not only scour the existing record for any issues, but also has the additional burden of raising any extra-record claims that may exist by interviewing the client, family members, and any other people who may shed light on claims that could have been pursued before or during trial and at sentencing" and must do so "in the limited amount

## Commonwealth v. Gross

of time that is available for filing an appeal ... 30 days.” *Id.* at 737. Though the issue of defendant’s alcohol consumption was raised in the testimony, argued to a degree by counsel (see N.T. 37, 482, 493, 566-68) and addressed in the court’s instructions to the jury (see N.T. 597-98), the record is not developed sufficiently for this court to decide whether the course trial counsel chose in this instance was effective.<sup>5</sup>

Accordingly, this court issued a judgment of sentence on April 21, 2008.



---

5. There are some exceptions to the rule announced in *Grant*, none of which are present in this case. See e.g. *Commonwealth v. Bomar*, 826 A.2d 831, 853-54 (Pa. 2003), *certiorari denied*, 540 U.S. 1115 (2004) (appellate court can consider on direct review an ineffective assistance of counsel claim raised for first time before trial court by post-sentence motion where trial court conducted hearings on the motion including taking testimony of trial counsel concerning the alleged ineffectiveness).

---

---

**SECOND PUBLICATION**

---

**Estate Notices**

---

ESTATE OF HAROLD E. DEPEW, late of Susquehanna Township, Dauphin County, Pennsylvania (died November 29, 2010). Executrix: Tina Louise Rocuskie. Attorney: James P. Sheppard, Esq., 2201 North Second Street, Harrisburg, PA 17110. Telephone (717) 232-5551. j28-f11

---

ESTATE OF EIKO K. LAWRENCE, late of the Borough of Williamstown, Dauphin County, Pennsylvania (died January 9, 2011). Co-Executors: Mary M. Moore, 6430 Somerset Street, Harrisburg, PA 17111 and Paul R. Lawrence, 4030 Callaway Road, Rocky Mount, VA 24151. Attorney: Joseph D. Kerwin, Esq., Kerwin & Kerwin, 4245 State Route 209, Elizabethtown, PA 17023. j28-f11

---

ESTATE OF GREGORY WARD, late of the City of Harrisburg, Dauphin County, Pennsylvania. Administrator: Ronald D. Butler, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108. Attorneys: Butler Law Firm, 500 North Third Street, P.O. Box 1004, Harrisburg, PA 17108. j28-f11

---

ESTATE OF PETER C. DILLMAN, JR., late of Lower Paxton Township, Dauphin County, Pennsylvania. Executor: Eric A. Dillman. Attorney: Michael L. Bangs, Esq., 429 South 18th Street, Camp Hill, PA 17011. j28-f11

---

ESTATE OF HELEN DRAGOVICH, late of Oberlin, Steelton, Dauphin County, Pennsylvania. Executor: Paul Dragovich, Jr. Attorney: Robert B. Roth, Esq., The Roth Law Firm, 123 North 5th Street, Allentown, PA 18102. j28-f11

---

---

**THIRD PUBLICATION**

---

ESTATE OF ANN E. AVENT, late of Lower Paxton Township, Dauphin County, Pennsylvania (died July 26, 2009). Administrator: Larry Avent, 2212 Bradley Drive, Harrisburg, PA. Attorney: John Gerard Devlin, Esq., 214 Pine Street, Harrisburg, PA 17101. j21-f4

---

ESTATE OF MARION D. DAVIDSON, late of Derry Township, Dauphin County, Pennsylvania (died December 28, 2010). Executor: Jeffrey L. Davidson, 2005 Bobtail Circle, Henderson, NV 89012-2294. Attorney: Jean D. Seibert, Esq., Wion, Zulli & Seibert, 109 Locust Street, Harrisburg, PA 17101. j21-f4

---

ESTATE OF STEWART L. BEANE, late of Derry Township, Dauphin County, Pennsylvania. Executor: Gerald J. Brisner, 6 East Main Street, P.O. Box 323, Palmyra, PA 17078. Attorneys: Brinser, Wagner & Zimmerman. j21-f4

---

ESTATE OF JOHN A. STULTZ, late of East Hanover Township, Dauphin County, Pennsylvania (died December 19, 2010). Executor: J. Anthony Stultz. Attorney: Timothy R. Deckert, Esq., McNees Wallace & Nurick LLC, 100 Pine Street, P.O. Box 1166, Harrisburg, PA 17108-1166. Telephone (717) 232-8000. j21-f4

---

ESTATE OF MYRA BORNSTEIN, late of Derry Township, Dauphin County, Pennsylvania (died December 23, 2010). Co-Executrices: Joanne I. Ciardullo and Marsha I. Kaye. Attorney: George W. Porter, Esq., 909 East Chocolate Avenue, Hershey, PA 17033. j21-f4

---

ESTATE OF GENEVIEVE B. EMERICK, late of Highspire Borough, Dauphin County, Pennsylvania. Executrix: Lauren Emerick Welker. Attorney: Anthony J. Nestico, Esq., Nestico, Druby & Hildabrand, P.C., 840 East Chocolate Avenue, Hershey, PA 17033. j21-f4

---

---

**THIRD PUBLICATION**

---

**Estate Notices**

---

ESTATE OF JOSEPHINE B. AIELLO, late of the Township of Lower Swatara, Dauphin County, Pennsylvania (died October 24, 2010). Executor: Casey L. Aiello, 1465 Rosedale Avenue, Middletown, PA 17057. Attorney: Peter G. Howland, Esq., Wix, Wenger & Weidner, 508 North Second Street, P.O. Box 845, Harrisburg, PA 17108-0845. j21-f4

---

ESTATE OF ALFRED WILLIAM KENNEDY d/b/a K&A AUTO SALES, late of Middletown, Dauphin County, Pennsylvania (died July 28, 2010). Executrix: Doris M. Stringer, 117 Sunrise Drive, Middletown, PA 17057. Attorney: Jayne A. Garver, Esq., 6723 Allentown Boulevard, Harrisburg, PA 17112. j21-f4

---

ESTATE OF BEULAH M. BRESSLER, late of Williamstown Borough, Dauphin County, Pennsylvania. Executrix: Janice M. Erwin, 9833 Lawson Drive, Morrisville, PA 19067. Attorney: Gregory M. Kerwin, Esq., Kerwin & Kerwin, 4245 State Route 209, Elizabethville, PA 17023. j21-f4

---

ESTATE OF ELIZABETH I. SCHNEIDER, late of the City of Harrisburg, Dauphin County, Pennsylvania (died December 19, 2010). Personal Representative: Richard A. Schneider, 1042 Pecks Road, Middletown, PA 17057. Attorney: Scott M. Dinner, Esq., 3117 Chestnut Street, Camp Hill, PA 17011. j21-f4

---

---

---

**FIRST PUBLICATION**

---

**Corporate Notices**

---

NOTICE IS HEREBY GIVEN that **Hamilton Group Funding Inc.**, a foreign business corporation incorporated under the laws of the State of Florida, where its principal office is located at 4503 Woodbine Road, Pace, FL 32571, has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at 116 Pine Street, Suite 320, Harrisburg, PA 17101.

The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. f4

---

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on September 21, 2009, with the Corporation Bureau of the Pennsylvania Department of State, at Harrisburg, Pennsylvania, for the purpose of forming a domestic nonprofit corporation under the Pennsylvania Nonprofit Corporation Law of 1988 (P.L. 1444, No. 177), 15 Pa.C.S.A. 5301 et seq., as amended, originally under the name of **Exponential Gain Ministries** and then filed Amended and Restated Articles of Incorporation on October 27, 2010, changing its name to **Speak My Work Ministries**, for the purpose of the development and communication of programs and conferences, the corporation provides the tools for success to those who are seeking ways to grow in their spiritual walk with Christ.

The current name of the corporation is: **SPEAK MY WORD MINISTRIES.**

ARNOLD B. KOGAN, Esq.  
Goldberg Katzman, P.C.  
320 Market St., Strawberry Square  
P.O. Box 1268  
Harrisburg, PA 17108

f4

---

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State for **CMATHIS ENTERPRISES AND ASSOCIATES, INC.**, a corporation organized under the Pennsylvania Business Corporation Law of 1988. f4



---

---

FIRST PUBLICATION

---

Corporate Notices

---

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about August 26, 2010, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **R.M. Window Company, Inc., d/b/a Ron Martin Window, c/o AAAgent Services, LLC.**

This corporation is incorporated under the laws of the State of Ohio.

The address of its principal office under the laws of its jurisdiction in which it is incorporated is 1260 S. Schenley Ave., Suite 3, Youngstown, OH 44511.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended.

f4

---

NOTICE IS HEREBY GIVEN that **Pinnacle Business Finance, Inc.** with a commercial registered agent in care of National Corporate Research, Ltd. in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth as per 15 Pa. C.S. 4129(b). The address of its principal office under the laws of its jurisdiction is 1807 N. Stevens Street, Tacoma, WA 98406.

This shall serve as official notice to creditors and taxing authorities.

f4

---

NOTICE IS HEREBY GIVEN TO ALL CREDITORS of **Elite Dialysis, Inc.**, a Pennsylvania business corporation, with a principal office address of 3405 North Front Street, Harrisburg, PA 17110. This is to notify you that it is dissolving and winding up its business. Please contact the undersigned regarding any claims.

ROBERT C. MAY, Esq.  
The Law Firm of May & May, P.C.  
4330 Carlisle Pike  
Camp Hill, PA 17011  
(717) 612-0102

f4

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 **Jack Wills, Inc.** The address of its principal office under the laws of its jurisdiction is 2711 Centerville Road, Suite 400, Wilmington, DE 19808-1645. The Commercial Registered Office Provider is CT Corporation System 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). f4

---

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 **DIVAL SAFETY EQUIPMENT, INC.** The address of its principal office under the laws of its jurisdiction is 1721 Niagara Street, Buffalo, NY 14207. The 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). f4

---

NOTICE IS HEREBY GIVEN that **Liberty Shows, LLC**, a Pennsylvania limited liability company under the laws of the Commonwealth of Pennsylvania, with its principal place of business at 2162 Deer Run Road, Hummelstown, Pennsylvania 17036, was issued a Certificate of Organization from the Department of State of the Commonwealth of Pennsylvania on January 13, 2011.

The Pennsylvania limited liability company is established under the provisions of the Pennsylvania Limited Liability Company Law of 1994, 15 Pa. C.S. §8913, as amended.

CHARLES J. DeHART, III, Esq.  
Caldwell & Kearns  
3631 North Front Street  
Harrisburg, PA 17110

f4

---

---

FIRST PUBLICATION

---

Corporate Notices

---

NOTICE IS HEREBY GIVEN that the directors and shareholders of **JMFC CORP.**, a Pennsylvania corporation, with a registered office address of One West Chocolate Avenue, Suite 600, Hershey, PA 17033, have approved a proposal that the corporation voluntarily dissolve, and that the directors are 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. f4

---

NOTICE IS HEREBY GIVEN that **3501 Island Avenue, LLC**, with a Commercial Registered Office Provider in care of National Registered Agents Inc. in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth as per 15 Pa. C.S. 8586. The address of its principal office 900 Route 9 N, Suite 301, Woodbridge, NJ 07095.

This shall serve as official notice to creditors and taxing authorities. f4

---

NOTICE IS HEREBY GIVEN that an Application for Certificate of Authority has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about December 3, 2010, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Robert A. Castille & Associates, Inc.** c/o AAAgent Services, LLC.

This corporation is incorporated under the laws of the State of Florida.

The address of its principal office under the laws of its jurisdiction in which it is incorporated is 1170 Manor Court, Weston, FL 33326.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. f4

NOTICE IS HEREBY GIVEN of the filing of Articles of Incorporation as follows:

1. The name of the corporation is **Olympic Realty, Inc.**
  2. The location of the registered office of the corporation is 33 N. Second Street, Harrisburg, PA 17101.
  3. The Articles of Incorporation were filed under the provisions of the Business Corporation Law of 1988.
  4. The corporation shall have unlimited power to engage in and do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Business Corporation Law.
  5. The Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania and approved by said Department on the 7th day of January, 2011. f4
- 

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 12, 2011, by **United Refining Asphalt, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 2711 Centerville Road, Suite 400, Wilmington, DE 19808, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. f4

---

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 7, 2011, by **Kemira Logistics, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1950 Vaughn Road, Kennesaw, GA 30144, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. f4

---

---

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 January 19, 2011, by **BuyWithMe, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 345 Hudson Street, 13th Floor, New York, NY 10014, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. f4

---

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 19, 2011, by **Liquamelt Corp.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1909 N. Ridge Road, Suite 3, Lorain, OH 44055, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. f4

---

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 24, 2011, by **MedErgy Communications, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 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 CT Corporation System, Dauphin County, Pennsylvania. f4

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on September 15, 2010, by **Saf-T-Pak Inc.**, a foreign corporation formed under the laws of Alberta, Canada, where its principal office is located at 17854-106A Avenue, Edmonton, Alberta, Canada, T5S 1V3, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. f4

---

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 7, 2011, by **Kranos Corporation**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 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 CT Corporation System, Dauphin County, Pennsylvania. f4

---

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 19, 2011, by **Knightsbridge Human Capital Management Inc.**, a foreign corporation formed under the laws of the Country of Canada, where its principal office is located at 2 Bloor Street East, 31st Floor, Toronto, Ontario, Canada, M4W 1A8, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o CT Corporation System, Dauphin County, Pennsylvania. f4

---

---

FIRST PUBLICATION

---

Corporate Notices

---

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 January 3, 2011, for the purpose of obtaining a charter of a Nonprofit Corporation organized under the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania. The name of the corporation is: **MT. PLEASANT TOWNSHIP LIONS CLUB.**

The purpose or purposes for which it was organized are: to take an active interest in the civic, cultural, social and moral welfare of the community. f4

---

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on December 8, 2010, by **Elsevier Delaware Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at 1105 North Market Street, Suite 501, 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 CT Corporation System, Dauphin County, Pennsylvania. f4

---

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on 01/24/2011 by **Davis Partnership, P.C.**, a foreign corporation formed under the laws of the State of Colorado where its principal office is located at 2301 Blake Street #100, Denver, CO 80205 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 in Dauphin County. f4

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 14, 2011, by **Sun Coast Resources, Inc.**, a foreign corporation formed under the laws of the State of Texas, where its principal office is located at 6922 Cavalcade Street, Houston, TX 77028, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania is located at c/o National Registered Agents, Inc., Dauphin County, Pennsylvania. f4

---

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 3, 2011, by **Flow Data, Inc.**, doing business in the Commonwealth of Pennsylvania, under the fictitious name of **Divide Oil and Gas, Inc.**, a foreign corporation formed under the laws of the State of Colorado, where its principal office is located at 2309 Grand Park Drive, Grand Junction, CO 81505, 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. f4

---

NOTICE IS HEREBY GIVEN that an Application was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on January 21, 2011, by **ICC-Nexergy, Inc.**, a foreign corporation formed under the laws of the State of Delaware, where its principal office is located at c/o The Corporation Trust Company, 2711 Centerville Road, Suite 400, Wilmington, DE 19808, 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. f4

---

---

FIRST PUBLICATION

---

**Corporate Notices**

---

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **Burkey Risk Services, Inc.**, a corporation of the State of Florida, with principal office located at 3605 Glenwood Avenue, Suite 201, Raleigh, NC 27612, and having a Commercial Registered office Provider and county of venue as follows: Corporation Service Company, Dauphin County, which on June 26, 2006, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. f4

---

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of Section 4129 of the Business Corporation Law of 1988, **BellSouth MNS, Inc.**, a corporation of the State of Delaware, with principal office located at 675 West Peachtree Street, NW, Room 43-044, Atlanta, GA 30375, and having a Commercial Registered office Provider and county of venue as follows: CT Corporation System, Dauphin County, which on January 21, 1998, was granted a Certificate of Authority, to transact business in the Commonwealth, intends to file an Application for Termination of Authority with the Department of State. f4

---

NOTICE IS HEREBY GIVEN that **THIN BLUE LINE RACING, INC.** has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

f4 GARY R. KATZ, Esq.  
226 West Market Street  
West Chester, PA 19382

---

---

FIRST PUBLICATION

---

**Fictitious Notices**

---

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **Tails to Trails Professional Pet Sitters**, for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 4907 Colorado Avenue, Harrisburg, PA 17109, was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 24th day of January, 2011, pursuant to the Act of Assembly of December 16, 1982, Act 295.

The name and address of the only person owning or interested in the said business is: David A. Doyle, 4907 Colorado Avenue, Harrisburg, PA 17109. f4

---

NOTICE IS HEREBY GIVEN that a Fictitious Name was filed in the Commonwealth of Pennsylvania on January 10, 2011 for **T3 Energy Services** located at 7135 Ardmore Street, Houston, TX 77054. The name and address of the limited partnership interested in the business is O&M Equipment, L.P. with a registered office address in care of Capitol Corporate Services Inc. at 600 North Second Street, Suite 401, Harrisburg, PA 17101 in Dauphin County.

This is filed in accordance with 54 Pa.C.S. 311. f4

---

NOTICE IS HEREBY GIVEN that an application for registration of the fictitious name, **STOCK'S MANOR**, for the conduct of business in Cumberland County, Pennsylvania, with its principal place of business at 2421 Mt. Allen Drive, Mechanicsburg, PA 17055, was made to the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on the 29th day of December, 2010, pursuant to the Act of Assembly of December 16, 1982, Act 295.

The name and address of the person owning or interested in said business is: Stephen Weinstock, 16 Stone Spring Lane, Camp Hill, PA.

IRA H. WEINSTOCK, P.C.  
800 North Second Street  
Harrisburg, PA 17102

f4

---

---

**FIRST PUBLICATION**

**Miscellaneous Notices**

---

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

**No. 2010-CV-13475-NC**

**PETITION FOR  
CHANGE OF NAME**

**NOTICE**

NOTICE IS HEREBY GIVEN that on December 23, 2010, the Petition of **Angela Bertoni**, on behalf of **Avery Schaffhauser** was filed in the above named court, requesting a decree to change minor child's name from **Avery Denise Schaffhauser** to **Avery Denise Schaffhauser Bertoni**.

The Court has fixed Monday, February 14, 2011 in Courtroom No. 9, at 9:00 a.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted.

f4 ANGELA BERTONI, Pro se.

---

---

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

**CIVIL ACTION – LAW**

**No. 2010 CV 3084**

**NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE**

**U.S. BANK NATIONAL ASSOCIATION  
TRUSTEE FOR THE PENNSYLVANIA  
HOUSING FINANCE AGENCY, Plaintiff**

vs.

**DORIS JEAN LUDINGTON,  
KATHY M. LUDINGTON and  
FARLEY G. LUDINGTON, JR., KNOWN  
HEIRS OF FARLEY G. LUDINGTON, SR.,  
DECEASED, Defendants**

**TO: KATHY M. LUDINGTON**

YOU ARE HEREBY NOTIFIED that on March 25, 2010, Plaintiff, U.S. BANK NATIONAL ASSOCIATION TRUSTEE FOR THE PENNSYLVANIA HOUSING FINANCE AGENCY, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend against you in the Court of Common Pleas of Dauphin County, Pennsylvania, docketed to No. 2010 CV 3084 MF, wherein Plaintiff seeks to foreclose its mortgage securing your property located at 204 SHELL STREET, HARRISBURG, PA 17009, whereupon your property would be sold by the Sheriff of Dauphin County.

YOU ARE HEREBY NOTIFIED to plead to the above referenced Complaint on or before twenty (20) DAYS from the date of this publication or a Judgment will be entered against you.

**NOTICE**

YOU HAVE BEEN SUED IN COURT. 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, TELEPHONE THE OFFICE BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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

LEON P. HALLER, Esq.  
1719 North Front Street  
Harrisburg, PA 17102  
(717) 234-4178

f4

---

---

FIRST PUBLICATION

---

Miscellaneous Notices

---

IN THE COURT OF COMMON PLEAS  
OF DAUPHIN COUNTY  
PENNSYLVANIA

No. 2011-CV-00015-NC

PETITION FOR  
CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on January 24, 2011, the Petition of **Christopher Laquatra** was filed in the above named court, requesting a decree to change his name from **Christopher Laquatra** to **Trevor Christopher Laquatra**.

The Court has fixed Monday, February 14, 2011 in Courtroom No. 9, Second Floor, at 9 a.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted. f4

---

IN THE COURT OF COMMON PLEAS  
OF DAUPHIN COUNTY  
PENNSYLVANIA

No. 2010-CV-15226-NC

PETITION FOR  
CHANGE OF NAME

NOTICE

NOTICE IS HEREBY GIVEN that on December 15, 2010, the Petition of **Dylan Patrick McCarty** was filed in the above named court, requesting a decree to change his name from **Dylan Patrick McCarty** to **Adrian Sera Vanitose**.

The Court has fixed February 14, 2011 in Courtroom No. 9, at 9:00 a.m., Dauphin County Courthouse, Front and Market Streets, Harrisburg, PA as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause if any they have, why the prayer of the said Petition should not be granted. f4

IN THE COURT OF COMMON PLEAS  
OF DAUPHIN COUNTY  
PENNSYLVANIA

CIVIL ACTION – LAW

No. 2010-CV-9834-MF

NOTICE OF ACTION IN  
MORTGAGE FORECLOSURE

**BAC HOME LOANS SERVICING, LP,**  
**Plaintiff**

vs.

**WILLIAM B. WYDA and**  
**JANET LEE WYDA, Defendants**

NOTICE OF SALE  
OF REAL PROPERTY

**TO: William B. Wyda and**  
**Janet Lee Wyda, Defendants,**  
**4881 Ridge Road**  
**Elizabethtown, PA 17022**

and

**42 Lyon Street**  
**New Albany, PA 18833**

NOTICE IS HEREBY GIVEN that your house (real estate) at 4881 Ridge Road, Elizabethtown, PA 17022, was scheduled to be sold at the Sheriff's Sale on January 13, 2011 at 10:00 a.m. in the Dauphin County Administration Building, 4th Floor, Second and Market Streets, Commissioners Hearing Room, Harrisburg, PA, to enforce the court judgment of \$238,670.11, obtained by Plaintiff above (the mortgagee) against you. **If the sale is postponed, the property will be relisted for the Next Available Sale.**

**JANUARY 13, 2011 SALE POSTPONED  
TO APRIL 14, 2011**

ALL THAT CERTAIN piece or parcel of land situate in Conewago Township, Dauphin County, Pennsylvania, more particularly bounded and described as follows, to wit:

BEGINNING at a point in the center of Township Road T-566 in Conewago Township, Dauphin County, Pennsylvania, said point being on the west side of Township Road T-325; thence running south twenty-four (24) degrees thirty (30) minutes west along the west side of Township Road T-325 for a distance of two hundred (200) feet to a point; thence

---

---

**FIRST PUBLICATION**

---

**Miscellaneous Notices**

---

turning and running north seventy-six (76) degrees fifty (50) minutes west along the residue lands now or late of John M. Reese and Grace R. Reese, his wife, for a distance of two hundred (200) feet to a point; thence by the same north twenty-four (24) degrees thirty (30) minutes east for a distance of two hundred (200) feet to a spike in the center of Township Road T-566; thence turning and running south seventy-six (76) degrees fifty (50) minutes east along the center of Township Road T-566 for a distance of two hundred (200) feet to a spike, the point of BEGINNING.

HAVING THEREON ERECTED a dwelling house known as 4881 Ridge Road, Elizabethtown, PA 17022.

BEING KNOWN AS: 4881 Ridge Road, Elizabethtown, PA 17022.

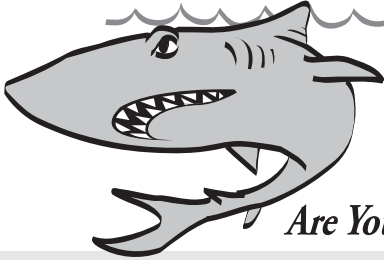
PROPERTY ID No. 22-005-054.

TITLE TO SAID PREMISES IS VESTED IN WILLIAM B. WYDA AND JANET LEE WYDA, HUSBAND AND WIFE BY DEED FROM ARTHUR S. HUSSON, JR. AND KATHRYN M. HUSSON, HUSBAND AND WIFE DATED 12/7/2007 RECORDED 12/11/2007 INSTRUMENT NO. 20070049091.

MARK J. UDREN, Esq.  
Mark J. Udren Law Offices, P.C.  
111 Woodcrest Road, Suite 200  
Cherry Hill, NJ 08003-3620  
(856) 482-6900



# *Tri-State Shredding*



**“Your  
Document  
Shredding  
Specialist”**

*Are You HIPAA Compliant??*

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

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

**CALL 717-233-5606 TODAY**  
[www.tristateshredding.com](http://www.tristateshredding.com)

**Solutions  
for Real Estate  
Challenges**

- Office
- Industrial
- Retail
- Land

**Central PA's #1 ranked  
commercial real estate firm**

Ranked by transaction volume  
CPBJ February 2008/2009

**NAICIR**

Commercial Real Estate Services, Worldwide.

[www.naicir.com](http://www.naicir.com)  
717 761 5070

Alcohol or Other Drugs  
a Problem?

Help is Only  
a Phone Call Away

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

24 Hours Confidential

*A Service Provided by*

Lawyers Concerned for Lawyers of Pennsylvania, Inc.

## CUMULATIVE TABLE OF CASES

Adams, Commonwealth v. . . . .	296
Atlantic Credit & Finance Inc. v. Wylie . . . . .	163
Cameron Real Estate, LP, et al., Pennsy Supply, Inc. v. . . . .	99
Carroll, Commonwealth v. . . . .	102
Centric Bank, Schmitt v. . . . .	1
Commonwealth v. Adams . . . . .	296
Commonwealth v. Carroll . . . . .	102
Commonwealth v. Fernsler . . . . .	64
Commonwealth v. Gross . . . . .	334
Commonwealth v. Hosby . . . . .	32
Commonwealth v. Jones . . . . .	194
Commonwealth v. McCreary . . . . .	314
Commonwealth v. Montelione . . . . .	10
Commonwealth v. Perretta-Rosepink Commonwealth v. Veon . . . . .	262
Commonwealth v. Wingus . . . . .	82
Commonwealth v. Veon Commonwealth v. Perretta-Rosepink . . . . .	262
Commonwealth (PennDOT), Wagner v. . . . .	300
Consoli v. Elias . . . . .	281
Cox, Wilson, et al. v. . . . .	57
Daniels, et al., v. Norfolk Southern Corporation, et al., Wallett's Flooring Services, Inc. v. . . . .	94
DeHart, Fletcher v. . . . .	134
Dock v. Harrisburg Hospital, et al. . . . .	106
East Hanover Township Board of Supervisors v. RVG Land, LLC, Mundy, et al. v. . . . .	116

## Cumulative Table of Cases

Elias, Consoli v. . . . .	281
Estrada v. Olt, et al. . . . .	42
Estright v. Harrisburg Hospital, et al. . . . .	153
Fenstermacher, Mihelich v. . . . .	158
Fernsler, Commonwealth v. . . . .	64
Fletcher v. DeHart . . . . .	134
Gross, Commonwealth v. . . . .	334
Harrisburg Hospital, et al., Dock v. . . . .	106
Harrisburg Hospital, et al., Estright v. . . . .	153
Hartman, et al. v. Hershey Medical Center, et al. . . . .	243
Herd Chiropractic v. State Farm . . . . .	180
Hershey Medical Center, et al., Hartman, et al. v. . . . .	243
Hershey Medical Center, et al., Lopresti v. . . . .	48
Hosby, Commonwealth v. . . . .	32
In re: Appeal of City of Harrisburg . . . . .	200
In re: Condemnation of Sheesley Estate . . . . .	223
In re: Estate of Benjamin F. Herr . . . . .	171
Investigative Consultant Services, Inc., et al., Tagouma v. . . . .	121
Jones, Commonwealth v. . . . .	194
K.S.R. v. Reinhardt . . . . .	323
Kelly v. Kelly . . . . .	110
Kelly, Kelly v. . . . .	110
Kelly Systems, Inc. v. Koda . . . . .	21
Keystone Service Systems, Inc., Pennswood Apartments L.P. v. . . . .	27

## Cumulative Table of Cases

Koda, Kelly Systems, Inc. v. . . . .	21
Lopresti v. Hershey Medical Center, et al. . . . .	48
McAfee v. Quantum Imaging and Therapeutic Associates, Inc. . . . .	70
McCreary, Commonwealth v. . . . .	314
McGarrie v. Short . . . . .	90
McNany, Walter v. . . . .	147
Mihelich v. Fenstermacher . . . . .	158
Montelione, Commonwealth v. . . . .	10
Mundy, et al. v. East Hanover Township Board of Supervisors v. RVG Land, LLC . . . . .	116
Norfolk Southern Corporation, et al. v. Wallett's Flooring Services, Inc. v. Daniels, et al. . . . .	94
Olt, et al., Estrada v. . . . .	42
Papadopoulos v. Schmidt, Ronca & Kramer, P.C. . . . .	205
Pennswood Apartments L.P. v. Keystone Service Systems, Inc. . . . .	27
Penny Supply, Inc. v. Cameron Real Estate, LP, et al. . . . .	99
Perretta-Rosepink, Commonwealth v. Commonwealth v. Veon . . . . .	262
Peters v. Zoning Hearing Board of Londonderry Township . . . . .	166
Quantum Imaging and Therapeutic Associates, Inc., McAfee v. . . . .	70
Reinhardt, K.S.R. v. . . . .	323
RVG Land, LLC, Mundy, et al. v. East Hanover Township Board of Supervisors v. . . . .	116

## Cumulative Table of Cases

Schmitt v. Centric Bank . . . . .	1
Schmidt, Ronca & Kramer, P.C., Papadopoulos v. . . . .	205
Short, McGarrie v. . . . .	90
State Farm, Herd Chiropractic v. . . . .	180
State Farm, Tomasetti v. . . . .	186
Tagouma v. Investigative Consultant Services, Inc., et al. . . . .	121
Tomasetti v. State Farm . . . . .	186
Veon, Commonwealth v. Commonwealth v. Perretta-Rosepink . . . . .	262
Wagner v. Commonwealth (PennDOT) . . . . .	300
Wallett's Flooring Services, Inc. v. Daniels, et al., v. Norfolk Southern Corporation, et al. . . . .	94
Walter v. McNany . . . . .	147
Warner, Wege v. . . . .	219
Wege v. Warner . . . . .	219
Wilson, et al. v. Cox . . . . .	57
Wingus, Commonwealth v. . . . .	82
Wylie, Atlantic Credit & Finance Inc. v. . . . .	163
Zoning Hearing Board of Londonderry Township, Peters v. . . . .	166

## ATTORNEY DISCIPLINARY/ETHICS MATTERS

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

### **James C. Schwartzman, Esq.**

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

### **Dana Pirone Carosella, Esq.**

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

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

# KURZENKNABE PRESS

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

Graphic Design • Invitations • Announcements • Legal Briefs  
Legal Backers • Business Cards • Business Forms • Envelopes  
Multi Color Printing • Bindery & more....

*Quality Printing Since 1893*



1424 HERR STREET

HARRISBURG, PA 17103

TOLL FREE 1-888-883-2598

PHONE: (717) 232-0541

FAX: (717) 232-7458

EMAIL: [KURZENKNABEPRESS@COMCAST.NET](mailto:KURZENKNABEPRESS@COMCAST.NET)

[KURZENKNABEPRESS.COM](http://KURZENKNABEPRESS.COM)

# **TRIAL AHEAD?**

**CONSIDER  
AN ALTERNATE  
ROUTE:**

Dauphin County Bar Association  
*Civil Dispute Resolution Program*

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



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

---

*Board of Directors*

**Elizabeth S. Beckley**  
*President*

**Jonathan W. Kunkel**  
*Vice-President*

**John D. Sheridan**  
*Secretary*

**Carrie E. Smyth**  
*Young Lawyers' Chair*

**William L. Adler**  
**Harry M. Baturin**  
**C. Grainger Bowman**  
**Robert E. Chernicoff**  
**Brooks R. Foland**  
**S. Barton Gephart**  
**Kandice J. Giurintano**  
**Darren J. Holst**

**Brett M. Woodburn**  
*President-Elect*

**James M. McCarthy**  
*Treasurer*

**James P. DeAngelo**  
*Past President*

**Kimberly A. Selemba**  
*Young Lawyers' Chair-Elect*

**Leah M. Lesis**  
**Dianne I. Nichols**  
**Gerald S. Robinson**  
**Adam M. Shienvold**  
**Robert F. Teplitz**  
**Claudia M. Williams**  
**Michael W. Winfield**

*Directors*

---

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

**REPORTING OF ERRORS IN ADVANCE SHEET**

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

**DAUPHIN COUNTY COURT SECTION**

*Motion Judge of the Month*

FEBRUARY 2011  
MARCH 2011

Judge Andrew H. DOWLING  
Judge Richard A. LEWIS

*Opinions Not Yet Reported*

## BAR ASSOCIATION PAGE – Continued

### MISCELLANEOUS SECTION

**WE HAVE A FULL-TIME ASSOCIATE ATTORNEY POSITION AVAILABLE IN OUR LAW FIRM.** We focus on debtor and business representation in Chapter 7, 11, 12 & 13 bankruptcies. This is an entry-level position, with the opportunity of advancement.

Applicants must prove themselves as:

- licensed by the PA Bar
- professional
- ambitious
- responsible
- organized
- having good people skills
- able to work independently
- able to multi-task in a fast paced office with rapidly changing priorities
- ready to learn quickly
- produce quality work in a timely manner, prior to deadlines
- have a general knowledge of simple computer operation, and Microsoft® Windows.

This position is to be based out of our Harrisburg & Wilkes-Barre, PA offices, extensive travel to Northern, Eastern & Middle Pennsylvania Counties will be required. Overnight lodging out of town will also be necessary on a regular basis, and a company vehicle will be provided. A knowledge of bankruptcy law will be helpful, but no experience is necessary, we will train. Some job requirements include: meeting with potential clients, preparing legal documents, and attending hearings.

**SERIOUS APPLICANTS ONLY!:** Email [jm@debt-be-gone.com](mailto:jm@debt-be-gone.com) or Fax Resume ATTN: Attorney Mazzei 412-765-1917. Please include salary requirements, and any sales background experience. Mazzei & Associates is an equal opportunity employer.

- Location: Middle & Eastern PA
- Compensation: Based on Experience
- Principals only. Recruiters, please don't contact this job poster.
- Please, no phone calls about this job!
- Please do not contact job poster about other services, products or commercial interests.

j21-f4

**BAR ASSOCIATION PAGE – Continued**

**MISCELLANEOUS SECTION**

experience. Excellent research and writing required. Must possess degree or certificate; litigation experience is preferred. Cover letter should address prior experience and educational background. Please forward cover letter and resume to Litigation Manager, 840 Market Street, Suite 158, Lemoyne, PA 17043. j21-f4

**CLE STAFF ATTORNEY** — The Pennsylvania Bar Institute seeks an attorney for its Mechanicsburg headquarters, to develop and administer CLE seminars. This is an entry-level position. Excellent communication and organizational skills are essential. Requires some travel. Persons with several years' experience in law practice and/or adult education, and who have successfully coordinated volunteers, would be good candidates.

For further information, go to: <http://www.pbi.org/aboutpbi/jobopportunities.html>

Reply no later than February 28, to Bridgette Feger at [bfeger@pbi.org](mailto:bfeger@pbi.org) with cover letter including salary requirements, and resume. f4-f18

 <p><b>METRO BANK</b></p> <p><b>we ♥ our customers</b></p> <p><a href="http://mymetrobank.com">mymetrobank.com</a> 888.937.0004</p> <p><small>Convenient Locations in Berks, Cumberland, Dauphin, Lancaster, Lebanon and York Counties</small></p>	<p><b>Open 7 Days</b></p> <p><b>Next-Day Availability</b></p> <p><b>Local Loans by Local Lenders</b></p> <p><b>Cash Management</b></p> <p><small>Member FDIC</small></p>
---	--

# INCORPORATION AND LIMITED LIABILITY COMPANY FORMATION

*CONVENIENT, COURTEOUS SAME DAY SERVICE*

*PREPARATION AND FILING SERVICES IN ALL STATES*

**CORPORATION OUTFITS AND  
LIMITED LIABILITY COMPANY OUTFITS**

*SAME DAY SHIPMENT OF YOUR ORDER*

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

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

## **M. BURRKEIM COMPANY**

*SERVING THE LEGAL PROFESSIONAL SINCE 1931*

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

2021 ARCH STREET, PHILADELPHIA, PA 19103

[WWW.MBURRKEIM.COM](http://WWW.MBURRKEIM.COM)

## **ECONOMIC ANALYSIS AND TESTIMONY**

### THE CENTER FOR FORENSIC ECONOMIC STUDIES



Staller



Lentz



Markham



Rosen

CHAD L. STALLER, J.D., M.B.A., M.A.C. ■ STEPHEN ROSEN, Enrolled Actuary

JAMES MARKHAM, Ph.D., J.D., CPCU ■ BERNARD F. LENTZ, Ph.D.

215-546-5600

[www.cfes.com](http://www.cfes.com)