

# ADVANCE SHEET

## The Dauphin County Reporter

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

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### **Estate Notices**

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#### **DECEDENTS ESTATES**

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

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### **FIRST PUBLICATION**

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#### **Estate Notices**

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**ESTATE OF CARMEN SPAGNOLO a/k/a CARMEN NICK SPAGNOLO**, late of Penbrook Borough, Dauphin County, Pennsylvania (died: November 13, 2018). Executor: Nick Spagnolo. Attorney: Jordan D. Cunningham, Esquire, Cunningham, Chernicoff & Warshawsky, P.C., 2320 North Second Street, Harrisburg, PA 17110. a2-16

**ESTATE OF CHARLOTTE M. HOOVER**, late of Lower Paxton Township, Dauphin County, Pennsylvania, (died: June 24, 2019). Executrix: Sheryl Wright, 611 Nyes Lane, Dauphin, PA 17018. Attorney: Elizabeth H. Feather, Esquire, Caldwell & Kearns, P.C., 3631 North Front Street, Harrisburg, PA 17110, (717) 232-7661. a2-16

**ESTATE OF MYRON E. RILAND**, late of Millersburg Borough, Dauphin County, Pennsylvania. Co-Executors: Dean L. Riland, 595 Lebo Street, Millersburg, PA 17061; Rena M. Shomper, 256-B Center Street, Millersburg, PA 17061. Attorney: Earl Richard Etzweiler, Esquire, 105 N. Front Street, Harrisburg, PA 17101, (717) 234-5600. a2-16

**ESTATE OF KATHY E. EVANS**, late of West Hanover Township, Dauphin County, Pennsylvania, (died: September 13, 2018). Administratrix: Rachel K. Yanich, 524 3rd Street, Harrisburg, PA 17113. Attorney: Brian J. Hinkle., Mette, Evans & Woodside, 3401 N. Front Street, Harrisburg PA 17110; Telephone: (717) 232-5000. a2-16

**ESTATE OF WILMA L. BENSON**, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executrix: Kathleen D. Chastain. Attorney: Melanie Walz Scaringi, Esquire, Scaringi Law, 2000 Linglestown Road, Suite 106, Harrisburg, PA 17110. a2-16

**ESTATE OF GLENN L. KIRBY**, late of Hummelstown, Dauphin County, Pennsylvania (died: June 27, 2019). Executrix: Diane M. Rizzo, c/o George W. Porter, Esquire, 909 East Chocolate Avenue, Hershey, Pennsylvania 17033. a2-16

**ESTATE OF DEDRA NEWMAN CASTLE**, late of Sarasota, Florida (died: August 9, 2017). Executor: Jay F. Castle c/o Linda A. Clotfelter, Esquire, 23 Central Boulevard, Camp Hill, PA 17011. a2-16

**ESTATE OF KEITH J. ZEIGER, JR.**, (died: December 13, 2018). Executor: Keth J. Zeiger, Sr., 54 Thomas Street, Hummelstown, PA 17036. a2-16

## J.S. V. R.S.S.

**Domestic Relations - Child Custody - Continuance - Best Interests of the Child**

Plaintiff father appealed the Court's custody order granting Defendant mother sole legal custody and primary physical custody of the parties' seven-year-old daughter. An earlier Opinion in this case, *J.S. v. R.S.S.*, 126 Dauph. Co. Rptr. 265 (2019), addressed the preliminary issue of subject matter jurisdiction.

1. The granting of a continuance rests in the discretion of the Trial Judge and that action will not be reversed unless it is clear the exercised discretion has been abused. *Carey v. Philadelphia Transp. Co.*, 237 A.2d 233, 235 (Pa. 1968). The refusal to grant a continuance is not an abuse of discretion where it is apparent that the requesting party has not exercised due diligence related to the reason for the continuance request. *Whitaker-Reid v. Pottsgrove Sch. Dist.*, 160 A.3d 905, 913 (Pa. Commw. 2017) (citing *Carey* at 235).

2. It is well-established that the paramount concern in a child custody case is the best interests of the child, based on a consideration of all factors that legitimately affect the child's physical, intellectual, moral and spiritual well-being and is to be made on a case-by-case basis. *Staub v. Staub*, 960 A.2d 848, 853 (Pa. Super. 2008).

Pa.R.A.P. 1925(a) Opinion. C.P., Dau. Co., No. 2015-CV-04691-CU

*Roger C. Renteria, Jr.*, for the Plaintiff

*Debra R. Mehaffie*, for the Defendant

Turgeon, S.J., July 16, 2019

**OPINION**

On June 4, 2019, following a hearing, I issued a custody order in which I granted Mother R.S.S. sole legal custody and primary physical custody of the parties' seven-year-old daughter. At the time I issued my order, the Child had been residing with Father J.S. in Hungary. Mother last saw the Child in July 2016 and Father has kept the Child from her since that time primarily by lying to Mother that he has been in a witness protection program that required he not let her see the Child, contact the Child or know his and the Child's location. I ordered Father return the Child to Mother within a month and granted Father supervised visitation in Pennsylvania. Father filed an appeal from the custody order July 2, 2019. He primarily challenges an earlier decision I made on a preliminary issue that Pennsylvania has subject matter jurisdiction to litigate the parties' custody action. He also challenges my decision denying his request for a continuance of the custody hearing. I offer this opinion in support of my orders.

**Background**

Mother and Father were married in Pennsylvania in 2008. Their only child was born in April 2012. During their marriage the family lived in Dauphin County, Pennsylvania. Following their 2014 separation, Father moved out of the marital home. Although they divorced in October 2015, they continued to act as a couple in many respects including maintaining an intimate relationship through the end of October 2017, well after Father's remarriage and after he moved with the Child to Hungary with his new wife, unbeknownst to Mother.

Father initially filed a complaint in Dauphin County seeking custody and notice of intent to relocate to Hungary in June 2015. He stated it was his intent to relocate in November 2015. Mother filed a

counter-affidavit stating she did not oppose relocation. As noted in detail below, Mother later pled and testified that she did not oppose relocation at the time because Father had falsely told her he was going to be entering a witness protection program. On August 13, 2015, following a conference with a custody conciliation officer, the parties reached an agreed custody order granting Father sole legal and physical custody of the Child and permitting him to relocate. The order contained no specific provision concerning Mother's physical custody but only a statement that the parties understood and stipulated that "an expanded or altered schedule may be agreed upon" at a later date and that both retained the right to seek modification.

There was no activity in this custody action until November 30, 2017, when Mother filed petitions for custody modification and special relief. In her petitions, she asserted that despite the entry of the 2015 custody order, the parties immediately disregarded its terms. Father did not exercise sole legal and physical custody, nor did he move with the Child to Hungary. Instead, Mother exercised extensive physical custody including times when she had primary physical custody of the Child, who resided with her in the former marital home in Hummelstown (the "farmhouse"). As alleged, Mother claimed that over time, the Child began to spend less time with her and more with Father as Father convinced Mother to work more hours at her nursing job. During this time, Mother repeatedly asked Father to return the Child but he failed to do so despite many promises to the contrary. According to her 2017 pleadings, at some point Father concocted a story that he and the Child were in a witness protection program and he could not disclose his or the Child's whereabouts. Father eventually cut off Mother from any contact with the Child, around July 2016. Father did not inform Mother he had moved to Hungary with the Child in July 2016 and Mother continued to believe the Child was with Father at undisclosed locations in the Pennsylvania area.

Mother additionally alleged that between July 2016 and May 2017, Father continued to visit her at the farmhouse and they remained sexually intimate, even after Father married his current Hungarian wife E.S. in December 2015. E.S. had previously been a nanny to the Child prior to the parties' separation. In late October 2017, Mother was told by a friend that she observed Father and the Child in the Central Pennsylvania area, along with E.S. and their newborn, prompting Mother to file her current petitions. Mother requested in her special relief petition that Father surrender the Child's passport and keep the Child in this area while she pursued custody.

On November 30, 2017, the same day Mother filed her petitions, the Hon. William Tully issued an *ex parte* Order directing Father to not remove the Child from the Central Pennsylvania area and that he surrender the Child's passport, pending custody litigation.<sup>1</sup>

Following a custody conciliation conference January 17, 2018, addressing Mother's petition to modify custody, the matter was assigned to me for a custody trial. Father retained an attorney who filed preliminary objections. Father argued that Pennsylvania no longer maintained subject matter jurisdiction over Mother's custody modification request under the Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA), primarily because the Child no longer lived in Pennsylvania but had been living in Hungary since July 2016. 23 Pa.C.S.A. § 5422(a). He alternatively argued that, assuming

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<sup>1</sup> Father failed to comply with this order though the record reflected that Father most likely never received service of the order until after he had left the U.S. and returned to Hungary. (See N.T. 2/27/18 at 12-13)

Pennsylvania retained jurisdiction, I should nevertheless transfer the custody action to Hungary under the UCCJEA on inconvenient forum grounds. 23 Pa.C.S.A. § 5427.<sup>2</sup>

In her response opposing the preliminary objections, Mother explained that at the time she agreed to grant Father sole legal and physical custody in August 2015, she did so because Father manipulated her into believing he was in danger and might be entering a witness protection program. Mother believed Father's lies that the Child's safety was also imperiled. Father also led her to believe, until late October 2017, they were going to be "a family" again as soon as his situation was safe enough for him to return to her with the Child from whatever undisclosed location he was living. She asserted she therefore refrained from formally seeking custody as a result of Father's misrepresentations to her.

I held a hearing February 27, 2018 on the preliminary objections at which Mother testified in person and Father testified via videoconferencing (Skype), allegedly from Hungary. At the conclusion of that hearing, I took the matter under advisement pending the parties' attempts to settle. They were unable to resolve the matter and I held a second hearing March 29, 2018 at which Father also appeared and testified by videoconferencing. Following production of the transcripts and briefs, I issued an order August 17, 2018 overruling Father's objection contesting Pennsylvania jurisdiction and denying his motion to transfer this action to Hungary.

On September 26, 2018, I issued a comprehensive Opinion explaining my decision. J.S. v. R.S.S., 126 Dauph. Co. Rptr. 265 (2019). With regard to jurisdiction, I found that Mother proved that Father repeatedly lied to her over a number of years about his participation in a witness protection program, the danger to him and the Child and about his intentions to return to Pennsylvania with the Child and reunite with Mother "as a family." I addressed the substantial evidence in support of that conclusion in detail including extensive documentary evidence of the parties' social media and electronic communications. Id. at 268-75. I concluded that the record fully supported a finding that Father's massive fraud, extraordinarily deceitful behavior and misrepresentations actively thwarted and deterred Mother from maintaining and exercising custodial rights in Pennsylvania and/or otherwise manipulated her in a manner that caused her to then not pursue custody, which custodial contacts would have been otherwise sufficient to establish exclusive and continuing jurisdiction in Pennsylvania under the law. Id. at 275-83. I additionally found that Father failed to prove under the UCCJEA that Pennsylvania was an inconvenient forum and that Hungary was a more appropriate forum. Id. at 283-86.

On September 18, 2018, the 32nd day following my order overruling his preliminary objections, Father filed a notice of appeal to the Superior Court. No. 1546 MDA 2018 (Pa. Super.). Father simultaneously filed a motion seeking reconsideration or alternatively, that I certify it as a final appealable order. On September 26, 2018, I issued a Memorandum Order dismissing both his motion for reconsideration and certification request. In the meantime, Father had filed an application in the Superior Court seeking to appeal *nunc pro tunc* from my order overruling his preliminary objections. The Superior Court

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<sup>2</sup> Around this same time frame, Father filed a petition with a Hungarian court seeking that it register and enforce the parties' 2015 Pennsylvania custody order. (N.T. 2/27/18; Exbt. P-5.10)

issued an order a week later denying the application without prejudice to Father seeking the same relief with this court. Father thus filed a petition here seeking *nunc pro tunc* relief. Following a telephone conference with counsel, I issued a Memorandum Order October 29, 2018, denying Father's request to appeal *nunc pro tunc*. Father filed a timely appeal to the Superior Court from that decision. No. 1907 MDA 2018 (Pa. Super.).

Mother filed a motion to quash Father's initial appeal with the Superior Court as being untimely and later an emergency praecipe/motion to quash that same appeal. On November 29, 2018, the Superior Court formally quashed Father's appeal from the order dismissing his preliminary objections, due to untimeliness (No. 1546 MDA 2018).

Concerning Father's appeal from my order denying his request to appeal *nunc pro tunc*, the Superior Court issued an order January 14, 2019 remanding the matter to determine whether Father's appellate counsel had abandoned him. Following a conference call that included both Father's appellate counsel and his proposed new trial counsel, I sent a statement to the Superior Court explaining that his appellate counsel would be formally withdrawing from representation and that his new counsel would review the appellate file and decide whether to pursue the appeal. Following review, Father's new (and current) counsel filed a motion to withdraw Father's *nunc pro tunc* appeal and the Superior Court formally discontinued it on February 8, 2019 (No. 1907 MDA 2018).

In the interim, litigation proceeded on the merits of Mother's November 2017 custody modification petition. On January 11, 2019, Mother, her attorney and Father's new attorney appeared at a custody conciliation conference. Father requested and was granted permission to participate by phone. Because the custody issues were not resolved, the matter was scheduled for trial on March 27, 2019.<sup>3</sup> Shortly before trial, Mother filed a petition seeking to hold Father in contempt for failing to comply with Judge Tully's November 30, 2017 order directing Father not remove the Child from this area and surrender the Child's passport. I directed that the contempt petition also be heard at the March 27, 2019 hearing.

One day before the custody trial and contempt hearing, Father filed a motion for continuance in which he claimed he was "medically unable to travel to the United States." He attached a copy of a Hungarian "medical certificate" dated March 12, 2019, with a certified, translated copy thereof. The translation of the physician's statement in the document stated: Father "suffered s [sic] multiple fracture of his right lower leg. After-treatment of the injury is in progress, he is getting physiotherapy treatments. He is on strong analgesic drugs, so driving and operating machinery is contraindicated at present. His working capacity is currently limited." The document failed to state Father was unable to travel or was incompetent to participate remotely. It also failed to indicate the date of the injury. Nevertheless, following a conference call with counsel, I granted the continuance and issued a scheduling order on April 22, 2019, directing that the hearing be rescheduled for June 3, 2019. The scheduling order directed that "[t]he child at issue shall be

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<sup>3</sup> The scheduling Order was issued February 21, 2019 and directed the matter proceed to a trial. Under the custody rules, the matter could have proceeded first to a pre-trial conference if requested by either party or pursuant to my direction, *sua sponte*. Pa.R.C.P. 1915.4-4(a). Neither party requested a conference and I did not direct there be one given the unlikelihood of resolution and the need to move the matter along given the immense length of time since Mother had seen the Child.

brought to the Courthouse, along with a responsible adult who will care for the child outside the courtroom during the trial.”<sup>4</sup> The scheduling order also required that the parties submit updated pre-trial statements within five days prior to trial.<sup>5</sup>

On Thursday May 23, 2019, just ten days before the custody trial and contempt hearing, Father filed another continuance motion in which he claimed he was still “medically unable to travel” due to the same injury and additionally that due to his medication, he would be unable to participate “in a competent and knowing manner.” Father attached an updated Hungarian medical certificate with a physician’s statement, dated May 2, 2019. It includes a poor translation that was not certified and appears to be a Google translation. The translation states: “multiple breakage suffered el [sic] injury aftercare in progress. Allapota [sic] due to increased the thrombosis formation of possibility so long-term travel flight is not proposed. Pharmacological treatment of physiotherapy management expected to have one year lasts.” While the translation provided by Father suggests he had a possible issue of thrombosis with travel, the language is otherwise unclear or inconclusive in establishing a total inability to travel or if so, for how long. Furthermore, the physician’s statement makes no mention that Father is not competent to participate in a trial due to medication.

I held a conference call with counsel Wednesday May 29, 2019. In light of the weak record supporting Father’s continuance request, I denied the motion “unless a Pennsylvania reputable orthopedic surgeon, seeing all medical records from past 60 days, translated into English, opines [Father] cannot travel on commercial airlines, selecting extra room seat allowing him to move around as needed, to Harrisburg Pa.” Father failed to provide the requested, valid medical opinion excusing his personal appearance prior to the hearing date and the matter proceeded to a hearing June 3, 2019 on Mother’s custody modification petition (filed 11/20/17) as well as her request that Father be held in contempt (filed 3/22/19). Notably, Father made no request to participate by phone or video conference.

At the hearing, Father did not appear and also failed to arrange for the Child’s appearance, as directed in my April 22, 2019 order. At the outset of the hearing, Father’s attorney renewed his request for a continuance, claiming that Father and his wife E.S. were attempting to collect his medical records to support his claim he was unable to travel but were running into bureaucratic problems. Father’s attorney presented a translated copy of Father’s request to hospital authorities in Hungary granting his wife power of attorney to collect medical records for the purpose of forwarding them to this court. (N.T. 6/3/19 at 5-10; Exbt. P-1)

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<sup>4</sup> In addition to this order, Mother’s attorney also subpoenaed the Child’s attendance for the hearing. (N.T. 11)

<sup>5</sup> The requirement that parties submit pre-trial statements is mandated under Rule 1915.4-4(b) as well the corresponding Dauphin County Local Rule 1915.4-4. These rules list the information that must be included in a pre-trial statement. See Pa.R.C.P. 1915.4-4(b); Dauph. Co. L.R. (Civil) 1915.4-4(a). In addition, the Local Rule requires that updated pre-trial statements be filed with the trial judge no later than five days prior to a custody trial. Dauph. Co. L. R. (Civil) 1915.4-4(b).

Father's attorney stated that he had been having a difficult time communicating with Father since Father's injury. He noted that he and Father had spoken only one time since Father's injury at the beginning of the year, which communication occurred in February and that he has had no other direct communications with Father since then. (N.T. 6/3/19 at 5-6, 10) All of his communications had been through Father's wife. Counsel opined this lack of contact was due to Father being heavily medicated. (N.T. 6/3/19 at 5-6) Father's attorney also stated that due to this lack of contact with Father, he had been unable to discuss the trial, offer an appropriate settlement or make any pre-trial filings on Father's behalf. (N.T. 6/3/19 at 6, 10)

Mother's attorney countered that Father had failed to provide credible evidence he was not capable of speaking by phone or emailing his attorney and was instead "hiding" in Hungary. She also disputed the authenticity of the newest medical record because it lacked a certified translation. (N.T. 6/3/19 at 11) Finally, she requested that, because Father failed to file a pretrial statement as directed in the scheduling orders and as required by the rules of court, Father be sanctioned under Pa.R.C.P. No. 4019(c)(2) and (c)(4), including being precluded from offering any evidence at the hearing.<sup>6</sup> (N.T. 6/3/19 at 12) I granted the request to preclude Father from offering evidence, which was further precluded by Father's failure to appear or participate electronically. (See N.T. 6/3/19 at 35)

In addition, following discussion, I denied Father's counsel's oral motion renewing his continuance request because I found dubious Father's claims he could not travel from an injury suffered five or six months earlier and that even if he were unable to travel, he had presented no credible evidence whatsoever of an inability to testify by telephone or videoconferencing, as he had for the two 2018 hearings and the January 2019 custody conference. (N.T. 6/3/19 at 13-14)

I thereafter heard testimony from Mother and her witnesses, including Mother's father P.G. (maternal grandfather) and Father's mother E.S. (paternal grandmother). At the conclusion of the hearing I took under advisement the matter of whether Father was in contempt for violating Judge Tully's November 30, 2017 order. (N.T. 6/3/19 at 37) I then reviewed all the evidence including testimony and exhibits from the two 2018 hearings (which I incorporated into the record) and applied the Child Custody Act factors for deciding custody (discussed *infra*). 23 Pa.C.S.A. § 5328(a). (N.T. 6/3/19 at 15, 38-42) Upon consideration of the evidence and statutory factors, I announced that I would be awarding Mother primary physical

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<sup>6</sup> The custody rule that requires the filing of a pre-trial statement (see FN 5) also directs that where a party fails to file a pre-trial statement, the court may sanction the non-complying party as permitted under Pa.R.C.P. No. 4019(c)(2) and (c)(4). Pa.R.C.P. 1915.4-4(c). The sanctions specified under Rule 4019(c) include:

(2) an order refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting such party from introducing in evidence designated documents, things or testimony, or from introducing evidence of physical or mental condition;

...

(4) an order imposing punishment for contempt, except that a party may not be punished for contempt for a refusal to submit to a physical or mental examination under Rule 4010;

...

Pa.R.C.P. 4019(c)(2).



custody. The next day, June 4, 2019, I issued a written “Order of Court/Parenting Plan” formally granting Mother sole legal and primary physical custody to commence no later than July 5, 2019, and directing that Father make arrangements for the Child’s return to Mother by that date. I granted Father the right to supervised visitation at Child First or another supervised visitation site. I also directed that Father provide Mother immediate daily communication with the Child, that Father obtain a \$100,000 custody bond, that Mother enroll the Child in counseling or psychotherapy and that the parents engage in monthly family counseling. Finally, the custody order included a jurisdictional statement in which I summarized my finding in the September 26, 2018 Opinion that Pennsylvania maintained subject matter jurisdiction over this custody action under the UCCJEA. I additionally found that Mother proved the child has been wrongfully removed from the U.S. or retained outside the U.S., within the meaning of the Hague Convention, 42 U.S.C. § 11603(e)(1).<sup>7</sup> Father filed a timely appeal on July 2, 2019 from the custody order.

#### Errors Raised on Appeal

In his statement of errors raised on appeal, Father claims I committed an error of law and abused my discretion by (1) finding that Pennsylvania had subject matter jurisdiction pursuant to the UCCJEA to hear Mother’s petition to modify custody where the Child and Father had relocated to Hungary and had been living there for at least eighteen months with no substantial Pennsylvania contacts and where they moved there with Mother’s consent and agreement; (2) determining Pennsylvania had continuing jurisdiction pursuant to the UCCJEA under faulty reasoning that the Child would have maintained a significant connection with Pennsylvania but for Father’s deceptive behavior; (3) determining Pennsylvania had continuing jurisdiction pursuant to the UCCJEA under faulty reasoning that custodial contacts would have been otherwise sufficient to establish exclusive and continuing subject matter jurisdiction but for Father’s deceptive behavior; (4) denying Father’s motion to continue the hearing scheduled for June 3, 2019 unless he would provide medical records to an orthopedic surgeon who could then offer a medical opinion confirming his Hungarian doctor’s opinion that Father was medically unable to travel and participate in the June 3, 2019 hearing, allowing him only five days to achieve same; and (5) denying Father’s motion to continue and making a final custody determination in Father’s absence, which was in violation of Father’s constitutional right to due process of law particularly because it materially effects the manner and nature of his relationship with his child.

The first three alleged errors raised by Father all involve my decision to overrule his preliminary objection challenging this court’s subject matter jurisdiction and permitting this court to litigate this custody action here, under the UCCJEA. As noted, I issued an extensive Opinion on September 26, 2018 in support of my decision finding subject matter jurisdiction was established in Pennsylvania under the UCCJEA. My Opinion fully addresses all of Father’s alleged errors concerning the subject matter

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<sup>7</sup> I also issued a second order June 4, 2019, denying Mother’s petition seeking to find Father in contempt of Judge Tully’s 2017 Order. Finally, I issued a third order scheduling a hearing to consider whether Father was in contempt of court for having failed to arrange for the Child’s appearance at the June 3, 2019 hearing.

jurisdiction issue and I thus direct the Superior Court to that Opinion for the purpose of complying with Pa.R.A.P. 1925(a).<sup>8</sup>

The next two issues raised concern my decision to deny his motion for continuance. I address my reasoning for this decision below.

Finally, even though Father has not challenged the merits of my decision to grant Mother's petition to modify custody by awarding her sole legal and primary physical custody, I nevertheless include my reasons for arriving at this decision in order to create a complete record.

#### Legal Discussion

##### *i. Motion for Continuance*

Father claims I erred as a matter of law and abused my discretion by denying his May 23, 2019 motion for continuance. "[T]he granting of a continuance rests in the discretion of the Trial Judge and that action will not be reversed unless it is clear the exercised discretion has been abused." Carey v. Philadelphia Transp. Co., 237 A.2d 233, 235 (Pa. 1968). "The refusal to grant a continuance is not an abuse of discretion where it is apparent that the requesting party has not exercised due diligence related to the reason for the continuance request." Whitacker-Reid v. Pottsgrove Sch. Dist., 160 A.3d 905, 913 (Pa. Commw. 2017) (citing Carey at 235).

Father claims I erred by denying his continuance request on May 29, 2019 because I only allowed him five days to provide a second medical opinion to support his Hungarian doctor's opinion that he was "medically unable to travel and participate in the custody hearing." As I noted above, the medical document Father provided in support of his second continuance motion, dated May 2, 2019, included an uncertified, poor translation. The translated document suggested an issue of thrombosis with travel and that "long-term travel flight is not proposed." Contrary to Father's assertion in his statement of errors on appeal, the attached medical document *does not* state anywhere that Father is "unable to travel and participate in [a] custody hearing."

To the extent the document can be interpreted as *recommending* Father not travel, it fails to indicate a time frame for this recommendation. Given that the alleged physician's excuse was issued more than a month prior to the scheduled custody hearing and failed to indicate when the physician had last examined Father, it failed to adequately support my continuing the hearing. Additionally, the physician did not opine that Father could not participate in a trial "in a competent and knowing manner" due to medication. Furthermore, the medical document dated March 12, 2019 that Father attached to his first continuance motion (filed March 26, 2019), made no suggestion whatsoever that Father was unable to travel or lacked competency to participate in a custody trial. Father thus presented no credible evidence supporting his claims that he was "medically unable to travel and participate in the custody hearing."

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<sup>8</sup> I note that while Father failed to timely seek an interlocutory appeal from my August 17, 2018 order sustaining subject matter jurisdiction in Pennsylvania, he retains his right to appeal on grounds of a lack of subject matter jurisdiction following entry of a final custody order. See H.R. v. Dept of Pub. Welfare, 676 A.2d 755, 759-760 (Pa. Commw. Ct. 1996).

Therefore, on May 29, 2019 I ordered that Father's motion seeking to be excused from appearing in person be denied unless he provided a medical opinion from a Pennsylvania orthopedic surgeon that opined Father was unable to travel by commercial plane. Because Father filed his continuance motion so late, Father had just five days to comply with this directive. My order did not foreclose Father from seeking to participate in the trial and testify via phone or videoconference, as he had done previously three times in this action. Since Father failed to provide a valid medical opinion in support of his claims, the hearing proceeded as scheduled, without Father's attendance.

At the hearing, Father's attorney orally renewed his request for a continuance, claiming that Father and his wife were attempting to collect his medical records in order to provide a second opinion as to his inability to travel but were running into bureaucratic hurdles. I denied Father's oral motion noting that I found dubious his claims he could not travel from an injury suffered five or six months earlier and that even if he were unable to travel, he had presented no credible evidence whatsoever of an inability to testify by telephone or videoconferencing.

This record clearly reveals that Father was not entitled to a continuance because he failed to exercise due diligence by adequately supporting his assertions that he was unable to travel or to otherwise competently and knowingly participate in the hearing. Whitacker-Reid at 913.

Father's continuance motion was also appropriately denied as well because it was filed too late. The Hungarian physician's statement attached to Father's continuance motion was dated May 2, 2019. This document was presumably created by the physician at Father's request for the purpose of presenting it to this court in support of his continuance request. Despite having the physician's statement on May 2, 2019, the continuance motion was not filed until more than three weeks later. Given that the June 3, 2019 hearing date had already been rescheduled from late March, after this court granted Father's first continuance request, it is my opinion that Father's late production of this new medical excuse was likely intentional and designed to delay proceedings.

Father's final argument on appeal is that my decision to deny his continuance request and proceed with the trial in Father's absence, resulting in a final custody order, was made in violation of his constitutional right to due process of law. As set forth in detail above, Father failed to support his claims of an inability to travel or more importantly, of an inability to participate in these proceedings remotely. As such, his due process rights were not violated.

*ii. Best Interests of the Child – Factual Background*

In addressing the merits of Mother's petition to modify custody, I considered not only evidence offered at the June 3, 2019 hearing, but I also I incorporated the testimony and exhibits from the February 27 and March 29, 2018 hearings, at which Father participated and testified via Skype. (N.T. 6/3/19 at 15) While those hearings primarily considered evidence relevant to determining the jurisdictional issue, they also provided a significant amount evidence directly relevant to the factors a judge must consider in

determining custody.<sup>9</sup>

Mother is currently 33 years old and Father 44 years old. They married in 2008 and lived in the farmhouse, which Father solely owned. Father moved out sometime in 2014. (N.T. 2/27/18 at 91) Mother credibly testified that she only agreed to the terms of the 2015 initial custody order, granting Father sole legal and physical custody and the right to relocate, because Father told her he was in a witness protection program. (N.T. 2/27/18 at 15) She believed his claims that he was in some kind of trouble and the only way for the Child to be safe was if Mother agreed he have custody. (N.T. 2/27/18 at 15) Mother trusted Father and thought she was doing the right thing. (N.T. 2/27/18 at 19) She asserted that Father had been mentally and physically abusive to her during their relationship, which spanned fourteen years. (N.T. 2/27/18 at 16, 19) In the past, Father had threatened her physically, threatened her job and she was scared of him. (N.T. 2/27/18 at 19, 21)

Father denied telling Mother he was in a witness protection program but admitted that when she brought it up, he would falsely confirm that he was in fact in witness protection and understood that Mother believed him. (N.T. 3/29/18 at 14-15) He failed to explain why Mother would have raised this issue on her own. Father offered non-credible testimony that he lied because Mother had tried to kill him two times and had harmed the Child by locking her in a room and calling her names. (N.T. 3/29/18 at 68, 81) He also claimed he lied in order to protect his current wife E.S. so Mother would not know where she was. (N.T. 3/29/18 at 68-69, 78) At the 2018 hearings, Father's mother (paternal grandmother E.S.) testified that Father had also told her he was in a witness protection program and she was unsure whether his claim was true. (N.T. 2/27/18 at 50-51)

Mother testified that immediately after being persuaded by Father in August 2015 to give him sole legal and physical custody of their Child to relocate to Hungary, the Child nevertheless resided with her at the farmhouse and that Father would stay with them sometimes. (N.T. 2/27/18 at 14, 23) Father continued to live in Dauphin County despite his relocation plan. (N.T. 3/29/18 at 8-12) Father, in fact, maintained business connections to Central Pennsylvania. He and a partner have owned a Highspire-based real estate holding company since the early 2000's. The holding company, a Pennsylvania corporation, previously owned a Harrisburg restaurant Father operated and eventually sold in August 2016, shortly after his move to Hungary. (N.T. 2/27/18 at 70, 134; Exbt. D-17)

According to Mother, after entry of the agreed custody order, she had physical custody close to full time particularly when Father worked at his restaurant. When she worked her nursing shifts, Father would keep the Child. (N.T. 2/27/18 at 14) Between August 2015 and July 2016, Father encouraged

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<sup>9</sup> As I stated in my Opinion addressing the jurisdictional issue, "in order to fully explore Mother's argument that Father engaged in a lengthy saga of lies and manipulation to keep the Child from her and deterred her from seeking custody, this court heard a broad offering of evidence at the two hearings." J.S. v. R.S.S., 126 Dauph. Co. Rptr. at 268. The prior testimony and exhibits provide substantive evidence relevant to determining custody under the Child Custody Act factors, particularly as to which party is more likely to encourage and permit frequent and continuing contact, present and past abuse committed by a party, attempts of a parent to turn the child against the other parent, the level of conflict between the parties and the willingness and ability of the parties to cooperate with one another, and the mental and physical condition of a party. (See FN 11)

Mother to work more shifts and therefore Father began to exercise more physical custody and eventually stopped returning the Child to her, around July 2016. (N.T. 2/27/18 at 14-15, 81) While Father denied the Child lived with Mother at the farmhouse, he agreed Mother saw the Child on occasion during this time period. (N.T. 3/29/18 at 12)

Following their separation and after a divorce decree was entered (roughly during the period between August 2015 and July 2016), Father would often visit Mother, without the Child, in order to have sex with her. (N.T. 2/27/18 15) Mother credibly testified that he would manipulate her by sending pictures of the Child if she turned down his requests for sexual favors or making pornographic videos for him. (N.T. 2/27/18 at 15-16) Her testimony was borne out by a considerable volume of their social media communications Mother submitted reflecting Father's deeply manipulative behavior.

In December 2015, while Mother and Father were still in a relationship and unbeknownst to Mother, Father married his new wife E.S., who was then 23 years old. Mother would not discover this marriage until November 2016 when the wedding announcement was published in a local newspaper. (N.T. 2/27/18 at 111) E.S. had been living in the U.S. for a short time on a work visa and as noted, had been the Child's nanny while Mother and Father were still together. For a brief time in 2015, following Mother's and Father's separation, E.S. and Mother lived together briefly in the farmhouse, however, their relationship deteriorated and in April 2015 E.S. filed a Protection From Abuse (PFA) petition against Mother, with whom she claimed to have been sexually intimate. (N.T. 3/29/18 at 79) The same day, Mother filed a PFA petition against Father, reciting incidents of physical and emotional abuse. Less than two weeks later, both E.S. and Mother withdrew their respective PFA petitions.

According to Father, on July 14, 2016, he flew with the Child to Hungary to live there, joining E.S. (N.T. 2/27/18 at 44, 96-98) Upon their arrival, Father enrolled the Child in Kindergarten, and the Child has attended school there since that time. (N.T. 2/27/18 at 96, 98-99; N.T. 3/29/18 at 34) As of the 2018 hearings, both the Child and Father held Hungarian permanent residence cards. (N.T. 2/27/18 at 101; Exbts. P-6 to P-8) Father testified that the Child speaks Hungarian fluently. (N.T. 2/27/18 at 99, 114) Father alleged he obtained employment at that time in a motorcycle shop. (N.T. 2/27/18 at 44, 96-98) In August 2017, Father's wife E.S. gave birth to a son who lives with the Child, E.S. and Father in Hungary. (Exbt. P-5.6)

At the 2018 hearings, Father admitted he never told Mother of his July 2016 move to Hungary until late 2017. (N.T. 3/29/18 at 15) Father claimed he kept information from Mother because he considered her mentally unstable. (N.T. 2/27/18 at 103-08) He recounted that when he would tell her that he did not want to be with her or that the Child was not coming back, she would threaten to kill herself. (N.T. 2/27/18 at 109-110) He claimed he lied to protect his new family. (N.T. 3/29/18 at 82-83, 112) Father presented some of their communications in support. For example, Mother texted Father in January 2016 writing "I can't even see my daughter every day. I'm killing you." (Exbt. P-13). In March 2016, Mother texted: "actually I don't want to see you or [the Child] until you move in here. It's too hard on me. Better

out of sight out of mind.” (Exbt. P-15) In texts from May 2016 and August 2016, Mother expressed to Father her depression and thoughts of suicide because she was unable to see the Child. (Exbts. P-16, P-17)

In late July 2016, Father returned to Pennsylvania, without the Child. (N.T. 2/27/18 at 95, 145; Exbt. P-25) He remained in Pennsylvania until early September 2016. (N.T. 2/27/18 at 145; Exbt. P-2) Mother did not know the Child was in Hungary at this time and arranged with Father to take a three-day family trip to the beach. (N.T. 2/27/18 at 22) Father showed up but without the Child, telling Mother the Child was at his mother’s home. (N.T. 2/27/18 at 22) Father admitted he went on the beach trip with Mother but only agreed to go because Mother threatened to hang herself if he refused. (N.T. 2/27/18 at 145-46)

In September 2016, Father visited Mother at the farmhouse, without the Child, during which they had sexual relations. (N.T. 2/27/18 at 16) Father told her at the time “they were all going to be coming back soon.” (N.T. 2/27/18 at 16) Father explained to her that the witness protection program was going to allow him to bring the Child “home” to be with Mother. (N.T. 2/27/18 at 16)

Shortly after their beach rendezvous and after Father returned to Hungary (unbeknownst to Mother), Mother and Father communicated regularly via electronic means. In emails from September 2016 Mother asked Father whether he thought it would be a long time until she saw him and the Child. (N.T. 3/29/18 at 53-55; Exbt. D-22). Father, alluding to the witness protection program, responded: “I have no idea but this is not a joke don’t tell anybody you can loose [sic] your job if they find out about me.” (Exbt. D-22) Mother replied that she did not know how strong she could be and asked Father whether the Child asks for her. Father responded: “Make me hot videos so i can see you. ... please don’t tell any one its only get worse. ... you are still with me every night ... you are the most impirtant [sic] in my life so you are my first and last love.” (Exbt. D-22) Mother asked again about the Child, and Father, again referring to witness protection, wrote: “[The Child] is good and maybe this will not be so long I don’t know to [sic] much and they will see this I hope.” (Exbt. D-22) The parties continued to discuss financial issues as if they were still a couple, including Mother’s struggle to pay bills and Father’s promise to send money through his business partner. (Exbt. D-22) In a September 2016 email, Father again blamed his delay on the witness protection program, writing: “I can’t come home and I can’t call anyone am not sapose [sic] to contact any one from my pastor [sic] I will get a chance of getting hurt or hurting people I contact.” (N.T. 3/29/18 at 55-56; Exbt. D-23)

On November 22, 2016, the day Mother discovered Father and E.S. had married eleven months earlier, she sent a text to E.S., telling her she hoped E.S. would die and an email to Father hoping he got shot in the face or would suffer a stroke. (N.T. 2/27/18 104, 111; Exbts. P-18, P-20) She also made numerous suicidal threats expressing a desire to hang herself and texting Father a photo with a noose around her neck, telling him goodbye. (N.T. 2/27/18 at 104; Exbt. P-19) Nevertheless, even after her discovery of Father’s remarriage and after a period of time, Father and Mother resumed their relationship. Father visited Mother through May 2017 at the farmhouse, during which they engaged in sexual relations. (N.T. 2/27/18 at 17)

Mother again testified at the most recent hearing that during her marriage there were many incidents of physical and mental abuse by Father against her. (N.T. 6/3/19 at 16) While still married, Father forced Mother to have sexual relations with women with whom he was having affairs, including E.S. (N.T. 6/3/19 at 17)

Between mid-June 2017 through the end of October 2017, Mother and Father engaged in a lengthy series of electronic messaging. (N.T. 3/29/18 at 60-66; Exbts. D-9, D-10, D-26 to D-34) The overarching narratives of these communications concerned Father's clearly stated intention to bring the Child "home" to live with Mother and him on September 1, 2017, that the Child would be starting school here, Father's repeated assurances this was the plan, Mother's clearly expressed belief in Father's promises including that they might get re-married, Mother's repeatedly expressed depression and suicidal thoughts due to not having seen the Child for more than a year, Mother's desperation to see the Child, Father's repeated suggestions to Mother that he was limited in his ability to bring the Child due to his participation in a witness protection program, and Father's continued demands that Mother make and send him pornographic photos and videos of herself, in one case agreeing to "talk seriously" with her only if she sent him such materials.

The parties' communications further revealed that after Father reneged on his original series of promises to bring the Child to Mother on September 1, 2017, Father expressed new plans and assurances that he would be coming "home" later in October when they would all reunite. Of course, he failed to follow through with this promise. Instead, he flew from Hungary to this area in October 2017 with his new family (including the Child) where they remained for over five weeks. During this lengthy stay, Father did not tell Mother of his and the Child's presence here. A few days after his arrival, on October 27, he showed up at the farmhouse but without the Child, during which the parties engaged in sexual relations, Father again lying to her that he would bring the Child to see her the next day. (*Id.*)<sup>10</sup>

In late October 2017, Mother was alerted by a friend that she had observed and taken pictures of Father, his new wife, their newborn and the Child at a local market. (N.T. 2/27/18 at 18) Mother then finally realized Father had been lying all along about plans to reunite. (N.T. 2/27/18 at 18) Mother texted Father that they were done and moved out of the farmhouse and into her parents' home nearby. (Exbt. D-9) She promptly filed her petitions for custody modification and emergency relief within the next month.

Mother alleged that after she filed her actions for custody and special relief, Father retaliated against her. Father first attempted to get her fired or in trouble with her employer. (N.T. 2/27/18 at 28) A witness from the employer's human resources department testified that Father made three contacts with Mother's employer between February 6 and 9, 2018, in which Father detailed his relationship with Mother, their custody battle and that he was concerned about Mother having access to drugs through her job, potentially abusing drugs and being suicidal. (N.T. 2/27/18 at 30-37; Exbt. D-18) He forwarded pictures Mother had sent to Father with a noose around her neck, though he failed to indicate that the pictures and

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<sup>10</sup> A lengthy discussion of the evidence in support of these narratives is included in my September 26, 2018 Opinion. *J.S. v. R.S.S.*, *supra* at 272-74.

communications were from November 2016. (N.T. 2/27/18 at 36-37; Exbt. D-18) As a result of Father's communications, Mother was interviewed at work and found to be safe and cleared of any suspected medication wasting or inappropriate drug use. (N.T. 2/27/18 at 38-39; see also N.T. 6/3/19 at 22, Exbt. D-15) In that same time frame, Mother claimed Father also attempted to retaliate against her for seeking custody wherein, on February 8, 2018, he unilaterally emailed the bankruptcy trustee and disputed a number of claims Mother had made in her filings. (N.T. 6/3/19 at 22; Exbt D-14)

Through the first set of hearings in early 2018, Father has made a number of return trips to Pennsylvania including to visit his mother. (See N.T. 3/29/18 at 19) Father continues to maintain financial connections to Pennsylvania. In addition to his ownership interest in the real estate holding company, Father still owned the Hummelstown farmhouse in 2018. Sometime following their separation, Mother took out a home equity line of credit on the farmhouse to help Father and as of early 2018, owed over \$150,000. (N.T. 2/27/18 at 20; Exbt. D-11) Father made a number of payments against that loan in late 2017 and early 2018. (N.T. 3/29/18 at 36-37; Exbt. D-11) The parties' communications reveal that Father has relied upon Mother to meet some of his financial obligations including payment of an auto insurance policy for a car he still owned in Pennsylvania as of early 2018. (Exbt. D-25) Father also relied upon Mother to keep him apprised of issues with his farmhouse property prior to her moving out. (Exbt. D-34)

As of the final hearing on June 3, 2019, Mother was still living with her parents and remained employed full-time as a nurse at a local hospital. (N.T. 6/3/19 at 16) She provided pictures of her parents' residence in which she would raise the Child if granted custody. It is a large, well-furnished single family home with four bedrooms, two bathrooms and large front and back yards, located in a good school district. (N.T. 6/3/19 at 18; Exbt. D-1) Mother has extended family in the area in addition to her parents, including a sister, grandmother, aunts, uncles and numerous others and who had contact with the Child before Father took her away. (N.T. 6/3/19 at 18-19; Exbt. D-3)

Before Father took the Child, Mother testified she was very involved in her daughter's life including being her primary caretaker during which she provided her food, clothing and medical care. (N.T. 6/3/19 at 17) Mother testified that were she granted primary physical custody, she would be willing to fully cooperate in any therapeutic intervention needed. (N.T. 6/3/19 at 24)

Mother's father P.G. (paternal grandfather) testified on Mother's behalf at the final hearing. He is a recently retired insurance agent and paternal grandmother a recently retired consumer science teacher with experience teaching early childhood education. (N.T. 6/3/19 at 29-30) Both grandparents would be available full time to help Mother raise the Child should Mother be awarded custody. (N.T. 6/3/19 at 30) Paternal grandfather last saw the Child in April 2015. Before that, he and other family members would see the Child on holidays but not at other times because Father was controlling and did not allow Mother to visit them with the Child. (N.T. 6/3/19 at 28) He described Mother's and Father's relationship as "very bad" and that Father always needed to know where Mother was and what she was doing. (N.T. 6/3/19 at 28) Father recalled that the times he saw Mother with the Child that she was a good mother. (N.T. 6/3/19 at 29)



Paternal grandmother, who lives in Lancaster County, testified in 2018 that she then spoke with the Child weekly. (N.T. 2/27/18 at 49) Prior to the Child moving to Hungary, paternal grandmother saw the Child regularly at her home, including babysitting her and sometimes taking her to church. (N.T. 2/27/18 at 51-52) Paternal grandmother has taken one trip to Hungary to visit the Child and her family. At the most recent hearing in June 2019, paternal grandmother testified that she had not seen the Child in about a year but still spoke with her regularly by telephone during which the Child spoke English. (N.T. 6/3/19 at 31-32) She stated that the Child never refers or asks about Mother and refers to E.S. as her “mommy.” (N.T. 6/3/19 at 32) Paternal grandmother claimed that she has not spoken to her son much recently (via Skype) because he is in so much pain and apparently always sedated from his ladder fall almost a half year ago. (N.T. 6/3/19 at 33-34)

Since she filed her modification petition, more than 1½ years ago, Mother has tried repeatedly to communicate with the Child by phone, Skype and other electronic means but Father has denied all contact. (N.T. 6/3/19 at 17, 19-20) She provided documentary evidence that between October 2017 and early February 2018, she called Father’s mobile phone approximately 140 times in order to reach the Child. (N.T. 6/3/19 at 20; Exbt. D-7) She later made approximately 100 attempts, between February 2018 and early July 2018, to reach the Child via Skype asking Father “can I Skype with [my daughter] today?” (N.T. 6/3/19 at 20; Exbt. D-8) Father refused all attempts for contact and Mother eventually ceased her efforts to contact the Child by phone of Skype. (N.T. 6/3/19 at 20) Mother recently renewed requests for regular contact wherein her attorney directly contacted Father’s current attorney, after his hiring around January 2019, asking that Father allow contact. Father ignored all of Mother’s recent requests for contact. (N.T. 6/3/19 at 22; D-16)

At the most recent hearing, Mother provided evidence that in October 2018, Father transferred title of the farmhouse to his Hungarian wife E.S. for \$1, falsely listing in the transfer document that E.S.’s address was the same as the one where Father’s mother (paternal grandmother) lives in Lancaster County. The deed also falsely states that E.S. is from Dauphin County. (N.T. 6/3/19 at 20-21; Exbts. D-9(a), (b)) Mother also presented recent documents showing Father (or someone on his behalf) made four payments between August 2, 2018 and May 23, 2019 on the home equity line of credit Mother took out against the farmhouse. (N.T. 6/3/19 at 21; Exbts. D-10, D-11, D-12, D-13, D13(a))

Finally, Mother presented Father’s criminal history record in Pennsylvania which showed that he pled guilty in Dauphin County in 2013 to three summary charges, including two for harassment and one for criminal mischief. Father also pled guilty in 2004 to two summary charges of harassment. (N.T. 6/3/19 at 22; D-18) Mother had no criminal or child abuse history. (N.T. 6/3/19 at 16)

*ii. Best Interests of the Child – Application of Custody Factors*

It is well-established that “the paramount concern in a child custody case is the best interests of the child, based on a consideration of all factors that legitimately affect the child’s physical, intellectual, moral and spiritual well-being and is to be made on a case-by-case basis.” Staub v. Staub, 960 A.2d 848, 853 (Pa. Super. 2008) (citation omitted). In determining the Child’s best interests, at the conclusion of the

final hearing, I reviewed and applied the list of statutory factors set forth in the Child Custody Act in determining the Child's best interests<sup>11</sup>:

THE COURT: [*Factor 5328(a)(1)*] ... The first factor is which party is more likely to encourage and permit frequent and continuing contact between the child and the other party. It is clear father has taken the child to Hungary two years ago and has not permitted frequent or continuing contact between the child and her mother. So that factor is in favor of mother.

[*Factor 5328(a)(2)*] The next factor is the abuse issue. The record is replete with physical and mental abuse of father against mother. So that factor is in favor of mother. She has no history at all of abuse or any issue of risk of harm to the child.

[*Factor 5328(a)(3)*] The factor of the parenting duties, parental duties performed by each party on behalf of the child. When the child was here mother had been for the most part the primary caregiver established by the record in the prior opinion and currently if we are to believe that father is incapable of talking on the phone or doing anything, then obviously he is not performing any parental duties for

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<sup>11</sup> The list of factors includes:

**5328. Factors to consider when awarding custody.**

(a) *Factors.* --In ordering any form of custody, the court shall determine the best interest of the Child by considering all relevant factors, giving weighted consideration to those factors which affect the safety of the Child, including the following:

- (1) Which party is more likely to encourage and permit frequent and continuing contact between the Child and another party.
- (2) The present and past abuse committed by a party or member of the party's household, whether there is a continued risk of harm to the Child or an abused party and which party can better provide adequate physical safeguards and supervision of the Child.
  - (2.1) The information set forth in section 5329.1(a) (relating to consideration of child abuse and involvement with protective services).
- (3) The parental duties performed by each party on behalf of the Child.
- (4) The need for stability and continuity in the Child's education, family life and community life.
- (5) The availability of extended family.
- (6) The child's sibling relationships.
- (7) The well-reasoned preference of the Child, based on the Child's maturity and judgment.
- (8) The attempts of a parent to turn the Child against the other parent, except in cases of domestic violence where reasonable safety measures are necessary to protect the Child from harm.
- (9) Which party is more likely to maintain a loving, stable, consistent and nurturing relationship with the Child adequate for the Child's emotional needs.
- (10) Which party is more likely to attend to the daily physical, emotional, developmental, educational and special needs of the Child.
- (11) The proximity of the residences of the parties.
- (12) Each party's availability to care for the Child or ability to make appropriate child-care arrangements.
- (13) The level of conflict between the parties and the willingness and ability of the parties to cooperate with one another. A party's effort to protect a child from abuse by another party is not evidence of unwillingness or inability to cooperate with that party.
- (14) The history of drug or alcohol abuse of a party or member of a party's household.
- (15) The mental and physical condition of a party or member of a party's household.
- (16) Any other relevant factor.

the child. Clearly when the child was here mother did. So that factor goes in favor of mother.

*[Factor 5328(a)(4)]* The next factor is the need for stability and continuity in the child's education, family life and community life. Every child has that need. Unfortunately the child's been in Hungary and we, therefore, will have to come up with an appropriate transition and I would recommend that mother retain a child psychologist under her insurance who can be retained for the child to establish an appropriate protocol. There are also experts in reunification. There is a child psychologist at Harvard who spoke at Dauphin County Bar Association about two years ago who is an expert in reunification who I believe does take Highmark insurance but counsel will have to check with her.

*[Factor 5328(a)(5)]* The availability of extended family. Mother has both of her parents who would be able to assist. Father has his current wife who is able to assist. That is an equal factor.

*[Factor 5328(a)(6)]* The child's sibling relationships. The parties only had one child. There is no other sibling of which I am aware currently in the child's life.

*[Factor 5328(a)(7)]* The well-reasoned preference of the child based on the child's maturity and judgment. The child was to appear today in my court order and also during a telephone conference call was confirmed, a subpoena was issued and Dad's counsel here accepted service of that subpoena. She was not brought here. But the child's preference, however, would be irrelevant inasmuch as the child has been kept at this young age from her mother for almost two years and, therefore, it is unlikely that her stated preference would be her mother having been told who-knows-what about her mother by father and the nanny now who he married.

*[Factor 5328(a)(8)]* The attempts of a parent to turn the child against the other parent. We can only surmise that father has done that. Mother has not. Therefore, that is a factor in mother's favor.

*[Factor 5328(a)(9)]* The next factor, which party is more likely to maintain a loving, stable, consistent and nurturing relationship with the child adequate for the child's emotional needs. Father has failed to have the child continue her relationship with her biological mother for no good reason and, therefore, father has not maintained the child adequate for her emotional needs. Therefore, that factor is in favor of mother.

*[Factor 5328(a)(10)]* Which party is more likely to attend to the daily physical, emotional, developmental, educational, and special needs of the child. Both parties are able to do that. However, father has not attended to the child's emotional needs by preventing her from having contact with her mother. Therefore, that is in mother's favor.

*[Factor 5328(a)(11)]* The proximity of the residences of the parties. Mother is in the United States, Pennsylvania. Father is in Hungary. Shared custody is, therefore, not rational. Furthermore, should father have custody over the summer there is no guarantee he would return the child having absconded with her now.

*[Factor 5328(a)(12)]* The next is each party's availability to care for the child or ability to make appropriate child care arrangements. Obviously both parties are able to do that.

*[Factor 5328(a)(13)]* The level of conflict between the parties and the willingness and ability of the parties to cooperate with one another. Obviously father has been obstinate in not permitting that and as the exhibits and testimony establish, he refuses to cooperate with mother.

*[Factor 5328(a)(14)]* The history of drug or alcohol abuse of a party or a member of a party's household. That is not an issue or a factor in this case.

*[Factor 5328(a)(15)]* The mental and physical condition of a party or a member of that party's household. Obviously mother has no physical or mental condition that would affect her parenting of the child or having legal or physical custody of the child. Father, we do not know what father's mental condition is. I have grave concerns about his mental condition based upon him going to Hungary. His false, apparently false allegation that he was under the witness protection plan and, therefore, had to go to Hungary is questionable. His tying mother up and wanting to have sex with another woman in front of her is certainly sick. I do not have the DSM IV name for that nor do I have a Ph.D. in psychology to accurately indicate what that diagnosis would be. He also is very controlling and abusive and I am sure there is a DSM IV diagnosis for that.

Currently he allegedly has a physical condition that he can't take care of a young child running around. I think he certainly is capable of getting in a car or a plane to be here but apparently he is disabled in some way and can't lift 20 pounds so he wouldn't be able to lift the child. So mother is, clearly that is a factor in her favor for her mental and physical condition.

*[Factor 5328(a)(16) Any other relevant factor]* The other relevant factor is of course father's behavior in all of these proceedings presented in this court. He apparently now has perhaps fraudulently transferred title of his real estate to avoid any judgments against him being collected on that real estate should there be an order issued for him to pay counsel fees in a custody action or counsel fees in a contempt action or fees for any other contempt proceeding, one of which is failure to bring his daughter to court today of which I find him in contempt of as well as the requested bond.

(N.T. 6/3/19 at 37-42)

At the outset, I note that I incorrectly stated under factor 5328(a)(6) that the Child had no sibling relationships. Instead, Father and his wife have a son born in August 2017 who has been living in Hungary with Father, E.S. and the Child. There was no testimony about the nature of the Child's relationship with her 23-month-old half-brother. Nevertheless, even were the evidence to reveal she is very attached to him, this would not alter the overall balance of the factors in this case, which weigh overwhelmingly in favor of granting Mother sole legal and primary physical custody. In particular, a number of factors weigh decidedly in Mother's favor which I would highlight and expand upon beyond what I discussed on the record.

Most notably, under Factor 5328(a)(1), Mother is the only one of the parents who would encourage and permit frequent and continuing contact between the child and the other party. Father has acted in an unconscionable and deceitful manner by denying Mother any contact whatsoever with the Child for almost three years. He has produced no credible evidence defending his actions including of his outrageous repeated fabrication that he was in a witness protection program and was protecting the Child by not allowing Mother any contact with her and actively deterring her from seeking custody. Relatedly, under Factor 5328(a)(13), Father has exhibited that he is completely unable to cooperate with Mother concerning custody of the Child.

Factor 5328(a)(2) - Father's physical and mental abuse of Mother – is decidedly in Mother's favor as well. There have been some instances of physical abuse but of even greater significance to this court is Father's mental abuse of Mother, particularly over the last few years. As set forth above in great detail, Father knowingly manipulated and exploited her desperation and depression by repeatedly withholding contact with the Child from her despite repeated promises to the contrary. Father's motivation for manipulating and mentally abusing Mother in this manner appears no more complex than that he wanted to maintain a sexual relationship with Mother while at the same time pursuing his relationship with E.S. Father primarily manipulated Mother by using the Child as leverage to convince Mother to remain in sexually intimate with him as well as manipulating her into sending him pornographic videos and photos of herself in exchange for a promise she could have access the Child, or even just photos of the Child. The level of cruelty and selfishness exhibited by Father is monstrous. Father's motivation for manipulating and mentally abusing Mother appears secondarily the result of his desire to maintain and exploit from her a financial relationship including having Mother maintain his farmhouse property for a time and getting some financial assistance.

Father additionally exhibited abusive and bullying behavior against Mother shortly after she filed for custody in late November 2017. The record shows Father attempted to retaliate against her at that time by seeking to get in trouble with, and possibly fired by her employer and also by involving himself into her bankruptcy filing.

Father's abusive behavior is closely related to his mental condition, Factor 5328(a)(15). As I noted on the record, I maintain grave concerns about his condition, which at this point is undiagnosed but is exhibited by abusive and controlling behavior as well as by the commitment of considerable frauds and falsehoods, most notably his claim to have been a participant in a witness protection program. This is a falsehood he told not only to Mother but to his own mother (paternal grandmother), who testified she was unsure whether he was being truthful or not. Father exhibits significant signs of mental illness or personality disorder, possibly sociopathy.<sup>12</sup>

Another factor strongly in Mother's favor is Factor 5328(a)(9), which party is more likely to maintain a loving, stable, consistent and nurturing relationship with the child adequate for the child's emotional needs. Father has utterly failed to have the child continue her relationship with her biological mother without legitimate grounds. Similarly, for the same reasons, Factor 5328(a)(10) falls heavily in Mother's favor: which party is more likely to attend to the daily physical, emotional, developmental, educational, and special needs of the child. Father has most likely inflicted long-term emotional damage upon the Child by preventing the Child from having contact with her Mother.

Accordingly, I issued my final custody order and parenting plan on June 4, 2019, from which Father has appealed.

July 16, 2019

Jeannine Turgeon, Senior Judge

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<sup>12</sup> Should this court continue to maintain jurisdiction in this action, I would order Father be evaluated by a licensed psychologist pursuant to Pa.R.C.P. 1915.8.

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## FIRST PUBLICATION

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### Estate Notices

**ESTATE OF SYLVIA H. MENSCH**, late of West Hanover Township, County of Dauphin, Commonwealth of Pennsylvania. Executor: Curt M. Mensch, 7740 Althea Avenue, Harrisburg, PA 17112 or to Attorney: Heather D. Royer, Esquire, SMIGEL, ANDERSON & SACKS, LLP, 4431 North Front Street, 3rd Floor, Harrisburg, PA 17110. a2-16

**ESTATE OF ELIZABETH J. LONG**, late of Harrisburg, Lower Paxton Township, Dauphin County, Pennsylvania, (died: July 10, 2019). Executrix: Jane E. Fausey, c/o John D. Killian, Esquire, Killian & Gephart, LLP, 218 Pine Street, Harrisburg, PA 17101. a2-16

**TRUST ESTATE OF SUSAN YACHIN**, late of Harrisburg, Dauphin County, Pennsylvania (died: June 10, 2019). Trustees: Dafna Yachin, 4250 Terrace Street, Philadelphia, PA 19128; Semadar Yachin, 1317 S.W. 9th Street, Boca Raton, FL 33486. Attorney: Susan E. Lederer, Esquire, 5011 Locust Lane, Harrisburg, PA 17109. a2-16

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## SECOND PUBLICATION

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### Estate Notices

**ESTATE OF CHESTER F. SHUEY aka CHESTER FRANKLIN SHUEY**, late of Derry Township, Dauphin County, Pennsylvania, (died: December 18, 2018). Executor: Esther S. Eckenroth. Attorney: Jean D. Seibert, Esquire, CALDWELL & KEARNS, PC, 3631 North Front Street, Harrisburg, PA 17110. jy26-a9

NOTICE OF TRUST ADMINISTRATION of the **RICHARD W. DEILING LIVING TRUST** dated 2/11/1997, as amended (the "Trust"), following the death of Richard W. Deiling, late of Derry Township, Dauphin County, Pennsylvania on May 20, 2019 (the "Decedent"), is hereby given. **ESTATE OF RICHARD W. DEILING**, late of Derry Township, Dauphin County, Pennsylvania (died: May 20, 2019), Successor Death Co-Trustees and Co-Executors: Lora L. Rogers and Brian G. Deiling, 142 Mine Road, Hershey, PA 17033 or to Attorney: Neil W. Yahn, Esquire, JSDC Law Offices, 11 East Chocolate Avenue, Suite 300, Hershey, PA 17033, (717) 533-3280. jy26-a9

**ESTATE OF FREDERICK O. HAMILTON**, late of Steelton Borough, Dauphin County, Pennsylvania. Administrator: MARVA E. HAMILTON, 1140 5th Avenue, Steelton, PA 17113 or to Attorney: KATHLEEN B. MURREN, ESQ., SkarlatosZonarich, LLC, 320 Market Street, Suite 600 West, Harrisburg, PA 17101. jy26-a9

**ESTATE OF CHARLOTTE Y. CHAPLIN**, late of Derry Township, Dauphin County, Pennsylvania, (died May 23, 2019). Administrator: Kenneth D. Martin. Attorney: Elizabeth H. Feather, Esquire, Caldwell & Kearns, P.C., 3631 North Front Street, Harrisburg, PA 17110, (717) 232-7661. jy26-a9

**ESTATE OF LAI LE a/k/a LAI THI NGOC LE**, late of Lower Swatara Township Dauphin County, Pennsylvania (died: May 27, 2019). Executor/Administrator: Ha Thi Thu Nguyen, 1320 Carriage House Road, Middletown, PA 17057. Attorney: Stacey Lindsay, P.O. Box 40, Silver Spring, 17575. jy26-a9

**ESTATE OF PAIGE ANNE ROBINSON**, late of East Hanover Township, Dauphin County, Pennsylvania (died: June 9, 2019). Executrix: Patricia Lynn Thompson, c/o Edward P. Seeber, Esquire, JSDC Law Offices, Suite C-400, 555 Gettysburg Pike, Mechanicsburg, PA 17055, 717-533-3280. jy26-a9

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## THIRD PUBLICATION

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### Estate Notices

**ESTATE OF ERNEST L. DAVIS**, late of East Hanover Township, Dauphin County, Pennsylvania. Administrator: MARSHA RICHARDS, 810 W. Commercial Street, Oberlin, KS 67749 or to Attorney: ROBERT FREDENBERG, ESQ., SkarlatosZonarich, LLC, 320 Market Street, Suite 600 West, Harrisburg, PA 17101. jy19-a2

**ESTATE OF CARMELIA URICH**, late of Highspire, Dauphin County, Pennsylvania, (died: April 1, 2019). Executor: Scott N. Urich, c/o George W. Porter, Esquire, 909 East Chocolate Avenue, Hershey, Pennsylvania 17033. jy19-a2

**ESTATE OF GREGORY R. DILLMAN**, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executor: Eric A. Dillman. Attorney: Michael L. Bangs, Esquire, Bangs Law Office, LLC, 429 South 18th Street, Camp Hill, PA 17011. jy19-a2

**ESTATE OF LOUIS C. FIOCCHI**, late of Lower Paxton Township, Dauphin County, Pennsylvania. Executrix: Joyce DeMuro, 4265 Wimbledon Drive, Harrisburg, Pennsylvania 17112, or to Attorney: James J. McCarthy, Jr., Esquire, 2041 Herr Street, Harrisburg, Pennsylvania 17103. jy19-a2

**ESTATE OF EMANUEL GUTGOLD**, late of Dauphin County, Pennsylvania, (died). Executor: Morgan Cassel. Michael Cherewka, 624 North Front Street, Wormleysburg, PA 17043. jy19-a2



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## THIRD PUBLICATION

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### Estate Notices

**ESTATE OF DAVID SAMUEL WISE**, late of Harrisburg City, Dauphin County, Pennsylvania, 17103, (died: May 22, 2019). Executor: David S Wise Jr., 1221 N 3rd St. Harrisburg, PA. 17102.

j19-a2

**ESTATE OF WILLIAM CHARLES GOODMAN a/k/a WILLIAM C. GOODMAN**, late of 143 Leonard Lane, Harrisburg, Dauphin County, Commonwealth of Pennsylvania. Executrix: Jayne M. Razick c/o Heather D. Royer, Esquire, Smigel, Anderson & Sacks, LLP, 4431 N. Front Street, 3rd Floor, Harrisburg, PA 17110. jy19-a2

**ESTATE OF RONALD G. ZIMMERMAN, a/k/a RONALD GRANT ZIMMERMAN, SR.**, late of Swatara Township, County of Dauphin and Commonwealth of Pennsylvania. Executrix: Melissa Renee Young, 433 Parkwyne Road, Lancaster, PA 17601 or to Attorney: James H. Turner, Esquire, TURNER AND O'CONNELL, 915 N. Mountain Road, Suite D, Harrisburg, PA 17112. jy19-a2

**ESTATE OF ROSEMARY F. WELKER**, late of Pillow Borough, Dauphin County, Pennsylvania. Executor: Raymond E. Welker, P.O. Box 6551, Helena, MT 59604. Attorney: Earl Richard Etzweiler, Esquire, 105 N. Front Street, Harrisburg, PA 17101, (717) 234-5600. jy19-a2

**ESTATE OF THOMAS I. MANNION**, late of Harrisburg City, Dauphin County, Pennsylvania 17109 (died: November 25, 2018). Executor: Robert M. Mannion, c/o Robert A. Bull, Esquire, Law Offices of Bull & Bull, LLP, 106 Market Street, Berwick, PA 18603, Attorney. jy19-a2

**ESTATE OF MARIE E. IARIA**, late of City of Harrisburg, Dauphin County, Pennsylvania (died: May 26, 2019). Executrix: Julie A. Iaria, 308 S. River Street, Harrisburg, PA 17101. Attorney: Karen M. Balaban LLC, 223 State Street, Harrisburg, PA 17101. jy19-a2

**ESTATE OF MORTON SPECTOR**, late of Susquehanna Township, Dauphin County, Pennsylvania. Settlor under a certain Agreement of Trust dated October 13, 1989, as amended and restated. All persons having claims against the decedent or the trust shall present them for settlement to: The Bryn Mawr Trust Company, Successor Trustee, Attn: Lisa L. Piergallini, Senior Vice President, One East Chocolate Avenue, Suite 200, Hershey, PA 17033 or to Attorney: Elyse E. Rogers, Esquire, Saidis Sullivan & Rogers, 100 Sterling Parkway, Suite 100, Mechanicsburg, PA 17050. jy19-a2

**ESTATE OF RIITTA M. LUKKARI**, late of Middle Paxton Township, Dauphin County, Pennsylvania. Executrix: Nancy L. Datre, 169 Hiddenwood Drive, Harrisburg, PA 17110. Attorney: Earl Richard Etzweiler, Esquire, 105 N. Front Street, Harrisburg, PA 17101, (717) 234-5600.

jy19-a2

**ESTATE OF PAULINE E. HERB, a/k/a PAULINE EMMA HERB**, late of Wayne Township, Dauphin County, Pennsylvania (died: June 20 22, 2019). Executor: Gary Heim, 55 Fairview Road, Pitman, PA 17964. Attorney: Gregory M. Kerwin, Esquire, 4245 State Route 209, Elizabethtown, PA 17023. jy19-a2

**ESTATE OF FRANCES J. WOLFGANG**, late of Middletown Borough, Dauphin County, Pennsylvania, (died: June 25, 2019). Executor: Christopher A. Okerberg, c/o Pannebaker & Mohr, P.C., 4000 Vine St, Suite 101, Middletown, PA 17057 or to Attorney: Kendra A. Mohr, Esq., Pannebaker & Mohr, P.C., 4000 Vine St, Suite 101 Middletown, PA 17057. jy19-a2

**ESTATE OF LARRY M. BUFFENMEYER, SR.**, last of the County of Dauphin and Commonwealth of Pennsylvania. Executor: Larry M. Buffenmeyer, Jr., 10321 Jonestown Road, Grantville, PA 17028. jy19-a2

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## FIRST PUBLICATION

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### Corporate Notices

NOTICE IS HEREBY GIVEN that **Traiblazer Studios NC, Inc**, a foreign corporation formed under the laws of the State of North Carolina and with its principal office located 1610 Midtown Place, Raleigh, NC 27609, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 7/29/19, 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. a2

NOTICE IS HEREBY GIVEN that **Sandy Saul and Company**, a foreign business corporation formed under the laws of the State of Colorado, received a Certificate of Authority/Foreign Registration in Pennsylvania on march 25, 2008, and will surrender its Certificate of Authority/Foreign Registration to do business in Pennsylvania. Its last registered office in this Commonwealth was located at: REGISTERED AGENT SOLUTIONS, INC. and the last registered office shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. a2

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## FIRST PUBLICATION

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### Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Commonwealth of Pennsylvania, Department of State, in Harrisburg, Pennsylvania, for the purpose of incorporating a nonprofit corporation under the Pennsylvania Nonprofit Corporation Law of 1988.

The name of the Corporation is **Exceptional Learning Academy of Hershey**.

The Corporation is incorporated exclusively for purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code.

Kimberly A. Reeder  
c/o Stephanie E. Murphy, Esq.  
Law Office of Tucker R. Hull, LLC  
108 W. Main Street  
P.O. Box 330  
Annville, PA1 7003  
Phone: 717.685-7947  
Fax: 717.685.7942

a2 Email: [stephanie@tucker-hull-law.com](mailto:stephanie@tucker-hull-law.com)

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NOTICE IS HEREBY GIVEN **HealthFair Plus PC**, a foreign business corporation incorporated under the laws of California, with its princ. office located at 9201 E. Mountain View Rd., Ste. #220, Scottsdale, AZ 85258, has applied for a Statement of Registration to do business in Pennsylvania under the provisions of Chapter 4 of the Association Transactions Act. 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. a2

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NOTICE IS HEREBY GIVEN **Forestar (USA) Real Estate Group Inc.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at 10700 Pecan Park Blvd., Ste. 150, Austin, TX 78750, has applied for a Statement of Registration to do business in Pennsylvania under the provisions of Chapter 4 of the Association Transactions Act. 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. a2

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NOTICE IS HEREBY GIVEN **Multi Financial Services Company, Inc.** with a commercial registered office provider in care of Cogency Global Inc. in Dauphin County does hereby give notice of its intention to withdraw from doing business in this Commonwealth. The address to which any proceeding may be sent is 2538 Stonegate Dr., Tallahassee FL 32308. This shall serve as official notice to creditors and taxing authorities. a2

NOTICE IS HEREBY GIVEN that **Steward Emergency Physicians of Pennsylvania, Inc.**, a foreign corporation formed under the laws of the State of Delaware and with its principal office located 1900 N. Pearl St, #2400, Dallas, TX 75201, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 7/22/19, 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. a2

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NOTICE IS HEREBY GIVEN that **Steward Radiology Physicians of Pennsylvania, Inc.**, a foreign corporation formed under the laws of the State of Delaware and with its principal office located 1900 N. Pearl St, #2400, Dallas, TX 75201, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 7/22/19, 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. a2

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NOTICE IS HEREBY GIVEN that **Steward Anesthesiology Physicians of Pennsylvania, Inc.**, a foreign corporation formed under the laws of the State of Delaware and with its principal office located 1900 N. Pearl St, #2400, Dallas, TX 75201, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 7/22/19, 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. a2

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NOTICE IS HEREBY GIVEN of the filing of Certificate of Organization in' the Department of state of the Commonwealth of Pennsylvania on or about January 7, 2019, for the purpose of organizing a proposed domestic limited liability company to be organized under the Limited Liability Company Law of 1994, 15 Pa. C.S.A. 8901 et seq. The name of the limited liability company is: **COMB, LLC**

And the purpose for which it is to be organized is to engage in any business permitted by law, with a focus on barbershop and salon and any other legitimate purposes within the Commonwealth.

Law Offices of Peter J. Russo, P.C.  
245 Grandview Ave, Suite 102  
Camp Hill, PA 17011

a2

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## FIRST PUBLICATION

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### Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of the Commonwealth of Pennsylvania on 7/17/2019 under the Domestic Business Corporation Law, for **A & L HNOSKO CONSULTING, INC.**, and the name and county of the commercial registered office provider is c/o: Corporation Service Co., Dauphin County. a2

NOTICE IS HEREBY GIVEN **Rohde & Schwarz USA, Inc.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at 6821 Benjamin Franklin Dr., Columbia, MD 21046-2633, has applied for a Statement of Registration to do business in Pennsylvania under the provisions of Chapter 4 of the Association Transactions Act. 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. a2

NOTICE IS HEREBY GIVEN **Andre 3000, Inc.**, a foreign business corporation incorporated under the laws of Georgia, with its princ. office located at 10960 Wilshire Blvd., 5th Fl., Los Angeles, CA 90024, has applied for a Statement of Registration to do business in Pennsylvania under the provisions of Chapter 4 of the Association Transactions Act. The street address in the association's jurisdiction of formation is 10960 Wilshire Blvd., 5th Fl., Los Angeles, CA 90024. 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. a2

NOTICE IS HEREBY GIVEN that an application was made to the Dept. of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 5/22/2019 by **Cobalt Medical Supply, Inc.**, a foreign corporation formed under the laws of the State of New Jersey where its principal office is located at 4 Haul Rd., Wayne, NJ 07470, for a Certificate of Authority to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988. a2

NOTICE IS HEREBY GIVEN **RxSight, Inc.** filed a Foreign Registration Statement with the Commonwealth of Pennsylvania. The address of its principal office under the laws of its jurisdiction is 100 Columbia, Suite 120, Aliso Viejo CA 92656. The Commercial Registered Agent Provider is in care of 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. 412. a2

NOTICE IS HEREBY GIVEN that **ALTEK Information Technology, Inc.**, a foreign corporation formed under the laws of the State of Maryland and with its principal office located 241 E. 4th St, Ste 205, Frederick, MD 21701, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 7/25/19, 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. a2

NOTICE IS HEREBY GIVEN that **Netcom Tec Inc.**, a foreign business corporation under the laws of the state of Maryland where its principal office is located at 7616 Standish Place, Rockville, MD 20855 has applied for a Certificate of Authority in Pennsylvania, where its registered office is located at c/o Incorp Services, Inc., Dauphin County. The registered office of the corporation shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. a2

NOTICE IS HEREBY GIVEN that a Foreign Registration Statement has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about June 4, 2019, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **LUMIELINA USA, INC.** c/o Cogency Global, Inc.

This corporation is incorporated under the laws of New York.

The address of its principal office is 505 5th Avenue, 28th Floor, New York, NY 10017.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. a2

NOTICE IS HEREBY GIVEN that a Foreign Registration Statement has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about July 8, 2019, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Chadwick Boseman, Inc.** In PA as: Chadwick Boseman Productions Inc c/o AAAgent Services, LLC

This corporation is incorporated under the laws of California.

The address of its principal office is 16130 Ventura Boulevard, Suite 480, Encino, CA 91436.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. a2

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## FIRST PUBLICATION

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### Corporate Notices

NOTICE IS HEREBY GIVEN that Articles of Incorporation - Nonprofit have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA effective July 16, 2019, for: **Friends of JI** c/o AAAgent Services, LLC

The corporation has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended. a2

NOTICE IS HEREBY GIVEN that a Foreign Registration Statement has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about June 28, 2019, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Waypoint Building Group, Inc.** c/o AAAgent Services, LLC

This corporation is incorporated under the laws of Delaware.

The address of its principal office is 847 Sansome St., Ste. 300, San Francisco, CA 94111.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. a2

NOTICE IS HEREBY GIVEN that a Foreign Registration Statement has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about July 9, 2019, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Blackline Safety USA Corp** c/o Registered Agent Solutions, Inc.

This corporation is incorporated under the laws of Delaware.

The address of its principal office is 9 E Lookerman St., Ste. 311, Dover, DE 19901-8305.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. a2

NOTICE IS HEREBY GIVEN that a Foreign Registration Statement has been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA on or about July 12, 2019, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Halliburton U.S. International Holdings, Inc.** c/o Capitol Corporate Services, Inc.

This corporation is incorporated under the laws of Delaware.

The address of its principal office is 3000 N. Sam Houston Pkwy. E., Houston, TX 77032-3219.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. a2

NOTICE IS HEREBY GIVEN that a Foreign Registration Statement has been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, PA, on or about July 8, 2019, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **Bloom Health, Inc.** c/o National Registered Agents, Inc.

This corporation is incorporated under the laws of Delaware.

The address of its principal office is 426 W Nutmeg Street, San Diego, CA 92103.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. a2

NOTICE IS HEREBY GIVEN that Articles of Incorporation - Nonprofit have been filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA effective September, 2018, for: **Haverford Choral Association** c/o AAAgent Services, LLC

The corporation has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended. a2

NOTICE IS HEREBY GIVEN that **Inspired Technologies of North Florida, Inc.**, a foreign business corporation formed under the laws of the State of Florida, received a Certificate of Authority/Foreign Registration in Pennsylvania on May 5, 2011, and will surrender its Certificate of Authority/Foreign Registration to do business in Pennsylvania.

Its last registered office in this Commonwealth was located at: CORPORATION SERVICE COMPANY and the last registered office shall be deemed for venue and official publication purposes to be located in Dauphin County, Pennsylvania. a2

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## FIRST PUBLICATION

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### Fictitious Name Notices

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NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act of Assembly No. 295, effective March 16, 1983, of the filing in the office of the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, an application for the conduct of a business in Dauphin County, Pennsylvania under the assumed or fictitious name, style or designation of Name: **FOX Bet**, with its principal place of business at: 1201 New Road, Ste 201, Linwood, NJ 08221. The names and addresses of all persons or entities owning or interested in said business are: TSG Interactive US Services Limited, 1201 New Road, Ste 201, Linwood, NJ 08221. The application has been filed on 7/24/2019. a2

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## FIRST PUBLICATION

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### Fictitious Name Notices

NOTICE IS HEREBY GIVEN, pursuant to the provisions of 54 Pa.C.S. 311 and 54 Pa.C.S. Ch.3, that an Application for Registration of Fictitious Name for the conduct of a business in Dauphin County, PA, under the assumed or fictitious name, style or designation of **Live! Casino Pittsburgh** was filed in the office of the Secy. of the Commonwealth of Pennsylvania (PA), Dept. of State, on 7/10/2019. Purpose: provide casino services and other related services. Principal place of business: 601 E. Pratt St., 6th Fl., Baltimore, MD 21202. The name and address of the person/entity owning or interested in said business is Stadium Casino Westmoreland RE, LLC, (a Limited Liability Company organized in Delaware), with an address of 601 E. Pratt St., 6th Fl., Baltimore, MD 21202. The PA reg'd office is c/o: Corporation Service Co. a2

NOTICE IS HEREBY GIVEN, pursuant to the provisions of 54 Pa.C.S. 311 and 54 Pa.C.S. Ch.3, that an Application for Registration of Fictitious Name for the conduct of a business in Dauphin County, PA, under the assumed or fictitious name, style or designation of **Live! Casino & Hotel Philadelphia** was filed in the office of the Secy. of the Commonwealth of Pennsylvania (PA), Dept. of State, on 7/10/2019. Purpose: provide casino and hotel services and other related services. Principal place of business: 601 E. Pratt St., 6th Fl., Baltimore, MD 21202. The name and address of the person/entity owning or interested in said business is Stadium Casino RE, LLC, (a Limited Liability Company organized in Delaware), with an address of 601 E. Pratt St., 6th Fl., Baltimore, MD 21202. The PA reg'd office is c/o: Corporation Service Co. a2

NOTICE IS HEREBY GIVEN that an Application for Registration of a Fictitious Name of **Heritage Tailors** for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 375 Luxemburg Road, Lykens, PA 17048, was filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on July 16, 2019, pursuant to the provisions of the Fictitious Name Act of December 16, 1982, Act 295, (54 Pa.C.S. §311, et seq.), and its amendments and supplements.

The name and address of the persons owning or interested in said business are: Leon S. Petersheim & Lydia Ann Petersheim, 311 N. Crossroads Road Lykens, PA 1048.

Earl Richard Etzweiler, Esquire  
Etzweiler and Associates  
105 North Front Street  
Harrisburg, P A 17101  
(717) 234-5600

a2

NOTICE IS HEREBY GIVEN, pursuant to the provisions of 54 Pa.C.S. 311 and 54 Pa.C.S. Ch.3, that an Application for Registration of Fictitious Name for the conduct of a business in Dauphin County, PA, under the assumed or fictitious name, style or designation of **STELKAST** was filed in the office of the Secy. of the Commonwealth of Pennsylvania (PA), Dept. of State, on 7/19/2019. Purpose: sale of medical devices. Principal place of business: 2560 General Armistead Ave., Aububon, PA 19403. The name and address of the person/entity owning or interested in said business is GLOBUS MEDICAL NORTH AMERICA, INC, (a Domestic Corporation organized in Pennsylvania), with an address of 2560 General Armistead Ave., Aububon, PA 19403. The PA reg'd office is Corporation Service Co. a2

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## FIRST PUBLICATION

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### Miscellaneous Notices

IN THE COURT OF COMMON PLEAS OF  
DAUPHIN COUNTY,  
PENNSYLVANIA

NO. 2019-CV-5137-QT

CIVIL ACTION – LAW

ACTION TO QUIET TITLE

COLONIAL GLEN LIMITED  
PARTNERSHIP, PLAINTIFF  
VS.

ANY AND ALL UNKNOWN HEIRS  
OR ASSIGNS OF EDWIN M. HERSHEY,  
MARY E. HERSHEY, EDWIN B. HERSHEY,  
AND TROUPIERE S. HERSHEY,  
DEFENDANTS

NOTICE

TO: ANY AND ALL UNKNOWN HEIRS OR ASSIGNS OF EDWIN M. HERSHEY, MARY E. HERSHEY, EDWIN B. HERSHEY, and TROUPIERE S. HERSHEY

NOTICE is hereby given that this is an action to extinguish any claims, rights, title, interest, estates or liens in a portion of real property located in Lower Paxton Township, Dauphin County, Pennsylvania, known as Tax Parcel No. 35-054-001, being the same premises described in Deed dated December 9, 1996, and recorded in the Dauphin County Recorder of Deeds Office in Book 2753, Page 113.

If you wish to defend you must enter an appearance personally or by attorney and file your defenses or objections in writing with the Court within twenty (20) days. You are warned that if you fail to do so the case may proceed without you

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

and a judgment may be entered against you by the court without further claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET INFORMATION FOR HIRING A LAWYER.

IF YOU CANNOT AFFORD 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.

Lawyer Referral Service of the  
DAUPHIN COUNTY BAR ASSOCIATION  
213 North Front Street  
Harrisburg, PA 17101  
(717) 232-7536

a2

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

**NO. 2219 - 0605**

**ORPHANS' COURT DIVISION**

**IN RE: ESTATE OF GERALDINE A.  
CHELAK, DECEASED**

**PETITION FOR SETTLEMENT  
OF SMALL ESTATE**

**NOTICE**

NOTICE IS HEREBY GIVEN that on July 5, 2019, the Petition of Gregory H. Chelak was filed in the above named Court, requesting that the settlement of the small estate of the above-named decedent be approved as proposed in the Petition.

The Court has fixed September 16, 2019 at 9:30 A.M. in Courtroom #6, Dauphin County Courthouse, Harrisburg, Pennsylvania as the time and place for the hearing on said Petition, when and where all persons and entities interested may appear and show cause if any they have, why the prayer of the Petition should not be granted.

Gregory H. Chelak, Petitioner  
210 Husson Road  
Milford, PA 18337

a2

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

**NO. 2019-CV-01470-MF**

**NOTICE OF SHERIFF'S SALE**

**LAKEVIEW LOAN SERVICING, LLC,  
PLAINTIFF**

**VS.**

**DAVID A. NIKOVITS, DEFENDANT**

NOTICE TO: DAVID A. NIKOVITS

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

Being Premises: 2957 NORTH 2ND STREET,  
HARRISBURG, PA 17110-1229

Being in HARRISBURG CITY, County of DAUPHIN, Commonwealth of Pennsylvania, 14-033-004-000-0000

Improvements consist of residential property.

Sold as the property of DAVID A. NIKOVITS

Your house (real estate) at 2957 NORTH 2ND STREET, HARRISBURG, PA 17110-1229 is scheduled to be sold at the Sheriff's Sale on 09/05/2019 at 10:00 AM, at the DAUPHIN County Courthouse, 101 Market Street, Room 104, Harrisburg, PA 17107-2012, to enforce the Court Judgment of \$227,719.60 obtained by, LAKEVIEW LOAN SERVICING, LLC (the mortgagee), against the above premises.

PHELAN HALLINAN DIAMOND  
& JONES, LLP

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Attorney for Plaintiff

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**NOTICE OF HEARING**

A Petition for Reinstatement to the active practice of law has been filed by **LONNIE EUGENE WALKER** and will be the subject of a hearing on **October 2, 2019** before a hearing committee designated by the Board. Anyone wishing to be heard in reference to this matter should contact the District III Office of the Disciplinary Board of the Supreme Court of Pennsylvania, 601 Commonwealth Ave, Suite 5800, PA 17106 phone number (717)-772-8572, on or before September 18, 2019.

Marcee D. Sloan  
Board Prothonotary

The Disciplinary Board of the  
Supreme Court of Pennsylvania

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

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

**CASE NO: 2019-CV-03982-EJ**

**LSF10 MASTER PARTICIPATION TRUST  
13801 WIRELESS WAY  
OKLAHOMA CITY, OK 73134, PLAINTIFF  
VS.**

**VIET V. LE A/K/A VIET VAN LE LAN LE  
OR OCCUPANTS, DEFENDANT(S)**

Defendant(s): Viet V. Le a/k/a Viet Van Le Lan Le  
or Occupants

Type of Action : CIVIL ACTION - EJECTMENT

Premises Subject to Foreclosure: 102 North 48th  
Street, Harrisburg, PA 17111

**Notice**

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 a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

DAUPHIN COUNTY  
LAWYER REFERRAL SERVICE  
213 N. FRONT STREET  
HARRISBURG PA 17101  
717-232-7536

MARTHA E. VON ROSENSTIEL, P.C.  
Martha E. Von Rosenstiel, Esq / No 52634  
Lorraine Gazzara Doyle, Esq / No 34576  
649 South Ave, Ste 7  
Secane, PA 19018  
(610)328-2887  
Attorneys for Plaintiff

a2

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

**NO.: 2019 CV 3706-MF**

**MORTGAGE FORECLOSURE**

**MEMBERS 1<sup>ST</sup> FEDERAL CREDIT UNION,  
PLAINTIFF  
VS.  
MARK GASPICH AND HIS UNKNOWN,  
HEIRS AND ASSIGNS, DEFENDANT**

**IMPORTANT NOTICE**

TO: Mark Gaspich and His Unknown, Heirs And  
Assigns  
2168 Paxton Drive  
Harrisburg, PA 17110

**DATE OF NOTICE: August 2, 2019**

YOU ARE IN DEFAULT BECAUSE YOU HAVE FAILED TO FILE IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. UNLESS YOU ACT WITHIN TEN (10) DAYS FROM THE DATE OF THIS NOTICE, A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT A HEARING AND YOU MAY LOSE YOUR PROPERTY OR OTHER IMPORTANT RIGHTS.

YOU SHOULD TAKE THIS NOTICE TO A 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 BAR ASSOCIATION  
LAWYER REFERRAL SERVICE  
213 N FRONT ST,  
HARRISBURG PA 17101  
TELEPHONE: (717) 232-7536

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

Respectfully submitted,  
Paula J. McDermott, Esquire  
Supreme Court ID No: 46664  
5000 Louise Drive  
Mechanicsburg, PA 17055  
Telephone: (717) 458-6900  
Facsimile: (717) 795-5138

Email: [mcdermott@members1st.org](mailto:mcdermott@members1st.org)

a2

Attorneys for Plaintiff

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

**TERM NO. 2019 CV 3493EJ**

**CIVIL ACTION - LAW**

**ACTION OF EJECTMENT**

**NOTICE OF ACTION IN EJECTMENT**

**PNC BANK, NATIONAL ASSOCIATION,  
SUCCESSOR BY MERGER TO NATIONAL  
CITY MORTGAGE, A DIVISION OF  
NATIONAL CITY BANK, PLAINTIFF  
VS.**

**ANY AND ALL CURRENT OCCUPANTS  
AND/OR ANY AND ALL CURRENT  
OCCUPANTS, DEFENDANT**

TO ANY AND ALL CURRENT OCCUPANTS  
and/or Any and All Current Occupants, DEFEND-  
ANT whose last known address is 317 Emerald  
Street Harrisburg, PA 17110.

THIS FIRM IS A DEBT COLLECTOR AND  
WE ARE ATTEMPTING TO COLLECT A  
DEBT OWED TO OUR CLIENT. ANY INFOR-  
MATION OBTAINED FROM YOU WILL BE  
USED FOR THE PURPOSE OF COLLECTING  
THE DEBT.

You are hereby notified that Plaintiff PNC  
BANK, NATIONAL ASSOCIATION, SUCCE-  
SOR BY MERGER TO NATIONAL CITY  
MORTGAGE, A DIVISION OF NATIONAL  
CITY BANK, has filed an Ejectment Complaint  
endorsed with a notice to defend against you in the  
Court of Common Pleas of Dauphin County,  
Pennsylvania, docketed to No. 2019 CV 3493EJ  
wherein Plaintiff seeks to request Judgment for  
possession of the property located, 317 Emerald  
Street Harrisburg, PA 17110.

**NOTICE**

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 the Complaint and notice are served, by  
entering a written appearance personally or by  
attorney and filing in writing with the court your  
defenses or objections to the claims set forth  
against you. You are warned that if you fail to do  
so the case may proceed without you and a judg-  
ment may be entered against you by the Court  
without further notice for any money claim in the  
Complaint of for any other claim or relief request-  
ed by the Plaintiff. You may lose money or prop-  
erty or other rights important to you.

**YOU SHOULD TAKE THIS PAPER 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. THIS OFFICE CAN PROVIDE YOU  
WITH INFORMATION ABOUT HIRING A  
LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAW-  
YER, THIS OFFICE MAY BE ABLE TO PRO-  
VIDE YOU WITH INFORMATION ABOUT  
AGENCIES THAT MAY OFFER LEGAL SER-  
VICES TO ELIGIBLE PERSONS AT A RE-  
DUCED FEE OR NO FEE.**

DAUPHIN COUNTY  
LAWYER REFERRAL SERVICE  
213 N. Front Street  
Harrisburg, PA 17101  
717-232-7536

Michael T. McKeever  
Attorney for Plaintiff  
KML Law Group, P.C., PC  
Suite 5000, BNY Independence Center  
701 Market Street  
Philadelphia, PA 19106-1532  
215-627-1322

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

**NO: 2018-CV-06750-MF**

**CIVIL DIVISION**

**USAA FEDERAL SAVINGS BANK,  
PLAINTIFF  
VS.  
MICHAEL L. CLOUSER, DEFENDANT**

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

TO: Michael L. Clouser  
223 Emerald Street  
Harrisburg, PA 17110

Your house (real estate) at: 223 Emerald Street,  
Harrisburg, PA 17110, 10-061-005-000-0000 is

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## FIRST PUBLICATION

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### Miscellaneous Notices

scheduled to be sold at Sheriff's Sale on October 10, 2019 at: Dauphin County Administration Bldg., Fourth Floor - Commissioners Hearing Room, Market Square (former Mellon Bank Bldg.), Harrisburg, PA 17101 at 10:00AM to enforce the court judgment of \$75,135.42 obtained by USAA Federal Savings Bank against you.

#### NOTICE OF OWNER'S RIGHTS YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale you must take immediate action:

1. The sale will be cancelled if you pay back to USAA Federal Savings Bank the amount of the judgment plus costs or the back payments, late charges, costs, and reasonable attorneys fees due. To find out how much you must pay, you may call: (610) 278-6800.

2. You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.

3. You may be able to stop the sale through other legal proceedings.

4. You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See notice on page two of how to obtain an attorney.)

#### YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE.

5. If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling (610) 278-6800.

6. You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.

7. The sale will go through only if the buyer pays the Sheriff the full amount due in the sale. To find out if this has happened you may call 717-255-2660.

8. If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.

9. You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.

10. You may be entitled to a share of the money, which was paid for your house. A schedule of distribution of the money bid for your house will be filed by the Sheriff no later than thirty days

after the Sheriff Sale. This schedule will state who will be receiving the money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed distribution is wrong) are filed with the Sheriff within ten (10) days after the date of filing of said schedule.

11. You may also have other rights and defenses or ways of getting your house back, if you act immediately after the sale.

**YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE LISTED BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

Dauphin County Local Counsel  
Dauphin County Lawyer Referral Service  
213 North Front Street  
Harrisburg, PA 17101  
717-232-7536

PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT YOU ARE ADVISED THAT THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Land referred to in this commitment is described as all that certain property situated in the County of Dauphin, in the state of PA and being described in a Deed dated 01/07/2005 and recorded 01/10/2005 in Book/Page 5836/570 among the land records of the county and state set forth above, and reference as follows:

ALL THAT CERTAIN lot or piece of land situate in the Tenth Ward of the City of Harrisburg, County of Dauphin and Commonwealth of Pennsylvania, with the improvements thereon erected, more particularly bounded and described as follows, to wit:

BEGINNING at a point on the South side of Emerald Street, which point is 90.50 feet westwardly from the southwest corner of Green and Emerald Streets; thence westwardly along the South side of said Emerald Street, 21 feet to a point; thence southwardly at right angles to said Emerald Street and through the center of a brick partition wall between this and adjoining house and beyond, 92.66 feet to a 3.6 foot wide private alley; thence eastwardly along the northern side line of said private alley 21 feet to a point; thence northwardly and through the center of a brick partition wall between this and adjoining house 92.66 feet to the place of BEGINNING.

HAVING erected thereon a brick dwelling house known and numbered as 223 Emerald Street, Harrisburg, Dauphin County, PA.

TOGETHER with the right to use the 3.6 foot wide private alley in the rear of said Lot in common with the owners and occupiers of other property abutting thereon.

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## FIRST PUBLICATION

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### Miscellaneous Notices

BEING the premises which Timothy A. Snow and Kirstin D. Snow, husband and wife, by Deed dated January 7, 2005 and recorded January 10, 2005 in the Office of the Recorder of Deeds in and for Dauphin County, Pennsylvania, granted and conveyed unto Michael L. Clouser, in fee.

Seized and sold as the property of Michael L. Clouser under judgment number 2018-CV-06750-MF.

SHAPIRO & DeNARDO, LLC  
BY: CHRISTOPHER A. DeNARDO,  
PA I.D. NO. 78447

KRISTEN D. LITTLE, PA I.D. NO. 79992  
KEVIN S. FRANKEL, PA I.D. NO. 318323  
MICHELLE L. McGOWAN, PA I.D. NO. 62414  
LESLIE J. RASE, PA I.D. NO. 58365  
MORRIS A. SCOTT, PA I.D. NO. 83587  
ALISON H. TULIO, PA I.D. NO. 87075  
KATHERINE M. WOLF, PA I.D. NO. 314307  
3600 HORIZON DRIVE, SUITE 150  
KING OF PRUSSIA, PA 19406  
TELEPHONE: (610) 278-6800  
S&D FILE NO. 17-056112

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case may proceed without you and a judgment may be entered against you for the relief requested in the Complaint by the plaintiff. You may lose money or property or other rights important to you.

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

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Dauphin County Lawyer Referral Service  
213 N. Front St.  
Harrisburg, PA 17101  
717-232-7536

Michael S. Bloom, Atty. for Plaintiff  
PRESSMAN & DOYLE, LLC  
712 W. MacDade Blvd.  
Milmont Park, PA 19033  
610-532-4222

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[mbloom@pressmandoyle.com](mailto:mbloom@pressmandoyle.com)

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

NO. 2019-CV-1191-QT

CIVIL ACTION – LAW

SANTANDER BANK, N.A., PLAINTIFF  
VS.  
DNH INVESTMENTS, INC. &  
DANA L. SMITH, DEFENDANTS

ACTION TO QUIET TITLE

Involving Premises 2443 North Fifth Street, Harrisburg, PA 17110

NOTICE BY PUBLICATION

A Complaint to Quiet Title and a Praecipe to Reinstate the Complaint has been filed with the Court of Common Pleas of Dauphin County.

NOTICE TO DEFEND AND CLAIM RIGHTS

You, DNH Investments, Inc., have been sued in court. If you wish to defend against the claims set forth in the Complaint, 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 within twenty (20) days of this Publication, the

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

NO. 2017-CV-7354-MF

NOTICE OF SHERIFF'S SALE

WELLS FARGO BANK, NA, PLAINTIFF  
VS.  
TAZ M. HUMES, DEFENDANT

NOTICE TO: TAZ M. HUMES A/K/A TAZ HUMES

NOTICE OF SHERIFF'S SALE  
OF REAL PROPERTY

Being Premises: 7532 STEPHEN DRIVE, HARRISBURG, PA 17111-5060

Being in SWATARA TOWNSHIP, County of DAUPHIN, Commonwealth of Pennsylvania, 63-086-082-000-0000

Improvements consist of residential property.

Sold as the property of TAZ M. HUMES

Your house (real estate) at 7532 STEPHEN DRIVE, HARRISBURG, PA 17111-5060 is scheduled to be sold at the Sheriff's Sale on 10/10/2019 at 10:00 AM at the DAUPHIN County Courthouse, 101 Market Street, Room 104, Harrisburg, PA 17107-2012 to enforce the Court Judgment of \$138,231.89 obtained by WELLS FARGO BANK, NA (the mortgagee) against the above premises.

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**FIRST PUBLICATION**

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**Miscellaneous Notices**

PHELAN HALLINAN DIAMOND  
& JONES, LLP

a2 Attorney for Plaintiff

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

**NO. 2017-CV-1926-MF**

**NOTICE OF SHERIFF'S SALE**

**PHH MORTGAGE CORPORATION,  
PLAINTIFF  
VS.  
MALINDA S. RETTINGER, DEFENDANT**

NOTICE TO: MALINDA S. RETTINGER

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

Being Premises: 3220 NORTH 2ND STREET,  
HARRISBURG, PA 17110

Being in HARRISBURG CITY, County of DAUPHIN, Commonwealth of Pennsylvania, 14-007-016-000-0000

Improvements consist of residential property.

Sold as the property of MALINDA S. RETTINGER

Your house (real estate) at 3220 NORTH 2ND STREET, HARRISBURG, PA 17110 is scheduled to be sold at the Sheriff's Sale on 10/10/2019 at 10:00 AM at the DAUPHIN County Courthouse, 101 Market Street, Room 104, Harrisburg, PA 17107-2012 to enforce the Court Judgment of \$107,614.90 obtained by PHH MORTGAGE CORPORATION (the mortgagee) against the above premises.

PHELAN HALLINAN DIAMOND  
& JONES, LLP

a2 Attorney for Plaintiff

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**SECOND PUBLICATION**

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**Miscellaneous Notices****NOTICE OF AUDIT**

**TO LEGATEES, NEXT OF KIN,  
CREDITORS AND ALL OTHER PERSONS  
CONCERNED:**

NOTICE IS HEREBY GIVEN that the following accounts have been filed by the respective accountants in the Office of the Register of Wills or with the Clerk of the Orphans' Court Division of the Common Pleas of Dauphin County, as the case may be, and that the same shall be duly presented to the said Company of Pennsylvania Orphans' Court Administrator for Audit, Confirmation and Distribution of the said ascertained balances to and among those legally entitled thereto **August 28, 2019**. Pursuant to Pennsylvania Orphans' Court Rule 2.7(b) (formerly Dauphin County Orphans' Court Rule 6.10.1), objections to an account must be filed in writing with the Register or Clerk *no later than the close of business on August 27, 2019*.

1. WALTER L. BRENNEMAN TRUST, Settlor, First and Final Account of Manufacturers and Traders Trust Company, Successor to Allfirst Trust Company of Pennsylvania, N.A., Successor to Dauphin Deposit Bank and Trust Company, Trustee (Trust Under Agreement f/b/o Walter Brenneman, Jr.).
2. ETNOYER, DOROTHY J., Deceased, First and Final Account of Larry L. Etnoyer, Executor.
3. FACKLER, ARLENE F., Principal now Deceased, First and Final Account of Eric W. Fackler, Agent.
4. MECAUGHEY, WILLIAM G., Deceased, Second and Final Account of Manufacturers and Traders Trust Company, Successor to Allfirst Trust Company of Pennsylvania, N.A., Successor to Dauphin Deposit Bank and Trust Company, Trustee (Trust Under Will f/b/o William G. Megaughey, III).
5. SHAFFER, ALLEN, Deceased, Second and Final Account of Branch Banking and Trust Company Successor to Susquehanna Trust & Investment Company, Executor.
6. YOUNG, EDGAR J. SR., Deceased, First and Final Account of Kathleen A. Stallsmith and Jane E. Shelly, Executrices.

July 19, 2019

Jean Marfizo King

Register of Wills & Clerk of the Orphans' Court  
jy26-a2

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**THIRD PUBLICATION**

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**Miscellaneous Notices**

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

**NO.: 2019-CV-1767-MU**

**CIVIL DIVISION**

**LOWER PAXTON TOWNSHIP AUTHORITY  
425 PRINCE STREET, SUITE 139  
HARRISBURG, PA 17109, PLAINTIFF  
VS.**

**RONALD M. PAYNE AND DAWN G. PAYNE  
5891 PALM STREET  
HARRISBURG, PA 17112  
PARCEL# 35-016-070, DEFENDANTS**

**WRIT OF SCIRE FACIAS**

**TO: RONALD M. PAYNE AND DAWN G.  
PAYNE:**

WHEREAS, Lower Paxton Township Authority, on March 12, 2019, filed its claim in the Court of Common Pleas of Dauphin County at Municipal Claim No. 2019-CV-1767-MU for the sum of \$2,595.30, plus interest, penalties, additional sewer charges, additional attorneys fees and costs and collection fees, for sewer rents due said Lower Paxton Township Authority, said Claim filed against property owned by you in Lower Paxton Township, located at 5891 Palm Street, Harrisburg, Pennsylvania 17111, as more particularly described in said Claim, and said property being further described in the Office of the Recorder of Deeds in and for Dauphin County, Pennsylvania, Record Book 4046, page 178, owned or reputed to be owned by you;

WHEREAS, we have been given to understand that said Claim is still due and unpaid in the amount of \$2,595.30, and remains a lien against the said property;

NOW, you are hereby notified to file your Affidavit of Defense to said Claim, if defense you have thereto, in the Office of the Prothonotary of our said Court, within fifteen (15) days after the service of this Writ upon you. If no Affidavit of Defense is filed within said time, Judgment may be entered against you for the whole Claim, and the property described in the Claim be sold to recover the amount thereof.

WITNESS the Honorable Richard A. Lewis, President Judge of our said court this 2nd day of May 2019.

/s/ Matthew R. Krupp (SEAL)  
PROTHONOTARY

jj12-a2

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

**NO.: 2018-CV-6493-MU**

**CIVIL DIVISION**

**LOWER PAXTON TOWNSHIP AUTHORITY  
425 PRINCE STREET, SUITE 139  
HARRISBURG, PA 17109, PLAINTIFF  
VS.**

**KIM M. STAMBAUGH  
5867 PALM STREET  
HARRISBURG, PA 17112  
PARCEL# 35-016-065, DEFENDANTS**

**WRIT OF SCIRE FACIAS**

**TO: KIM M. STAMBAUGH:**

WHEREAS, Lower Paxton Township Authority, on October 2, 2018, filed its claim in the Court of Common Pleas of Dauphin County at Municipal Claim No. 2018-CV-6493-MU for the sum of \$3,173.49, plus interest, penalties, additional sewer charges, additional attorneys fees and costs and collection fees, for sewer rents due said Lower Paxton Township Authority, said Claim filed against property owned by you in Lower Paxton Township, located at 5867 Palm Street, Harrisburg, Pennsylvania 17112, as more particularly described in said Claim, and said property being further described in the Office of the Recorder of Deeds in and for Dauphin County, Pennsylvania, Record Book 5507, page 273, owned or reputed to be owned by you;

WHEREAS, we have been given to understand that said Claim is still due and unpaid in the amount of \$3,173.49, and remains a lien against the said property;

NOW, you are hereby notified to file your Affidavit of Defense to said Claim, if defense you have thereto, in the Office of the Prothonotary of our said Court, within fifteen (15) days after the service of this Writ upon you. If no Affidavit of Defense is filed within said time, Judgment may be entered against you for the whole Claim, and the property described in the Claim be sold to recover the amount thereof.

WITNESS the Honorable Richard A. Lewis, President Judge of our said court this 2nd day of May 2019.

/s/ Matthew R. Krupp (SEAL)  
PROTHONOTARY

jj12-a2

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**FIRST PUBLICATION**

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**Name Change Notices**

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

**DOCKET NO: 2019-CV-05110-NC**

**PETITION FOR CHANGE OF NAME**

**NOTICE**

NOTICE IS HEREBY GIVEN that on this 23rd day of July, 2019, the Petition of Lauren Elisabeth Silver was filed in the above named court, requesting a decree to change his/her name from **Lauren Elisabeth Silver to Ollie Winslow Silver**.

The Court has fixed Monday, August 26th 2019 at 9:30 a.m. in Courtroom No. 9, 2nd Floor, at the Dauphin County Courthouse, 101 Market Street, Harrisburg, Pennsylvania, 17101 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. a2

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

**DOCKET NO: 2019-CV-05030-NC**

**PETITION FOR CHANGE OF NAME**

**NOTICE**

NOTICE IS HEREBY GIVEN that on July 25, 2019, the Petition of Jason Franklin Partney was filed in the above named court, requesting a decree to change his name from **Jason Franklin Partney to Jason Franklin Smith**.

The Court has fixed Monday, August 26, 2019 at 9:30a.m. in Courtroom No. 9, 2nd Floor, Dauphin County Courthouse, 101 Market Street, 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. a2

## **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.**

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**BAR ASSOCIATION PAGE**  
**Dauphin County Bar Association**  
**213 North Front Street, Harrisburg, PA 17101-1493**  
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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*

**BAR ASSOCIATION PAGE**  
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The Judges have completed the June 10, 2019 civil jury term. One civil case reached verdict and the summary is as follows:

**PRISCILLA KELLY v. LARRY A. HARRIS, BARRY McCARR, and BRIDGE OF FAITH INTERNATIONAL CHRISTIAN CHURCH, INC. (2009-CV-09787-CV)**

**Trial dates: June 10-12, 2019**

**Trial Summary:**

The Plaintiff Priscilla Kelly was Choir Director of the Defendant Bridge of Faith International Christian Church Inc. Defendant Pastor Larry A. Harris was dissatisfied with her performance and removed her as Director of the choir. Apparently, Ms. Kelly was continuing to direct the choir and Pastor Harris called a church meeting after Sunday service on September 9, 2007 to address the matter with Ms. Kelly and the choir. When Ms. Kelly appeared at the meeting an argument ensued and there were differing accounts as to what happened thereafter. Ms. Kelly claimed that she was attacked by Defendant Barry McCarr, who Ms. Kelly described as in charge of security. Other accounts from witnesses indicated that Ms. Kelly was the instigator. As a result of the physical altercation, Ms. Kelly was injured, including injuries to her neck, back, and shoulder as well as injury to her knee.

Plaintiff sued the above-captioned Defendants on a theory of battery as well as a claim for punitive damages.

On question one the Verdict Slip, the jury determined that neither Pastor Harris nor Mr. McCarr committed battery on the Plaintiff.

The Plaintiff has filed a Post-trial Motion.

**Verdict:** for the Defendants

**Judge:** Judge Andrew H. Dowling

**Counsel for Plaintiff:** Steven R. Snyder, Esquire

**Counsel for Defendants Larry A. Harris and Bridge of Faith International Christian Church, Inc.:**  
Peter M. Good, Esquire

**Counsel for Defendant Barry McCarr:** David C. Dagle, Esquire

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**ATTORNEY - ASSISTANT COUNTY SOLICITOR:** The County of Berks is seeking qualified applicants for the position of Assistant County Solicitor for representation of Berks County in Children & Youth Services matters. Position requires a JD degree, admission to the PA Bar, and a minimum of 3 years of related experience. For a detailed job description and application, please visit the "Employment Opportunities" page at [www.co.berks.pa.us](http://www.co.berks.pa.us). Resumes along with applications should be submitted as per website instructions. E.O.E.M/F/D/V  
jy19-a2

**LEGAL SECRETARY** – Camp Hill, PA: The law firm of Margolis Edelstein seeks a full-time Legal Secretary with 3-5 years of experience in Insurance Defense to join its Camp Hill, PA office. Firm offers a sound future, competitive salary, and an excellent benefits package. Qualified candidates should submit cover letter and resume for consideration to [agayman@margolisedelstein.com](mailto:agayman@margolisedelstein.com).  
jy26-a9

**ATTORNEY:** The Pennsylvania Legal Aid Network, Inc. (PLAN) seeks an attorney to serve as its next Executive Director. PLAN is a nonprofit organization, based in Harrisburg, established to improve the availability and quality of civil legal aid for low income people and victims of domestic violence in Pennsylvania.. For more information and to apply, please see the attached or visit <https://palegalaid.net/>.  
jy26-a9

**U.S. BANKRUPTCY JUDGESHIP VACANCY:** Eastern District of Pennsylvania (Reading): Chief Judge D. Brooks Smith of the United States Court of Appeals for the Third Circuit announces the application process for a bankruptcy judgeship in the Eastern District of Pennsylvania, seated in Reading. A bankruptcy judge is appointed to a 14-year term pursuant to 28 U.S.C. §152.. The application process is entirely automated. No paper applications will be accepted. Applications must be submitted electronic call by noon on August 22, 2019. Applications must be submitted only by the potential nominee personally. To apply, go <https://www.ca3.uscourts.gov/> for more information or call the Circuit Executive's Office at 215-597-0718.  
jy26-a9

**ATTORNEY:** Litigation Associate: Saxton & Stump is seeking an entry-to-mid level associate lawyer with 2- 6 years' experience and excellent litigation skills to join our growing firm's Harrisburg office. The successful candidate will work in the areas of general commercial litigation and medical professional liability defense. Hon. Lawrence F. Stengel (Ret.), former Chief Judge for the United States District Court for the Eastern District of Pennsylvania will provide a degree of mentorship and leadership to the person in this position. Saxton & Stump offers a comprehensive compensation and benefits package and the opportunity for professional growth. For a detailed job description and application, please click [here](#). Resumes along with applications should be submitted as per website instructions. EOE.  
a2-16

**ASSISTANT COUNTY SOLICITOR - GENERAL:** County of Lancaster, Pennsylvania - This position will be responsible to provide and/or supervise a full range of legal services relating to County operations under the direction of the County Solicitor. For a detailed job description and application, refer to [www.co.lancaster.pa.us](http://www.co.lancaster.pa.us)  
a2-16

**ASSISTANT COUNTY SOLICITOR –CHILDREN AND YOUTH AND OFFICE OF AGING:** County of Lancaster, Pennsylvania- This position will provide and/or supervise a full range of legal services relating to the Child Protective Services Law, the Older Adult Protective Services Act, and relevant provisions of the Probate, Estates and Fiduciaries Code (PEF Code) regarding incapacitated persons and guardianships. For a detailed job description and application, refer to [www.co.lancaster.pa.us](http://www.co.lancaster.pa.us)  
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