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Barristers' Club

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LEHIGH LAW JOURNAL
(USPS 309560)

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U.S. Court of Appeals for the Third Circuit**

**and
U.S. District Court for the
Eastern District of Pennsylvania**

Presiding Judges

Honorable Franklin S. Van Antwerpen
Hon. Edward G. Smith
Hon. Joseph F. Leeson, Jr.

* * * * *

Thursday, May 5, 2016
2:00 P.M.

United States District Court
Federal Courthouse
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A reception will follow immediately after the swearing-in ceremony.

* * * * *

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Mary Beth Leeson at the NCBA Office at marybeth@norcobar.org

3-11—4-22

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COMMONWEALTH OF PENNSYLVANIA vs.
ANDREW SCOTT WILCOX, JR.

*Search and Seizure—Fourth Amendment—Search Warrants—
Probable Cause—Totality of the Circumstances—
Child Pornography—Four Corners of Affidavit—
Expert Opinions of Law Enforcement.*

There was probable cause for issuance of a warrant to search defendant's computer, based on suspicion of child pornography, where defendant downloaded a video depicting a nude child from a website utilized by individuals who download child pornography. Although the downloaded video might not by itself be an actual violation of the child pornography statute, based on the totality of the circumstances and the expert opinions of law enforcement contained in the affidavit of probable cause, issuance of the warrant was proper and evidence uncovered was admissible.

In the Court of Common Pleas of Lehigh County, Pennsylvania—Criminal Division. No. CR-4968-2015. Commonwealth of Pennsylvania vs. Andrew Scott Wilcox, Jr.

REBECCA ELO, ESQUIRE, OFFICE OF THE ATTORNEY GENERAL,
on behalf of the Commonwealth.

MARK MERDINGER, ESQUIRE, on behalf of the Defendant.

STEINBERG, J., April 1, 2016. The defendant, Andrew Scott Wilcox, Jr., has been charged with one (1) count of Distribution of Child Pornography,¹ and ten (10) counts of Possession of Child Pornography,² under the Sexual Abuse of Children statute. He is also charged with Criminal Use of a Communication Facility.³ The charges arose from an on-line investigation conducted by the Office of the Attorney General into the sharing of child pornography. A downloaded file depicting a prepubescent naked child led to the issuance of a search warrant, and the seizure of a computer which the defendant later admitted was exclusively operated by him. During an interview with the defendant, he admitted to his arousal to child pornography for years, and that he "has been searching for, downloading, [and] viewing ... child pornography since he was 12 or 13 years old."⁴ A forensic examination of the computer led

¹ 18 Pa. C.S. §6312(c).

² 18 Pa. C.S. §6312(d).

³ 18 Pa. C.S. §7512(a).

⁴ Affidavit of Probable Cause to Arrest at p. 7.

to the recovery of a “file sharing program and ten (10) pictures of apparent child pornography.”⁵

On February 4, 2016, an Omnibus Pretrial Motion was filed on behalf of the defendant. It is alleged that the search warrant failed to establish probable cause because the downloaded video did not depict “a child under 18 years of age engaged in a ‘prohibited sexual act.’”⁶ It was also alleged that probable cause for the issuance of the search warrant was lacking because the affidavit contained “stale”⁷ information.⁸

A hearing on that motion was held on February 11, 2016. The Search Warrant, Affidavit of Probable Cause, and Receipt/Inventory were introduced into evidence by stipulation. Other stipulations made part of the record at the hearing were the following: (1) file-sharing programs are free to download on the internet; (2) files are shared for free when using the file-sharing program; (3) many types of files are shared through the file-sharing programs, including child pornography; (4) there is no evidence to indicate when the suspect video identified in the search warrant was downloaded onto the defendant’s computer; (5) there is no evidence as to the date the defendant viewed the video identified in the search warrant; (6) the video referenced in the search warrant was possessed by “someone utilizing a device at the IP address referenced in the search warrant.”

On February 17, 2016, counsel submitted the following additional stipulations: (1) the defendant resided at 614 S. Bergen Street, Fountain Hill; (2) law enforcement recovered “a Gateway tower computer and a Lenovo laptop computer” from that residence; (3) the Gateway was searched and “images of child pornography” were uncovered; (4) the defendant made incriminatory statements after the search of the Gateway.

⁵ *Id.*

⁶ Omnibus Pretrial Motion ¶27.

⁷ The defendant in his “Brief In Support Of Defendant’s Omnibus Pretrial Motion” (hereinafter Brief), has decided not to pursue that claim. The challenge if pursued would have failed. See *Commonwealth v. Hoppert*, 39 A.3d 358 (Pa. Super. 2012); *Commonwealth v. Gomolekoff*, 910 A.2d 710 (Pa. Super. 2006).

⁸ *Id.* at ¶¶29-30.

DISCUSSION

A search warrant, to be constitutionally valid, requires the existence of probable cause at the time of its issuance. *Commonwealth v. Griffin*, 24 A.3d 1037, 1043 (Pa. Super. 2011). “Probable cause exists where the facts and circumstances within the affiant’s knowledge and of which he has reasonably trustworthy information are sufficient in themselves to warrant a man of reasonable caution in the belief that a search should be conducted.” *Commonwealth v. Hoppert*, 39 A.3d 358, 362 (Pa. Super. 2012).

The “totality of the circumstances” test is used for determining whether a request for a search warrant is supported by probable cause. *Commonwealth v. Murphy*, 916 A.2d 679, 681-82 (Pa. Super. 2007) *citing* *Illinois v. Gates*, 462 U.S. 213 (1983); see also, *Commonwealth v. Gray*, 509 Pa. 476, 503 A.2d 921 (1985). Under this standard, “the task of an issuing authority is simply to make a practical common-sense decision whether, given all of the circumstances set forth in the affidavit before him, including the veracity and basis of knowledge of persons supplying hearsay information, there is a fair probability that contraband or evidence of a crime will be found in a particular place. ... It is the duty of a court reviewing an issuing authority’s probable cause determination to ensure that the magistrate had a substantial basis for concluding that probable cause existed. In so doing, the reviewing court must accord deference to the issuing authority’s probable cause determination, and must view the information offered to establish probable cause in a common-sense non-technical manner.” *Hoppert*, *supra*; *Commonwealth v. Cristea*, 2016 W.L. 490256 at *5 (Pa. Super. February 4, 2016). Furthermore, “[a] grudging or negative attitude by reviewing courts ... is inconsistent with the Fourth Amendment’s strong preference for searches conducted pursuant to a warrant; courts should not invalidate warrants by interpreting affidavits in a hypertechnical, rather than a commonsense manner.” *Id.* (citations omitted).

Even so, prior to the issuance of a search warrant, the “issuing authority” must determine whether probable cause exists based solely on the facts set forth in the four corners of the supporting affidavit. Pa. R.Crim.P. 203(B); see also, *Commonwealth v. Ed-*

munds, 526 Pa. 374, 403, 586 A.2d 887, 901 (1991); *Commonwealth v. Dukeman*, 917 A.2d 338, 341 (Pa. Super. 2007). At the suppression hearing, “no evidence shall be admissible other than the [supporting] affidavits” to support the issuance of the search warrant. Pa. R.Crim.P. 203(D); see also, *Commonwealth v. James*, 620 Pa. 465, 477-81, 69 A.3d 180, 187-90 (2013); *Commonwealth v. Edmunds*, *supra* at 383, 586 A.2d at 891.

Here, the defendant contends that the video, which serves as the foundation for securing the search warrant, does not depict a child engaged in a “prohibited sexual act” as defined by the statute. See 18 Pa. C.S. §6312(g). He then postulates that if the video was lawful, then the search warrant failed to establish probable cause, and all evidence seized from the computer and incriminating statements made by him must be suppressed.

The issuing authority was entitled to consider all four corners of the search warrant, not just the video. The Affidavit of Probable Cause describes the video, but also contains additional information, including expert opinions. See *United States v. Martinson*, 811 F. Supp. 1097, 1105 (1993) (Law enforcement officer’s expert opinion is an important factor for judge to consider in reviewing search warrant affidavits); *United States v. Fama*, 758 F.2d 834, 838 (2d Cir. 1985) (collecting cases); *United States v. Weber*, 923 F.2d 1338, 1345 (9th Cir. 1991); *United States v. Self*, 2010 W.L. 4684017 *5 (D. Ariz. November 12, 2010).

The search warrant revealed that on July 1, 2015, Supervisory Special Agent Kurt Smith of the Child Predator Section of the Office of the Attorney General, was conducting an online investigation on the Bit Torrent⁹ network for offenders sharing child pornography. Agent Smith was directed to a torrent which was “identified as being a file of investigative interest to child pornography investigations.”¹⁰ He downloaded and viewed a file identified as “8 Yo Fakes It Sooo Cute.mpg.” It was described in the search warrant in the following manner:

The video depicts a prepubescent female child on what appears to be a webcam with only a towel around her waist,

⁹ Bit Torrent is an open source peer-to-peer file-sharing network, which is used for the exchange of files between computer users.

¹⁰ Affidavit of Probable Cause at p. 5.

exposing her bare chest. The child drops the towel which exposes her bare vagina, then the child begins to dance and sing into a plastic object, the object is then handed off to someone else off camera, then the child covers herself with her towel. The child appears to be 8-10 years old.¹¹

The file was also viewed by the affiant for the search warrant, Special Agent Daniel Block. He confirmed that the “file appears to depict [a child] under the age of eighteen (18) years old engaged in sexual acts and/or poses ...”¹²

The defendant interprets the video as merely depicting “a nude child,”¹³ and not a “prohibited sexual act.”¹⁴ The defendant’s citation to *Commonwealth v. Davidson*, 595 Pa. 1, 938 A.2d 198 (2007), which was an unsuccessful challenge to the constitutionality of Section 6312, is misplaced. Here, probable cause, not the constitutionality of Section 6312, is at issue. In any event, it was held in *Davidson* that the statute provides clear and understandable notice to all citizens as to what conduct is proscribed. “All that the Commonwealth must prove in a situation where a defendant is found in possession of nude images of children not engaged in any other prohibited sexual act ... is that the nudity in the image is depicted for sexual stimulation or gratification. Moreover, an ordinary person can certainly understand what conduct is prohibited and would have no need to guess at the meaning of the term ‘nudity’ ...” *Id.* at 213. “[C]ommon sense and human experience dictate that the photographer/possessor’s photographs of ‘young boys with their genitals exposed and smiling in provocative poses with a nude defendant near them were taken for the sole purpose of the sexual stimulation and gratification of the viewer[.]’” *Id.* at 214, *citing* *Commonwealth v. Tiffany*, 926 A.2d 503, 512 (Pa. Super. 2007); *Commonwealth v. Savich*, 716 A.2d 1251, 1257 (Pa.

¹¹ *Id.*

¹² *Id.*

¹³ Brief at p. 6.

¹⁴ “Prohibited sexual act.” Sexual intercourse as defined in section 3101 (relating to definitions), masturbation, sadism, masochism, bestiality, fellatio, cunnilingus, lewd exhibition of the genitals or nudity if such nudity is depicted for the purpose of sexual stimulation or gratification of any person who might view such depiction.

Super. 1998) (“A person of common intelligence would grasp that covertly videotaping infant, adolescent and prepubescent nude girls would fall within the statute’s reach if the videotapes are made for purposes of sexual gratification or stimulation of the videotaper.”).

The affidavit of probable cause in Tiffany had sufficient facts and circumstances to support the issuance of a search warrant. Likewise, in *Commonwealth v. Koehler*, 914 A.2d 427, 435 (Pa. Super. 2006), pictures of nude females, who appeared to be minors, were found on the defendant’s computer. The totality of the circumstances provided probable cause to search the defendant’s residence and computer for photographs depicting prohibited sexual acts and child pornography. “The standards of ‘practicality’ and ‘common sense’ that guide issuing authorities require the conclusion in this instance that such depictions were ‘for the purpose of sexual stimulation or gratification ...’” *Id.* In *United States v. Cochran*, 806 F. Supp. 560, 563 (E.D. Pa. 1992), it was alleged that “the search warrant was not based on an adequate showing of probable cause because the photographs ... did not involve sexually explicit conduct or sexually suggestive poses.” The court, in reaching a contrary conclusion, determined that “[t]he failure ... to describe an actual violation of the statute does not preclude a finding of probable cause ... [The] magistrate is simply to make a practical common-sense decision whether, given all the circumstances set forth in the affidavit before him ... there is a fair probability that contraband or evidence of crime will be found in a particular place.” *Id.*¹⁵

Here, a review of the four corners of the search warrant justifies a determination that “there is substantial evidence in the record supporting the decision to issue the warrant.” Hoppert, *supra*. The search warrant may not contain graphic depictions of “prohibited sexual acts,” but probable cause for the issuance of a search warrant

¹⁵ The defendant points our attention to *United States v. Brunette*, 256 F.3d 14 (1st Cir. 2001), and *United States v. Weider*, 2007 W.L. 2743734 (M.D. Pa. September 18, 2007). Those cases, like *United States v. Pavulak*, 700 F.3d 651, 661 (3d Cir.), only stand for the proposition that “the label child pornography without more, does not present any facts” justifying the issuance of a search warrant. *Cf. United States v. Cardona*, 2015 W.L. 769577 (S.D. N.Y. February 24, 2015).

is “not one of certainties, but rather probabilities dealing with the considerations of everyday life. ... It is not equivalent to the proof beyond a reasonable doubt standard” *Commonwealth v. Jenkins*, 288 Pa. Superior Ct. 232, 236, 431 A.2d 1023, 1025 (1981) (citation and quotation marks omitted); see also, *Commonwealth v. Stamps*, 260 Pa. Superior Ct. 108, 112, 393 A.2d 1035, 1037 (1978) (“The probable cause standard concerns only the probabilities and not a *prima facie* showing of criminal activities”). It is apparent that the video in question was not produced for family or artistic purposes. Instead, it was discovered where those who download child pornography forage. The probable cause standard was satisfied.

For all the foregoing reasons, the Omnibus Pretrial Motion is Denied.

ORDER

AND NOW, this 1st day of April, 2016, after hearing held in this matter on February 11, 2016, and consideration of the memorandum of counsel;

IT IS HEREBY ORDERED that the defendant’s Omnibus Pretrial Motion is DENIED.

ESTATE AND TRUST NOTICES

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION

Becker, Ronald B. a/k/a Ronald Becker, dec'd.

Late of the City of Allentown.
Administratrix C.T.A.: Holly Anne Heitmann c/o Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018.

Attorneys: Robert V. Littner, Esquire, Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018.

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Attorney: Jeffrey F. Hussar, Esq., 946 Third Street, Whitehall, PA 18052.

Binder, William W. a/k/a William Wenz Binder, dec'd.

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Pengelly, Michael a/k/a Michael H. Pengelly, dec'd.

Late of Upper Saucon Township.

Executrix: MaryEllen McHugh-Pengelly a/k/a M. T. McHugh-Pengelly c/o Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.

Attorneys: Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.

Roeder, Teresa A., dec'd.

Late of the Township of Upper Milford.

Executor: Donald R. Roeder c/o John M. Ashcraft, III, Esquire, 20 North 5th Street, Suite #1, Emmaus, PA 18049-2406.

Attorney: John M. Ashcraft, III, Esquire, 20 North 5th Street, Suite #1, Emmaus, PA 18049-2406.

Sakasitz, Joyce M., dec'd.

Late of Catasauqua.

Administratrices: Melissa Fischl and Christina M. Brodt.

Attorneys: Robert M. Knauer, Esquire, Knauer & Davenport, 143 North Eighth St., Allentown, PA 18101.

Scripko, Anne M., dec'd.

Late of Allentown.

Executor: Joseph E. Trella, Jr. Attorneys: Robert M. Knauer, Esquire, Knauer & Davenport, 143 North Eighth St., Allentown, PA 18101.

Scull, Robert W., dec'd.

Late of Macungie Borough.

Co-Executrices: Rosemarie A. Weaver, 1491 Krocks Rd., Westcosville, PA 18106 and Catharine M. Kantner, 816 Woodward Dr., Reading, PA 19601.

Attorney: Denise L. Wester, Esq., 881 Third St., Suite B-3, Whitehall, PA 18052.

Snyder, Lee R., dec'd.

Late of 6579 Northwest Road, New Tripoli.

Executrix: Carol I. Snyder, 4101 Sand Spring Rd., Apt. G-7, Schnecksville, PA 18078.

Attorney: William G. Malkames, Esq., 509 W. Linden Street, Allentown, PA 18101-1415.

Stahley, Claire E., dec'd.

Late of Allentown.

Executor: Douglas J. Hontz, 148 Plantation Drive, Manning, SC 29102.

Attorneys: Charles A. Waters, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatingson, PA 18080.

Stecher, Sidney a/k/a Sid Stecher, dec'd.

Late of South Whitehall Township.

Executrix: Lenore Stecher, 3645 Trexler Blvd., Allentown, PA 18104.

Attorneys: Joel Luber, Esquire, Reger, Rizzo, Darnall, 2929 Arch St., Philadelphia, PA 19104-2899.

Stengel, Carol A. a/k/a Carol A. Peoples a/k/a Carol Ann Peoples, dec'd.

Late of 241 Ridge Street, Emmaus.

Executrix: Suzanne M. Badgley c/o Stuart T. Shmookler, Esquire, Gross McGinley, LLP, 33 S. 7th Street, P.O. Box 4060, Allentown, PA 18105-4060.

Attorneys: Stuart T. Shmookler, Esquire, Gross McGinley, LLP, 33 S. 7th Street, P.O. Box 4060, Allentown, PA 18105-4060.

Swank, Joseph K. a/k/a Joseph Swank, dec'd.

Late of South Whitehall Township.

Executrix: Darlis J. Craven, 165 Diner Road, Northumberland, PA 17857.

Ulincy, Mary E. a/k/a Mary Ulincy, dec'd.

Late of Bethlehem.

Executor: Thomas G. Ulincy c/o Wendy A. Nicolosi, Esquire, Broughal & DeVito, L.L.P., 38 West Market Street, Bethlehem, PA 18018.

Attorneys: Wendy A. Nicolosi, Esquire, Broughal & DeVito, L.L.P., 38 West Market Street, Bethlehem, PA 18018.

Wanamaker, Sandra L., dec'd.

Late of Slatington.

Executrix: Megan L. Kern, 1819 Klines Mill Road, Breinigsville, PA 18031.

Attorneys: Charles W. Stopp, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

SECOND PUBLICATION

Anderson, John R. a/k/a John Robert Anderson, dec'd.

Late of 3030 W. Chew Street, Allentown.

Personal Representative: Virginia A. Ofstein c/o James A. Ritter, Esquire, Gross McGinley, LLP, 111 E. Harrison St., Suite 2, Emmaus, PA 18049-2916.

Attorneys: James A. Ritter, Esquire, Gross McGinley, LLP, 111 E. Harrison St., Suite 2, Emmaus, PA 18049-2916.

Brosious, Richard D., Jr., dec'd.

Late of Allentown.

Executrix: Dana Granato c/o Everett Cook, Esquire, 2747 MacArthur Road, Whitehall, PA 18052.

Attorney: Everett Cook, Esquire, 2747 MacArthur Road, Whitehall, PA 18052.

Burns, Dorothy A., dec'd.

Late of Whitehall.

Executor: Randy S. Spaide c/o Everett Cook, Esquire, 2747

MacArthur Road, Whitehall, PA 18052.

Attorney: Everett Cook, Esquire, 2747 MacArthur Road, Whitehall, PA 18052.

Callisto, Petrina C., dec'd.

Late of Bethlehem.

Executor: Pellegrino P. Callisto c/o David M. Roth, Esquire, 123 North Fifth Street, Allentown, PA 18102.

Attorney: David M. Roth, Esquire, 123 North Fifth Street, Allentown, PA 18102.

Clark, Jean L., dec'd.

Late of Coplay Borough.

Executor: John A. Clark, 914 Oak St., Coplay, PA 18037.

Durkin, Anthony J., dec'd.

Late of Whitehall Township.

Co-Executors: Laural L. Butryn and Michael S. Butryn, 4639 Anthony Drive, Coplay, PA 18037.

Attorney: Richard J. Haber, Esquire, 150 West Macada Road, Bethlehem, PA 18017.

Epstein, Howard S., dec'd.

Late of Allentown.

Executor: Joel S. Epstein c/o Noonan & Prokup, 526 Walnut St., Allentown, PA 18101.

Attorneys: Noonan & Prokup, 526 Walnut St., Allentown, PA 18101.

Ficek, John J. a/k/a J. J. Ficek, Jr. a/k/a John J. Ficek, Jr. a/k/a John Joseph Ficek, Jr., dec'd.

Late of the City of Allentown.

Executor: Robert Ficek c/o Norris, McLaughlin & Marcus, P.A., 515 West Hamilton Street, Suite 502, Allentown, PA 18101.

Attorneys: R. Nicholas Nanovic, Esquire, Norris, McLaughlin & Marcus, P.A., 515 West Hamilton Street, Suite 502, Allentown, PA 18101.

Fisher, Mary Jane, dec'd.

Late of Allentown.

Executrix: Linda S. Noonan c/o Noonan & Prokup, 526 Walnut Street, Allentown, PA 18101-2394.

Attorneys: Noonan & Prokup, 526 Walnut Street, Allentown, PA 18101-2394.

Fox, Frances J. a/k/a Frances Fox, dec'd.

Late of Upper Saucon Township.

Executrix: Anne Marie Mint c/o Kristofer M. Metzger, Esquire, 6666 Passer Rd., Suite #3, Coopersburg, PA 18036.

Attorney: Kristofer M. Metzger, Esquire, 6666 Passer Rd., Suite #3, Coopersburg, PA 18036.

Hess, Edgar Charles a/k/a Edgar Hess a/k/a Edgar C. Hess, dec'd.

Late of Slatington.

Executrix: Sheree J. Gruber, 480 N. 1st Street, Lehighton, PA 18235.

Attorneys: Keith R. Pavlack, Esquire, Pavlack Law Offices, P.C., 1415 Blakeslee Blvd. Dr. E., Lehighton, PA 18235.

Hirst, Forrest R., dec'd.

Late of Allentown.

Administratrix: Jennifer Hirst-Gallagher c/o Reich & Furst Law Offices, 1227 W. Liberty Street, Suite 203, Allentown, PA 18102.

Attorneys: James L. Reich, Esquire, Reich & Furst Law Of-

fices, 1227 W. Liberty Street, Suite 203, Allentown, PA 18102, (610) 433-2430.

Homolash, Judith Ann a/k/a Judith A. Homolash, dec'd.

Late of Coopersburg.

Executrix: Michelle R. Homolash, 7474 Flint Forest Dr., Coopersburg, PA 18036.

Kerschner, Louis H., Jr., dec'd.

Late of Center Valley, Upper Saucon Township.

Personal Representative: Christine M. Fox a/k/a Christine K. Fox c/o Peter P. Perry, Esquire, 1600 Lehigh Parkway East, 1E, Allentown, PA 18103-3097.

Attorney: Peter P. Perry, Esquire, 1600 Lehigh Parkway East, 1E, Allentown, PA 18103-3097.

Kloo, Mary Ann J., dec'd.

Late of the City of Bethlehem.

Executor: Edward A. Kloo c/o Edward J. Andres, Esquire, Corriere and Andres, LLC, 433 East Broad Street, P.O. Box 1217, Bethlehem, PA 18016-1217.

Attorneys: Edward J. Andres, Esquire, Corriere and Andres, LLC, 433 East Broad Street, P.O. Box 1217, Bethlehem, PA 18016-1217.

Lasko, Mark J., dec'd.

Late of Allentown.

Executor: Louis Gentilotti, 2945 College Heights Blvd., Allentown, PA 18104.

Lowell, Francis, dec'd.

Late of the City of Allentown.

Executrix: Maureen Parraz c/o Michael A. Santanasto, Esq., 210 E. Broad Street, Bethlehem, PA 18018.

Attorney: Michael A. Santanasto, Esquire, 210 E. Broad Street, Bethlehem, PA 18018.

Muth, Roy M. A. a/k/a Roy Muth, dec'd.

Late of 2533 Shaler Street, Allentown.

Executrix: Vicki L. Spohn, 2548 Prince Drive, Coplay, PA 18037.
Attorneys: David B. Shulman, Esquire, Shulman & Shabbick, 1935 Center Street, Northampton, PA 18067.

Noonan, Charles T., dec'd.

Late of Allentown.

Executor: Thomas K. Noonan c/o Noonan & Prokup, 526 Walnut Street, Allentown, PA 18101-2394.

Attorneys: Noonan & Prokup, 526 Walnut Street, Allentown, PA 18101-2394.

Ramos, Jesus Quinones, dec'd.

Late of Allentown.

Executrix: Maria A. Wisk c/o The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102.

Attorneys: Larry R. Roth, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102.

Schneider, Scott A., dec'd.

Late of Allentown.

Executor: Shane R. Schneider c/o Robert Van Horn, Esq., 123 North Fifth Street, Allentown, PA 18102.

Attorney: Robert Van Horn, Esq., 123 North Fifth Street, Allentown, PA 18102.

Steiner, Marie L. a/k/a Marie Steiner, dec'd.

Late of Allentown.

Administratrix: Linda J. Stephen c/o Rebecca Sallen Ber-

dugo, Esq., Sallen Law LLC, 408 Merion Place, Merion Station, PA 19066.

Attorney: Rebecca Sallen Berdugo, Esquire, 408 Merion Place, Merion Station, PA 19066.

Stettler, Melinda L., dec'd.

Late of Coffeetown Road, Allentown.

Administratrix: Cheryl Ann Himmelwright, 4023 W. Linden Street, Allentown, PA 18104.

Attorneys: Charles A. Waters, Esquire, Steckel and Stopp, 125 S. Walnut Street, Suite 210, Slatington, PA 18080.

Stevenson, Bernice M. a/k/a Bernice Stevenson, dec'd.

Late of Upper Macungie Township.

Executrix: Valerie Sonder f/k/a Valerie Stevenson c/o Jon A. Swartz, Esquire, 7736 Main Street, Fogelsville, PA 18051.

Attorney: Jon A. Swartz, Esquire, 7736 Main Street, Fogelsville, PA 18051.

Toth, Rose Mary a/k/a Rosemary Toth, dec'd.

Late of Bethlehem.

Administrator: Charles T. Toth c/o Timothy J. Duckworth, Jr., Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770.

Attorneys: Timothy J. Duckworth, Jr., Esquire, Mosebach, Funt, Dayton & Duckworth, P.C., P.O. Box 20770, Lehigh Valley, PA 18002-0770.

Vohar, Nicholas, dec'd.

Late of the City of Allentown.

Executor: Nicholas P. Vohar c/o Michael A. Santanasto, Esq.,

210 E. Broad Street, Bethlehem, PA 18018.

Attorney: Michael A. Santanasto, Esquire, 210 E. Broad Street, Bethlehem, PA 18018.

Walakovits, Frances C., dec'd.

Late of Coplay.

Executor: Edward L. Walakovits a/k/a Edward Louis Walakovits c/o James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.

Attorney: James R. Wishchuk, JD, Esquire, 2310 Walbert Avenue, Suite 103, Allentown, PA 18104-1360.

Washko, Daniel G., dec'd.

Late of Center Valley.

Administrator: Daniel S. Washko c/o Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Attorneys: Fitzpatrick Lentz & Bubba, P.C., 4001 Schoolhouse Lane, P.O. Box 219, Center Valley, PA 18034-0219.

Williams, Carol L., dec'd.

Late of the Borough of Coplay.

Administratrices: Jennifer Lynn Fargione and Jodi L. Pavelko c/o Brian M. Monahan, Esquire, 701 Washington Street, Easton, PA 18042.

Attorney: Brian M. Monahan, Esquire, 701 Washington Street, Easton, PA 18042.

Williams, Scott J. a/k/a Scott Williams, dec'd.

Late of Whitehall.

Administrators: Robert C. Williams and Pamela J. Williams c/o Jon A. Swartz, Esquire, 7736 Main Street, Fogelsville, PA 18051.

Attorney: Jon A. Swartz, Esquire, 7736 Main Street, Fogelsville, PA 18051.

THIRD PUBLICATION

Bartman, Elsie, dec'd.

Late of Allentown.

Executrix: Beverly Curnow c/o Barbara R. Renkert, Esquire, 2120 Northampton Street, Easton, PA 18042.

Attorney: Barbara R. Renkert, Esquire, 2120 Northampton Street, Easton, PA 18042.

Briggman, Michael F., dec'd.

Late of Bethlehem.

Executrix: Mary C. Mullen, 8018 Flourtown Ave., Wyndmoor, PA 19038.

Delpero, Mario P. a/k/a Mario Delpero, dec'd.

Late of Upper Macungie Township.

Executor: Daniel Delpero, 319 Burrell Boulevard, Allentown, PA 18104.

Attorney: Joseph J. Velitsky, Esquire, 49 East Ludlow Street, Summit Hill, PA 18250.

Haney, Julie M. a/k/a Julia M. Haney, dec'd.

Late of Allentown.

Executor: Glenn Robert Haney a/k/a Glenn R. Haney c/o Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.

Attorneys: Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 2610 Walbert Avenue, Allentown, PA 18104.

Hartman, Merritt D., dec'd.

Late of Allentown.

Administratrix: April Cooper
c/o Steven A. Litz, Esquire,
4744 Hamilton Boulevard, Al-
lentown, PA 18103.

Attorney: Steven A. Litz, Es-
quire, 4744 Hamilton Boule-
vard, Allentown, PA 18103.

Jaeske, Charles D., dec'd.

Late of Whitehall Township.

Administrator: Robert H.
Jaeske, Jr. c/o Robert C. Ger-
hard, Jr., Esq., 222 S. Easton
Road, Ste. 104, Glenside, PA
19038.

Attorney: Robert C. Gerhard,
Jr., Esq., 222 S. Easton Road,
Ste. 104, Glenside, PA 19038.

Kazmer, Marian B., dec'd.

Late of Whitehall Manor, 1177
Sixth Street, Whitehall.

Executor: Harold W. Dwinal,
1110 West Tioga Street, Allen-
town, PA 18103.

Attorney: William G. Malkames,
Esq., 509 W. Linden Street, Al-
lentown, PA 18101-1415.

Lugo, Carmen, dec'd.

Late of 1535 Dale Lane, Bethle-
hem.

Executrix: Hilda Melecio c/o
Linda S. Luther-Veno, Esquire,
1605 N. Cedar Crest Blvd.,
Suite 106, Allentown, PA 18104.

Attorney: Linda S. Luther-Veno,
Esquire, 1605 N. Cedar Crest
Blvd., Suite 106, Allentown, PA
18104.

**Margraf, Sara Jane a/k/a Sally
J. Margraf,** dec'd.

Late of Lower Macungie Town-
ship.

Executor: Donald Costello Mar-
graf, 3102 Elizabeth Lane,
Macungie, PA 18062.

Myers, George E., dec'd.

Late of Allentown.

Executors: George W. Myers
and Steve A. Myers c/o The
Roth Law Firm, 123 North Fifth
Street, Allentown, PA 18102.

Attorneys: Robert B. Roth, Es-
quire, The Roth Law Firm, 123
North Fifth Street, Allentown,
PA 18102.

**Pollison, Gordon, Sr. a/k/a Gor-
don Pollison,** dec'd.

Late of Breinigsville.

Executrix: Charlotte L. Pollison
c/o Rebecca M. Young, Esq.
and Lia K. Snyder, Esq., Young
& Young, 119 E. Main Street,
Macungie, PA 18062.

Attorneys: Rebecca M. Young,
Esq. and Lia K. Snyder, Esq.,
Young & Young, 119 E. Main
Street, Macungie, PA 18062.

Reber, Brian R., dec'd.

Late of 1721 Central Park, Ore-
field.

Executrix: Siang Jin Liem-
Reber.

Attorneys: Russell E. Farbiarz,
Esq., Antanavage Farbiarz,
PLLC, 64 North Fourth Street,
Hamburg, PA 19526.

Salter, Dorothy M., dec'd.

Late of the Township of White-
hall.

Executor: Keith T. Salter, 1 Eve
Ave., Lebanon, PA 17046.

Attorneys: Peters, Moritz, Pei-
schl, Zulick, Landes & Brienza,
LLP, 1 South Main Street,
Nazareth, PA 18064.

Schantzenbach, Roberta M.,
dec'd.

Late of the Township of Lower
Macungie.

Co-Executors: Scott C. Schantz-
enbach and Sandra K. Berry
c/o John M. Ashcraft, III, Es-
quire, 20 North 5th Street, Suite
#1, Emmaus, PA 18049-2406.

Attorney: John M. Ashcraft, III, Esquire, 20 North 5th Street, Suite #1, Emmaus, PA 18049-2406.

Senneca, Michael, dec'd.

Late of Macungie.

Executrix: Rebecca M. Young c/o Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Attorneys: Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Snyder, Stella, dec'd.

Late of Emmaus.

Administrator: David M. Roth, Esquire, 123 North Fifth Street, Allentown, PA 18102.

Attorney: David M. Roth, Esquire, 123 North Fifth Street, Allentown, PA 18102.

Strasser, Margaret Mary, dec'd.

Late of Whitehall.

Executrix: Lillian Kromer c/o The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102.

Attorneys: Robert B. Roth, Esquire, The Roth Law Firm, 123 North Fifth Street, Allentown, PA 18102.

Tonelis, Peter E. a/k/a Peter Eligio Tonelis a/k/a Peter Lee Tonelis, dec'd.

Late of 2867 West South Street, Allentown.

Executrix: Alyssa Pauls c/o Edward P. Sheetz, Esquire, Gardner, Racines & Sheetz, 5930 Hamilton Boulevard, Suite 106, Allentown, PA 18106.

Attorneys: Edward P. Sheetz, Esquire, Gardner, Racines & Sheetz, 5930 Hamilton Boule-

vard, Suite 106, Allentown, PA 18106.

Trexler, Pauline M. a/k/a Pauline M. Boyer-Trexler, dec'd.

Late of Alburtis.

Co-Executors: James J. Boyer and Larry A. Trexler c/o Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Attorneys: Rebecca M. Young, Esq. and Lia K. Snyder, Esq., Young & Young, 119 E. Main Street, Macungie, PA 18062.

Wetherhold, George A., dec'd.

Late of the Township of Upper Saucon.

Executor: Ronald T. Kuritz c/o Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018.

Attorneys: Littner, Deschler & Littner, 512 North New Street, Bethlehem, PA 18018.

White, Grant Leroy a/k/a Grant L. White, dec'd.

Late of Slatington.

Executors: Debra Ann Barr and Jeffrey Grant White c/o David M. Roth, Esquire, 123 North Fifth Street, Allentown, PA 18102.

Attorney: David M. Roth, Esquire, 123 North Fifth Street, Allentown, PA 18102.

NOTICE OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been (are to be) filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Corporation Law of the Commonwealth of Pennsylvania, Act of De-

cember 21, 1988 (P.L. 1444, No. 177),
by the following corporation:

The name of the corporation is:
HEIRLOOM HYDROPONICS

A-15

**INDIVIDUAL FICTITIOUS
NAME NOTICES**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act 295 of 1982, as amended, of intention to file, or the filing of, in the Office of the Secretary of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, a certificate for the conduct of a business in Pennsylvania, under the assumed or fictitious name, style or designation of

Name: **GIN LEE SOLUTIONS** with its principal place of business at: 265 Indigo Way, Allentown, PA 18104.

The name and address of the person owning or interested in said business is: Virginia L. Schuler, 265 Indigo Way, Allentown, PA 18104.

MARTIN J. KARESS, ESQ.

215 N. 9th Street
Allentown, PA 18102

A-15

Name: **HEALTH AND POSITIVE VIBES** with its principal place of business at: 265 Indigo Way, Allentown, PA 18104.

The name and address of the person owning or interested in said business is: Virginia L. Schuler, 265 Indigo Way, Allentown, PA 18104.

MARTIN J. KARESS, ESQ.

215 N. 9th Street
Allentown, PA 18102

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NOTICE OF ORGANIZATION

NOTICE IS HEREBY GIVEN that on March 23, 2016, Certificate of Organization was filed with the Department of State of the Commonwealth of Pennsylvania for:

D. O'BRIEN INVESTMENTS
AND MANAGEMENT, LLC

in accordance with the provisions of the Limited Liability Act of 1994.

MARTIN J. KARESS, ESQ.

215 N. 9th Street
Allentown, PA 18102

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CHARTER APPLICATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988 (P.L. 1444, No. 177), by the following corporation:

ARTISANAL STRUCTURES LLC has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended.

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CHANGE OF NAME NOTICE

In the Court of Common Pleas of
Lehigh County
Civil Action—Law

NO. 2016 C 1131

NOTICE IS HEREBY GIVEN that on April 7, 2016, the Petition of Mary Virginia Geiger for a Change of Name has been filed in the above named Court, praying for a Decree to change the name of Petitioner from Mary Virginia Geiger to Molly Virginia Geiger.

The Court has fixed Monday, June 6, 2016 at 9:30 A.M. in Courtroom No. 1B, Lehigh County Courthouse, Allentown, Pennsylvania, as the date and place for the hearing of said Petition. All persons interested in the proposed change of name may appear and show cause, if any they have, why the prayer of said Petitioner should not be granted.

A-15

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

Court of Common Pleas
Lehigh County
Civil Action Law

Number 2015-C-1046

CIT Bank, N.A. f/k/a
OneWest Bank, N.A.

v.

Michael P. Riley, II, Known
Surviving Heir of Michael P. Riley,
Deceased Mortgagor and Real
Owner, Michael P. Riley, and
Unknown Surviving Heirs of
Michael P. Riley, Deceased
Mortgagor and Real Owner

TO: Unknown Surviving Heirs of
Michael P. Riley, Deceased Mort-
gagor and Real Owner
Your house (real estate) at 1718
Union Boulevard, Allentown, Penn-
sylvania 18109 is scheduled to be
sold at Sheriff's Sale on June 24,
2016 at 10:00 a.m., in the Lehigh
County Courthouse, Civil Division
Clerk's Office, 5th and Hamilton
Streets, Allentown, Pennsylvania to
enforce the court judgment of
\$114,235.42 obtained by CIT Bank,
N.A. f/k/a OneWest Bank, N.A.
against you.

NOTICE OF OWNER'S RIGHTS
YOU MAYBE ABLE TO PREVENT
THIS SHERIFF'S SALE

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

1. The sale will be canceled if you
pay to CIT Bank, N.A. f/k/a OneWest
Bank, N.A. the back payments, late
charges, costs, and reasonable at-
torney's fees due. To find out how
much you must pay, you may call
McCabe, Weisberg and Conway, P.C.,
Esquire at (215) 790-1010.

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 post-
pone the sale for good cause.

3. You may also be able to stop
the sale through other legal proceed-
ings.

You may need an attorney to as-
sert your rights. The sooner you
contact one, the more chance you will
have of stopping the sale. (See the
following notice on 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

1. 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 McCabe,
Weisberg and Conway, P.C., Esquire
at (215) 790-1010.

2. You may be able to petition the
Court to set aside the sale if the bid
price was grossly inadequate com-
pared to the value of your property.

3. The sale will go through only if
the buyer pays the Sheriff the full
amount due on the sale. To find out
if this has happened, you may call
McCabe, Weisberg and Conway, P.C.
at (215) 790-1010.

4. 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.

5. 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.

6. You may be entitled to a share
of the money which was paid for your
real estate. A schedule of distribution
of the money bid for your real estate
will be filed by the Sheriff within
thirty (30) days of the sale. This
schedule will state who will be receiv-
ing that money. The money will be
paid out in accordance with this
schedule unless exceptions (reasons
why the proposed schedule of distri-
bution is wrong) are filed with the
Sheriff within ten (10) days after the
posting of the schedule of distribu-
tion.

7. You may also have other rights
and defenses, or ways of getting your
real estate back, if you act immedi-
ately after the sale.

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.

LAWYER REFERRAL SERVICE
ASSOCIATION DE LICENCIADOS
Lawyer Referral Service
Lehigh County Bar Association
P.O. Box 1324
Allentown, PA 18105-1324
(610) 433-7094

McCABE, WEISBERG
& CONWAY, P.C.
Attorneys for Plaintiff
123 S. Broad St.
Ste. 1400
Philadelphia, PA 19109
(215) 790-1010

A-15

NOTICE OF SHERIFF SALE OF
REAL ESTATE PURSUANT TO
Pa. R.C.P. 3129

In the Court of Common Pleas of
Lehigh County, Pennsylvania
Civil Action—Law

NO.: 2010-C-5117

Wells Fargo Bank, N.A., successor
by merger to Wells Fargo
Home Mortgage, Inc.,
Plaintiff

vs.

Kam D. Kern; The Unknown Heirs
and Administrators of the
Estate of Eva Kern,
Defendants

TO: The Unknown Heirs and Administrators of the Estate of Eva Kern
Take Notice that by virtue of the Writ of Execution issued out of the Court of Common Pleas of Lehigh County, Pennsylvania, and directed to the Sheriff of Lehigh County, there will be exposed to Public Sale at the Lehigh County Sheriff's Office, 455 West Hamilton Street, Allentown, Pennsylvania 18101 on May 27, 2016 at 10:00 a.m., prevailing local time, your real property described herein.

The Real Property To Be Sold is delineated in detail in a legal description consisting of a statement of the measured boundaries of the property, together with a brief mention of the buildings and any other major improvements erected on the land.

The Location of your property to be sold is: 833 Wall Street, Allentown, Pennsylvania 18109.

The Judgment under or pursuant to which your property is being sold is docketed to: No. 2010-C-5117.

A complete copy of the Notice of Sheriff Sale will be sent to you upon request to the Attorney for the Plaintiff, Kimberly A. Bonner, Manley Deas Kochalski, P.O. Box 165028, Columbus, OH 43216, (614) 220-5611.

This Paper Is a Notice of the Time and Place of the Sale of Your Property. It has been issued because there is a Judgment Against You. It May Cause Your Property to Be Held, to Be Sold or Taken to Pay the Judgment. You may have legal rights to prevent your property from being taken away. A lawyer can advise you more specifically of those rights. If you wish to exercise your rights, You Must Act Promptly.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET FREE LEGAL ADVICE:

Lawyer Referral Service
Lehigh County Bar Association
P.O. Box 1324
Allentown, PA 18105-1324
(610) 433-7094

A-15

NOTICE OF SHERIFF'S SALE OF
REAL PROPERTY

Court of Common Pleas
Lehigh County
Civil Action Law

Number 2014-C-204

OneWest Bank, N.A.
v.

Unknown Surviving Heirs of Irene
H. Bolger, Deceased Mortgagor and

Real Owner, Karen Baranello,
Known Surviving Heirs of Irene H.
Bolger, Deceased Mortgagor and
Real Owner, Kim Bolger, Known
Surviving Heirs of Irene H. Bolger,
Deceased Mortgagor and Real
Owner, Richard J. Bolger, Known
Surviving Heirs of Irene H. Bolger,
Deceased Mortgagor and Real
Owner, William D. Bolger, Known
Surviving Heirs of Irene H. Bolger,
Deceased Mortgagor and Real
Owner, and Deborah A. Downes,
Known Surviving Heirs of
Irene H. Bolger, Deceased
Mortgagor and Real Owner

TO: Unknown Surviving Heirs of
Irene H. Bolger, Deceased Mort-
gagor and Real Owner
Your house (real estate) at 3060
Elm Drive, Allentown, Pennsylvania
18103 is scheduled to be sold at
Sheriff's Sale on June 24, 2016 at
10:00 a.m. in the Lehigh County
Courthouse, Civil Division Clerk's
Office, 5th and Hamilton Streets, Al-
lentown, Pennsylvania to enforce the
court judgment of \$175,550.25 ob-
tained by OneWest Bank, N.A.
against you.

NOTICE OF OWNER'S RIGHTS
YOU MAYBE ABLE TO PREVENT
THIS SHERIFF'S SALE

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

1. The sale will be canceled if you
pay to OneWest Bank, N.A. the back
payments, late charges, costs, and
reasonable attorney's fees due. To
find out how much you must pay,
you may call McCabe, Weisberg and
Conway, P.C., Esquire at (215) 790-
1010.

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 post-
pone the sale for good cause.

3. You may also be able to stop
the sale through other legal proceed-
ings.

You may need an attorney to as-
sert your rights. The sooner you

contact one, the more chance you will
have of stopping the sale. (See the
following notice on 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

1. 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 McCabe,
Weisberg and Conway, P. C., Esquire
at (215) 790-1010.

2. You may be able to petition the
Court to set aside the sale if the bid
price was grossly inadequate com-
pared to the value of your property.

3. The sale will go through only if
the buyer pays the Sheriff the full
amount due on the sale. To find out
if this has happened, you may call
McCabe, Weisberg and Conway, P.C.
at (215) 790-1010.

4. 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.

5. 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.

6. You may be entitled to a share
of the money which was paid for your
real estate. A schedule of distribution
of the money bid for your real estate
will be filed by the Sheriff within
thirty (30) days of the sale. This
schedule will state who will be receiv-
ing that money. The money will be
paid out in accordance with this
schedule unless exceptions (reasons
why the proposed schedule of distri-
bution is wrong) are filed with the
Sheriff within ten (10) days after the
posting of the schedule of distribu-
tion.

7. You may also have other rights
and defenses, or ways of getting your
real estate back, if you act immedi-
ately after the sale.

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.

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McCABE, WEISBERG
& CONWAY, P.C.
Attorneys for Plaintiff
123 S. Broad St.
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Philadelphia, PA 19109
(215) 790-1010

A-15

NOTICE OF ACTION IN
MORTGAGE FORECLOSURE

In the Court of Common Pleas
of Lehigh County, Pennsylvania
Civil Action—Law

NO. 2016-C-0472

Caliber Home Loans, Inc.,
Plaintiff

vs.

Peggy J. Fleming and
the unknown heirs of
James E. Fleming, deceased,
Defendants

NOTICE

TO: The unknown heirs of James E. Fleming, deceased

You are hereby notified that on February 9, 2016, Caliber Home Loans, Inc., Plaintiff, filed a Complaint endorsed with a Notice to Defend, against you in the Court of

Common Pleas of Lehigh County, Pennsylvania docketed to No. 2016-C-0472. Wherein Plaintiff seeks foreclosure at the property located at 3320 Church View Road, Emmaus, PA 18049. You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

Notice to Defend: 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.

If you wish to defend you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by the plaintiff. You may lose money or property or other rights important to you.

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

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

THAT MAY OFFER LEGAL SERVICES
TO ELIGIBLE PERSONS AT A RE-
DUCED FEE OR NO FEE.

Lawyer Referral Service
Lehigh County Bar Association
P.O. Box 1324
Allentown, PA 18105-1324
(610) 433-7094

A-15

COMPLAINT IN CIVIL ACTION
TO QUIET TITLE

In the Court of Common Pleas of
Lehigh County, Pennsylvania
Civil Division

No. 2015-C-3657

Alex N. Hahalis,
Plaintiff
v.
Delta Funding Corporation et al.,
Defendant

TO: Delta Funding Corporation, Suc-
cessors, Assigns, Firms or Asso-
ciations Claiming Right, Title or
Interest From or Under Loan
#0102078946, Mortgage Instru-
ment #7254342 and Instrument
#7301291

You are hereby notified that Alex
N. Hahalis has filed a Complaint to
Quiet Title endorsed with a Notice to
Defend, against you in the Court of
Common Pleas of Lehigh County,
Pennsylvania, Docketed No. 2015-C-
3657, wherein Plaintiff seeks to have
the mortgages recorded with the
Recorder of Deeds of Lehigh County,
Instrument #7254342 and Instru-
ment #7301291, marked satisfied.
The mortgages are secured on prop-
erty located at 831 West Walnut
Street, Allentown, PA 18102.

You are hereby notified to Plead
to the above referenced Complaint on
or before 20 days from the date of this
publication or a judgment will be
entered against you.

NOTICE

If you wish to defend, you must
enter a written appearance person-

ally or by attorney and file your de-
fenses or objections in writing with
the court. You are warned that if you
fail to do so the case may proceed
without you and a judgment may be
entered against you without further
notice for the relief requested by the
plaintiff. You may lose money or
property or other rights important to
you.

YOU SHOULD TAKE THIS NO-
TICE 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 INFORMA-
TION 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 RE-
DUCED FEE OR NO FEE.

Notice to Defend
Lawyer Referral Service
P.O. Box 1324
Allentown, PA 18105-1324
Telephone (610) 433-7094

PAVLACK LAW OFFICES, P.C.
Attorneys for Plaintiff
1415 Blakeslee Blvd. Dr. E.
Lehigh, PA 18235
(570) 386-3888

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NOTICE OF PRIVATE SALE FOR
DELINQUENT TAXES

NOTICE IS HEREBY GIVEN that
Northeast Revenue Service, LLC, as
agent for the Lehigh County Tax
Claim Bureau, under Section 613 of
the Real Estate Tax Sale Law of 1947
as amended, intends to make a Pri-
vate Sale of the following tax delin-
quent property on June 13, 2016 at
the Lehigh County Courthouse:

Owner(s); Location; Bidder & Bid
Price

Fernandez, Alexander E., Fernan-
dez, Marlene; 624 N. Mohr Street,
Allentown City, PIN: 02-
640714320064-1; Kheir Invest-
ments, LLC, \$10,983.06.

Notice is hereby given to the above

LEHIGH LAW JOURNAL

individuals and entities along with their successors, heirs, personal representatives and assigns, and to the public. The above property will be sold free and clear of all tax claims and tax judgments. If you wish to object to the sale of the above property, you must file a petition with the Lehigh County Court of Common Pleas within forty-five (45) days of this notice. The owner also has the

right to retain the property within that time frame by payment in full of all tax claims and costs due.

Northeast Revenue
Service, LLC

By: Kimberly Ciavarella, Manager
Lehigh County Tax Claim Bureau
17 South 7th Street
Room 120

Allentown, PA 18101

Phone: (610) 782-3119

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The cancer clinic gives her a death sentence.

A lawyer says she has the right to live.

Her health plan rejects her claim.

A lawyer says they can't.

Her boss "lets her go."

A lawyer gets her job back.

Her landlord tries to evict her.

A lawyer won't let him.

The clinic gave her a death sentence.

A lawyer gave her hope.

You have rights. Lawyers protect them.
Pennsylvania Bar Association
Bar Association of Lehigh County



***"My door is always open, Truscot,
so don't go near it!"***



PERIODICAL PUBLICATION

* Dated Material. Do Not Delay. Please Deliver Before Monday, April 18, 2016