

# **ADVANCE SHEET**

## **The Dauphin County Reporter**

(USPS 810-200)

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

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Commonwealth v. Anderson

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DAUPHIN COUNTY REPORTER**

**Edited and published by the  
DAUPHIN COUNTY  
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**KENDRA HEINBAUGH**

Administrative Assistant/Office Manager

**BRIDGETTE L. HILBISH**

Dauphin County Reporter/  
Legal Education Coordinator

---

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sign, which is a necessary component of the sign itself. Additionally, the Appellant would have no sign without the structure supporting the sign.

The song "Signs" concludes:

"And the sign said everybody welcome, come in, kneel down and pray. But when they passed around the plate at the end of it all, I didn't have a penny to pay. So I got me a pen and a paper, and I made up my own little sign. It said:"

AND NOW, we find that the Swatara Township Zoning Hearing Board did not commit an error of law or abuse its discretion in denying Appellant's application.

For the foregoing reasons, we enter the following Order:

### **ORDER**

AND NOW, this 15<sup>th</sup> day of January, 2020, upon consideration of the Land Use Appeal that was filed by Appellant Scott A. Mancini and any responses filed thereto, and having heard oral argument on December 12, 2019, it is hereby ORDERED, for the reasons set forth in the attached Memorandum Opinion, that Appellant's Appeal is DENIED. It is further ORDERED that the decision of the Swatara Township Zoning Hearing Board with respect to Appellant is AFFIRMED.

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### **Commonwealth v. Anderson**

#### **Crimes and Criminal Procedure - Search and Seizure - Consent Search - Scope**

Defendant sought to suppress crack cocaine seized from his groin area pursuant to a consent search of his person which was conducted in a public parking lot.

1. An objective reasonableness standard is used to determine the scope of a consent search: "what would the typical reasonable person have understood by the exchange between the officer and the suspects?" *Florida v. Jimeno*, 111 S.Ct. 1801, 1803-04 (1991). The scope of the search is limited by the terms of its authorization, and if the government does not honor those limitations of the consent search, the search is impermissible. *Reedy v. Evanson*, 615 F.3d 197, 225 (3<sup>rd</sup> Cir. 2010). The government bears the burden to prove that the search was conducted within the scope of that consent. *United States v. Strickland*, 902 F.2d 937, 941 (11<sup>th</sup> Cir. 1990).

2. Under normal circumstances, a consent to a search of one's person does not extend to one's private regions. *U.S. v. Blake*, 888 F.2d 795 (11<sup>th</sup> Cir. 1989). There is a heightened expectation of privacy to one's person than there is to one's vehicle; however, there is an even higher expectation of privacy in one's private parts.

Motion to Suppress. C.P., Dau. Co., No. CP-22-CR-0004013-2019. Motion Granted.

*J. Scott Robinette*, for the Commonwealth

*George H. Matangos*, for the Defendant

Tully, J. April 20, 2020

**MEMORANDUM OPINION**

Presently before this Court is a pretrial Motion to Suppress Evidence filed by Defendant Sylvester Anderson (hereinafter “Defendant”). A suppression hearing was held on January 23, 2020 and both parties submitted proposed findings of fact and conclusions of law. Therefore, this matter is now ripe for decision.

**FACTUAL BACKGROUND**

The testimony from the Preliminary Hearing and Suppression Hearing revealed the following facts: Officer Chad McGowan (hereinafter “Officer McGowan”) of the City of Harrisburg Police Department was on duty in July 2017. (Notes of Testimony, Preliminary Hearing, 8/1/10 (“N.T.”) at 3.) Officer McGowan was accompanied by Adult Probation Officer Chianos, Sheriff Deputy Long, Sheriff Deputy Maurice Edwards, and Corporal Jeffrey Teeter, all of whom were in an unmarked police car as part of their patrol for the Street Crimes Unit. (N.T. at 3-4). Around 11:35 P.M., Officer McGowan encountered Defendant in the parking lot of Harrisburg Fried Chicken on Market Street. (N.T. at 3). This parking lot is known to officers as a “high crime, high drug area.” (N.T. at 4).

Officer McGowan observed that the Defendant was “crawling around or doing something to the driver’s side of a red Dodge Ram pickup truck.” (N.T. at 4). Officer McGowan pulled the car up beside the defendant, saw he was “profusely sweating,” and asked if the Defendant was okay. (*Id.*) The Defendant responded in the affirmative and stated that he had “dropped something on the ground.” (N.T. at 4-5).

Defendant then entered Harrisburg Fried Chicken. (N.T. at 5). Officer McGowan noticed that the driver’s side window of the truck was down, which he believed was uncommon for this area. (*Id.*) In addition, the car was not parked within the lines of the parking lot. (*Id.*) Officer McGowan “became suspicious that maybe the male ... was intoxicated maybe under the influence of alcohol or a controlled substance.” (*Id.*) Officer McGowan testified that loss of “motor skills” or forgetting to do something could be a side effect of consuming alcohol or a controlled substance. (N.T. at 5, 14).

When Defendant exited Harrisburg Fried Chicken, he noticed the officers were still present in the parking lot, and then “began to walk the opposite direction” away from the officers and the truck. (N.T. at 6.) Officer McGowan approached Defendant and asked for permission to speak to him. (*Id.*) Defendant granted consent. (*Id.*) Officer McGowan asked for identification, and the Defendant provided a valid identification. (*Id.*) Officer McGowan asked if the Defendant was on parole, and the Defendant replied that he was. (*Id.*)

Officer McGowan then asked if the Defendant had “anything illegal on his person,” to which the Defendant answered in the negative. (N.T. at 6-7.) He then asked Defendant for permission to search his person, and the Defendant granted consent. (N.T. at 7). The Defendant “[held] his arms in the air (indicated), like, Go ahead and search me, after he had already given me [Officer McGowan] verbal consent.” (*Id.*)

Officer McGowan then “swepted [*sic*] over [Defendant’s] groin area...and [he] could feel a distinct hard bulge; and it was immediately apparent to [him] that [Defendant] had a large amount of crack down his pants.” (N.T. 7). Defendant attempted to flee, but was tackled and detained rather quickly. (N.T. at 8). It was later determined that the substance was indeed crack cocaine. (N.T. at 9).

Officer McGowan testified that he has seven years of experience with investigating drug related crimes, and it was this prior experience that led him to believe the object found in the defendant’s pants was crack cocaine. (N.T. at 7, 8-9). He stated that it is relatively commonplace for people to “conceal, store, try and hide narcotics down their pants in an effort to hide them” from officers. (N.T. at 7).

## DISCUSSION

We find Officer McGowan’s testimony to be credible, and find that consent was freely given, and that Officer McGowan immediately recognized the object found in Defendant’s pants as contraband. The remaining question before this court is whether Officer McGowan exceeded the consent Defendant granted him. Since this appears to be a novel issue in Pennsylvania, we must look to Federal cases for guidance.

An objective reasonableness standard is used to determine the scope of a consent search: “what would the typical reasonable person have understood by the exchange between the officer and the suspect?” Florida v. Jimeno, 111 S.Ct. 1801, 1803-04 (1991). The “scope of the search is limited by the terms of its authorization,” and if the government does not honor those limitations of the consent search, the “search is impermissible.” Reedy v. Evanson, 615 F.3d 197, 225 (3<sup>rd</sup> Cir. 2010); United States v. Strickland, 902 F.2d 937, 941 (11<sup>th</sup> Cir. 1990). The government bears the burden to prove that the search was conducted within the scope of that consent. Strickland, 902 F.2d at 941.

A United States Court of Appeals has held, under normal circumstances, that a consent to a search of one’s person does not extend to one’s private regions. U.S. v. Blake, 888 F.2d 795 (11<sup>th</sup> Cir. 1989). In Blake, officers, dressed in plainclothes, approached the defendants and asked permission to speak to them. The defendants both consented, and handed over the plane tickets and identification at the request of the officers. The documents were returned to the defendants, and the officers asked for consent to search their

bags and persons. The officers informed the defendants of their right to refuse, but both defendants consented to the search. Blake, 888 F.2d at 797.

Within seconds of Blake's having given his consent, Hendrick [one of the officers] reached into Blake's groin region where he did a 'frontal touching' of the 'outside of [Blake's] trousers' in 'the area between the legs where the penis would normally be positioned.' Upon reaching into Blake's crotch, Hendrick felt an object and heard a crinkling sound.

Eason, the co-defendant, endured the same treatment. Id.

The Court stated that the defendants' grant of consent could not "be construed as authorization for the officers to touch their genitals in the middle of a public area in the Fort Lauderdale Airport." Blake, 888 F.2d at 800. It was not reasonable for the officers to believe that the consent to search the persons meant they had consent to search the defendants' genital region, especially in a public area; more explanation from the officers as to the scope of the search would have been necessary. The court did leave the door for "intrusive" consent searches to be permissible, but the officer must "obtain proper consent" to do so.

This court questions whether a reasonable person would believe that a general consent to search their person would include a search of their private regions, especially when such an encounter with police is being conducted in public. The Commonwealth argues that a reasonable person would understand that a search of the person would include a search of private places because that is where contraband can be hidden, and cites to Florida v. Jimeno, 111 S.Ct. 1801 (1991) as authority. However, there is a heightened expectation of privacy to one's person than there is to one's vehicle; moreover, there is an even higher expectation of privacy in one's private parts.

The Commonwealth also argues that the Defendant did not "restrict the scope of his consent to a search of his person for contraband." (Commonwealth's Proposed Findings of Fact, page 8.) However, there was nothing in the verbal exchange between the officer and the Defendant as to what the officer was looking for, or where the officer intended to search. Without the officer stating how thorough a search was intended, or what the search was for, there would be no reason to state that his consent did not extend to his genitals. If anything, a reasonable person would most likely expect a Terry pat-down weapons search, as routinely seen in movies and television. This Court would conclude that even a Transportation Security Administration ("TSA") search would not include the genital area without specific consent or moving the search to a non-public location.

Although this Court is impressed with Officer McGowan's police instincts, we are constrained to conclude that the search of Defendant's person exceeded the scope of consent that Defendant granted.

Officer McGowan searched Defendant's groin region in a public parking lot, and it was not reasonable for Officer McGowan to believe that the Defendant's consent extended to such an intrusive search of a private area. Accordingly, the Commonwealth was unable to meet its burden of proving valid consent to conduct such an invasive search of the intimate parts of his person.

Accordingly, we enter the following Order:

**ORDER**

**AND NOW**, this 20<sup>th</sup> day of April, 2020, following a suppression hearing held on January 23, 2020, and having reviewed the case law and briefs submitted by counsel, **IT IS HEREBY ORDERED** that Defendant's Motion to Suppress is **GRANTED** and all evidence following the improper search of Defendant's person shall be **SUPPRESSED**.

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# **FIRST PUBLICATION**

## **ESTATE NOTICES**

**ESTATE OF JUDY A. LEITZEL**, late of Upper Paxton Township, Dauphin County, PA (died: February 21, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Administrator C.T.A.:** Kevin L. Sponsler, 1812 Shippen Dam Road, Millersburg, Pennsylvania 17061

**Attorney:** Terrence J. Kerwin, Esquire, Kerwin & Kerwin, LLP, 4245 State Route 209, Elizabethtown, PA 17023 jn5-19

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**ESTATE OF ROBERT H. DECK**, late of East Hanover Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Co-Executors:** Curtis Maulfair and Dennis Speck, Sr., c/o Keith D. Wagner, P. O. Box 323, Palmyra, PA 17078

**Attorney:** Keith D. Wagner, P. O. Box 323, Palmyra, PA 17078 jn5-19

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**ESTATE OF VIRGINIA M. OLSEN**, late of the City of Harrisburg, Dauphin County, PA (died: February 17, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executrix:** Gail M. Kepner, 304 Mollie Drive, Harrisburg, PA 17112 jn5-19

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**ESTATE OF GEORGE A. UHLER, JR.**, late of Susquehanna Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons

indebted to the decedent to make payment to the Executor without delay.

**Executor:** Darryl G. Uhler

**Attorney:** Jessica F. Greene, Esquire, Walters & Galloway, PLLC, 54 East Main Street, Mechanicsburg, PA 17055 jn5-19

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**ESTATE OF FERN LORAIN BOWER aka FERN L. BOWER**, late of W. Hanover Township, Dauphin County, PA (died: March 11, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Personal Representative:** Bonnie Lou Koons, 1045 Picketown Road, Harrisburg PA

**Attorney:** Elizabeth H. Feather, Esquire, CALDWELL & KEARNS, PC, 3631 N. Front St., Harrisburg, PA 17110 jn5-19

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**ESTATE OF CHARLES E. ZEIDERS**, late of Hummelstown, Dauphin County, PA (died: March 28, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Administrator:** Terry E. Zeiders, 219 Loyal Drive, Mechanicsburg, PA 17050

**Attorney:** James J. McCarthy, Jr., Esq., 2041 Herr Street, Harrisburg, PA 17103 jn5-19

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**ESTATE OF VIRGINIA COSGRIFF a/k/a JINNY COSGRIFF**, late of Lower Paxton Township, Dauphin County, PA (died: March 14, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executrix:** Debra M. Massott, 916 Hummel Avenue, Lemoyne PA 17043.

**Attorney:** Kara M. Eshenaur, Mette, Evans & Woodside, 3401 N. Front Street, Harrisburg PA 17110; Telephone: (717) 232-5000 jn5-19

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## **SECOND PUBLICATION**

**ESTATE OF IRVIN EDGAR a/k/a IRVIN TARRENCE EDGAR**, late of Derry Township, Dauphin County, PA, (died: March 21, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executrix:** Michelle K. Dugan, 3052 Triplecrown Dr., North Bend, OH 45052

**Attorney:** Jean D. Seibert, Esquire, Caldwell & Kearns, 3631 North Front Street, Harrisburg, PA 17110 m29-jn12

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**ESTATE OF JEFFREY A. PAINE**, late of Hummelstown Borough, Dauphin County, PA (died: March 7, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Administrator:** Jared P. Paine or Jesse T. Paine, 549 S. Crawford Road, Hummelstown, PA 17036

**Attorney:** Jean D. Seibert, Esquire, Caldwell & Kearns, PC, 3631 N. Front St., Harrisburg, PA 17110 m29-jn12

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**ESTATE OF DENNIS A. MALOSKEY**, late of Millersburg Borough, Dauphin County, PA (died: February 7, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Administratrix:** Michelle A. Maloskey, 1645 Palm St., Hershey, PA 17033

**Attorney:** Jean D. Seibert, Esquire, Caldwell & Kearns, PC, 3631 N. Front St., Harrisburg, PA 17110 m29-jn12

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**ESTATE OF LETTIE NAOMI LEIDIGH a/k/a LETTIE N. LEIDIGH**, late of 4712 Clarendon Street, Harrisburg, Lower Paxton Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims

against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executor:** Eric Leidigh, c/o Heather D. Royer, Esquire, Smigel, Anderson & Sacks, LLP, 4431 North Front Street, 3<sup>rd</sup> Floor, Harrisburg, PA 17110 m29-jn12

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**ESTATE OF DELLA M. REEDER**, late of Susquehanna Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executor:** David W. Reeder, 470 River Drive, York Haven, PA 17370

**Attorney:** Rand A. Feder, Esquire, Morris & Vedder, LLP, 32 N. Duke St., P.O. Box 149, York, PA 17405-0149 m29-jn12

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**ESTATE OF CORRINE S. DIETRICH**, late of Halifax Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executor:** Todd A. Dietrich, 22 Maple Avenue, Halifax, PA 17032

**Attorney:** Earl Richard Etzweiler, Esquire, 105 N. Front Street, Harrisburg, PA 17101 (717) 234-5600 m29-jn12

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**ESTATE OF C. F. NODINE a/k/a CALVIN F. NODINE**, late of Derry Township, Dauphin County PA (died: March 19, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Co-Executrices:** Renee Nodine of Annville, PA and Farrell Friedenberg of Churchville, PA

**Attorney:** Jacqueline A. Kelly, Esquire, JSDC Law Offices, 555 Gettysburg Pike, Suite C400, Mechanicsburg, PA 17055, 717-533-3280 m29-jn12

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**ESTATE OF TRACY E. KOPP a/k/a TRACY ELAINE KOPP**, late of Derry Township, Dauphin County, PA (died: April 25, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Co-Executrix:** Jennifer L. Kipp, 27 Oatfield Lane, Palmyra, PA 17078

**Co-Executrix:** Evadne J. Kopp, 109 Laurel Drive, Hershey, PA 17033

Attorney: Christa M. Aplin, Esquire, JSDC Law Offices, 11 East Chocolate Avenue, Suite 300, Hershey, PA 17033, (717) 533-3280

m29-j12

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**ESTATE OF DARLENE M. BUIE**, late of 606 North 16<sup>th</sup> Street, Harrisburg, Harrisburg City, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Administrator:** Antoine D. Buie, c/o Heather D. Royer, Esquire, Smigel, Anderson & Sacks, LLP, 4431 North Front Street, 3<sup>rd</sup> Floor, Harrisburg, PA 17110

m29-j12

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## **THIRD PUBLICATION**

**ESTATE OF JOAN RENNINGER aka JOAN E. RENNINGER**, late of Lower Paxton Township, Dauphin County, PA (died: March 2, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executrix:** Jean D. Seibert, Esquire c/o Caldwell & Kearns, 3631 North Front Street, Harrisburg, PA 17110

m22-jn5

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**ESTATE OF KENNETH R. WHISLER**, late of Hummelstown Borough, Dauphin County, PA (died: March 23, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to

the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executrix:** Kendra L. Rankin, 542 W. Caracus Ave., Hershey, PA 17033

**Attorney:** Jean D. Seibert, Esquire, Caldwell & Kearns, 3631 North Front Street, Harrisburg, PA 17110

m22-jn5

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**ESTATE OF KALLIE A. BEACHTEL**, late of West Hanover Township, Dauphin County, PA (died: October 31, 2019)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Administrator:** Tara D. Beachtel, c/o Hazen Law Group, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110

**Attorney:** Estate of Kallie A. Beachtel c/o Hazen Law Group, 2000 Linglestown Road, Suite 202, Harrisburg, PA 17110

m22-jn5

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**ESTATE OF DOUGLAS G. JORICH**, late of South Hanover Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executor:** Donald W. Jorich, 6409 Brittan Road, Harrisburg, PA 17111

**Attorney:** Robert Freedenberg, Esq., SkarlatosZonarich, LLC, 320 Market Street, Suite 600 West, Harrisburg, PA 17101

m22-jn5

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**ESTATE OF IRWIN S. TOLINS aka IRWIN SOLOMON TOLINS**, late of Lower Paxton Township, Dauphin County, PA (died: March 30, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Executrix:** Amy Mann, 5425 Sequoia Farms Drive, Centerville, VA 20120

**Attorney:** Christa M. Aplin, Esquire, JSDC Law Offices, 11 East Chocolate Avenue, Suite 300, Hershey, PA 17033, (717) 533-3280

m22-jn5

**ESTATE OF GOVAN A. MARTIN, JR.**, late of Susquehanna Township, Dauphin County, PA (died: March 27, 2020)

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Administrators:** Ashley M. Martin & Govan A. Martin, III

**Attorney:** Colleen A. Baird, Martson Law Offices, 10 East High Street, Carlisle, PA 17013  
m22-jn5

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**ESTATE OF EVELYN B. SLAUGHTER**, late of West Hanover Township, Dauphin County, PA

The Register of Wills has granted Letters on the Estate of the Decedent. Notice is hereby given to request all persons having claims against the decedent to make known the same to the Executor or attorney, and all persons indebted to the decedent to make payment to the Executor without delay.

**Co-Executors:** John W. Slaughter II and Kathryn J. Pope, c/o Keith D. Wagner, P. O. Box 323, Palmyra, PA 17078 Attorney. m22-jn5

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## **FIRST PUBLICATION**

## **CORPORATE NOTICES**

NOTICE IS HEREBY GIVEN that **L & S Electric, Inc.**, a foreign corporation formed under the laws of the State of Indiana and with its principal office located at 5101 Meaker St, Schofield, WI 54476, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 5/22/20, 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. jn5

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NOTICE IS HEREBY GIVEN that **Monumental Management, Inc.**, a foreign corporation formed under the laws of the State of Indiana and with its principal office located at 333 N. Pennsylvania St, Ste 100, Indianapolis, IN 46204, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at

Harrisburg, PA, on 4/22/20, 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. jn5

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, for a professional corporation which has been incorporated under the provisions of the Business Corporation Law of 1988. The name of the corporation is: **Calibrate Health Medical, P.C.**  
jn5

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NOTICE IS HEREBY GIVEN that **Westlake Management Services, Inc.**, a foreign corporation formed under the laws of the State of Delaware and with its principal office located at 2801 Post Oak Blvd, Ste 600, Houston, TX 77056, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 4/29/20, 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. jn5

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NOTICE IS HEREBY GIVEN that **Dental Health Associates South Jersey, P.A.**, a foreign corporation formed under the laws of the State of New Jersey, having its principal office located at 320 S. Main St, Phillipsburg, NJ 08865, has registered with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, to do business in Pennsylvania under the provisions of the Pennsylvania Business Corporation Law of 1988.

The registered office in Pennsylvania shall be deemed for venue and official publication purposes to be located in Dauphin County. jn5

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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 May 18, 2020, for a foreign corporation with a registered address in the state of Pennsylvania as follows: **BERG SYSTEMS, INC.** c/o Registered Agent Solutions, Inc.

This corporation is incorporated under the laws of Washington.

The address of its principal office is 6811 E. Mission Avenue, Spokane Valley, WA 99212.

The corporation has been qualified in Pennsylvania under the provisions of the Business Corporation Law of 1988, as amended. jn5

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NOTICE IS HEREBY GIVEN **RILEY ELECTRIC INC.** has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

Benstead, Mabon & Mitch, PC  
124 East Court Street  
jn5 Doylestown, PA 18901

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NOTICE IS HEREBY GIVEN that **SHOOKIT, INC.**, a foreign business corporation, has applied for a Statement of Registration to do business in the Commonwealth of Pennsylvania under the provisions of Chapter 4 of the Pennsylvania Association Transactions Act (15 Pa. C.S. § 6124). The corporation is incorporated under the laws of the State of Delaware. The address of its office under the laws of said jurisdiction is 651 N Broad St Suite 206, Middletown, DE19709, and the name of its commercial registered office provider in Pennsylvania is Penncorp Servicegroup, Inc. jn5

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NOTICE IS HEREBY GIVEN that, on May 20, 2020, Articles of Incorporation were filed with the Department of State for **Your Friends in New York Want to Help**, a nonprofit corporation organized under the Pennsylvania Business Corporation Law of 1988, exclusively for charitable purposes.

FOX ROTHSCHILD LLP Solicitors  
747 Constitution Drive, Ste. 100  
P.O. Box 673  
jn5 Exton, PA 19341-0673

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NOTICE IS HEREBY GIVEN **SANDVIK THERMAL PROCESS, INC.**, a foreign business corporation incorporated under the laws of California, with its princ. office located at 19500 Nugget Blvd., Sonora, CA 95370, 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 19500 Nugget Blvd., Sonora, CA 95370. 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. jn5

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NOTICE IS HEREBY GIVEN **The Helper Bees, Inc.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at 3310 W. Braker Ln., Ste. 300-644, Austin, TX 78758, 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. jn5

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NOTICE IS HEREBY GIVEN **LAKE SHORE SYSTEMS, INC.**, a foreign business corporation incorporated under the laws of Delaware, with its princ. office located at 3600 Lake Shore Lane, Rhinelander, WI 54501, 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. jn5

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NOTICE IS HEREBY GIVEN that **RefleXion Medical, Inc.**, a foreign corporation formed under the laws of the State of Delaware and with its principal office located at 25841 Industrial Blvd, Ste 275, Hayward, CA 94545, has registered to do business in Pennsylvania with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA, on 5/22/20, 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 jn5

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## **FICTITIOUS NAME NOTICES**

NOTICE IS HEREBY GIVEN that an application for registration of a fictitious name, **Lykens Valley Auctions**, for the conduct of business in Dauphin County, Pennsylvania, with the principal place of business being 1230 Valley Drive Road, Lykens, PA 17048 was made to the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on the 26<sup>th</sup> day of May, 2020 pursuant to the Act of Assembly of December 16, 1982, Act 295.

The name and address of the only person or persons owning or interested in the said business

are: Ivan S. King, 1230 Valley Drive Road,  
Lykens, PA 17048. jn5

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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: **LTC Healing Partners of PA**, with its principal place of business at: 909 Ridgebrook Rd #220, Sparks, MD 21152. The names and addresses of all persons or entities owning or interested in said business are: Consonant Healing LLC, 909 Ridgebrook Rd #220, Sparks, MD 21152. The application has been filed on 5/29/2020. jn5

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## **MISCELLANEOUS NOTICES**

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

**NO. 2018 CV 7361 MF**

**CIVIL ACTION – LAW**

#### **NOTICE OF ACTION IN MORTGAGE FORECLOSURE**

**THE BANK OF NEW YORK MELLON,  
THE SUCCESSOR TO JPMORGAN  
CHASE BANK, AS TRUSTEE FOR CIT  
HOME EQUITY LOAN TRUST 2002-1,  
PLAINTIFF**

**VS.**

**NATERRA D. FOSTER, IN HER  
CAPACITY AS HEIR OF LARRY D.  
FOSTER, DECEASED  
ALL UNKNOWN HEIRS OF LARRY D.  
FOSTER**

**THE UNITED STATES OF AMERICA C/O  
THE UNITED STATES ATTORNEY FOR  
THE MIDDLE DISTRICT OF PA,  
DEFENDANTS**

#### **NOTICE**

To: ALL UNKNOWN HEIRS OF LARRY D.  
FOSTER

You are hereby notified that on November 6,  
2018, Plaintiff, THE BANK OF NEW YORK  
MELLON, THE SUCCESSOR TO

JPMORGAN CHASE BANK, AS TRUSTEE  
FOR CIT HOME EQUITY LOAN TRUST  
2002-1, filed a Mortgage Foreclosure Complaint  
endorsed with a Notice to Defend, against you  
in the Court of Common Pleas of DAUPHIN  
County Pennsylvania, docketed to No. 2018 CV  
7361 MF. Wherein Plaintiff seeks to foreclose  
on the mortgage secured on your property  
located at 1727 DERRY STREET,  
HARRISBURG, PA 17104-1232 whereupon  
your property would be sold by the Sheriff of  
DAUPHIN County.

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

#### **NOTICE**

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

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

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

DAUPHIN COUNTY  
LAWYER REFERRAL SERVICE  
213 NORTH FRONT STREET  
HARRISBURG, PA 17101  
Telephone (717) 232-7536

jn5

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### **IN THE COURT OF COMMON PLEAS DAUPHIN COUNTY CIVIL ACTION - LAW**

**TERM NO. 2020-CV-577-MF**

#### **ACTION OF MORTGAGE FORECLOSURE**

#### **NOTICE OF ACTION IN MORTGAGE FORECLOSURE**

**WILMINGTON SAVINGS FUND  
SOCIETY, FSB, AS TRUSTEE OF  
STANWICH MORTGAGE LOAN TRUST  
A, PLAINTIFF  
VS.**

**HAZEL BARRY SOLELY IN HER  
CAPACITY AS HEIR OF HOWARD A.  
OSMAN DECEASED, MARY LOU  
BIXLER SOLELY IN HER CAPACITY AS  
HEIR OF HOWARD A. OSMAN  
DECEASED, ETHEL MUTSCHLER  
SOLELY IN HER CAPACITY AS HEIR  
OF HOWARD A. OSMAN DECEASED,  
CHARLES OSMAN SOLELY IN HIS  
CAPACITY AS HEIR OF HOWARD A.  
OSMAN DECEASED, DAVID OSMAN  
SOLELY IN HIS CAPACITY AS HEIR OF  
HOWARD A. OSMAN DECEASED, DEAN  
OSMAN SOLELY IN HIS CAPACITY AS  
HEIR OF HOWARD A. OSMAN  
DECEASED, JAMIE OSMAN SOLELY IN  
HIS CAPACITY AS HEIR OF HOWARD  
A. OSMAN DECEASED, JESSIE OSMAN  
SOLELY IN HIS CAPACITY AS HEIR OF  
HOWARD A. OSMAN DECEASED,  
PAMELA OSMAN SOLELY IN HER  
CAPACITY AS HEIR OF HOWARD A.  
OSMAN DECEASED, TAMMY OSMAN  
SOLELY IN HER CAPACITY AS HEIR  
OF HOWARD A. OSMAN DECEASED,  
RUSSELL A. OSMAN, SR. SOLELY IN  
HIS CAPACITY AS HEIR OF HOWARD  
A. OSMAN DECEASED, CAROL  
PASIRBA SOLELY IN HER CAPACITY  
AS HEIR OF HOWARD A. OSMAN  
DECEASED, ROSE REEDY SOLELY IN  
HER CAPACITY AS HEIR OF HOWARD  
A. OSMAN DECEASED, MAE VIVIAN  
SOLELY IN HER CAPACITY AS HEIR  
OF HOWARD A. OSMAN DECEASED &  
EMMA WOLFGANG AKA EMMA  
GAYDOS SOLELY IN HER CAPACITY  
AS HEIR OF HOWARD A. OSMAN  
DECEASED, MORTGAGOR AND REAL  
OWNER, DEFENDANT**

TO: EMMA WOLFGANG AKA EMMA  
GAYDOS Solely in Her Capacity as Heir of  
Howard A. Osman Deceased, MORTAGOR  
AND REAL OWNER, DEFENDANT whose  
last known address is 137 W. Market Street  
Gratz, PA 17030.

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

You are hereby notified that Plaintiff  
WILMINGTON SAVINGS FUND SOCIETY,  
FSB, AS TRUSTEE OF STANWICH

MORTGAGE LOAN TRUST A, has filed a  
Mortgage Foreclosure Complaint endorsed with  
a notice to defend against you in the Court of  
Common Pleas of Dauphin County,  
Pennsylvania, docketed to No. 2020-CV-577-  
MF wherein Plaintiff seeks to foreclose on the  
mortgage secured on your property located, 137  
W. Market Street Gratz, PA 17030 whereupon  
your property will be sold by the Sheriff of  
Dauphin.

#### 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 judgment 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 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 OR CANNOT  
AFFORD ONE, GO TO OR TELEPHONE  
THE OFFICE SET FORTH BELOW. THIS  
OFFICE CAN PROVIDE YOU WITH  
INFORMATION ABOUT HIRING A  
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IF YOU CANNOT AFFORD TO HIRE A  
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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

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

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**213 North Front Street, Harrisburg, PA 17101-1493**  
**www.dcba-pa.org**  
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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.

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**Dauphin County Bar Association**  
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**DAUPHIN COUNTY COURT SECTION**  
*Opinions Not Yet Reported*

**Tully, J., April 6, 2020;** Commonwealth v. Weathers; Motion to Suppress; C.P. Dau. Co. No. CP-22-CR-0002937-2017; Motion Granted

**Tully, J., April 28, 2020;** Commonwealth v. O'Brian; Pa.R.A.P. 1925 (A) Opinion; C.P. Dau. Co. No. CP-22-CR-0003612-2018

**Dowling, J., March 26, 2019** and affirmed April 27, 2020; HPT TA Properties Trust v. Township of West Hanover; Dau. Co. No. 2013-CV-10597-CV

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Facsimile: 717-232-8773

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

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