

Northampton County Reporter

(USPS 395-280)

VOL. LXI

EASTON, PA January 9, 2020

NO. 2

Commonwealth of Pennsylvania v. Alkiohn Dunkins, Defendant

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2. 2020 Calendar

3. Top Ten Reasons to Complete and Return a Committee Preference Form

4. Ethics Hotline

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2. Thanks to the 2019 Volunteer CLE Presenters

3. NCBA/Miller Keystone Blood Center Blood Bank Program

NOTICE TO THE BAR...

Northampton County Court PFA Change

Please be advised that starting in the year 2020, Final PFA Hearings will be held on Mondays, Wednesdays and Fridays at 1:00 p.m., with the exception of the first Miscellaneous List on Thursday, 1/2/2020.

* * * * *

Northampton County Court Swearing-in Ceremonies

See page 3.

* * * * *

NCBA Annual Meeting – Thursday, January 23, 2020

See insert for registration.

**NORTHAMPTON COUNTY BAR ASSOCIATION
2020 BAR ASSOCIATION OFFICERS**

Robert Eyer President
Maura Zajac McGuire President-Elect
Paul J. Harak Vice President
Steven B. Molder Treasurer
Jeremy F. Clark Secretary
Lisa M. Spitale Past President

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David M. Backenstoe
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Joshua D. Fulmer
Jill Kelly McComsey

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Michael C. Deschler
Keri A. Schantz
Frank W. Yandrisevits
Lisa M. Spitale
Jonathan M. Huerta, Zone Governor

Northampton County Reporter
Attorney Referral & Information Service
155 South Ninth Street, P.O. Box 4733
Easton, PA 18042
Phone (610) 258-6333 Fax (610) 258-8715
E-mail: ncba@norcobar.org
PBA (800) 932-0311—PBI (800) 932-4637
BAR ASSOCIATION STAFF

Mary Beth LeesonExecutive Director
Patti A. GoberAccounting
..... Legal Journal
Heather Rizzotto-StefanikAttorney Referral
Deborah J. FlanaganAttorney Referral

The Northampton County Reporter will be published every Thursday by the Northampton County Bar Association, 155 South Ninth St., Easton, PA 18042-4399. All legal notices relating to the business of the county, are required by rule of Court, to be published in this Journal. All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. Neither the Law Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes to content.

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Telephone (610) 258-6333 FAX (610) 258-8715
Ralph J. Bellafatto, Esquire
Editor

NOTICE TO NCBA MEMBERS – BAR NEWS

Save the Date!

Thursday, May 28, 2020 – “Foundation Libations”

Our Second Annual Foundation Fundraiser.

5:00 – 7:30 p.m. at ArtsQuest, Bethlehem.

Northampton County Court Announces Dates and Times for Swearing-in Ceremonies

The Northampton County Court is pleased to announce the upcoming ceremonies:

- The Induction Ceremony of the **Hon. Abraham P. Kassis** as Judge of the Northampton County Court of Common Pleas will be held on Friday, January 17, 2020 at 3:30 p.m. in Courtroom #1.
- The Induction Ceremony of the **Hon. John M. Morganelli** as Judge of the Northampton County Court of Common Pleas will be held on Friday, January 31, 2020 at 3:30 p.m. in Courtroom #1.

PA Supreme Court Board and Committee Vacancies

There are currently nine vacancies on the PA Supreme Court board and committees. They are posted on the UJS Website. <http://www.pacourts.us/courts/supreme-court/committees/>.

Applications are due by January 31, 2020.

Courthouse Library Copy Machine Cards

Copy machine cards are still available at the NCBA Office. If you make any copies on the copy machine in the Law Library you may want to consider purchasing copy cards. The cards sell for \$10.00. If you use the cards, copies are 15 cents rather than the usual 25 cents.

You may be disappointed if you fail, but you are doomed if you don't try.
~ Beverly Sills

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**BEARSE, CHARLES I., JR.,** dec'd.

Late of Bethlehem, Northampton County, PA

Co-Executors: Charles I. Bearse, III and Wendy L. Bianchi 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

BREWSTER, MARILYN J., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: Gary A. Krenicky c/o Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064
Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064

CRAIG, JOHN W., dec'd.

Late of the Township of Bethlehem, Northampton County, PA

Executrix: Kelly Craig Spitale c/o Lisa M. Spitale, Esquire, 680 Wolf Avenue, Easton, PA 18042
Attorney: Lisa M. Spitale, Esquire, 680 Wolf Avenue, Easton, PA 18042

GESTL, HERMAN E., dec'd.

Late of Moore Township, Northampton County, PA

Administrator: Edwin D. Gestl, 2455 Williams Rd., Bath, PA 18014

Attorney: Daniel G. Spengler, Esquire, 110 East Main Street, Bath, PA 18014

GIMBAR, HELEN MARIE PAVKOVIC, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Lisa A. Frinzi c/o William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517

Attorney: William W. Matz, Jr., Esquire, 211 W. Broad Street, Bethlehem, PA 18018-5517

GRUBE, ELIZABETH A., dec'd.

Late of the Township of Moore, Northampton County, PA

Executor: Robert James Grube c/o Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064

Attorneys: Peters, Moritz, Peischl, Zulick, Landes & Brienza, LLP, 1 South Main Street, Nazareth, PA 18064

JANY, ROSE M., dec'd.

Late of the Borough of Northampton, Northampton County, PA

Administrator: Louis A. Jany c/o William J. Fries, Esquire, The Atrium, 2895 Hamilton Boulevard, Suite 106, Allentown, PA 18104

Attorney: William J. Fries, Esquire, The Atrium, 2895 Hamilton Boulevard, Suite 106, Allentown, PA 18104

KRAKOWSKI, FRANCIS MICHAEL, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Administratrix: Carol Kay Krakowski c/o Goudsouzian & Associates, 2940 William Penn Highway, Easton, PA 18045-5227

Attorneys: Goudsouzian & Associates, 2940 William Penn Highway, Easton, PA 18045-5227

KRAKOWSKI, MARY A., dec'd.

Late of the City of Hellertown, Northampton County, PA

Administratrix: Carol Kay Krakowski c/o Goudsouzian & Associates, 2940 William Penn Highway, Easton, PA 18045-5227

Attorneys: Goudsouzian & Associates, 2940 William Penn Highway, Easton, PA 18045-5227

LINSMAN, VICTORIA ANNE, dec'd.

Late of 1433 Lehigh Street, Easton, Northampton County, PA

Administrators: Ashby Law Offices, LLC, 314 West Broad Street, Suite 118, Quakertown, PA 18951

Attorneys: Ashby Law Offices, LLC, 314 West Broad Street, Suite 118, Quakertown, PA 18951

RUSSO, ANNA JEAN, dec'd.

Late of the Borough of Bath, Northampton County, PA

Executrix: Dawn A. Moore, 8775 Pleasant View Road, Bangor, PA 18013

Attorneys: Charles Bruno, Esquire, Bruno Law, 44 N. 2nd Street, P.O. Box 468, Easton, PA 18044-0468

SECOND PUBLICATION

BOWMAN, ALICE M. L., dec'd.

Late of the Borough of Hellertown, Northampton County, PA

Executrix: Nancy J. Althouse

Attorney: David M. Backenstoe, Esquire, 148 Main Street, Hellertown, PA 18055

BRICKLER, EDWARD, dec'd.

Late of Scranton, Lackawanna County and Lehigh Township, Northampton County, PA

Executors: Thomas L. Brickler and Annette M. Shannon c/o Stephen A. Strack, Esquire, Steckel and Stopp LLC, 125 S. Walnut Street, Suite 210, Slatington, PA 18080

Attorneys: Stephen A. Strack, Esquire, Steckel and Stopp LLC, 125 S. Walnut Street, Suite 210, Slatington, PA 18080

GREENE, MICHAEL K., dec'd.

Late of the Township of Moore, Northampton County, PA

Executrix: Kimberly Yvonne Houck a/k/a Kimberly Yvonne Greene, 74 Roth Street, Nazareth, PA 18064

Attorney: Daniel G. Spengler, Esquire, 110 East Main Street, Bath, PA 18014

KORELL, WILLIAM K., dec'd.

Late of Bangor, Northampton County, PA

Executrix: Elizabeth Caesar c/o Law Office of David A. Martino, Esquire, 1854 PA Rte. 209, P.O. Box 420, Brodheadsville, PA 18322

Attorneys: Law Office of David A. Martino, Esquire, 1854 PA Rte. 209, P.O. Box 420, Brodheadsville, PA 18322

KUPIS, KATHLEEN P., dec'd.

Late of the Township of Lower Saucon, Northampton County, PA

Executrices: JoAnn M. Billig and Marie Elaine Bigas c/o Robert V. Littner, Esquire, 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

PARILLO, MARGARET, dec'd.

Late of Lower Mt. Bethel, Northampton County, PA

Executor: Joseph Parillo, 6078 Hillendale Road, Bangor, PA 18013

SCHURDAK, ELEANORA W., dec'd.

Late of Bethlehem, Northampton County, PA

Personal Representative: Ellen C. Schurdak c/o Kirby G. Upright, Esquire, King Spry Herman Freund & Faul LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

Attorneys: Kirby G. Upright, Esquire, King Spry Herman Freund & Faul LLC, One West Broad Street, Suite 700, Bethlehem, PA 18018

WERTMAN, ALBERTA M. a/k/a ALBERTA WERTMAN, dec'd.

Late of Walnutport Borough, Northampton County, PA

Co-Executors: Carol L. Polkowski and Jeffrey C. Wertman c/o Joshua D. Shulman, Esquire, Shulman Law Office PC, 1935 Center Street, Northampton, PA 18067

Attorneys: Joshua D. Shulman, Esquire, Shulman Law Office PC, 1935 Center Street, Northampton, PA 18067

THIRD PUBLICATION

FLOWERS, RAYMOND A., SR., dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executor: Raymond A. Flowers, Jr. c/o Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 W. Lafayette St., Suite 100, Easton, PA 18042

Attorneys: Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 W. Lafayette Street, Suite 100, Easton, PA 18042

HOUCK, VIRGINIA A., dec'd.

Late of 2901 Stephens Street, Easton, Township of Palmer, Northampton County, PA

Administrator: Robert Manzella, 4506 Edgewood Drive, Reading, PA 19606

Attorneys: John M. Stott, Esquire, Brumbach, Mancuso & Fegley, P.C., 11 East Lancaster Avenue, P.O. Box 500, Shillington, PA 19607-0500

KEIPER, LORRAINE B., dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Douglas James Keiper c/o Michael E. Riskin, Esquire, 18 E. Market Street, Bethlehem, PA 18018

Attorney: Michael E. Riskin, Esquire, 18 E. Market Street, Bethlehem, PA 18018

LEMLEY, GLADYS E., dec'd.

Late of the Borough of Wind Gap,
Northampton County, PA
Executrix: Marsha G. Horvath
Attorneys: McFall, Layman &
Jordan, P.C., Attorneys at Law,
134 Broadway, Bangor, PA
18013

RIDDLE, BARBARA L., dec'd.

Late of the Township of Palmer,
Northampton County, PA
Administrator: David Allen Riddle
Attorneys: Brandon M. Benner,
Esquire, Benner & Trovato, 2005
City Line Road, Suite 106,
Bethlehem, PA 18017

RYBITSKI, ROBERT R., dec'd.

Late of the Township of East
Allen, Northampton County, PA
Executrix: Bobbie-Ann Dumoff
c/o Stanley M. Vasiliadis,
Esquire, Vasiliadis Pappas Asso-
ciates, LLC, 2551 Baglyos Circle,
Suite A-14, Bethlehem, PA
18020
Attorneys: Stanley M. Vasiliadis,
Esquire, Vasiliadis Pappas Asso-
ciates, LLC, 2551 Baglyos Circle,
Suite A-14, Bethlehem, PA
18020

**NOTICE OF NONPROFIT
INCORPORATION
27 NORTH 3RD STREET
PRESERVATION GROUP**

has been incorporated under the
provisions of the PA Nonprofit Corpo-
ration Law of 1988.

ROBERT H. JACOBS, ESQUIRE
400 Northampton Street
Suite 408
Easton, PA 18042

Jan. 9

**NOTICE OF PROFESSIONAL
INCORPORATION**

ANIMAL THERAPY CENTER, PC

has been incorporated under the
provisions of Chapter 29 of the

Business Corporation law of 1988 as
a Professional Corporation.

ROBERT H. JACOBS, ESQUIRE
400 Northampton Street
Suite 408
Easton, PA 18042

Jan. 9

**FICTITIOUS NAME
REGISTRATION NOTICE**

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, Pennsyl-
vania, a Certificate for the conduct of
a business in Pennsylvania, under
the assumed or fictitious name, style
or designation of:

JDH CONSULTANTS

with its principal place of business
located at: 1000 Birchwood Circle,
Apt. #102, Bethlehem, PA 18020. The
names and addresses of all persons
or entities owning or interested in said
business are: Richard C. Jones, 1000
Birchwood Circle, Apt. #102,
Bethlehem, PA 18020; Leo Decker,
232 N. Airport Road, New Smyrna
Beach, FL 32168; Wayne W. Hoffman,
P.O. Box 3692, Allentown, PA 18106.
The certificate was filed on December
4, 2019.

ROBERT VAN HORN, ESQUIRE
Attorney ID #20254
THE ROTH LAW FIRM

123 North Fifth Street
Allentown, PA 18102
Phone: (610) 434-1517

Jan. 9

**CORPORATE FICTITIOUS NAME
REGISTRATION NOTICES**

NOTICE IS HEREBY GIVEN
pursuant to the provisions of 54 Pa.
C.S. §311, as amended, of intention
to file, or the filing of, in the Office of
the Secretary of State of the Common-

wealth 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:

LEHIGH VALLEY PUBLIC MEDIA

with its principal place of business at: 839 Sesame Street, Bethlehem, PA 18015.

The name and address of the entity owning or interested in said business are: Lehigh Valley Public Telecommunications Corp., 839 Sesame Street, Bethlehem, PA 18015.

DENNIS M. McCARTHY, ESQUIRE
DAVISON & McCARTHY, P.C.
645 Hamilton Street
Suite 510
Allentown, PA 18101

Jan. 9

NOTICE IS HEREBY GIVEN pursuant to the provisions of 54 Pa. C.S. §311, as amended, of intention to file, or the filing of, in the Office of the Secretary of State 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:

WLVR

with its principal place of business at: 839 Sesame Street, Bethlehem, PA 18015.

The name and address of the entity owning or interested in said business are: Lehigh Valley Public Telecommunications Corp., 839 Sesame Street, Bethlehem, PA 18015.

DENNIS M. McCARTHY, ESQUIRE
DAVISON & McCARTHY, P.C.
645 Hamilton Street
Suite 510
Allentown, PA 18101

Jan. 9

NOTICE IS HEREBY GIVEN pursuant to the provisions of 54 Pa. C.S. §311, as amended, of intention to file, or the filing of, in the Office of the Secretary of State 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:

WLVR 91.3

with its principal place of business at: 839 Sesame Street, Bethlehem, PA 18015.

The name and address of the entity owning or interested in said business are: Lehigh Valley Public Telecommunications Corp., 839 Sesame Street, Bethlehem, PA 18015.

DENNIS M. McCARTHY, ESQUIRE
DAVISON & McCARTHY, P.C.
645 Hamilton Street
Suite 510
Allentown, PA 18101

Jan. 9

**IN THE NORTHAMPTON COUNTY
COURT OF COMMON PLEAS
ORPHANS' COURT DIVISION**

The following Executors, Administrators, Guardians & Trustees have filed Accounts in the Office of the Orphans' Court:

ESTATE; Accountant

JOHN T. STARK; James C. Omdahl, Executor

EARL M. FEGELY; Robyn M. Bischoff, Executrix

PAUL H. WEISS; Nancy L. Weiss, Co-Executrix

AUDIT NOTICE

All parties interested are notified that an audit list will be made up of all Accounts and the said list will be called for audit at the Northampton County Government Center, Easton, PA on: WEDNESDAY, JANUARY 22,

2020 AT 9:00 A.M. IN COURTROOM #1.

Gina X. Gibbs
Clerk of Orphans' Court
Jan. 9, 16

NOTICE FOR CHANGE OF NAME

NOTICE IS HEREBY GIVEN that on December 30, 2019, the Petition of Jonathan Torres Negron was filed in Northampton County Court of Common Pleas at No. 2019-12373, seeking to change the name of Petitioner from Jonathan Torres Negron to Jonathan Rodriguez. The Court has fixed Monday, February 3, 2020 at 9:00 a.m., in courtroom #4 at the Northampton County Courthouse as the date for hearing of the Petition. All persons interested in the proposed change of name may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

Jan. 9

**IN THE COURT OF COMMON
PLEAS OF NORTHAMPTON
COUNTY, PENNSYLVANIA
—CIVIL DIVISION
CIVIL ACTION
QUIET TITLE**

NANCY RUN ESTATES a/k/a
NANCY RUN ESTATES FAMILY
LIMITED PARTNERSHIP

Plaintiff

v.

SAVERCOOL AND WRIGHT

Defendant

TAX PARCEL NOS. M7-SE4-25-1,
M7-SE4-25-2, M7-SE4-25-3,
M7-SE4-25-4, M7-SE4-31-2,
M7-SE4-31-3, M7-SE4-37-3,
M7-SE4-37-4 and M7-17-13

NO.: C48-CV-2019-12034

NOTICE

A suit has been filed in Court to quiet title to the unnamed paper

alleys and the paper streets known as Dewalt Street, Spear Street and Coleman Street located on tax parcels M7-SE4-25-1, M7-SE4-25-2, M7-SE4-25-3, M7-SE4-25-4, M7-SE4-31-2, M7-SE4-31-3, M7-SE4-37-3, M7-SE4-37-4 and M7-17-13. All interested parties wishing to defend against the claims set forth in the Complaint in Quiet Title filed, must take action within twenty (20) days after this Notice is served via publication, by entering a written appearance personally or by attorney and filing in writing with the Court defenses or objections to the claims set forth in the Complaint. 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 the relief requested in the Complaint or for any other claim or relief requested by the Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

North Penn Legal Services
559 Main Street
Suite 200
Bethlehem, PA 18018
(610) 317-8757

IF YOU CAN AFFORD TO HIRE A LAWYER BUT DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Lawyer Referral Service
P.O. Box 4733
Easton, PA 18043-4733
(610) 258-6333

LISA A. PEREIRA, ESQUIRE
 Attorney I.D. #93405
 BROUGHAL & DeVITO, L.L.P.
 Attorneys for Plaintiff
 38 West Market Street
 Bethlehem, PA 18018
 Telephone No.: (610) 865-3664

Jan. 9

**IN THE COURT OF COMMON
 PLEAS OF NORTHAMPTON
 COUNTY, PENNSYLVANIA
 CIVIL DIVISION—LAW**

IN RE: Petition of Career Institute
 of Technology for Approval of
 Private Sale of Land Totaling
 Approximately .26 Acres Located at
 548 Toboggan Trail, Easton,
 Northampton County, Pennsylvania
C-48-CV-2019-12191

PUBLIC NOTICE

All parties interested are notified that the Career Institute of Technology desires to sell improved real property consisting of .26 acres and located at 548 Toboggan Trail, Forks Township, Northampton County, Pennsylvania, by private sale for the purchase price of \$285,000.00 and has filed a Petition for Approval of Private Sale of Land in the Court of Common Pleas of Northampton County.

All parties interested are notified that a hearing on the Petition for Approval of Private Sale of Land is scheduled on January 22, 2020 at 9:00 a.m. in Courtroom No. 1 of the Court of Common Pleas of Northampton County, located at 669 Washington Street, Easton, PA. Any party interested shall appear to be heard.

Jan. 2, 9, 16

**COURT OF COMMON
 PLEAS OF NORTHAMPTON
 COUNTY, PENNSYLVANIA**

City of Easton

vs.

Joseph N. Sardina

NO. C48CV-2015-06194

Notice is given that the above was named as Defendant in a civil action by Plaintiff to recover 2014-2016 real estate taxes for property located at 838 Wolf Avenue, Easton, PA, Tax Parcel No. L9SE1C 26 4. A Writ of Scire Facias for \$3,875.14 was filed. You are notified to plead to the Writ on or before 20 days from the date of this publication or a judgment may be entered. 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 Plaintiff. You may lose money, 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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

Northampton County
 Lawyer Referral Service
 P.O. Box 4733
 Easton, PA 18043-4733
 (610) 258-6333

PORTNOFF LAW ASSOC., LTD.
 P.O. Box 391
 Norristown, PA 19404
 (866) 211-9466

Dec. 26; Jan. 2, 9

**COURT OF COMMON
 PLEAS OF NORTHAMPTON
 COUNTY, PENNSYLVANIA**

City of Easton

vs.

Frank Pugliese

NO. C48CV-2013-04311

Notice is given that the above was named as Defendant in a civil action by Plaintiff to recover 2012-2017 real estate taxes for property located at 1218 Ferry Street, Easton, PA, Tax Parcel No. L9SE1D 5 3. An Amended Writ of Scire Facias for \$8,392.09 was filed. You are notified to plead to the Writ on or before 20 days from the date of this publication or a judgment may be entered. 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 Plaintiff. You may lose money, 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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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Easton, PA 18043-4733
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PORTNOFF LAW ASSOC., LTD.
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Norristown, PA 19404
(866) 211-9466

Dec. 26; Jan. 2, 9

**COURT OF COMMON
PLEAS OF NORTHAMPTON
COUNTY, PENNSYLVANIA**

City of Easton

vs.

Carmen Ramirez

NO. C48CV-2018-00640

Notice is given that the above was named as Defendant in a civil action by Plaintiff to recover 2015-2017 sewer and trash fees for property located at 109 W. St. Joseph Street, Easton, PA, Tax Parcel No. L9SE3B 6 3. A Writ of Scire Facias for \$1,137.73 was filed. You are notified to plead to the Writ on or before 20 days from the date of this publication or a judgment may be entered. 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 Plaintiff. You may lose money, 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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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(866) 211-9466

Dec. 26; Jan. 2, 9

**COURT OF COMMON
PLEAS OF NORTHAMPTON
COUNTY, PENNSYLVANIA**

Wilson Area School District

vs.

Ruth D. Harvey

NO. C48CV-2016-07068

Notice is given that the above was named as Defendant in a civil action by Plaintiff to recover 2015-2017 real estate taxes for property located at 1905 Lehigh Street, Wilson, PA, Tax Parcel No. L9SW2D 20 3. An Amended Writ of Scire Facias for \$6,547.03 was filed. You are notified to plead to the Writ on or before 20 days from the date of this publication or a judgment may be entered. 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 Plaintiff. You may lose money, 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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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(866) 211-9466

Dec. 26; Jan. 2, 9

**COURT OF COMMON
PLEAS OF NORTHAMPTON
COUNTY, PENNSYLVANIA**

Bethlehem Area School District

vs.

Arminder Singh

NO. C48CV-2018-04398

Notice is given that the above was named as Defendant in a civil action by Plaintiff to recover 2017/2018 real estate taxes for property located at 4063 Nazareth Pike, Bethlehem Township, PA, Tax Parcel No. M7 4 4A. A Writ of Scire Facias for \$6,216.40 was filed. You are notified to plead to the Writ on or before 20 days from the date of this publication or a judgment may be entered. 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 Plaintiff. You may lose money, 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 TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

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Dec. 26; Jan. 2, 9

**NORTHAMPTON COUNTY
COURT OF COMMON PLEAS
PROBLEM-SOLVING COURT DIVISION
ANNOUNCEMENT**

The Northampton County Problem-Solving Court Division is pleased to announce that the Drug Court is now known as the Recovery Court. Updated Policy and Procedure and Application materials are available at the County's Criminal Court forms webpage at: <https://www.nccpa.org/forms/criminal>.

All future applications shall use the revised form and shall be complete when submitted. Incomplete forms will be returned for completion.

Please contact the Recovery Court Coordinator, Stephanie Spencer Steward at (610) 829-6926 or sspencer@northamptoncounty.org with any questions.

Jan. 9, 16, 23

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Jan. 9

**COMMONWEALTH of PENNSYLVANIA v.
ALKIOHN DUNKINS, Defendant**

Carpenter v. United States—Reasonable Expectation of Privacy—Warrant—Search—CSLI—Wi-Fi—Motion for Extraordinary Relief.

Finding that the voluntary connection of the Defendant’s cell phone to a private college’s on campus Wi-Fi network, in which Defendant had acknowledged he had no right of privacy, was materially different from a cell phone user’s cell site location information (CSLI) transmitted to a cell phone network carrier, the Court denied Defendant’s presentence Motion for Extraordinary Relief that was premised upon the recent U.S. Supreme Court decision in *Carpenter v. United States*.

In the Court of Common Pleas of Northampton County, Pennsylvania,
Criminal Division—No. CP-48-CR-01577-2017.

RICHARD PEPPER, ESQUIRE, for the Commonwealth.

MICHAEL J. DIAMONDSTEIN, ESQUIRE, for the Defendant.

Order of the Court entered on December 7, 2018 by ROSCIOLI, J.

ORDER

AND NOW, this 7th day December 2018, upon consideration of Defendant’s Motion for Extraordinary Relief, and following oral argument thereupon, it is hereby ORDERED that the motion is DENIED, for the reasons discussed below.

STATEMENT OF REASONS

Defendant Alkiohn Dunkins (Defendant) was convicted on September 5, 2018 of robbery, conspiracy to commit robbery, receiving stolen property, and simple assault in connection with an armed robbery that took place on February 2, 2017 in the Hassler dormitory on the campus of Moravian College (Moravian) in Bethlehem, Pennsylvania. Immediately prior to his scheduled sentencing on November 30, 2018, Defendant made an oral Motion for Extraordinary Relief.¹ A written version of the motion was filed on November 26, 2018.

¹ Recognizing that Pa. R.Crim.P. 704(B)(2) indicates that the Court “shall not delay the sentencing proceeding” in order to decide a motion for extraordinary relief, the Court intended to make an oral ruling on the motion and proceed with sentencing on November 30, 2018. However, Defendant requested a continuance of the sentencing in order to make an additional investigation prior thereto. We note that Defendant expressly waived any issue with regard to the timeliness of his sentencing hearing. We note further that the sentencing was originally scheduled for October 19, 2019, but was continued at Defendant’s request after he obtained new counsel after trial, as new counsel required time to review the record in preparation for sentencing.

In his Motion for Extraordinary Relief, Defendant asks this Court to vacate his conviction and grant him a new trial. The basis for Defendant's motion is his contention that *Carpenter v. United States*, 585 U.S. ____ (2018), decided June 22, 2018, controls the issue previously decided by this Court in ruling on his Omnibus Pretrial Motion on April 26, 2018. The question raised in Defendant's Omnibus Pretrial Motion—more specifically in a motion to dismiss—was whether law enforcement officers unlawfully obtained records from Moravian College regarding connections to its Wi-Fi network in the absence of a warrant. Finding that Defendant lacked a reasonable expectation of privacy in the records at issue and therefore lacked standing to challenge the warrantless search thereof, we denied his Omnibus Pretrial Motion seeking suppression of that evidence.

In *Carpenter*, the United States Supreme Court considered the question of whether a warrant is required in order for law enforcement to obtain cell site location information (CSLI) from wireless carriers. Briefly, CSLI consists of time-stamped records, maintained by wireless carriers for their business purposes, of a cell phone's connections to "cell sites," which are antennas to and from which connection signals are transmitted for the communication of voice calls, text messages, and other data by cell phones. The cell sites are located at known geographical points, and the locations are recorded in the time-stamped records. When an individual is in possession of a cell phone that is turned on, by virtue of the workings of the phone's constant connection to the nearest cell site and a carrier's collection of CSLI, "he has effectively been tailed every moment of every day[.]" *Id.* slip op. at 14. Given the realities of modern life and the ubiquity of cell phone use, the collection of CSLI is, essentially, a "detailed chronicle of a person's physical presence compiled every day, every moment, over several years." *Id.* at 16-17. Holding that "an individual maintains a legitimate expectation of privacy in the record of his physical movements *as captured through CSLI*," the *Carpenter* court concluded a warrant is required in order for law enforcement to obtain that information. *Id.* at 11 (emphasis added).

In a similar manner, the Moravian Wi-Fi network consists of over 1,000 connection points located at known geographical points on the Moravian campus, to and from which signals are communicated for the purpose of data transmission, and an analysis of this data enables one to compile of a log of a Wi-Fi network user's historical travels around the Moravian campus as his Wi-Fi enabled device communicated with the various network connection points. In arguing his Motion for Extraordinary Relief, Defendant contends that we must extend the reasoning in *Carpenter* to this case and conclude that, because law enforcement obtained information about Defendant's connections to the Moravian Wi-Fi network without a warrant, the evidence derived therefrom should have been suppressed, and that the information of that evidence at trial was erroneous.

At trial, the Commonwealth presented the testimony of Christopher Laird, Director of Systems Engineering at Moravian. Mr. Laird testified that between 1:30 a.m. and 2:30 a.m. on February 2, 2017, during which time two males committed the robbery at issue in the Hassler dorm, devices utilizing three Moravian Wi-Fi accounts were connected to Wi-Fi network access points in the Hassler dorm. Of those three users, one was a male. That male was Alkiohn Dunkins, Defendant herein. N.T. 9/5/18, pp. 218-19. Other data was also obtained from the warrantless search, demonstrating that a device utilizing Defendant's Moravian Wi-Fi user account was connected to various Wi-Fi network access points in and around the Wilhelm and Hassler dorms during the robbery time frame in such a manner demonstrating travel from the Wilhelm dorm, where Defendant lived, to the Hassler dorm and then back to Wilhelm. That evidence was not introduced at trial by the Commonwealth, but was brought out on cross-examination by Defendant's attorney, Phil Viglione, Esq. N.T. 9/5/18, pp. 220-25.

While Defendant asks us to conclude that the Moravian Wi-Fi network connection information at issue is identical to CSLI and should be afforded the same protections as those directed in *Carpenter*, we are of the opinion that the Moravian Wi-Fi information is of a materially different character. We are not faced with a circumstance in which the Moravian Wi-Fi network is capable of disclosing the movements of an individual at all hours of the day regardless of where he travels. Quite to the contrary, the network is, by all accounts, confined to the campus of Moravian College. Unlike CSLI, which can monitor the whereabouts of an individual anywhere at any time while in possession of a cell phone—as are most people in the modern age at all times—the Moravian Wi-Fi network is confined to the finite geographic space of a private college campus, similar to a Wi-Fi network that may be made available to patrons shopping in a shopping mall, or a security camera network that may exist at such a mall or at the College. Thus, the historical movements of a Moravian Wi-Fi network user may be gleaned from the network data only insofar as the user was on the campus. We do not believe that the holding of the *Carpenter* decision was intended to apply to such narrow circumstances. Notably, the *Carpenter* court expressly stated in its decision that it did not “call into question conventional surveillance techniques and tools, such as security cameras.” *Carpenter*, supra at 18.

Also distinguishing CSLI from the Moravian Wi-Fi network is the voluntariness of Defendant's constant connection to the Wi-Fi network. Whereas “a cell phone logs a cell-site record by dint of its operation, without any affirmative act on the part of the user beyond powering up,” and therefore, “[a]part from disconnecting the phone from the network, there is no way to avoid leaving behind a trail of location data,” users of the Moravian Wi-Fi network must affirmatively select the option for their Wi-

Fi enabled devices to remain connected at all times to the Wi-Fi network for a seamless connection while on the move. *Id.* at 17; N.T. 4/19/18, pp. 29, 34; N.T. 9/5/18, p. 212. Moreover, as we noted in our April 26, 2018 Order, all users of the Moravian Wi-Fi network must comply with the College's network use policy, which expressly indicates that users cannot and should not have any expectation of privacy with respect to any connections to or data transmitted over the network.

Thus, while the *Carpenter* court held that an individual has an expectation of privacy in his physical movements and that a cell phone user does not voluntarily assume, in a meaningful way, the risk that his physical movements may be discerned by law enforcement obtaining historical CSLI without a warrant, we conclude that a user of the Wi-Fi network at Moravian College who chooses to maintain a constant connection to the network does assume that risk, and, moreover, that his usage of said network is materially different from ordinary cell phone usage. For this reason, we conclude that *Carpenter* is inapposite here, and that Defendant's Motion for Extraordinary Relief must be denied.



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