

# Northampton County Reporter

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EASTON, PA May 5, 2005

NO. 18

Northampton County Reporter Digest—2005-5

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### INSERT: Pink:

1. Quarterly Association Meeting
2. 2005 NCBA Calendar of Events
3. PBI/CLE Seminars  
@ NCBA & BALC & I.U. 20
4. Volunteer Attorneys Needed

### NOTICE TO THE BAR ...

Quarterly Association Meeting and Malpractice  
Avoidance Seminar—May 19, 2005.  
Registration form inside.

**NORTHAMPTON COUNTY BAR ASSOCIATION  
2005 BAR ASSOCIATION OFFICERS**

Karl F. Longenbach ..... President  
Richard P. Kovacs ..... President-elect  
Joel H. Ziev ..... Vice President  
Michael C. Deschler ..... Treasurer  
Joseph A. Corpora, III ..... Secretary  
Alan B. McFall ..... Past President

**BOARD OF GOVERNORS**

Victor E. Scomillio  
Christopher M. Shipman  
Paula Ann Roscioli  
Linda Shay Gardner  
Kerry S. Freidl  
Daniel M. O'Donnell  
Jacqueline M. Taschner

**ZONE II DELEGATES**

Joel M. Scheer  
Michael P. Shay  
Nicholas Noel, III  
Barbara L. Hollenbach  
Alan B. McFall  
Ronald W. Shipman

***Northampton County Reporter***

**Attorney Referral & Information Service**

**155 South Ninth Street, Easton, PA 18042-4399**

**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 Leeson ..... Executive Director  
Stephanie Pasquel ..... Accounting  
Heather Rizzotto-Stefanik ..... Legal Journal  
Gloria A. Robison ..... Attorney Referral  
Deborah J. Flanagan ..... Attorney Referral

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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**

**Robert C. Brown, Jr., Esquire**

**Editor**

**NOTICES TO NCBA MEMBERS—BAR NEWS**

**☛ QUARTERLY ASSOCIATION MEETING AND  
MALPRACTICE AVOIDANCE PROGRAM**

“A Good Case Gone Bad—Dealing with Client Expectations”

1.5 Hours of CLE Ethics Credits

Thursday, May 19, 2005

Holiday Inn, Bethlehem

Registration form inside.

**☛ INCLUDED IN THIS ISSUE**

- (1) Registration form for Malpractice Avoidance Seminar
- (2) 2005 NCBA Calendar of Events
- (3) PBI/CLE Seminars
- (4) North Penn Legal Services Request

**☛ LIST OF COMMITTEE MEETINGS SCHEDULED  
AT THE NCBA OFFICE—**Inside on Calendar of Events

**☛ QUOTE OF THE DAY:** “The main part of intellectual education is not the acquisition of facts but learning how to make facts live.” Oliver Wendell Holmes, Sr. (1809-1894)

**ESTATE NOTICES**

Notice is hereby given that in the estate of the decedents set forth below the Register of Wills has granted letters, testamentary or of administration to the persons named. All persons having claims or demands against said estates are requested to make known the same, and all persons indebted to said estates are requested to make payment without delay to the executors or administrators or their attorneys named below.

**FIRST PUBLICATION****BRIGHT, GRACE E.,** dec'd.

Late of Lower Saucon Township, Northampton County, PA

Executor: Linford L. Bright, Jr. c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

Attorney: Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

**CALNAN, THOMAS J., JR.,** dec'd.

Late of Bethlehem, Northampton County, PA

Co-Executors: Thomas J. Calnan, III, Alan L. Calnan and Kathleen Reynard c/o Robert R. Pandaleon, Orloski, Hinga, Pandaleon & Orloski, 111 N. Cedar Crest Blvd., Allentown, PA 18104-4602

Attorneys: Robert R. Pandaleon, Orloski, Hinga, Pandaleon & Orloski, 111 N. Cedar Crest Blvd., Allentown, PA 18104-4602

**CRESSMAN, FLORENCE T.,** dec'd.

Late of the Township of Bushkill, Northampton County, PA  
Executrix: Darlene D. Cressman a/k/a Darlene Cressman

Kowtko, 212 Goldfinch Drive, Hackettstown, NJ 07840

Attorneys: Peters, Moritz, Peischl, Zulick & Landes, LLP, 1 South Main Street, Nazareth, PA 18064-2083

**deANGELI, EDNA S.,** dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Nina C. Walls, 502 Harrison Street, Ridley Park, PA 19078

**ECKHARDT, ELIZABETH B.,** dec'd.

Late of the Township of Lehigh, Northampton County, PA

Executor: James M. Davidson, 20 N. Waterloo Road, Devon, PA 19333

Attorneys: Norman A. Peil, Jr., Esquire, Peil and Egan, P.C., 4510 Bath Pike, Suite 100, Bethlehem, PA 18017

**HALL, ROBERT S., SR. a/k/a ROBERT S. HALL,** dec'd.

Late of Palmer Township, Northampton County, PA

Executor: Linda M. Hall c/o Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

Attorneys: Karl H. Kline, Esquire, Karl Kline P.C., 2925 William Penn Highway, Suite 301, Easton, PA 18045-5283

**HANGEN, CHARLES E.,** dec'd.

Late of Bath, Northampton County, PA

Administrator: David L. Hangen, 625 Lincoln Avenue, Northampton, PA 18067

Attorneys: John J. McNally, Esquire, Thomas, Thomas & Hafer, LLP, 305 N. Front

Street, P.O. Box 999, Harrisburg, PA 17108

**MULARICK, THERESA M.**, dec'd.

Late of the Township of Upper Nazareth, Northampton County, PA

Executrix: Mary Lou Hordendorf c/o Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412

Attorneys: Robert C. Brown, Jr., Esquire, Fox, Oldt & Brown, 940 West Lafayette Street, Suite 100, Easton, PA 18042-1412

**PFLIEGLER, ROSEMARIE A.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executrix: Donna R. Pfliegler c/o Briody and Briody, 429 E. Broad Street, P.O. Box 1246, Bethlehem, PA 18016-1246

Attorneys: Briody and Briody, 429 E. Broad Street, P.O. Box 1246, Bethlehem, PA 18016-1246

**SANTO, JOHN C.**, dec'd.

Late of the Borough of Wilson, Northampton County, PA

Executor: John R. Santo c/o Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

Attorney: Edward L. Redding, Esquire, 548 N. New Street, Bethlehem, PA 18018

**SOBERS, RUTH E.**, dec'd.

Late of the Borough of Nazareth, Northampton County, PA

Executrix: Corinne G. Eberts, 300 Birch St., Easton, PA 18040

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

**WHITE, ZELDA I.**, dec'd.

Late of the Township of Upper Mt. Bethel, Northampton County, PA

Executrix: Gertrude E. Lohman c/o McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013

Attorneys: McFall, Layman & Jordan, P.C., Attorneys at Law, 134 Broadway, Bangor, PA 18013

**SECOND PUBLICATION**  
**ANTONAVAGE, CHARLES J.**, dec'd.

Late of the City of Bethlehem, Northampton County, PA

Executor: Charles Antonavage c/o Ellen S. Kingsley, Esquire, 162 South Union Street, Easton, PA 18042

Attorney: Ellen S. Kingsley, Esquire, 162 South Union Street, Easton, PA 18042

**BERNETH, JENNIE a/k/a JENNIE H. BERNETH a/k/a JENNY BERNETH**, dec'd.

Late of Bethlehem, Northampton County, PA

Executrix: Karen Delker c/o Chester A. Reybitz, Esquire, 429 East Broad St., P.O. Box 1445, Bethlehem, PA 18016-1445

Attorney: Chester A. Reybitz, Esquire, 429 East Broad St., P.O. Box 1445, Bethlehem, PA 18016-1445

**BOBKO, ROBERT F.**, dec'd.

Late of the Township of Allen, Northampton County, PA

Executrix: Maryann Bauder  
c/o Littner, Deschler & Littner,  
P.O. Box 1407, 512 N. New  
Street, Bethlehem, PA 18018  
Attorneys: Littner, Deschler &  
Littner, P.O. Box 1407, 512 N.  
New Street, Bethlehem, PA  
18018

**CONRAD, HELEN L.,** dec'd.

Late of the City of Bethlehem,  
Northampton County, PA  
Executor: The Trust Company  
of Lehigh Valley, 1620 Pond  
Road, Suite 301, Allentown,  
PA 18104

**EMERY, HELEN B.,** dec'd.

Late of Bethlehem, Northamp-  
ton County, PA  
Co-Executors: Davidson Trust  
Company and Natt M. Emery,  
III, 20 N. Waterloo Road, Dev-  
on, PA 19333  
Attorneys: Richard J. Schaed-  
ler, Esquire, Majczan-Schaed-  
ler-Kelleher, 901 West Lehigh  
Street, Suite 200, Bethlehem,  
PA 18018

**FINCH, ROSEANN,** dec'd.

Late of the Township of Forks,  
Northampton County, PA  
Co-Executrices: Karen A. Paey  
and Barbara Finch c/o Daniel  
E. Cohen, Attorney, Laub,  
Seidel, Cohen, Hof & Reid,  
L.L.C., 8 Centre Square,  
Easton, PA 18042  
Attorneys: Daniel E. Cohen,  
Attorney, Laub, Seidel, Cohen,  
Hof & Reid, L.L.C., 8 Centre  
Square, Easton, PA 18042

**FLYTUTA, MARY,** dec'd.

Late of the Borough of North-  
ampton, Northampton Coun-  
ty, PA  
Executor: Stephen Flytuta  
c/o Dean C. Berg, Esquire,

G.M. Berg Law Offices, P.O.  
Box 10, Northampton, PA  
18067

Attorneys: Dean C. Berg, Es-  
quire, G.M. Berg Law Offices,  
P.O. Box 10, Northampton, PA  
18067

**GANGWER, ANNABELLE a/k/a  
ANNABELLE J. GANGWER,**  
dec'd.

Late of the City of Easton,  
Northampton County, PA  
Executrix: Doris A. Gangwer  
Rohr c/o Robert C. Brown, Jr.,  
Esquire, Fox, Oldt & Brown,  
940 West Lafayette Street,  
Suite 100, Easton, PA 18042-  
1412

Attorneys: Robert C. Brown,  
Jr., Esquire, Fox, Oldt &  
Brown, 940 West Lafayette  
Street, Suite 100, Easton, PA  
18042-1412

**GARRITY, JOSEPH E. a/k/a  
JOSEPH E. GARRITY, JR.,**  
dec'd.

Late of the City of Easton,  
Northampton County, PA  
Executor: Brian E. Garrity  
c/o Daniel E. Cohen, Attor-  
ney, Laub, Seidel, Cohen, Hof  
& Reid, L.L.C., 8 Centre  
Square, Easton, PA 18042  
Attorneys: Daniel E. Cohen,  
Attorney, Laub, Seidel, Cohen,  
Hof & Reid, L.L.C., 8 Centre  
Square, Easton, PA 18042

**HANCOCK, KENNETH R.,** dec'd.

Late of the City of Bethlehem,  
Northampton County, PA  
Executrix: Christine H. Fisher  
c/o Paul A. Florenz, Esquire,  
Kolb, Vasiliadis and Florenz,  
74 West Broad Street, Ste.  
170, Bethlehem, PA 18018-  
5738

Attorneys: Paul A. Florenz, Esquire, Kolb, Vasiliadis and Florenz, 74 West Broad Street, Ste. 170, Bethlehem, PA 18018-5738

**KOVACS, MAXINE A.,** dec'd.

Late of Hellertown, Northampton County, PA

Executor: Terry W. Stanglein c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

Attorney: Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

**MALL, DIANE E. a/k/a DIANE A. MALL,** dec'd.

Late of Northampton, Northampton County, PA

Executrix: Denise Schlener c/o Robert E. Donatelli, Esquire, P.O. Box 1608, Allentown, PA 18105

Attorney: Robert E. Donatelli, Esquire, P.O. Box 1608, Allentown, PA 18105

**McCANDLESS, RALPH J. a/k/a RALPH J. McCANDLESS, JR.,** dec'd.

Late of Moore Township, Northampton County, PA

Executrix: Myrtle R. McCandless 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

**MONDSCHN, GREGORY G.,** dec'd.

Late of North Catasauqua, Northampton County, PA

Administratrix: Susan M. Zack c/o Eric R. Strauss, Es-

quire, Worth, Magee & Fisher, P.C., 515 Linden Street, 3rd Floor, Allentown, PA 18101

Attorneys: Eric R. Strauss, Esquire, Worth, Magee & Fisher, P.C., 515 Linden Street, 3rd Floor, Allentown, PA 18101

**PAGANO, ANDREW,** dec'd.

Late of the Borough of Roseto, Northampton County, PA

Executor: Louis A. Pagano c/o David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

Attorney: David J. Ceraul, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

**RICE, ALICE P. a/k/a ALICE PAULINE RICE,** dec'd.

Late of Lower Saucon Township, Northampton County, PA

Co-Executors: Shirley R. Lerch and Bruce L. Rice c/o Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

Attorney: Bradford D. Wagner, Esquire, 662 Main Street, Hellertown, PA 18055-1726

**SIKORA, LILLIAN,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Administrator: Michael Sikora c/o Lawrence B. Fox, Esquire, 915 West Broad Street, Bethlehem, PA 18018

Attorney: Lawrence B. Fox, Esquire, 915 West Broad Street, Bethlehem, PA 18018

**SOLLMAN, JESSE E. a/k/a JESSE SOLLMAN,** dec'd.

Late of the Township of Washington, Northampton County, PA

Executrix: Carin E. Sollman,  
380 Springfield Drive, Bangor,  
PA 18013

Attorney: Paul J. Harak, Es-  
quire, 1216 Linden Street, P.O.  
Box 1409, Bethlehem, PA  
18016

**URBAN, MARY, dec'd.**

Late of the City of Bethlehem,  
Northampton County, PA  
Administratrix: Ruth U. Kluge,  
1005 Cedarville Rd., Easton,  
PA 18042

Attorney: Steven B. Molder,  
Esquire, 904 Lehigh Street,  
Easton, PA 18042

**THIRD PUBLICATION**

**BARTHOLOMEW, THERESA  
M., dec'd.**

Late of the City of Bethlehem,  
Northampton County, PA  
Administratrix: Barbara J.  
Kosa c/o Mary Ann Snell, Es-  
quire, 3400 Bath Pike, Suite  
311, Bethlehem, PA 18017-  
2485

Attorney: Mary Ann Snell, Es-  
quire, 3400 Bath Pike, Suite  
311, Bethlehem, PA 18017-  
2485

**BOYER, ENID G., dec'd.**

Late of the Borough of Naza-  
reth, Northampton County,  
PA

Executrix: Shirley Anna  
Kovacs, 30-B Grove Street,  
Easton, PA 18045

Attorneys: Peters, Moritz,  
Peischl, Zulick & Landes, LLP,  
1 South Main Street, Naza-  
reth, PA 18064-2083

**DANIEL, ELIZABETH LISY  
a/k/a ELIZABETH L. DAN-  
IEL, dec'd.**

Late of the City of Bethlehem,  
Northampton County, PA

Executor: John Lisy Daniel  
c/o Littner, Deschler & Littner,  
512 N. New Street, P.O. Box  
1407, Bethlehem, PA 18016-  
1407

Attorneys: Littner, Deschler &  
Littner, 512 N. New Street,  
P.O. Box 1407, Bethlehem, PA  
18016-1407

**FISHBONE, HERBERT, dec'd.**

Late of Bethlehem, Northamp-  
ton County, PA

Co-Executrices: Vivian M.  
Fishbone and Deborah I.  
Vanderveer c/o Joel M. Scheer,  
Esquire, Fishbone & Scheer,  
940 W. Lafayette Street, P.O.  
Box 1099, Easton, PA 18044-  
1099

Attorneys: Joel M. Scheer, Es-  
quire, Fishbone & Scheer, 940  
W. Lafayette Street, P.O. Box  
1099, Easton, PA 18044-1099

**GALLUCCI, ANNA K., dec'd.**

Late of Hellertown, Northamp-  
ton County, PA

Executor: Joseph L. Gallucci  
c/o Bradford D. Wagner, Es-  
quire, 662 Main Street, Hell-  
ertown, PA 18055-1726

Attorney: Bradford D. Wagner,  
Esquire, 662 Main Street,  
Hellertown, PA 18055-1726

**HENDERSHOT, JEANNE M.,  
dec'd.**

Late of the City of Bethlehem,  
Northampton County, PA

Administratrix: Holly Linehan  
c/o Harry Newman, Esquire,  
915 West Broad Street,  
Bethlehem, PA 18018

Attorney: Harry Newman, Es-  
quire, 915 West Broad Street,  
Bethlehem, PA 18018

**KOVAL, ANDREW, dec'd.**

Late of the City of Easton,  
Northampton County, PA



Executrix: Jennifer N. Stauffer c/o Frank M. Skrapits, Esquire, Law Office of Frank M. Skrapits, Affiliated with Steckel and Stopp, 2152 Main Street, Northampton, PA 18067-1211

Attorneys: Frank M. Skrapits, Esquire, Law Office of Frank M. Skrapits, Affiliated with Steckel and Stopp, 2152 Main Street, Northampton, PA 18067-1211

**LOEWENSTEIN, GORDON J.,** dec'd.

Late of the Township of Forks, Northampton County, PA

Executrix: Laurie Moyer, 31 S. Fairview St., Nazareth, PA 18064

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

**MORETZ, IRMA,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Co-Executors: Robert F. Moretz, 145 E. Goepf Street, Bethlehem, PA 18018 and Charles R. Moretz, 1409 Linden Street, Reading, PA 19604  
Attorney: Richard F. Boyer, Esquire, 1216 Linden Street, P.O. Box 1409, Bethlehem, PA 18016

**PAGE, THERESA V.,** dec'd.

Late of the Township of Bushkill, Northampton County, PA  
Executor: Harold T. Page c/o Alfred S. Pierce, Esquire, I.D. No. 21445, Pierce & Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

Attorneys: Alfred S. Pierce, Esquire, I.D. No. 21445, Pierce

& Dally, LLP, 124 Belvidere Street, Nazareth, PA 18064

**PAOLINI, VICTOR,** dec'd.

Late of the Borough of Wind Gap, Northampton County, PA

Executrix: Josephine Paolini c/o Edward H. Butz, Esquire, Blank Rome, LLP, 1620 Pond Road, Allentown, PA 18104

Attorneys: Edward H. Butz, Esquire, Blank Rome, LLP, 1620 Pond Road, Allentown, PA 18104

**RAKE, KEVIN S.,** dec'd.

Late of the Borough of Bangor, Northampton County, PA

Administratrix: Camille Rake c/o Yvonne Falcone Gundry, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

Attorney: Yvonne Falcone Gundry, Esquire, 22 Market Street, P.O. Box 19, Bangor, PA 18013-0019

**REESE, ANN K. a/k/a ANNE K. REESE a/k/a A. K. REESE,** dec'd.

Late of Bethlehem, Northampton County, PA

Executor: Charles Konkolics 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

**RICHARDS, ROBERT D.,** dec'd.

Late of the City of Bethlehem, Northampton County, PA

Administrator: James D. Richards c/o Harry Newman, Esquire, 915 West Broad Street, Bethlehem, PA 18018

Attorney: Harry Newman, Esquire, 915 West Broad Street, Bethlehem, PA 18018

**TEEL, ANNA R.,** dec'd.

Late of Palmer Township, Northampton County, PA  
Co-Executors: Richard A. Teel, 2365 Newlins Mill Road, Easton, PA 18045 and Judith Ann Moore, 2361 Newlins Mill Road, Easton, PA 18045  
Attorneys: Peters, Moritz, Peischl, Zulick & Landes, LLP, 1 South Main Street, Nazareth, PA 18064-2083

**WOHLBACH, CATHERINE M.,** dec'd.

Late of Wilson Borough, Northampton County, PA  
Administratrix: Karen Maciejczyk c/o Joel M. Scheer, Esquire, Fishbone & Scheer, 940 W. Lafayette Street, P.O. Box 1099, Easton, PA 18044-1099  
Attorneys: Joel M. Scheer, Esquire, Fishbone & Scheer, 940 W. Lafayette Street, P.O. Box 1099, Easton, PA 18044-1099

**ZAGWOSKI, KATHERINE,** dec'd.

Late of the City of Bethlehem, Northampton County, PA  
Executor: Michael Zagwoski, 2 White Birch Lane, Horsham, PA 19044  
Attorney: Richard F. Boyer, Esquire, 1216 Linden Street, P.O. Box 1409, Bethlehem, PA 18016

**NOTICES OF INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on April 29, 2005, in the Pennsylvania Department of State for:

**JLA 1, INC.**

in accordance with the provisions of the Pennsylvania Business Corporation Law of 1988.

DANIEL E. COHEN, ATTORNEY  
LAUB, SEIDEL, COHEN, HOF  
& REID, LLC

8 Centre Square  
Easton, PA 18042-3606

May 5

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, on February 17, 2005 for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended (15 Pa.C.S. §1306). The name of the corporation is:

**JONI M. INC.**

Harry Newman, Esquire  
915 West Broad Street  
Bethlehem, PA 18018

May 5

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 Business Corporation Law of the Commonwealth of Pennsylvania, Act of December 21, 1988, (P.L. 1444, No. 177), by the following corporation:

The name of the corporation is:

**KANGAROO JACKS, INC.**

The Articles of Incorporation were filed on April 14, 2005.

JEFFREY B. MATZKIN, ESQUIRE  
125 North Eighth Street  
Allentown, PA 18101

May 5

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, on March 14, 2005 for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, as amended (15 Pa.C.S. §1306). The name of the corporation is:

**LEHIGH VALLEY  
STAFFING, INC.**

Harry Newman, Esquire  
915 West Broad Street  
Bethlehem, PA 18018

May 5

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 Business Corporation Law of the Commonwealth of Pennsylvania, approved December 21, 1988, P.L. 1444, as amended, by the following corporation:

The name of the corporation is:  
**SOLUTIONS BY P&M, INC.**

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

May 5

**SURGE MARKETING, INC.**

has been incorporated under the provisions of the Pennsylvania Business Corporation Law of 1988.

May 5

**FICTITIOUS NAME  
REGISTRATION NOTICE**

NOTICE IS HEREBY GIVEN, pursuant to the provisions of Act

295 of 1982 (54 Pa. C.S.A. 301 et seq.), filed in the Office of the Secretary of the Commonwealth, at Harrisburg, Pennsylvania, a Certificate for the conduct of a business in Northampton County, Pennsylvania, under the assumed or fictitious name, style or designation of:

**MOAB SYSTEMS**

with its principal place of business at: 203 Constitution Avenue, Hellertown, Pennsylvania 18055.

The name and address of the person owning or interested in said business is: Brian Campbell, 203 Constitution Avenue, Hellertown, Pennsylvania 18055.

The Certificate was filed on April 14, 2005.

CHARLES W. GORDON,  
ESQUIRE

656 Main Street  
Hellertown, PA 18055

May 5

**CERTIFICATE OF AUTHORITY**

NOTICE IS HEREBY GIVEN that a Certificate of Authority for a business corporation was filed in the Department of State of the Commonwealth of Pennsylvania for **ALTAMONT ASSOCIATES INC.** on April 7, 2005. The address of its principal office under the laws of its jurisdiction is: 62 Pennsylvania Ave., Flemington, New Jersey 08822. The commercial registered office provider for this corporation is: 146 Country Club Rd., Easton, PA 18045, in the County of Northampton. The corporation is filed in compliance with the requirements of the applicable provision of 15 Pa.C.S. 4124(b).

May 5

**NOTICE**

NOTICE IS HEREBY GIVEN, that Thomas M. Krempa announces his application to the County of

Northampton for a license to conduct business as a Private Detective.

Thomas M. Krempa  
2704 Boyd St.  
Bethlehem, PA 18017  
(908) 722-9559

May 5

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**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

VIOLET M. ANDREWS; Nancy Scheckler & Roger L. Andrews, Co-Executors

HELEN M. BERNATH; Gizella H. Kocher, Executrix

JEANNETTE A. FULTON; Annie Elizabeth Dayton, Executrix

EDWARD C. SCANLON a/k/a EDWARD C. SCANLAN; Heather Scanlon, Administratrix

FRANK J. TOTH; Donald Boyhont, Executor

HILDA M. UNGER; James L. Unger, Executor

**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: FRIDAY, MAY 27, 2005 AT 9:00 A.M. IN COURTROOM #1.

Dorothy L. Cole  
Clerk of Orphans' Court

May 5, 12

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**NOTICE FOR CHANGE OF NAME**

NOTICE IS HEREBY GIVEN that on March 30, 2005, the Petition of JAMES W. KRESGE, natural parent of Daniel James Riehl, a Minor was filed in the Court of Common Pleas of Northampton County, Penn-

sylvania, Civil Division, praying for a Decree to change the name of said minor child from Daniel James Riehl to James Carl Kresge.

The Court has fixed May 25, 2005 at 9:00 a.m. in the Northampton County Courthouse, Room 229, located at 669 Washington Street, Easton, Pennsylvania as the time and place for the Hearing of said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the said Petitioner should not be granted.

BETH A. KNICKERBOCKER,  
ESQUIRE

ID No. 65818

Attorney for Petitioner  
James W. Kresge

100 North Third Street  
Easton, PA 18042  
(610) 253-8227

May 5

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**ASSOCIATE**

Post & Schell, P.C. has an immediate opening in its Allentown office for an associate with three to five years experience in General Casualty Defense. Excellent compensation and benefits package. Please e-mail your resume and cover letter to [jmcnulty@postschell.com](mailto:jmcnulty@postschell.com) or by mail to 1245 S. Cedar Crest Blvd., Suite 300, Allentown, PA 18103 or by fax to (610) 433-3972.

May 5, 12

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**ASSOCIATE**

Post & Schell, P.C. has an immediate opening in its Allentown office for an associate with 0 to 2 years experience in Workers' Compensation. Excellent salary and benefits package. Please e-mail your resume and cover letter to [Jburkhardt@postschell.com](mailto:Jburkhardt@postschell.com) or by mail to 1245 S. Cedar Crest Blvd., Suite 300, Allentown, PA 18103 or by fax to (610) 433-3972.

May 5, 12

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**NORTHAMPTON COUNTY REPORTER DIGEST—2005-5**  
**RECENT DECISIONS OF THE COURTS OF COMMON PLEAS**  
**OF NORTHAMPTON COUNTY**

**COMMONWEALTH OF PENNSYLVANIA v.**  
**LAWRENCE E. PETERSON, JR.**

*PCRA Petition*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division—No. 1999-493; 1999-494.

Order of the Court Dismissing PCRA Petition Without a Hearing Pursuant to Rule 907(1).

Jay Jenkins, Esquire for the Commonwealth.

Alex J. Karam, Jr., Esquire for Defendant.

Order of the Court entered on January 13, 2005 by Stephen G. Baratta, Judge.

DESCRIPTION OF DECISION

The Defendant, relying on the Supreme Court's decision in *Blakely v. Washington*, 124 S.Ct. 2531 (2004), contended that his sentence violated the Sixth Amendment of the Constitution. At sentencing the Court listed several aggravating circumstances, and sentenced the Defendant in the aggravated range of the Pennsylvania's Sentencing Guidelines, but within the statutory maximum. In denying Defendant's PCRA Petition, the Court held that *Blakely* did not apply to Pennsylvania's Sentencing Guidelines. Pennsylvania employs an indeterminate sentencing scheme where the sentencing court may impose a sentence within a range defined by statute after considering the Sentencing Guidelines. This differs from the sentencing system imposed by the court in *Blakely*, because the sentencing court in that case sentenced the Defendant above the statutory prescribed maximum after finding additional facts not found by a jury.

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**JOHN W. GITTENS AND PATRICIA J. GITTENS v.**  
**GARY J. STRAUSSER, GARY J. STRAUSSER HOME BUILDERS, INC.,**  
**STRAUSSER ENTERPRISES, INC.**

*Motion for Summary Judgment*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law—No. C0048CV2001000137.

Order of the Court granting in part and denying in part Defendant's motion for Summary Judgment.

Robert C. Brown, Esquire for Plaintiffs.

Michael A. Gaul, Esquire for Defendants.

Order of the Court entered on November 4, 2004 by Stephen G. Baratta, Judge.

DESCRIPTION OF DECISION

The Court granted in part and denied in part Defendant's Motion for Summary Judgment. In this case Defendants sold property to Plaintiffs for the purpose of building a home thereon and entered into a Construction Agreement with Plaintiffs to build the home. When selling the property to Plaintiffs, Defendants described the lot as being "choice" or "prime". Ten years after construction was complete, Plaintiffs' home was damaged when a fire started in an underground electrical box. Plaintiffs claimed the

fire was the result of Defendant's use of unsuitable and improper fill material that the house was built upon, and that the use of such fill undermined the structural integrity of the home.

Defendants sought Summary Judgment on Plaintiffs' claims for Fraud/Misrepresentation, Unfair Trade Practices, Breach of Express Warranty, Breach of Contract, Breach of Implied Warranty of Habitability, and also sought to release Defendant, Gary J. Strausser, individually, as well as Strausser Enterprises from any wrongdoing.

The Court held that Summary Judgment as it applied to: (1) Fraud/Misrepresentation and Unfair Trade Practices with regard to the location of Plaintiffs' home was GRANTED; (2) Fraud/Misrepresentation and Unfair Trade Practices with respect to the use of improper fill to support Plaintiffs' home was DENIED; (3) Implied Warranty of Habitability was DENIED because Plaintiffs had not waived such warranty; (4) Breach of Express Warranty was GRANTED as not being timely; (5) Breach of Contract as to whether Defendant used improper fill materials to stabilize Plaintiffs' home was DENIED; and (6) Defendants' Motion for Summary Judgment is denied as to the dismissal of all claims against Gary J. Strausser, individually, and Strausser Enterprises, Inc.

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**STEVEN G. LANGILLE v. THE GENIE COMPANY; HOME DEPOT, INC.;  
ASSEMBLY PLUS v. DANIEL W. ANGLE**

*Motion for Summary Judgment*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law—No. C0048CV2002006849 and No. C0048CV2003005906.

Order of the Court denying Defendant, Assembly Plus, Inc.'s, Motion for Summary Judgment for spoliation of evidence.

Martin D. Cohen, Esquire and Steve Margolis, Esquire for Plaintiff.

Joseph P. Connor III, Esquire for Defendant Assembly Plus.

Kenneth M. Dubrow, Esquire for Defendant Home Depot, Inc.

Abe Kassis, Esquire for Additional Defendant.

Order of the Court entered on December 30, 2004 by Stephen G. Baratta, Judge.

**DESCRIPTION OF DECISION**

The Court denied Defendant, Assembly Plus, Inc.'s, Motion for Summary Judgment, and its alternative request for relief, a jury instruction on spoliation of evidence. Defendants asserted that because certain evidence was discarded after the accident that left Plaintiff seriously injured that Summary Judgment was warranted. Defendants argued that the discarded evidence could prove that Plaintiff had caused the injuries to himself. Using the *Schmid* test, the Court found that Plaintiff was not at fault for the destruction of the evidence in question nor does the destruction of the evidence prejudice Defendants such that Summary Judgment was warranted.

**STEVEN G. LANGILLE v. THE GENIE COMPANY; HOME DEPOT, INC.;  
ASSEMBLY PLUS v. DANIEL W. ANGLE**

*Motion for Summary Judgment*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law—No. C0048CV2002006849.

Order of the Court granting in part and denying in part Plaintiff, Steven G. Langile's, Motion in Limine.

Martin D. Cohen, Esquire and Steve Margolis, Esquire for Plaintiff.

Joseph P. Connor III, Esquire for Defendant Assembly Plus.

Kenneth M. Dubrow, Esquire for Defendant Home Depot, Inc.

Abe Kassis, Esquire for Additional Defendant.

Order of the Court entered on December 30, 2004 by Stephen G. Baratta, Judge.

**DESCRIPTION OF DECISION**

The Court granted Plaintiff's Motion to preclude irrelevant testimony relating to the dismissal of one defendant, and Plaintiff's extra-marital affairs, drug use, and comments of Pennsylvania residents. In addition, with respect to the testimony of Defendant's expert, the Court relied on Pa. R.C.P. Rule 4010 to grant Plaintiff's Motion prohibiting testimony about the expert's inability to question Plaintiff's mother, because Plaintiff's mother is not a party to the suit. In further reliance on Rule 4010, the Court denied Plaintiff's Motion and is permitting testimony of the presence of a stenographer and legal representative during Plaintiff's psychiatric examination.

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**STEVEN G. LANGILLE v. THE GENIE COMPANY; HOME DEPOT, INC.;  
ASSEMBLY PLUS v. DANIEL W. ANGLE**

*Motion for Summary Judgment*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law—No. C0048CV2002006849.

Order of the Court granting Additional Defendant, Daniel W. Angle's, Motion for Summary Judgment.

Martin D. Cohen, Esquire and Steve Margolis, Esquire for Plaintiff.

Joseph P. Connor III, Esquire for Defendant Assembly Plus.

Kenneth M. Dubrow, Esquire for Defendant Home Depot, Inc.

Abe Kassis, Esquire for Additional Defendant.

Order of the Court entered on December 30, 2004 by Stephen G. Baratta, Judge.

**DESCRIPTION OF DECISION**

The Court granted Additional Defendant, Daniel W. Angle's, Motion for Summary Judgment. Mr. Angle was the owner of residential home where Plaintiff was injured by bolt which disengaged from where it was attaching a garage door opener to a wall. Defendants asserted that Mr. Angle was negligent to Plaintiff in not keeping the home safe from hazardous conditions. The Court found that as a result of Mr. Angle did not breach any duty of care with respect to Plaintiff a licensee on the property.



**CITIBANK (SOUTH DAKOTA) N.A. v. DONALD W. JOHNSON***Preliminary Objections—Motion To Dismiss*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law—No. C0048CV2004007843.

Order of Court sustaining the Preliminary Objections filed by Plaintiff against Defendant's Motion to Dismiss. The Court further Dismissed Defendant's Motion to Dismiss.

Burton Neil, Esquire for Plaintiff.

Donald W. Johnson, Pro Se.

Order of the Court entered on January 19, 2005 by Stephen G. Baratta, Judge.

**DESCRIPTION OF DECISION**

The Court sustained Plaintiff's Preliminary Objections to Defendant's Motion to Dismiss. Defendant's Motion to Dismiss appeared to be in the form of an Answer and New Matter alleging the affirmative defense of res judicata. However, Defendant's pleading was defective in failing to conform to rule.

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**LJL TRANSPORTATION INC., LOUIS P. PEKTOR, III AND  
LEO A. DECKER v. PILOT AIR FREIGHT CORP.***Motion for Partial Summary Judgment*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law—No. C0048CV200100413.

Order of the Court denying Defendant, Pilot Air Freight Corp.'s, Motion for Partial Summary Judgment on the issue of liability.

Gerald J. McConomy, Esquire and James G. Wiles, Esquire for Plaintiffs.

George A. Heitzman, Esquire, Partrick C. Campbell, Jr., Esquire, Walter Wier, Jr., Esquire, Daniel D. Haggerty, Esquire and Edward T. Kan, Esquire for Defendant.

Order of the Court entered on December 23, 2004 by Stephen G. Baratta, Judge.

**DESCRIPTION OF DECISION**

The Court denied Defendant's Motion for Partial Summary Judgment on the issue of liability because there are material issues of fact present.

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**JILL MORLEY v. DONNA SPATZ AND DAN SPATZ***Preliminary Objections*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law, No. C0048CV2004007689.

Order of the Court sustaining in part and denying in part Defendants, Donna Spatz and Dan Spatz', preliminary objections to Plaintiff, Jill Morley's, complaint in landlord and tenant.

Jill Morley, Pro Se.

Jeffrey R. Dimmich, Esquire for Defendants.

Order of the Court entered on January 20, 2005 by Stephen G. Baratta, Judge.

**DESCRIPTION OF DECISION**

The Court sustained part of and denied part of Defendants' preliminary objections to Plaintiff's complaint in landlord and tenant. Plaintiff was seeking double the return of a security deposit pursuant to 68 P.S. §250.512. Plaintiff's complaint was defective for

failure to include a Notice to Defend, failure to attach a copy of the lease agreement, claiming money damages in excess of \$1,200.00, including a general prayer for relief. Additionally, a demurrer was sustained as to Counts III and IV of Plaintiff's Complaint for conversion and unjust enrichment. However, Defendants' demurred to Counts I and II of Plaintiff's Complaint for relief under 68 P.S. §250.512 and Breach of Contract were denied, because Plaintiff had adequately pled both causes of action.

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**IN RE: WILLIAM BRUCE KARP, AN ALLEGED  
INCAPACITATED PERSON**

*Adjudication*

In the Court of Common Pleas of Northampton County, Pennsylvania, Orphans' Court Division, No. 1982-116.

Order of the Court granting the petition of William Bruce Karp, Jr., for the appointment as a co-guardian of the person of his father William Bruce Karp.

Wendy A. Nicolosi, Esquire for Petitioners.

James Martin Connell, Esquire for Co-Guardians.

Order of the Court entered on November 23, 2004 by Stephen G. Baratta, Judge.

**DESCRIPTION OF DECISION**

The Court granted the petition of William Bruce Karp, Jr., for the appointment as a co-guardian of the person of his father William Bruce Karp. However, because of the animosity between the guardians the Court divided the interest, responsibility, and voting shares of the guardians, such that the best interests of the incapacitated person was achieved.

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**GUILLERMO VAZQUEZ AND ARIS VAZQUEZ v.  
BROWN DAUB CHRYSLER PLYMOUTH JEEP**

*Preliminary Objections*

In the Court of Common Pleas of Northampton County, Pennsylvania, Civil Action—Law, No. C0048CV2004002513.

Order of the Court Overruling Defendant's Preliminary Objections to Counts I (Fraudulent Misrepresentation), II (Unfair Trade Practices), III (Common-Law Fraud) of Plaintiff's Amended Complaint. However, as to Counts IV (Negligence-Vehicle History) and V (Negligence-Repairs) Defendant's Preliminary Objections were sustained.

Brett J. Riegel, Esquire for Plaintiffs.

David K. Brennan, Esquire for Defendant.

Order of the Court entered on November 24, 2004 by Stephen G. Baratta, Judge.

**DESCRIPTION OF DECISION**

The Court overruled in part and sustained in part Defendant's Preliminary Objections. Plaintiffs adequately plead causes of actions of Fraudulent Misrepresentation, Unfair Trade Practices, and Common-Law Fraud. However, the Court did not find Plaintiffs to have adequately pled special damages.

The Court sustained Defendant's Preliminary Objection with regard to Negligence Vehicle History because Plaintiffs' Amended Complaint failed to identify any legally recognized duty. Plaintiffs alleged that Defendant breached their duty of good faith and fair dealing. However, a duty of good faith and fair dealing is only recognized under the law of contracts and not under the law of torts.

The Court sustained Defendant's Preliminary Objection with regard to Negligence-Repairs as deficient for failing to provide any facts of alleged negligent activity. Plaintiffs' amended complaint contained only conclusory accusations of negligence.

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**COMMONWEALTH OF PENNSYLVANIA v.  
JOSHUA LOSITO, DEFENDANT**

*Pa. R.Crim.P. 544—When Is Signature of ADA Required to Refile Criminal Complaint—42 Pa.C.S. §5553(a), Statute of Limitation for Summary Offense—Tolling Period*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2004-458.

Order of Court entered denying Defendant's Motion to Dismiss.

Abraham P. Kassiss, Esquire for Commonwealth.

Jason A. Jenkins, Esquire for Defendant.

Order of Court entered on March 4, 2005 by Leonard N. Zito, Judge.

**DESCRIPTION OF DECISION**

The Court denied the Defendant's Omnibus Pretrial Motion to Dismiss that was based on the alleged expiration of the statute of limitations period for summary offenses involving motor vehicles under 42 Pa.C.S. §5553(a) and an alleged violation of Pennsylvania Rule of Criminal Procedure 544(a) providing procedure to reinstitute a criminal complaint that has been dismissed or withdrawn. The statute of limitations period did not expire and the officer could reinstitute the criminal complaint because the statute of limitations was tolled under 42 Pa. C.S.A. §5554 for the period in which initial complaint was pending for the same conduct. Assistant District Attorney's signature was not required under Rule 544 to reinstate complaint because Rule 544 was not intended to prevent the reinstituting of a criminal complaint on the same day that it was dismissed and where the only reason it was dismissed is because the arresting officer was not notified of a rescheduled preliminary hearing date and upon notice of those facts the same District Justice who dismissed the complaint accepted the reinstituted complaint. Motion to dismiss based on alleged Rule 544 violation was also denied because Defendant did not show egregious acts by the Commonwealth and demonstrate sufficient prejudice to support dismissing the charges.

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**COMMONWEALTH OF PENNSYLVANIA v.  
GEARY ALAN GUM, DEFENDANT**

*Motion To Reconsider Sentence—Aids in Sentencing—Sentencing Considerations*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division—Law, No. 2004-847.

Order of Court entered denying Commonwealth's Motion to Modify Sentence under Pa. R.Crim.P. 721.

The Honorable John M. Morganelli, Esquire, District Attorney for Northampton County, PA for Commonwealth.

John J. Waldron, Esquire for Defendant.

Order of Court entered on March 4, 2005 by Leonard N. Zito, Judge.

**DESCRIPTION OF DECISION**

The District Attorney argued that sentence in mitigated range was inappropriate notwithstanding the recommendation of specialists relied upon by the Probation Department which recommended a probationary sentence because the accused presented a

minimal risk of re-offending, and other redeeming characteristics. The Court denied the motion. The District Attorney asked the Court to mechanically impose sentences for the crimes to which the Defendant pleaded guilty without adequate regard to the sentencing tools provided for in the Pennsylvania Rules of Criminal Procedure, Pennsylvania Sentencing Code, and Pennsylvania Commission on Sentencing Guidelines. In contrast, the Court's consideration of the circumstances of the crime as well as the characteristics of the Defendant was consistent with the evaluative responsibilities and functions of the Court in the sentencing process.

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**COMMONWEALTH OF PENNSYLVANIA v.  
CHRISTIAN FIGUEROA, DEFENDANT**

*Time Limits on Omnibus Pretrial Motions—Sua Sponte Action of Court in Criminal Case—Sufficiency of Evidence—Possession of Controlled Substance With Intent To Deliver—Circumstantial Evidence of Intent—Qualifying Expert Witness Through Experience*

In the Court of Common Pleas of Northampton County, Pennsylvania, Criminal Division, No. 2004-2470.

Order of Court entered denying Defendant's motion for a new trial and motion in arrest of judgment.

Bethany Zampogna, Esquire for Commonwealth.

Erv D. McLain, Esquire for Defendant.

Order of Court entered on March 4, 2005 by Leonard N. Zito, Judge.

**DESCRIPTION OF DECISION**

Following conviction for possession of heroin and possession of heroin with the intent to deliver, Defendant filed a motion for a new trial and motion in arrest of judgment. Responding to the alleged errors, the Court held: (1) a court may raise *sua sponte* the untimeliness of omnibus pretrial motions filed on the morning of trial where the defendant is represented by counsel throughout the proceedings and the arguments raised were available since the preliminary hearing, (2) the number of bags of heroin, packaging, absence of personal use paraphernalia, and direct testimony of intent to deliver provided sufficient evidence for jury to convict Defendant of possession of heroin with the intent to deliver, (3) the law permits conviction for possession with intent to deliver based on circumstantial evidence alone and Defendant waived this issue by not objecting to the jury instruction at trial, (4) former heroin user was not qualified from his personal experiences to testify as an expert about the normal heroin habits of users but could testify where relevant about his personal experiences and as a fact witness, and (5) the jury verdict slip properly excluded questions about the quantity of heroin and whether the offense occurred within a school zone where this evidence was not presented at trial and the Court will determine the application of *Blakely v. Washington*, 124 S.Ct. 2531 (2004) and *United States v. Booker*, 125 S.Ct. 738 (Jan. 12, 2005) before imposing any mandatory minimum sentences or sentencing enhancements based on judicial sentencing findings.