

# The Legal Intelligencer

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## LEGAL LISTINGS

### COURT NOTICES

#### FIRST JUDICIAL DISTRICT OF PENNSYLVANIA COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

No. 6 of 2024

#### President Judge General Court Regulation

*In re: Adoption of Philadelphia Rule of Judicial Administration \*5101, and Rescission of Philadelphia Rule of Judicial Administration \*1900*

#### ORDER

AND NOW, this 10th day of June, 2024, the Board of Judges of Philadelphia County having voted at the Board of Judges' meeting held on May 16, 2024, to adopt Philadelphia Rule of Judicial Administration \*5101, and rescind \*1900 as attached to this Order, and, as required by Pa.R.J.A. 103, the Supreme Court Civil Procedural Rules Committee has reviewed the attached local rules, has determined that Rule \*5101 is consistent with applicable statewide rules, and has authorized their promulgation.

NOW, therefore, it is hereby ORDERED and DECREED that Philadelphia Local Rule of Judicial Administration \*5101 is adopted, as attached, effective thirty days after publication in the *Pennsylvania Bulletin*.

As required by Pa.R.J.A. 103(d), the local rule which follows this Order was submitted to the Supreme Court of Pennsylvania Procedural Rules Committee for review, and written notification has been received from the Rules Committee certifying that the local rule is consistent with any general rule of the Supreme Court. This Order and the attached local rule shall be filed with the Office of Judicial Records in a docket maintained for Administrative Orders issued by the First Judicial District of Pennsylvania. As required by Pa.R.J.A. 103(d)(5)(ii), two certified paper copies of this Administrative Order and the attached local rule, as well as one copy of the Administrative Order and local rule shall be distributed to the Legislative Reference Bureau on a computer diskette for publication in the *Pennsylvania Bulletin*. As required by Pa.R.J.A. 103(d)(6) one certified copy of this Administrative Order and local rule shall be filed with the Administrative Office of Pennsylvania Courts, shall be published on the website of the First Judicial District at <https://www.courts.phila.gov>, and shall be incorporated in the compiled set of local rules no later than 30 days following publication in the *Pennsylvania Bulletin*. Copies of the Administrative Order and local rules shall also be published in *The Legal Intelligencer* and will be submitted to *American Lawyer Media*, *Jenkins Memorial Law Library*, and the Law Library for the First Judicial District.

By The Court:

Nina Wright Padilla

President Judge, Court of Common Pleas Philadelphia County

#### Phila.R.J.A. No. \*5101

#### Philadelphia Rule of Judicial Administration No. \*5101

#### Rule \*5101. Protocols to Mark, Inventory, Store and Retain Exhibits, Physical Evidence and Electronic Evidence Offered During Trials and Evidentiary Hearings in the Philadelphia Court of Common Pleas.

(a) **General Rule.** In accordance with Pa.R.J.A. 5101, counsel and unrepresented parties shall present all exhibits, physical evidence and electronic evidence used and offered during trials or evidentiary hearings, which shall be inventoried, filed, and retained as provided in this rule.

(b) **Custody of Exhibits During Court Proceedings.** The tipstaff or other court staff designated by the presiding judge shall be the custodian of exhibits pursuant to Pa.R.J.A. 5102. The custodian shall secure and maintain all exhibits presented to the court during the proceedings, including during breaks and recesses.

(c) **Documentary Evidence.** Counsel and unrepresented parties may pre-mark exhibits. When possible, all documentary exhibits such as letters and reports should be 8-1/2 x 11 size. For oversized documentary evidence, see subsection (d).

(d) **Physical evidence.** Physical evidence and oversized exhibits must be photographed by the proponent, converted to letter sized pdf and appropriately marked and produced during the trial or evidentiary hearing. Unless otherwise provided by the presiding judge, at the conclusion of the trial or evidentiary hearing, physical evidence shall be returned to the police in criminal cases and to counsel in civil cases for safekeeping as required by any applicable retention schedule, statute, rule, regulation, or policy, or until further order of court.

(e) **Electronic Evidence.** Electronic evidence, including audio or video exhibits, must be produced by the proponent on a USB drive, CD/DVD, or other medium specified by the presiding judge or Office of Judicial Records.

(f) **Confidential Documents.** Confidential documents offered as exhibits shall be produced with a *Confidential Document* form as provided by the *Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts* (UJS Case Records Policy) as provided in Phila.R.J.A. No. \*401. Confidential Documents are not accessible by the public.

(g) **Confidential Information.** Documents offered as exhibits which contain confidential information listed in the UJS Case Records Policy shall be produced in a *Redacted Format*. All confidential information will be contained on the confidential information sheet which is not accessible by the public.

(h) **Sealed Documents.** Any documents the presiding judge deems necessary to seal will not be accessible by the public. Exhibits that are ordered sealed cannot be electronically filed. They can be given to the tipstaff or other court staff designated by the presiding judge and will be

manually uploaded or kept and sealed from the public view.

(i) **Exhibit List.** At the conclusion of the trial or evidentiary hearing, designated court staff shall inventory all exhibits and evidence, whether documentary, physical, electronic, audio, video or otherwise, and whether admitted or marked for identification. Any oversized exhibit, physical evidence or visual evidence not previously converted to letter size pdf format as provided in subsection (d) shall be photographed and/or converted to pdf letter size and marked. Each Exhibit and piece of evidence shall be clearly marked and placed on the Exhibit List which shall be reviewed and approved by the presiding judge, filed of record and copies provided to all parties no later than five days following the conclusion of the trial or evidentiary hearing. When submitting or uploading Exhibit Lists and Exhibits, Counsel and unrepresented parties shall certify compliance with this rule by including the following language:

I certify that this filing is in compliance with Philadelphia Rule of Judicial Administration No. \*5101 and all files submitted with this transaction were introduced as evidence during trial or other evidentiary hearing.

(1) **After Court Proceedings.** Exhibits and evidence shall be made part of the record as follows:

#### (1) Trial Division:

a. **Civil Section:** within five (5) days of the conclusion of the trial or evidentiary hearing, counsel for each proponent of the exhibits and evidence shall upload their documentary exhibits through the Electronic Filing System and, if not already done, provide to the Office of Judicial Records a USB drive, or CD/DVD with audio or video evidence, as provided in this rule. The Office of Judicial Records shall either upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program, or retain any USB drive, or CD/DVD as required by Pa.R.J.A. 5101-5103 until further order of court.

b. **Criminal Section:** within five (5) days of the conclusion of the trial or evidentiary hearing, counsel for each proponent of the exhibits and evidence shall upload their documentary exhibits through the Electronic Filing System and, if not already done, provide to the Office of Judicial Records a USB drive, or CD/DVD with audio or video evidence, as provided in this rule. The Office of Judicial Records shall either upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program, or retain any USB drive, or CD/DVD as required by Pa.R.J.A. 5101-5103 until further order of court.

c. **Self-represented Parties:** at the conclusion of the trial or evidentiary hearing, the tipstaff or other designated court staff pursuant to subsection (b) shall take possession of all exhibits and any USB drive or CD/DVD proffered by self-represented Parties and shall deliver them to the Office of Judicial Records which shall convert all documentary evidence to PDF format and stored in a documentary-evidentiary program as required by Pa.R.J.A. 5101-5103, or upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program and/or retain any USB drive or CD/DVD as required by required by Pa.R.J.A. 5101-5103 until further order of court.

(2) **Family Court:** Pursuant to 5104(b), proceedings before hearing officers in divorce, custody, support, delinquency, and dependency matters are excluded from this Rule.

a. **Dependency matters:** at the conclusion of the trial or evidentiary hearing, the tipstaff or other designated court staff pursuant to subsection (b) shall take possession of the exhibits and evidence and upload the documentary exhibits through the electronic filing system and provide to the Clerk of Family Court any USB drive, or CD/DVD with audio or video evidence, as provided in this rule. The Clerk of Family Court shall either upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program, or retain any USB drive, or CD/DVD as required by Pa.R.J.A. 5101-5103 until further order of court.

b. **Adoption matters:** at the conclusion of the trial or evidentiary hearing, the tipstaff or other designated court staff pursuant to subsection (b) shall take possession of the exhibits and evidence and upload the documentary exhibits through the electronic filing system and provide to the Clerk of Family Court any USB drive, or CD/DVD with audio or video evidence, as provided in this rule. The Clerk of Family Court shall either upload the contents of any USB drive or CD/DVD to a documentary-evidentiary program, or retain any USB drive, or CD/DVD as required by Pa.R.J.A. 5101-5103 until further order of court.

c. **Delinquency Matters:** at the conclusion of the trial or evidentiary hearing, the

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## Court Notices

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- (1) Civil and Criminal Proceedings before the Court of Common Pleas.
- (a) Unless directed otherwise herein, the Judicial Support Information Officer on behalf of OJS shall:
- retain or take custody of all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings.
  - formally designate all documentary exhibits, photographs, and photographs of non-documentary exhibits with the Office of Judicial Support Public Access System within five (5) business days of the conclusion of the court proceedings; and
  - secure and maintain all other non-documentary exhibits as directed by the Court or agreed to by the parties.
- (b) Unless directed otherwise herein, OJS shall be designated as the custodian of all documentary exhibits and photographs of non-documentary exhibits after court proceedings have concluded.
- (2) Civil Arbitration Proceedings.
- (a) In Civil Arbitration proceedings, neither OJS nor the arbitrators are required to retain any exhibits. The documentary and non-documentary exhibits shall not be a matter of record.
- (3) Juvenile Criminal Matters before a Hearing Officer or Judge.
- (a) If an exhibit is admitted into evidence, the Hearing Officer or Judge, in conjunction with the Juvenile Court Information Officer, shall file the documents in an envelope marked with the appropriate case ID. The envelope shall be placed in the Juvenile Court file.
- (b) The Hearing Officer or Judge, in conjunction with the Juvenile Court Information Officer, shall retain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings, such shall be a matter of record.
- (c) The Juvenile Court Information Office shall act as the custodian of all documentary and non-documentary exhibits unless otherwise directed herein.
- (4) Domestic Relations Proceedings before a Judge.
- (a) During Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit shall be the custodian of the documentary exhibits, and such shall be a matter of record.
- (b) In Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit shall retain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings unless otherwise directed herein.
- (c) In Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit, shall prepare the Index of Exhibits and file the Index of Exhibits within the court file.
- (d) After Domestic Relations proceedings before a Judge, the Domestic Relations Court Unit shall secure and maintain all exhibits and shall act as the custodian of records.
- (e) The Domestic Relations Court Unit shall comply with any and all requirements of the PACSES systems.
- (5) Proceedings before Divorce/Custody/Support/Mental Health Hearing Officers.
- (a) In proceedings before the Divorce/Custody/Support/Mental Health Hearing Officer, neither OJS nor the Hearing Officer are required to retain any exhibits. The documentary and non-documentary exhibits shall not be a matter of record.
- (6) Proceedings before Orphans' Court.
- (a) During proceedings before the Orphans' Court, the Register of Wills, in conjunction with the Judicial Support Information Officer on behalf of OJS, shall be the custodian of the documentary exhibits, and such shall be a matter of record.
- (b) In proceedings before the Orphans' Court, the Register of Wills, in conjunction with the Judicial Support Information Officer on behalf of OJS, shall retain all documentary exhibits, photographs, and photographs of non-documentary exhibits accepted or rejected during the court proceedings unless otherwise directed herein.
- (c) In proceedings before the Orphans' Court, the Judicial Support Information Officer on behalf of OJS shall prepare the Index of Exhibits and file the Index of Exhibits with the exhibits in the Register of Wills File.
- (d) After proceedings before the Orphans' Court, the Register of Wills shall secure and maintain all exhibits and shall act as the custodian of records.
- (e) After proceedings before the Orphans' Court relating to Termination of Parental Rights, OJS shall secure and maintain all exhibits and shall act as the custodian of records.

- (7) Children and Youth Services ("CYS")/Dependency Proceedings before a Hearing Officer or a Judge
- (a) In proceedings involving CYS or Dependency before a Hearing Officer or a Judge, the Judicial Support Information Officer on behalf of OJS shall maintain all exhibits and records.

### Rule 5104 Custody of Exhibits. Special Provisions.

- (a) Any custodian accepting exhibits shall maintain the Index of Exhibits during court proceedings. Such custodian shall use the form supplied by Court Administration which shall be in the following format:

#### Index of Exhibits

Exhibit Number/Description/Title Proponent Admitted Rejected

Sealed by Court

Confidential Information Sheet (If required)

- (b) If statutorily required, the proponent shall include a Confidential Information Form or Confidential Document Form for any exhibit offered into evidence that contains confidential information or confidential documents as defined in the Case Records Public Access Policy of the Unified Judicial System of Pennsylvania. These forms shall be given by the proponent to the applicable custodian at the time the evidence is introduced and maintained by the custodian in the file.

#### (c) Documentary Exhibits: Generally

- (1) If a document is larger than 8-1/2 x 11 inches, the Judicial Support Information Officer on behalf of the Office of Judicial Support (hereinafter "OJS") shall be provided with a copy of the same sized 8-1/2 x 11 inches. Items larger than 8-1/2 x 11 may be used for illustration during the court proceedings.

- (2) Media depositions presented at trial shall remain in the proponent's possession. The proponent shall simultaneously submit a transcript of the deposition as an exhibit in the form of a zip drive, flash drive, or compacted disc.

- (3) Any digital exhibit that cannot be printed (i.e., audio or video recording) shall be entered into the record in OJS public access system, flash drive, or other format if expressly approved by the court. If one party has multiple digital exhibits, they may be submitted together on one USB flash drive.

#### (d) Non-documentary Exhibits: Generally

- (1) If the exhibit is bulky, oversized, or contains contraband including but not limited to controlled substances, narcotics, or weapons, either OJS, the District Attorney Evidence Custodian, Court Information Office for Juvenile matters, Orphans' Court and Domestic Relations Unit, or the proponent shall retain custody of the exhibit as directed by the Court.

- (2) If any Exhibits are weapons, narcotics, controlled substances, or other contraband, it shall be placed in the evidence room where the District Attorney Evidence Custodian signs an evidence log form acknowledging receipt of same. Thereafter, the form shall remain in the file.

- (3) Bulky, oversized Exhibits that do not require the services of the District Attorney Evidence Custodian shall be retained by the Judicial Support Information Officer on behalf of OJS, or Court Information Office for Juvenile matters. Thereafter, such evidence shall be identified on an evidence log form and placed in the file.

### Rule 5105 Confidentiality. Exhibits Under Seal.

- (a) The Proponent of an exhibit containing confidential information or confidential documents, as defined in the Case Records Access Policy of the Unified Judicial System of Pennsylvania (Policy), shall include a confidential document form, prepared in compliance with the Policy, so the exhibit may be sealed by the Records Office.

- (b) Exhibits sealed by the Court during the Court proceedings shall not be accessible by the public.

- (c) The Custodian or Records/filing Office, as may be applicable, shall maintain all non-documentary evidence

- (1) in a Civil, Orphans' Court or Domestic Relations matter until the later of the expiration of the appeal period from the final disposition of the case, as otherwise required by any applicable retention schedule, law, rule, regulation or policy, or as directed by the Court;

- (2) in Criminal and Juvenile Court proceedings until the later of the expiration of any applicable retention schedule, law, rule, regulation or policy, or as otherwise directed by the Court.

**Effective Date: This Rule shall be effective April 1, 2024.**

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# PUBLIC NOTICES

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## ESTATE NOTICES

**PULASKI, ANNA MARIE E.** – Paul Pulaski, Executor, c/o Alice Hart Hughes, Esq., 4 Terry Dr., Ste. 3, Newtown, PA 18940; Alice Hart Hughes, Atty., 4 Terry Dr., Ste. 3, Newtown, PA 18940.

6-17-3

**REICHART, MARIE E.** – Nora C. Little, Executrix, c/o F. Scott Donahue, Esq., 1515 Market St., Ste. 1540, Philadelphia, PA 19102; F. Scott Donahue, Atty., Donahue, Battle & Donahue, 1515 Market St., Ste. 1540, Philadelphia, PA 19102.

6-17-3

**RODRIGUEZ, ROSAURA MENDEZ** -- Charles M. Gibbs, Esquire, Administrator, McMonagle, Perri, McHugh, Michack & Davis, P.C., 1845 Walnut Street, Suite 1900, Philadelphia, PA 19103; Charles M. Gibbs, Attorney, 1845 Walnut Street, Suite 1900, Philadelphia, PA 19103.

6-24-3\*

**ROGOVIN, AMY** – Howard M. Soloman, Administrator CTA, 1819 JFK Blvd., Ste. 303, Philadelphia, PA 19103; Howard M. Soloman, Atty., 1819 JFK Blvd., Ste. 303, Philadelphia, PA 19103.

6-10-3

**SCHELL, ALICE CATHERINE** – Jayne Thompson, Administratrix, c/o Rosemary R. Ferrino, Esq., 608 W. Main St., Lansdale, PA 19446; Rosemary R. Ferrino, Atty., Montco Elder Law, LLP, 608 W. Main St., Lansdale, PA 19446.

6-17-3

**SHANNON, JAMES L. (a/k/a JAMES LOWELL SHANNON)** – Thomas R. Shannon, Executor, 469 Peters Way, Phoenixville, PA 19460; Michael L. Galbraith, Atty., Galbraith Law, LLC, 1845 Walnut St., 25th Fl., Philadelphia, PA 19103.

6-17-3

**SIEGEL, CLAUDIA HELENE (a/k/a CLAUDIA H. SIEGEL)** – Clifford Howard Siegel and Ellen Dreskin, Administrators, c/o Roy Yaffe, Esq., 2005 Market St., 16th Fl., Philadelphia, PA 19103; Roy Yaffe, Atty., Zarwin Baum DeVito Kaplan Schaer Toddy, 2005 Market St., 16th Fl., Philadelphia, PA 19103.

6-10-3

**SIMPSON, DOROTHY L. (a/k/a DOROTHY LILLIAN SIMPSON, DOROTHY SIMPSON)** – Linda D. Bader, Executrix, c/o Harry Metka, Esq., 4802 Neshaminy Blvd., Ste. 9, Bensalem, PA 19020; Harry Metka, Atty., 4802 Neshaminy Blvd., Ste. 9, Bensalem, PA 19020.

6-17-3

**SMITH, JOYCE (a/k/a JOYCE M. SMITH)** – Lauren Kelly, Executrix, c/o Jay E. Kivitz, Esq., 7901 Ogontz Ave., Philadelphia, PA 19150; Jay E. Kivitz, Atty., Kivitz & Kivitz, P.C., 7901 Ogontz Ave., Philadelphia, PA 19150.

6-17-3

## ESTATE NOTICES

**SWINDELLS, GERALDINE P. (a/k/a GERALDINE J. SWINDELLS)** – Erin O'Neill Hayes, Executrix, c/o Katherine F. Thackray, Esq., 1880 JFK Blvd., Ste. 1740, Philadelphia, PA 19103; Katherine F. Thackray, Atty., Alexander & Pelli, LLC, 1880 JFK Blvd., Ste. 1740, Philadelphia, PA 19103.

6-10-3

**WETHERILL, HARRISON B., JR.** – Susan R. Wetherill, Executrix, c/o Warren J. Kauffman, Esq., 1650 Market St., Ste. 1800, Philadelphia, PA 19103; Warren J. Kauffman, Atty., White and Williams LLP, 1650 Market St., Ste. 1800, Philadelphia, PA 19103.

6-10-3

**WILLIAMS, BESSIE** – Donald Williams, Administrator, 5234 Pennsgrove St., Philadelphia, PA 19131; Joseph J. Console, Atty., Console Matison, LLP, 1 W. Third St., Ste. 109, Media, PA 19063.

6-10-3

**WILLIAMS, DONALD (a/k/a DONALD ALLEN WILLIAMS, DONALD A. WILLIAMS)** – Deanna J. Williams, Executrix, c/o Jonathan H. Ellis, Esq., One Tower Bridge, 100 Front St., Ste. 100, Conshohocken, PA 19428; Jonathan H. Ellis, Atty., Flaster Greenberg PC, One Tower Bridge, 100 Front St., Ste. 100, Conshohocken, PA 19428.

6-17-3

**WILLIAMS, LIZZIE M.** – Christopher Williams, Executor, c/o Joseph T. Pace, Esq., 67 Buck Rd., Ste. 133, B-30, Huntingdon Valley, PA 19006; Joseph T. Pace, Atty., Law Office of Thomas J. Mettee, P.C., 67 Buck Rd., Ste. 133, B-30, Huntingdon Valley, PA 19006.

6-17-3

**WITTMANN, CHRISTOPHER ERWIN (a/k/a CHRISTOPHER WITTMANN)** – Nicholas S. Klosz, Executor, c/o Karen S. Dayno, Esq., 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544; Karen S. Dayno, Atty., Timoney Knox LLP, 400 Maryland Dr., P.O. Box 7544, Ft. Washington, PA 19034-7544.

6-17-3

## DISSOLUTION NOTICE

Notice is hereby given that **Philadelphia Fountain Society**, a Pennsylvania nonprofit corporation, having its current office at 604 S. Washington Sq., Apt. 2417, Phila., PA 19106, in accordance with the provisions of the Non-profit Corp. Law of the Commonwealth of PA, as amended, has voted to wind up its affairs in the manner prescribed by said Law, so that its corporate existence shall be ended upon the proper filing of Articles of Dissolution and the issuance of a Certificate of Dissolution by the Dept. of State of the Commonwealth of PA.

6-24-1

## MISCELLANEOUS GENERAL NOTICES

In the Court of Common Pleas of Philadelphia County, Orphans' Court Division, Estate of Mary Levins, deceased, O.C. No. 241DE of 2024: Notice is hereby given that on February 29, 2024, a Petition for Determination of Title to Decedent's Interest in Real Estate Pursuant to 20 Pa .C.S.A. § 3546 was filed to adjudge title to the interest of Mary Levins, deceased, in the real estate located at **5716 Rodman Street, Philadelphia, PA 19143** is in Petitioner, Denise Levins. By order of The Honorable Ramy I. Djerassi, a hearing on this matter will take place in-person on Tuesday, July 23, 2024 at 2:00pm at Court Room 414, City Hall, 1400 John F Kennedy Blvd, Philadelphia, PA 19107. If no objections are filed within twenty (20) days of this notice, then the relief requested may be granted.

6-10-3\*

## NOTICE

**TO: Unknown Surviving Heirs of Darrell A. Ruff**

In the Court of Common Pleas of Philadelphia County, Pennsylvania, Orphans' Court Division, O.C. No. 1234SN of 2011

In Re Settlement Preservation Trust and Settlement Preservation Sub-Trust for the Benefit of Darrell A. Ruff, Deceased.

NOTICE IS HEREBY GIVEN that a petition has been filed in the above named Court, requesting the termination of the trust and distribution of all trust assets. The Court has fixed the day of **July 16, 2024** at 10:00 a.m. for the hearing on said petition, when and where all interested parties may appear and show cause, if any, why the requests of the petitioner should not be granted. The hearing shall be conducted by Zoom (<https://zoom.us/join>) using the following information:

Meeting ID: 983 6336 0036

Passcode: 4241303785

By the Court:

/s/ Honorable Matthew D. Carrafiello

6-10-3\*

## NON-PROFIT CHARTER

**HEAVEN ROCKS CHURCH OF GOD** has been incorporated under the provisions of the Pennsylvania Nonprofit Corporation Law of 1988, as amended.

6-24-1\*







