



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania

December 2024 Newsletter



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From the Chair

As we near the end of another year and look back upon these past twelve months, there is much to take pride in as we greet new and certain challenges that lie ahead. Across great art and literature, winter represents a time of both transition and rest. While the legal profession remains in constant motion, its practitioners must offer themselves the gifts of reflection, revision, and – yes – relaxation.

Many may be readying for major life changes, including within their professional journey. I would like to take this opportunity to note the options available to those preparing for retirement. There are four [license status options](#) available to those planning to retire their practice: continue maintaining active status, assume inactive status, assume retired status, or request [emeritus status](#).



I encourage those who are retiring and seeking a way to serve their fellow Pennsylvanians to learn more about the Board's emeritus status program and to consider joining the ranks of the forty-eight emeritus attorneys currently making a difference across the Commonwealth. Members of the emeritus program volunteer their unique expertise and experience to legal aid providers throughout the state working to close the gap between the need and availability of free, high-quality services.

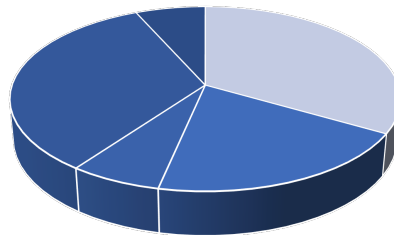
I am enormously proud of all that the Board and its staff have achieved this year in service to the public, the legal profession, and the confidence of the courts. As we are presented both with uncertainties and opportunities in a new year, I look forward to the continued evolution of the Board and the profession at large.

This holiday season, remember to care for yourself. Allow yourself to recharge before a new year, new challenges, and new opportunities. On behalf of the Disciplinary Board, I wish you a safe, healthy, and happy Holiday Season.

John C. Rafferty, Jr.
Board Chair

Discipline Imposed

November 2024



- Informal Admonition - 5
- Private Reprimand - 0
- Public Reprimand - 0
- Public Censure - 0
- Disability Inactive - 3
- Temporary Suspension - 1
- Suspension - 5
- Disbarment - 1

Disability Inactive

[Christopher B. Jones](#)
[Kelley Elizabeth Clements Keller](#)
[Lawrence D. Levin](#)

Temporary Suspension

[Michael J. Sangemino](#)

Suspension

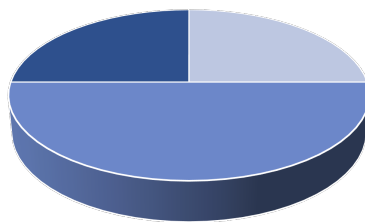
[Mary Elizabeth Lenti](#)
[Joseph D. Lento](#)
[Steven Ostroff](#)
[Milton E. Raiford](#)
[Nathaniel Edmond Strasser](#)

Disbarment

[Nashid Ibn Ali](#)

Reinstatements

November 2024



- From Inactive - 1
- From Retired - 0
- From Administrative Suspension - 2
- From Disability Inactive - 0
- From Suspension - 0
- From Disbarment - 0
- Reinstatement Denied - 1

From Inactive

[Francis R. Donchez, Jr.](#)

From Administrative Suspension

[David Michelson](#)
[David L. Reibstein](#)

Reinstatement Denied

[Robert Philip Tuerk](#)

Note: The above-listed granted reinstatement matters reflect only those granted by Supreme Court Order. An attorney listed as reinstatement granted, but whose current license status does not reflect reinstatement, has yet to submit the fees necessary to finalize reinstatement.

Disciplinary Board News

New Year, New License Status?

Are you currently on or thinking of assuming retired status? Please consider assuming emeritus status in the new year!

In 2018, the Supreme Court of Pennsylvania adopted [Rule 403 of the Pennsylvania Rules of Disciplinary Enforcement \(Pa.R.D.E.\)](#), creating an emeritus status for attorneys who **retire** from the practice of law and seek to provide pro bono services to legal aid organizations. The Emeritus program creates a pool of qualified volunteer attorneys to provide necessary legal services to those in need. Emeritus attorneys perform valuable roles in the community by bolstering legal aid and other nonprofit programs to help close the gap between the need for and the availability of free legal services.

How do I assume Emeritus Status of my Pennsylvania law license?

- **Application:** Attorneys on retired status in Pennsylvania must complete and submit an Application for Emeritus Status, including appropriate documentation and payment as detailed on the application. *Note that attorneys not currently on retired status may be eligible to simultaneously assume retired and emeritus status.*
- **Legal Aid Organization Approval:** Attorneys who have assumed emeritus status must submit an Eligible Legal Aid Organization Form for approval PRIOR to the commencement of services. *A separate form shall be submitted for each organization for which the attorney expects to perform pro bono services.*
- **Renewal:** Attorneys on emeritus status are required to renew annually by January 31st. Renewal forms are distributed on or before January 1st. Failure to renew by January 31st will result in the transfer to retired status.

Visit the Board's website to find the appropriate [forms](#), view the [Emeritus FAQs](#), and visit the ["Pro Bono" page](#). Please [contact us](#) with any questions!



WHAT IS EMERITUS STATUS?

In 2018, the Supreme Court of Pennsylvania created an emeritus status for attorneys who have retired from the practice of law who seek to provide pro bono services through eligible legal aid organizations.

Upcoming Public Proceedings

We encourage you to observe our public disciplinary and reinstatement hearings, oral arguments, and public reprimands on the [Board's YouTube channel](#). You can also view "Upcoming Public Proceedings" at the bottom of the Board's [home page](#).

Scheduled proceedings begin at 9:30 am unless otherwise noted.

<i>December</i>		
December 18	Richard P. Joseph	Disciplinary Hearing
<i>January</i>		
January 7	Ryan D. Breen	Reinstatement Hearing
January 14 January 15	William E. Vinsko, Jr.	Disciplinary Hearing
January 17 at 1:15 pm	J. Michael Farrell	Oral Argument
January 17 at 2:00 pm	Kelton Merrill Burgess	Oral Argument
January 27	John A. Gallagher	Reinstatement Hearing
January 31	John M. Kerr	Disciplinary Hearing
<i>February</i>		
February 12 February 13	David Tevis Shulick	Reinstatement Hearing
February 27 February 28	Alexander Geoffrey Tuttle	Disciplinary Hearing
<i>March</i>		
March 18	Albert R. Meyer	Reinstatement Hearing
March 19 March 27 March 28	Ryan A. Mergl	Disciplinary Hearing
<i>April</i>		
April 14 April 15	Daryl Alan Yount	Disciplinary Hearing
April 21 April 22 April 23 April 24 April 25	Paul Jude Winterhalter	Disciplinary Hearing

Vacancies

The Supreme Court of Pennsylvania is aided by select boards, committees, commissions, and councils consisting of more than 180 appointed volunteers – most, but not all, are lawyers and judges. The panels have a wide range of responsibilities and functions. Some make recommendations to the Court for amendments, revisions, or simplification of court procedural rules. Others regulate the practice of law, oversee continuing legal education for lawyers, and administer funds to assist individuals unable to pay for legal services. Still others advise on keeping the courts free of bias and discrimination and on long-range planning.

There are currently vacancies on the following panels:

- [Disciplinary Board](#) – Applicants must be members of the Pennsylvania bar. In addition, applicants should be knowledgeable about the Pennsylvania Rules of Professional

Conduct and Pennsylvania Rules of Disciplinary Enforcement.

- [Domestic Relations Procedural Rules Committee](#) – Applicants should be knowledgeable about the Pennsylvania Rules of Civil Procedure governing domestic relations matters and be experienced in family law practice in Pennsylvania.
- [Juvenile Court Procedural Rules Committee](#) – Applicants should be knowledgeable about the Pennsylvania Rules of Juvenile Court Procedure and be experienced in juvenile law practice in Pennsylvania, including dependency and delinquency matters. One of the vacancies is for a small-county representative.
- [Board of Law Examiners](#) – Applicants must be members of the Pennsylvania bar or jurists. In addition, applicants should be knowledgeable about law school curriculum, legal practice, and attorney ethical obligations. Law school faculty may *not* serve on this Board. Additionally, applicants should *not* apply for a membership position if, during that position's term of service, they will have immediate family members who will be taking the bar examination or seeking membership in the Pennsylvania bar.
- [Lawyers Fund for Client Security](#) – Lawyer applicants should be knowledgeable about the practice of federal or state law in Pennsylvania and about a lawyer's duties to clients. Non-lawyer applicants should have an interest in supporting public trust and confidence in the legal profession. The vacancies are for a member of the bar and a non-lawyer public member.

Application Instructions

If you would like to be considered to serve on a board, committee, advisory group, or related independent entity, email the [application](#), cover letter, resume, and other pertinent information expressing your reasons of interest to SCApplications@pacourts.us.

More information may be found on the [Unified Judicial System of Pennsylvania website](#).

Applications are due by Tuesday, December 31, 2024.

Articles of Interest

Supreme Court Suspends Philadelphia Attorney for Extensive Misconduct

By [Order](#) dated November 19, 2024, the Supreme Court of Pennsylvania suspended Philadelphia attorney Joseph D. Lento, accepting a 134-page report from the Disciplinary Board that documented an extensive history of neglect, misrepresentation, and other misconduct in several cases.

Lento led a busy practice, overseeing three law firms and a number of legal and paralegal staff. He acknowledged that he operated a “pragmatic practice of law” in which he did not take notes of client interviews, did not employ an electronic case management system, and did not enter his appearance in cases where he had been retained so that he is “not attached to the case.” He admitted that under this kind of practice, “Certain things may not be done as may be required.” Two attorneys who were employed by law firms under Lento’s management testified as to chaotic office practice, “management by crisis,” information only shared on a “need to know basis,” and a general lack of supervision and guidance.

The Disciplinary Board examined six cases in which Lento represented clients. It found numerous

instances of failing to meet deadlines, failing to effectively represent clients, asserting arguments not supported by the law, failing to research the law, failing to supervise subordinates and review documents prepared, lack of competence, misinforming clients as to the merits of their cases, and misleading clients as to the status of cases. He also filed documents containing the signatures of other attorneys without their knowledge and consent. He engaged in the unauthorized practice of law by accepting a student rights case and corresponding with a university president in Georgia, where he was not admitted to practice.

The Disciplinary Board found numerous violations of twenty of the Rules of Professional Conduct in this pattern of conduct. The Board cited as aggravating factors Lento's prior discipline in Pennsylvania, New Jersey, and the United States District Court for the Eastern District of Pennsylvania, including three prior one-year suspensions. The Board also found that he had failed to express regret or acknowledge his wrongdoing, blaming his clients, employees, and other attorneys for his misconduct. It found his testimony evasive and not credible. He claimed the Office of Disciplinary Counsel had not met its burden of proof because his testimony contradicted that of the witnesses, and the complaints were a matter of "he said, she said." The Disciplinary Board rejected this argument, noting that the Special Master made careful and reasonable findings of credibility. He presented character witnesses in mitigation although the Board noted they had limited or no familiarity with the conduct in question.

On the determination of discipline, the Board noted that Lento's conduct in the six cases showed "a predatory style of taking on client representation, failing to ascertain whether the client's goals could be accomplished," and thereby "placed profit over professionalism." After reviewing the caselaw and the aggravating and mitigating factors, the Board determined that a suspension for five years was the appropriate discipline. The Supreme Court concurred, suspending Lento for five years.

California Bar Recommends Expungement of Disciplinary Records After Eight Years

The State Bar of California has asked the Supreme Court of California to consider a [rule](#) allowing expungement of the records of all disciplinary sanctions, other than disbarments, after eight years.

At its November 14th meeting, the State Bar of California's Board of Trustees [approved](#) a proposed rule change that would automatically expunge attorney discipline records short of disbarment after eight years, assuming no further discipline has since occurred.

The recommendation drew, to some extent, on a 2019 study, commissioned by the state bar, that found significant disparities in the disciplinary treatment of minorities. Specifically, the study found that Black male attorneys, who make up just 1% of the bar, were three times more likely than their White counterparts to be disciplined by probation. Another working group [recommended](#) that disciplinary actions other than disbarment should be expunged on a sliding scale from one to five years.

A state bar staff memo [reported](#) that the proposed expungement policy would more closely align California with attorney discipline policies in other states and with California's oversight of doctors, nurses, and real estate appraisers. The memo also cited a survey which found that 69% of eighty-one attorney respondents supported the proposal in its current form or with modifications, but 84% of the 311 nonlawyer respondents were opposed.

Lawyer Disbarred for Racist and Antisemitic Disciplinary Complaints

A New York lawyer [has been disbarred](#) after a court found that, among an extensive pattern of similar misconduct, he filed three disciplinary complaints with the Attorney Grievance Commission that were full of racist and antisemitic language.

The New York Appellate Division for the First Judicial Department [issued an order disbarring](#) New York attorney Rahul Dev Manchanda. The court adopted the findings of a referee based on a petition by the Attorney Grievance Commission (AGC). The AGC initiated an investigation *sua sponte* after Manchanda filed three complaints with the AGC and the Human Rights Council in 2021, each containing racist and antisemitic language. When the AGC requested that he respond to allegations of misconduct against him, he responded again with racist and antisemitic rhetoric.

The investigation also looked into Manchanda's actions in four lawsuits, including a federal court action he filed against New York and Connecticut judges involved in a custody dispute with his ex-wife in which he accused the judges and other defendants of engaging in criminal and sexually abusive conduct. The referee's report documented abusive conduct by Manchanda in the underlying cases and also in the disciplinary proceeding. The court concluded, "Words fail to capture the severity and extent of his bigotry. The conduct here is simply shocking and outrageous."

Lawyer Reprimanded for Unsecured Dropbox Link

An Indiana lawyer [consented](#) to imposition of a public reprimand after admitting that he shared with a client a Dropbox link that was unsecured and provided the client with access to confidential files and information relating to other clients.

[James Henry Lockwood](#) stipulated to the facts of the matter. The recitation stated that Lockwood represented a client in a domestic matter. The client was an unpaid nonlawyer assistant in his firm when the representation began but subsequently left his employ. Lockwood provided the client with an unsecured link to a Dropbox account where confidential firm and client information was stored. When the client left Respondent's employ, Lockwood failed to deactivate the link, affording the client continuing access to confidential information. The link remained open for nearly a year and a half.

The stipulation also stated that Lockwood threatened a lawyer who filed a grievance against him with a defamation lawsuit. When the opposing attorney informed him the Disciplinary Commission had declined to pursue the complaint, he responded, "You got lucky."

The Court found that this conduct violated Indiana Rules of Professional Conduct 1.6 [confidentiality] and 8.4(d) [conduct prejudicial to the administration of justice].

Judge Reprimanded for Ordering Payment of Restitution – to Himself

A Tennessee judge has received a [letter of reprimand](#) from the Tennessee Board of Judicial Conduct for not only presiding over a case in which he was personally involved but also ordering payment of restitution to himself.

Judge R. Steven Randolph of Putnam County, Tennessee presided over a case in which a defendant was charged only with driving without a license. The defendant did not speak English and was not represented by an attorney although an interpreter was present. The incident

involved a collision resulting in damage to Judge Randolph's truck. Randolph accepted a guilty plea and ordered the defendant to pay restitution of \$590 which was for the estimated cost to repair his truck. He agreed to allow the defendant to pay in installments. However, he received no money, as a week later he set aside the guilty plea, and another judge dismissed the charges.

In response to the Board's inquiry, Randolph asserted that the defendant had waived the issue of his disqualification, that the amount of the restitution was "miniscule," and that any violation was technical rather than substantive. The Board disagreed, finding that Randolph should not have participated in the case at all due to his personal interest and that he failed to follow the procedure outlined in the rules by informing the defendant of his conflict of interest and giving him an opportunity to consider the decision whether to waive the conflict outside of the judge's presence. The letter opined that requiring a litigant to pay money to a judge personally would undermine public perception and confidence in the integrity of the judiciary. The letter also noted that he had a [prior reprimand](#) for posting a comment on a school's Instagram account, expressing his intent to use his judicial position to crack down on truancy.

Lawyer Found Very Annoying but Not Annoying Enough for an Injunction

A California lawyer so aggravated his opposing counsel that she sued to obtain a temporary restraining order (TRO), barring him from contacting her. However, the trial court [dissolved](#) the TRO it initially granted after finding that the offending lawyer's conduct was "annoying" but not "seriously annoying."

A multi-day hearing (*Who said it's easy to be a judge?*) detailed a pattern of behavior by lawyer Patrick Martinez toward lawyer Dawn Saenz and her staff. According to Saenz, Martinez yelled at her and at her staff, followed and menaced her in public places, and glared or stared at her. The court found Saenz credible and Martinez's "lack of credibility" at the hearing to be "atrocious" and not in line with being "an officer of the court." It found that Martinez's conduct was "annoying," "unacceptable," and "disappointing" and that he "did those things on purpose" and was "milliseconds [sic] away from getting a restraining order granted against" him. The court concluded that Martinez had "skirted that line just enough" to avoid the "seriously annoying" standard, and so it dissolved the TRO and denied permanent relief. Saenz appealed the decision to the Court of Appeals, which affirmed the decision, and, adding insult to insult, allowed Martinez to recover his costs on appeal.

In fairness, silly as the distinction between "annoying" and "seriously annoying" sounds, the language of the statute defining harassment on which Saenz relied requires that the conduct be "seriously annoying" as opposed to plain old annoying. The trial court concluded that Martinez fell just short of the line of "seriously annoying," wherever that is.

This decision creates a need for future courts to clarify the level of annoyance at which court intervention becomes necessary. Since many lawyers are naturally annoying people, they will need clear standards in order to tailor their annoying behavior to professionally appropriate standards. We will await further guidance on this matter. (*As tone is hard to decipher in writing, you may consider this sarcasm.*)

Attorney Well-Being

Registration Open: 2025 Institute for Well-Being in Law Conference

The [Institute for Well-Being in Law](#) (IWIL) will hold its annual Well-Being Conference on Tuesday, January 21st and Wednesday, January 22nd. This year's conference features a keynote each day and a mix of tracked concurrent sessions that include individual well-being, organizational well-being, state-level well-being programs, and teaching and promoting well-being in law school. Attendees will engage with expert speakers and participate in interactive workshops and insightful panel discussions, gaining valuable insights into the latest research on well-being in law.

Learn more and register [here](#) on IWIL's website.



Explore the Disciplinary Board's Lawyer Well-Being Webpage

The Disciplinary Board's "[Lawyer Well-Being](#)" webpage connects Pennsylvania attorneys with pertinent resources, [articles](#), events, and CLE opportunities to better understand and support their mental health and well-being. To access the Board's "Lawyer Well-Being" page, visit padisciplinaryboard.org/for-attorneys/well-being.

LAWYER WELL-BEING

Connect to available resources to better understand and support mental health and well-being, particularly as they relate to the legal profession.

padisciplinaryboard.org/for-attorneys/well-being



The
DISCIPLINARY BOARD
of the Supreme Court of Pennsylvania



Digital resources
Informative articles
Upcoming events
CLE opportunities

Lawyers Concerned for Lawyers is a confidential and safe resource for Pennsylvania attorneys and their family members who may be struggling with their mental health or substance use. Since 1988, LCL has confidentially assisted and supported thousands of individuals who have faced a myriad of challenges (including grief, stress, anxiety, depression, eating disorders, gambling problems, problematic alcohol or prescription drug use, etc.), helping them navigate through dark and difficult times. If you or someone you know is struggling, please call us. You may save a life.



There is help, and there is hope.



LAWYERS CONCERNED FOR LAWYERS
PENNSYLVANIA

lclpa.org | 1-888-999-1941

Evaluation by a
healthcare professional
Information and literature
Peer and staff support
Assistance with interventions
Recovery meetings
Online resources and CLE

[Lawyers Concerned for Lawyers](http://lclpa.org) is a confidential assistance program for the Pennsylvania legal community and their family members. LCL may not report information about a subject attorney back to the Disciplinary Board.

Confidential 24/7 Helpline: 1-888-999-1941

Last year, the Supreme Court of Pennsylvania adopted amendments to the Pennsylvania Rules of Disciplinary Enforcement (Pa.R.D.E.) relating to confidentiality of proceedings, providing for three exceptions to the requirement of confidentiality under [Pa.R.D.E. 402\(d\)](#). Included in these exceptions is the allowance for Disciplinary Counsel to make a referral of an attorney to [Lawyers Concerned for Lawyers of Pennsylvania](#) (LCL) and share information as part of the referral. *However*, it is crucial to note that LCL may *not* report information about a subject attorney back to the Disciplinary Board. LCL is a **confidential** assistance program for the Pennsylvania legal community and their family members.

Around the Court



Pennsylvania Courts Honor and Support Commonwealth Veterans

Did you know? With over 697,655 veterans as of 2023, Pennsylvania's veteran population ranks fourth in the United States!

In observance of Veterans Day on November 11th, the Unified Judicial System (UJS) released two publications supporting veterans across the Commonwealth. A new [video](#) honors the service of veterans within PA's judiciary. Chief Justice Debra Todd explained, "Their dedication to our country and to preserving our democracy is an enduring legacy that deserves our deepest gratitude and respect. This video is a small way to remember and honor the sacrifices made by our veterans, and by their families, in service of our country and our values of patriotism and justice." Access and view the full video [here](#).

In early November, the UJS [released](#) a new infographic, highlighting the work of the state's [Veteran Treatment Courts](#) which "assist veterans charged with crimes who are struggling with addiction, mental illness or co-occurring disorders and come in contact with the criminal justice system." There currently are twenty-six active Veterans Courts across PA. Last year, these Veterans Courts celebrated the discharge of 147 of its 196 participants, a seventy-five percent successful graduation rate. All justice-involved veterans also are entitled to a Veteran Justice Outreach program specialist designated to assist them in navigating the services and other resources of the Veterans Affairs system. Learn more about Veterans Courts [here](#) on the UJS's website.

What are Veterans Courts?

Veterans Courts assist veterans who are charged with crimes and are struggling with substance use disorder, mental illness or other co-occurring disorders. Veterans Court participants:

- 1) Appear before the judge on a regular basis
- 2) Gain support and guidance from veteran mentors
- 3) Receive supervision by specialized probation officers
- 4) Get treatment and support to address underlying problems often caused by post-traumatic stress disorder
- 5) Work closely with the VA Veterans Justice Outreach Specialists



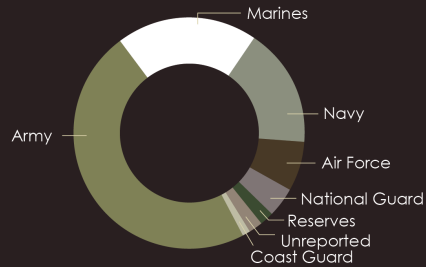
697,655
total veterans in
Pennsylvania (2023)

Pennsylvania's
veteran
population
ranks
4th
in the
United States

The first
veterans
treatment
court
opened in
Lackawanna
County
in 2009

192 admissions
in 2023

They came from the following branches of service:



147 veterans (out of 196 participants discharged from the program) graduated in 2023

which is a **75%** successful graduation rate.

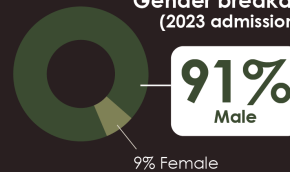
23% increase in employment among successful graduates.

26 veterans treatment courts in Pennsylvania were active in 2023. (Common Pleas)

14 counties have veterans diversion programs (Magisterial District Courts)

Average age at screening was
45

Gender breakdown (2023 admissions):



Statewide court programming for Veterans Courts and all problem-solving courts are supported by the AOPC.

AOPC

Thank you for your military service and unwavering dedication to both our country and the pursuit of justice. We salute the many sacrifices made by our service members and their families.

Your contributions to our nation, both in uniform and in the courts, are immeasurable and deeply appreciated.

We honor and thank the veterans within our courts and across the nation. Your dedication, courage, and service inspire us all. Click [here](#) to view full video.

From the Pennsylvania Bar Association



Happy Holidays!

As the year ends, the Pennsylvania Bar Association wanted to wish all a happy holiday season and thank you for being part of the legal community. PBA wishes you the best for 2025 and looks forward to working together in the new year.

Mark Your Calendar with 2025 Dates

- January 17th - 19th: Family Law Section Winter Meeting
- February 12th - 16th: PBA Midyear Meeting
- March 6th - 8th: Conference of County Bar Leaders
- April 4th - 6th: Civil Litigation/Labor and Employment Law Section Joint Retreat
- May 7th - 9th: PBA Annual Meeting
- July 30th - August 1st: YLD Summer Summit

See the [PBA Calendar](#) for additional events.

Paralegal Membership Now Available

This is a great opportunity for paralegals to enhance their professional development, access member benefits and services, and become a part of PBA's dynamic statewide legal community! [Learn more and apply today.](#)

PBA thanks you for your support!



Please note that the Disciplinary Board of the Supreme Court of Pennsylvania and the

Pennsylvania Bar Association (PBA) are separate organizations. For more information about PBA, visit pabar.org or follow on Facebook, Instagram, and LinkedIn.

We Want To Hear From You...

We are always on the lookout for stories of interest relating to legal ethics, new issues in the practice of law, lawyer wellness, and funny or just plain weird stories about the legal profession. If you come across something you think might be enlightening, educational, or entertaining to our readers or social media followers, [pass it along](#). If you are our original source, there may be a hat tip in it for you.

Resources

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