

# Lawrence Law Journal

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May 8, 2023

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Owned and Published By

**THE LAWRENCE COUNTY BAR ASSOCIATION**

Anthony S. Piatek, *President*

James W. Manolis, *Opinion Editor*

JoEllen Thomas, *Executive Director*

Phone 724-656-2136

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# Lawrence Law Journal

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## COUNTY OF LAWRENCE, PENNSYLVANIA CIVIL TRIAL LIST - GENERAL

- 11727 of 10 CA; New Wilmington Borough v. Wilmington Township Sewer Authority and Wilmington Township; Verterano, Sapienza, Keith, Perrotta
- 10439 of 13 CA; City Trailer Mfg Inc. v. Marinelli Realty Inc. et al; Lamancusa, A. Papa
- 11108 of 13 CA; Robert Doss v. Saber Healthcare et al.; Collis, Bass
- 11239 of 13 CA; Miriam Ortiz as Executrix v. Edison Manor Nursing & Rehab; Collis, Bass
- 30010 of 14 CA; Rose Conti v. Saber Healthcare Group LLC; Collis, Bass
- 30002 of 15 CA; Lisa Marie Misel and James Edwin Kuhn Jr. v. Saber Healthcare Group, LLC et al; Collis, Bass, Young, Monico
- 11022 of 17 CA; Candy Braniff v. Danielle Hartje; Simon, Loch
- 30009 of 18 CA; Beth C. Hillmar v. David R. Hofius, D.O.; Quinn, Shear
- 10534 of 19 CA; Paul Morrone v. Route 65 Auto, Inc.; Sturm, Verterano, Lamancusa
- 11238 of 19 CA; John Thomas Linkosky v. David Dombrosky; S. Linkosky, Verterano
- 10833 of 20 CA; Gary J. Crawford v. John C. Wilson and Bobbie Wilson; Dimeo, Koehler, Eddy
- 10846 of 20 CA; Samantha Alwardt v. Bradley Esper; Sullivan, Smith
- 10228 of 21 CA; Daniel and Lorraine Rice v. Tammy Damron; Perrotta, Gilkey, Leon
- 10457 of 21 CA; Housing Authority of Law Co v. Doreese Bell; Perrotta, Iseman
- 10083 of 22 CA; Carrie Frew and Spencer Frew v. Anthony Baggetta; Hartman, Bott
- 10255 of 22 CA; Housing Authority of Law Co v. Tami Stafford; Perrotta, Iseman
- 10773 of 22 CA; Housing Authority of Law Co v. Jordan Gardner; Perrotta, Gilkey
- 10985 of 22 CA; Housing Authority of Law Co v. Jennifer Strohecker-Schaffer; Perrotta, Iseman
- 11012 of 22 CA; Housing Authority of Law Co v. Bradley Ward; Perrotta, Creighton
- 11013 of 22 CA; Housing Authority of Law Co v. Abigail Nahar; Perrotta, Creighton
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## **Lawrence Law Journal**

### **Lawrence County Bar Association Members**

Composite photographs for members  
Tuesday, May 16, 2023 8:00 a.m. - 4:00 p.m.  
Monday, May 22, 2023 8:00 a.m. - 4:00 p.m.

You must sign up for a time slot through the email that was sent to you.  
If you have questions or need help scheduling call 724-656-2136

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### **Lawrence County Bar Association Sponsored CLE**

Wednesday, May 24, 2023  
11:30 a.m. lunch, 12:00-1:00 CLE

Presenter: Honorable David H. Acker  
Topic: Practical Implications of Pa.R.Civ.P. 1915.4 and  
Updates in Guardianship & Estate Administration

Faraone Brothers Banquet Hall, 1015 S. Mill St.

RSVP Deadline for lunch CLE: Wednesday, May 17, 2023  
724-656-2136

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### **Lawrence County Bar Association Quarterly Meeting**

Wednesday, June 7, 2023  
11:30 a.m. lunch, 12:00 meeting

Jury Holding Room, Lawrence County Courthouse

RSVP Deadline for quarterly meeting: May 31, 2023  
724-656-2136

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## ESTATE NOTICES

Notice is hereby given that in the estates of the decedents set forth below, the Register of Wills has granted letters, testamentary or of administration, to the persons named. All persons having claims against the estate of the decedent shall make known the same to the person(s) named or to his/her/their attorney and all persons indebted to the decedent shall make payment to the person(s) named without delay.

### FIRST PUBLICATION

#### **Fortuna, Karen M.**

Late of New Castle, Lawrence County, Pennsylvania

Administrator: Andrew W. Fortuna, 320 E. Maitland Lane, New Castle, PA 16105  
Attorney: Jason A. Medure, 713 Wilmington Ave., New Castle, PA 16101

#### **Hake, Shawn A.**

Late of New Castle, Lawrence County, Pennsylvania

Executor: Brian E. Hake, 592 Sulphur Springs Rd., Rogersville, TN 37857  
Attorney: Justin Ellis, Zacharia Brown Law Offices, 111 West McMurray Rd., McMurray, PA 15317

#### **Medure, Angelo A., Sr.**

Late of the City of New Castle, Lawrence County, Pennsylvania

Executrix: Barbara Rose Medure, a/k/a Barbara R. Medure, a/k/a Barbara Medure, 1013 Clearview Ave., New Castle, PA 16101  
Attorney: Frank G. Verterano, Verterano & Manolis, 2622 Wilmington Rd., New Castle, PA 16105-1530 and Louis Pomerico, 2910 Wilmington Rd., New Castle, PA 16105

#### **Shaffer, Doris**

##### **a/k/a Shaffer, Doris Elizabeth**

Late of Lawrence County, Pennsylvania

Administrator: Richard C. Shaffer  
Attorney: Edward Leymarie, Jr., Leymarie Clark Long, P.C., 423 Sixth St., Ellwood City, PA 16117

### SECOND PUBLICATION

#### **Benetas, Costas**

##### **a/k/a Benetas, Costas J.**

##### **a/k/a Benetas, Gus**

Late of New Castle, Lawrence County, Pennsylvania

Executor: Jonathan Benetas  
Attorney: John J. DeCaro, Jr., Cusick DeCaro & Langer, P.C., 100 Decker Dr., P.O. Box 5137, New Castle, PA 16105, 724-658-2525

#### **Docherty, Pamela D.**

Late of New Castle, Lawrence County, Pennsylvania

Executor: John D. Docherty, 515 E. Garfield Ave., New Castle, PA 16105

Attorney: Louis M. Perrotta, Louis M. Perrotta, P.C., 229 S. Jefferson St., New Castle, PA 16101, (724) 658-9980

#### **Eddy, Maurice Edwin**

##### **a/k/a Eddy, Maurice E.**

Late of Hempfield Township, Mercer County, Pennsylvania

Executor: William Paul Eddy and Brenda Lee Morris Hostetler

Attorney: Clark & Clark Law, P.C., Robert D. Clark, Jr., 201 N. Market St., New Wilmington, PA 16142

#### **Hamrick, Karen J.**

##### **a/k/a Hamrick, Karen**

##### **a/k/a Hamrick, Karen J. Blews**

##### **a/k/a Blews, Karen J.**

##### **a/k/a Blews, Karen**

Late of New Castle, Lawrence County, Pennsylvania

Administratrix: Crystal Schroeder, 1214 West Park Rd., Slippery Rock, PA 16057

Attorney: Amy E. Molloy, Molloy Law, LLC, 15 Woodland Center Dr., P.O. Box 687, Grove City, PA 16127

#### **Heichel, James Francis**

##### **a/k/a Heichel, James F.**

Late of New Castle, Lawrence County, Pennsylvania

Executor: Richard James Heichel, 819 Scotland Lane, New Castle, PA 16101

Attorney: Louis M. Perrotta, Louis M. Perrotta, P.C., 229 S. Jefferson St., New Castle, PA 16101, (724) 658-9980

#### **Joseph, Helen R.**

Late of Lawrence County, Pennsylvania

Co-Administrators: Christine D. Joseph and Franklin David Joseph

Attorney: Edward Leymarie, Jr., Leymarie Clark Long, P.C., 423 Sixth St., Ellwood City, PA 16117

#### **Leo, Albert A.**

Late of Lawrence County, Pennsylvania

Co-Administrators: Albert W. Leo and Pamela MacDonald

Attorney: Edward Leymarie, Jr., Leymarie Clark Long, P.C., 423 Sixth St., Ellwood City, PA 16117

#### **Marcotullio, Marie**

Late of New Castle, Lawrence County,

# Lawrence Law Journal

Pennsylvania  
Executrix: Lisa M. Marcotullio, 32 Sunset Court, Cranberry Township, PA 16066  
Attorney: Carmen F. Lamancusa, 414 N. Jefferson St., New Castle, PA 16101

## **Pyer, James William**

Late of Shenango Township, Lawrence County, Pennsylvania  
Executrix: Mary P. Clary, 516 Ivy Hill Path, Cochranville, PA 19330  
Attorney: Gene G. Dimeo, Dimeo Law Group PLLC, 120 Fourth St., Ellwood City, PA 16117, 724-752-9955

## **Reider, Cynthia Ann**

Late of New Wilmington, Lawrence County, Pennsylvania  
Executor: Cody J. Reider, 2760 Ryewood Ave., Apt. A, Akron, OH 44321  
Attorney: Matthew T. Mangino, 315 N. Mercer St., New Castle, PA 16101, 724-658-8535

## **Rooks, Agnes R.**

Late of Lawrence County, Pennsylvania  
Executrix: Jamie Millard  
Attorney: Brian F. Levine, Levine Law, LLC, 22 E. Grant St., New Castle, PA 16101-2279

## **Sobun, Patricia**

Late of Enon Valley, Lawrence County, Pennsylvania  
Executrix: June S. Burke, 8307 Briar Creek, Annandale, VA 22003  
Attorney: Shawn A. Sensky, 809 Wilmington Ave., New Castle, PA 16101

## **Wilson, Jeraldine A.**

**a/k/a Wilson, Jeraldine Alice**  
Late of New Wilmington, Lawrence County, Pennsylvania  
Executor: Judith Book  
Attorney: Clark & Clark Law, P.C., Robert D. Clark, Jr., 201 N. Market St., New Wilmington, PA 16142

### **THIRD PUBLICATION**

## **Cook, Helen C.**

Late of New Wilmington, Lawrence County, Pennsylvania  
Executrix: Judy Onestak  
Attorney: Adrienne A. Langer, Cusick DeCaro & Langer, P.C., 100 Decker Dr., P.O. Box 5137, New Castle, PA 16105, 724-658-2525

## **Jones, Kenneth W.**

Late of Neshannock Township, Lawrence County, Pennsylvania

Executor: Robert Jones, c/o Douglas E. Gawel, 6000 Brooktree Rd., Suite 301, Wexford, PA 15090  
Attorney: Douglas E. Gawel, 6000 Brooktree Rd., Suite 301, Wexford, PA 15090

## **Pallerino, Betty**

### **a/k/a Pallerino, Elizabeth**

Late of South New Castle Borough, Lawrence County, Pennsylvania  
Executor: Ralph C. Pallerino, Jr., 238 Woodland Dr., New Wilmington, PA 16142  
Attorney: John R. Seltzer, 713 Wilmington Ave., New Castle, PA 16101, 724-652-0821

### **NOTICE OF CERTIFICATE OF ORGANIZED DOMESTIC LIMITED LIABILITY COMPANY**

Notice is hereby given that on April 20, 2023, a Certificate of Organization of a Domestic Limited Liability Company was filed with the Pennsylvania Department of State for **315 Maiden Blush Drive, LLC**, which Domestic Limited Liability Company has been duly organized under the provisions of the PA Limited Liability Company Law of 1994, Dec. 7, P.L. 703, No. 106, §4, as amended. It is being organized as of April 20, 2023.

Shawn A. Sensky, Esquire  
809 Wilmington Ave.  
New Castle, PA 16101

L.C.L.J. - May 8, 2023

### **CHANGE OF NAME NOTICE**

In the Court of Common Pleas of Lawrence County, Pennsylvania, in the Matter of Petition Change of Name, Thomas James Heckart, Jr. Case No. 70051 of 2023, M.D.

Notice is given that the Petition of Thomas James Heckart, Jr. was filed to change **Thomas James Heckart, Jr.**'s name to **Thomas James Fernandez, Jr.**

The court has scheduled a Hearing on **June 9, 2023 at 11:00 a.m. in Courtroom #4 of the Lawrence County Government Center**, New Castle, PA for the hearing on said petition, where and when all persons interested may appear and show cause why the Judicial Change of Name should not be granted.

Shawn A. Sensky, Esquire  
809 Wilmington Ave.  
New Castle, PA 16101

L.C.L.J. - May 8, 2023

**NOTICE**

In the Court of Common Pleas  
Lawrence County, Pennsylvania  
No. 70034 of 2023 MD

To: Peter Mathieu, 425 Fairground Road,  
New Castle, PA 16101

In Re: 1995 Haulmark Trailer, VIN  
16HPB1826SHO29213

On March 24, 2023, a Petition for Involuntary Transfer of Vehicle Title to the above-referenced vehicle was filed on behalf of Blake A. Franus in the Lawrence County Court of Common Pleas at Docket No. 70034 of 2023 M.D. You have been identified as the registered owner of this vehicle. The Petition is requesting that the Court enter an Order of Court transferring legal title for this vehicle to the Petitioner Blake A. Franus and directing the PA Department of Transportation to issue a Certificate of Title in the name of the Petitioner as owner.

By Order of Court dated May 1, 2023, the Court authorized providing you with this published Notice of the filing of the Petition and the scheduled Hearing thereon for the **24th day of July, 2023 at 11:00 a.m. in Courtroom No. 1 of the Lawrence County Courthouse.** If you have any objection to the Petition for Involuntary Transfer of Vehicle Title, you are to appear at the Hearing so your objections may be heard by the Court.

Any questions regarding this Notice may be directed to the attorney for Petitioner, Gene G. Dimeo, Esquire of Dimeo Law Group, PLLC at the address of 120 Fourth Street, Ellwood City, PA 16117 or telephone number 724-752-9955.

Gene G. Dimeo, Esquire  
120 Fourth St.  
Ellwood City, PA 16117

L.C.L.J. - MAY 8, 2023

**IN THE COURT OF COMMON PLEAS OF  
LAWRENCE COUNTY, PA**

MORTGAGE FORECLOSURE  
CASE NO.: 10058-2023

FIRST COMMONWEALTH BANK, Plaintiff,  
vs.

AUDREY GAISER and HEATHER KELLER,  
solely as the known heirs of Claude M. Gaiser,  
deceased, and ALL THE UNKNOWN HEIRS  
OF CLAUDE M. GAISER, Defendants.

TO: ALL THE UNKNOWN HEIRS OF  
CLAUDE M. GAISER, Defendants.

On January 20, 2023, Plaintiff filed a Complaint in Mortgage Foreclosure against you in the Court of Common Pleas of Lawrence County, PA docketed at Case No. 10058-23 to foreclose Plaintiff's mortgage and sheriff's sale the property located at 288 Rapson Avenue, New Castle, PA 16101, which you inherited from Claude M. Gaiser, deceased, by intestate succession.

**NOTICE**

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

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

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

Office of Lawyer Referral  
Third Floor  
Lawrence County Government Center  
430 Court Street  
New Castle, PA 16101  
(724) 656-1921

Gary Darr, Esquire  
McGrath McCall  
Four Gateway Center, Suite 1040  
444 Liberty Avenue  
Pittsburgh, PA 15222

L.C.L.J. - May 8, 2023

**NOTICE**

To All Persons Interested, You Will Take  
Notice:

That the following accounts and statements of proposed distribution or request for audit of Executors, Administrators, Trustees and Guardians, Etc., have been filed in the Orphans' Court of the Court of Common

Pleas of Lawrence County, Pennsylvania.  
The accounts and statements of proposed  
distribution are opening for examination.

All parties in interest have the right to file  
written objections to the account or statement  
of proposed distribution as *provided by law  
and rules of court*.

The said accounts will be presented to the  
Court for audit, distribution of assets and final  
confirmation on May 26, 2023 at 9:00 a.m.  
e.s.t., at which time all parties in interest will  
have the opportunity to be heard.

**FIRST AND FINAL ACCOUNTS OF  
DISTRIBUTION  
MAY 26, 2023**

10009/23 O.C.A. First and Final Account of  
Karen Renee Oot, Executrix of the Estate of  
Joseph A. Grimm a/k/a Joseph Ansley Grimm,  
Deceased

10010/23 O.C.A. First and Final Account of  
Paul P. Cherichetti, Executor of the Estate of  
Sullivan P. Cherichetti, Deceased

10011/23 O.C.A. First and Final Account of  
Janice Aubrey, Executor of the Estate of Anita  
Devivo, Deceased.

Jodi Klabon-Esoldo  
Prothonotary, Clerk of Courts and Orphans'  
Court

L.C.L.J. - May 1 and 8, 2023

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**Lawrence County Bar Association Annual Essay Contest**

The Lawrence County Bar Association has awarded scholarships to two local 2023 high school graduates.

Kinsley Shimrack and Annalee Gardner, seniors at Wilmington Area High School, both received \$2,000.00 scholarships. They presented their winning essays on May 1, 2023 in the renovated historic Courtroom # 5 of the Lawrence County Government Center.

The winning students had submitted essays answering the question:  
*"Whether or not an individual state has the right to impose and implement their own immigration rules to limit the number of immigrants entering their state."*

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**Kinsley Shimrack will be attending Duquesne University in the fall to pursue the 5 1/2 year Occupational Therapy program.**

**Kinsley Shimrack's Winning Essay:**

"Give me your tired, your poor, Your huddled masses yearning to breathe free, The wretched refuse of your teeming shore. Send these, the homeless, tempest-tost to me, I lift my lamp beside the golden door!"<sup>1</sup> Emma Lazarus' words, engraved on the Statue of Liberty, exemplified the attitude toward immigration that laid the foundation for the United States of America. Historically, the United States was seen as an escape from oppressive leaders, religious persecution, and a place to start a new life with endless opportunities for success. Today, the image of a golden door has been eclipsed by the notion of closed borders.

Despite the fact that immigrants founded and built this nation, the perception of those who seek refuge in the United States today has become increasingly xenophobic. There has been a heated debate within the U.S. concerning whether immigration should be a state or federal issue. Immigration policy and regulation must be left to the federal government. Although states must enforce federal immigration laws, immigration should be up to the federal government because of xenophobia, to prevent the rise of preemption challenges, and discrimination.

Previously there have been many issues regarding states trying to regulate and manage immigration laws. "Due to the Supremacy Clause of the U.S. Constitution, the Supreme Court has consistently upheld federal jurisdiction over immigration. This prevents state lawmakers from being able to single out individuals of a specific heritage."<sup>2</sup> stated a source from Scott D. Pollock Law firm, protesting the main argument of why immigration should be left to the federal government. As seen in *Colotl v. Kelly* a case in which the state of Georgia singled out a woman and made it nearly impossible for her to remain in residence in the United States. The details of the case state "The Department of Homeland Security has agreed to



renew Jessica Colotl's Deferred Action for Childhood Arrivals (DACA) and work permit to resolve a lawsuit brought by the American Civil Liberties Union, the ACLU of Georgia, and Kuck Baxter Immigration in May 2017 against DHS for arbitrarily terminating Jessica's DACA and rejecting her renewal application."<sup>3</sup> This case exemplifies the issue of states overstepping in many scenarios. Because Georgia was unable to solve Jessica Colotl's DACA issue, conflict was brought to the federal government's attention. Her case was mysterious in the way that she was denied access to rights she has had for many years. If the United States continues to let more issues brought by states like this one there will be much more conflict. Similarly to *Colotl v. Kelly*, a study shown by the open society foundation stated, "Our study found that in fact only about half of people detained and removed through the 287(g) program have committed serious criminal offenses; the other half committed misdemeanors or traffic violations."<sup>4</sup> Once again, showing discrimination towards immigrants.

Additionally the supremacy clause states, "This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."<sup>5</sup> Within this clause it shows that the Constitution takes precedence over state laws and declarations. This means that the federal government has the power to countermand any immigration laws of high concern made by the states, even if power lies within the states. This opportunity for the federal government to take control can create conflict within clarity of just how state immigration laws should be handled.

Although much evidence leads to protecting the federal government's power over immigration the argument for state power over immigration laws is also apparent. Many arguments express the states better know their citizens and can help to create personalized and suitable laws for immigration based on their states needs. While this is a good point, allowing states this power can lead to preemption, xenophobia, and discrimination of immigrants. With so many opinions in today's world, state officials may have varying approaches to these issues.

In conclusion, our country's history has been built from the ground by immigrants searching for a new start and better future. As Emma Lazarus encouraged, we must open the golden door for immigrants and help them succeed. The power should continue to rest with the Federal Government to help immigrants prosper. Immigrants helped build this country and their success strengthens the United States.

Works Cited:

<sup>1</sup>"The New Colossus." National Parks Service, U.S. Department of the Interior, 14 Aug. 2019, <https://www.nps.gov/stli/learn/historyculture/colossus.htm>.

<sup>2</sup> Pollock, Scott D. "State Immigration Laws vs. Federal Immigration Laws: What's the Difference?" Scott D. Pollock & Associates, P.C., 21 Feb. 2023, <https://www.lawfirm1.com/faqs/state-vs-federal-immigration-laws/>.

<sup>3</sup> "Colotl v. Kelly." American Civil Liberties Union, 5 June 2017, <https://www.aclu.org/cases/colotl-v-kelly>.

<sup>4</sup> Wilkinson, Freddie. "The Federal Role in Immigration." Education, Clint Parks, 2 June 2022, <https://education.nationalgeographic.org/resource/federal-role-immigration/>.

<sup>5</sup> Government. "ArtVI.C2.1 Overview of Supremacy Clause - Congress." Constitution Annotated, Library of Congress, [https://constitution.congress.gov/browse/essay/artVI-C2-1/ALDE\\_00013395/](https://constitution.congress.gov/browse/essay/artVI-C2-1/ALDE_00013395/).

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### **Annalee Gardner will be attending Liberty University in the fall to study Biomedical Sciences.**

#### **Annalee Gardner's Winning Essay:**

The question of immigration is a divisive issue that has long troubled the United States government and politics. While some advocate for open borders and unlimited immigration, others believe that states should have the power to limit the number of immigrants entering their state. Although some people would like the federal government to completely control the issue of immigration, states should have their own power to limit the number of immigrants entering their state because it helps to preserve cultural and social cohesion, it protects the interests of citizens, and it allows states to maintain control over their own borders. Additionally, the Tenth Amendment of the United States Constitution provides support for the states' right to regulate immigration.

One of the main reasons that states should have the power to limit immigration is that it helps to preserve cultural and social cohesion. What is social cohesion? "Cohesion is promoted by feelings of group unity and pride, while the erosion of social cohesion has been considered as a possible contributing factor in our current worldwide bleak economic state."<sup>1</sup> This article is saying that often immigrants can create negative feelings from the native people towards their home state. This can lead to the breakdown of unity in a community. When too many immigrants enter a state too quickly, it can create a sense of upheaval and displacement among the native population. This can lead to feelings of resentment and animosity towards immigrants, which can ultimately harm social cohesion. By regulating the number of immigrants entering a state, the government can ensure that new arrivals have time to integrate into the existing social fabric, which helps to maintain harmony and prevent social disruption.

This is especially important when considering the cultural and linguistic diversity of the United States. The United States is home to people from a wide range of ethnic and cultural backgrounds, and it is important to ensure that all members of society are able to live together in harmony.

This can be difficult to achieve when large numbers of immigrants arrive in a state, especially if they come from cultures that are significantly different from those of the existing population. By limiting immigration, states can ensure that new arrivals have time to assimilate into the local culture, which helps to maintain social cohesion.

Another reason why states should have the power to limit immigration is that it protects the interests of citizens. States have an obligation to their citizens to provide them with access to resources such as housing, healthcare, and education. When too many immigrants enter a state, it can put a strain on these resources, making them more difficult to access for both citizens and immigrants. By limiting immigration, states can ensure that their citizens are not unfairly disadvantaged in the competition for resources.

This is particularly important when considering the economic impact of immigration. While immigrants can bring many benefits to a state, such as contributing to the economy and adding to the cultural diversity of a community, they can also place a strain on resources. For example, if a state has limited affordable housing, a sudden influx of immigrants can make it even more difficult for citizens to find suitable housing. By regulating the number of immigrants entering a state, governments can ensure that resources are distributed fairly and that citizens are not unfairly disadvantaged.

A third reason why states should have the power to limit immigration is that it allows them to maintain control over their own borders. Immigration is a complex issue that requires a nuanced approach, taking into account factors such as national security and economic stability. By giving states the power to regulate immigration, the federal government can ensure that policies are tailored to meet the specific needs and circumstances of each state. This helps to ensure that the interests of all parties involved are taken into account. This is especially important when considering the security implications of immigration. While most immigrants are law-abiding citizens who contribute positively to their communities, there is always the risk of criminals or terrorists entering a state. By limiting immigration, states can ensure that their borders are secure and that they are able to protect their citizens from potential threats.

Finally, the Tenth Amendment of the United States Constitution provides support for the states' right to regulate immigration. The Tenth Amendment states that "The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."<sup>2</sup> The National Archives puts this into plain terms saying, "The Tenth Amendment says that the Federal Government only has those powers delegated in the Constitution. If it isn't listed, it belongs to the states or to the people."<sup>3</sup> This means that any powers

not specifically granted to the federal government in the Constitution are reserved for the states. Immigration is not explicitly mentioned in the Constitution, which means that the power to regulate it falls under the purview of the states. This is supported by the Supreme Court decision in *United States v. Arizona*, which upheld the right of states to enforce immigration laws as long as they do not conflict with federal law.

An argument that opponents of limiting immigration argue that it is impractical and even impossible to enforce. They argue that people will always find a way to enter the country, regardless of the policies in place, and that limiting immigration will only create more problems than it solves. Although this point has been true for issues such as the prohibition of alcohol, it is likely to not be the case for immigration. By limiting immigration, it would be much more difficult for ordinary people to enter the country and they would most likely not even try instead of sneaking into the country.

In conclusion, there are several compelling reasons why states should have the power to limit the number of immigrants entering their state. By doing so, they can help to preserve cultural and social cohesion, protect the interests of citizens, and maintain control over their own borders. Additionally, the Tenth Amendment of the United States Constitution supports the states' right to regulate immigration. It is important to remember that immigration is a complex issue that requires a nuanced approach, and states should work to develop policies that balance the needs of all parties involved. Ultimately, by working together, we can create a society that is both welcoming and inclusive, while also protecting the interests of all citizens.

### Works Cited:

<sup>1</sup> Neymotin, Florence. "Immigrant Influx and Social Cohesion Erosion - IZA Journal of Development and Migration." SpringerOpen, Springer Berlin Heidelberg, 24 Mar. 2014, <https://izajodm.springeropen.com/articles/10.1186/2193-9039-3-5>.

<sup>2</sup> U.S. Constitution - Tenth Amendment | Resources - Congress. <https://constitution.congress.gov/constitution/amendment-10/>.

<sup>3</sup> "The Bill of Rights: What Does It Say?" National Archives and Records Administration, National Archives and Records Administration, <https://www.archives.gov/founding-docs/bill-of-rights/what-does-it-say#:~:text=The%20Tenth%20Amendment%20says%20that,states%20or%20to%20the%20people>.

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