

LYCOMING REPORTER

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LYCOMING REPORTER

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THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
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LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

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- Court Calendar • Continuing Legal Education
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- Recent Court Decisions • Upcoming LLA & Public Events

www.lycolaw.org

SCHEDULED EVENTS

Additional information about any of these events is available on the Lycoming Law Association website at www.lycolaw.org.

- 11/6/2018 – Real Estate Committee Meeting.** *Regular meeting of the Real Estate Committee. Brown bag lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 11/7/2018 – Education Committee Meeting.** *Education Committee brown bag lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 11/7/2018 – Quizzo Night.** *All members are invited to a Quizzo game at the LLA. Pizza, soda and beer will be provided. Prizes will be awarded to the winning team. FREE to members. \$5 for guests (adults only). RSVP by November 1st. Time: 5:30 PM to 7:00 PM.*
- 11/13/2018 – Estate, Probate and Elder Law Committee Meeting.** *Committee meeting regarding the new statewide Guardianship Tracking System. Time: 12:00 PM to 1:00 PM.*
- 11/20/2018 – Family Law Committee Meeting.** *Regularly scheduled meeting of the Family Law Committee. Time: 12:00 PM to 1:00 PM.*
- 11/26/2018 – Executive Committee Meeting.** *Regular meeting of the LLA Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 11/27/2018 – Legal Services for the Indigent Committee.** *Legal Services for the Indigent Committee brown bag lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 12/3/2018 – Community Activities and Outreach Committee Meeting.** *Quarterly meeting of Community Activities and Outreach Committee. Time: 12:00 PM to 1:00 PM.*
- 12/6/2018 – New Attorney Admission Ceremony & Reception.** *There will be an LLA reception after the admission ceremony. Download the motion form. Time: 4:00 PM to 5:00 PM.*

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 11/7/2018 – How the New Tax Law Impacts Real Estate.** *Video Replay*—2 Substantive. Register at www.pbi.org. **Time:** 9:00 AM to 11:00 AM.
- 11/14/2018 – New E-Filing Requirements & Other Guardianship Rules 2018.** *Video Replay*—3 Substantive. Register at www.pbi.org. **Time:** 9:00 AM to 12:00 PM.
- 11/14/2018 – Replay in the Afternoon (November 2018).** *Two ETHICS CLE credits: (1) System Change: Youth Court and Time Banks, Presented by David Trevaskis; (2) Errant Judges: What's a Lawyer to Do? Presented by Hon. Robert Graci. Download the flyer.* **Time:** 1:00 PM to 3:00 PM.
- 12/12/2018 – Trials of the Century III.** *PBI Groupcast*—5 Substantive / 1 Ethics. Register at www.pbi.org. **Time:** 8:30 AM to 3:45 PM.
- 12/13/2018 – Understanding the Tender Years Act.** *Eat and Earn Series. Presented by Hon. Marc Lovecchio*—1 Substantive. **Time:** 12:00 PM to 1:00 PM.
- 12/19/2018 – PBI General Practitioner's Update.** 5 Substantive / 1 Ethics. Register at www.pbi.org. **Time:** 8:30 AM to 3:45 PM.

*For more information on these events and CLEs go to www.lycolaw.org or contact Michele Frey at the LLA Office at (570) 323-8287.

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The full text of the following Lycoming County Court opinions is reported at www.lycolaw.org/cases/search.asp

- ▶ **Commonwealth vs. Smith** (09/28/2018)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; timeliness; jurisdiction of court; entitlement to credit for time served. (smith09282018) (Posted: October 30, 2018)
- ▶ **Commonwealth vs. Puch** (10/26/2018)—Judge Marc F. Lovecchio
Criminal: Suppression motion; conversations with officers without being given *Miranda* rights; detention with handcuffs while residence was being searched; questions intended to elicit incriminating responses; totality of circumstances. (Puch102618L) (Posted: October 26, 2018)
- ▶ **Commonwealth vs. Cohick** (10/25/2018)—Judge Marc F. Lovecchio
Criminal: Appeal from order finding parole violation; positive findings from Transdermal Alcohol Device; burden of proof of violation; credibility of testimony. (Cohick102518L) (Posted: October 25, 2018)
- ▶ **Commonwealth vs. Keys** (10/24/2018)—Judge Nancy L. Butts
Criminal: Probable cause to effectuate vehicle stop for use of earbuds while operating vehicle; investigatory detention based on items found during consent search of plastic bag. (Keys102418BT) (Posted: October 25, 2018)
- ▶ **Commonwealth vs. Edwards** (10/24/2018)—Judge Nancy L. Butts
Criminal: Suppression motion; jurisdiction of police officer; observation of turn signal violation; hot pursuit of a witnessed traffic violation; extended period in officer's primary jurisdiction before effectuating stop; written agreement between municipalities to permit officers to act in other's jurisdiction; lack of prejudice. (Edwards102418BT) (Posted: October 25, 2018)
- ▶ **Commonwealth vs. Sammond** (10/24/2018)—Judge Nancy L. Butts
Criminal: Suppression motion; reasonable suspicion to conduct investigatory detention; probable cause for an arrest. (Sammond102418BT) (Posted: October 25, 2018)
- ▶ **Commonwealth vs. Brown** (10/24/2018)—Judge Nancy L. Butts
Civil: Habeas corpus petition; prima facie case of possession of a gun without license; use of hearsay evidence; reliance on dissenting opinion of Supreme Court Justice. (Brown102418BT) (Posted: October 25, 2018)
- ▶ **Commonwealth vs. Carpenter** (10/23/2018)—Judge Marc F. Lovecchio
Criminal: Appeal. (Carpenter102318L) (Posted: October 25, 2018)

ESTATE AND TRUST NOTICES

Notice is hereby given that, in the estates of the decedents set forth below, the Register of Wills has granted letters testamentary or of administration to the persons named. Notice is also hereby given of the existence of the trusts of the deceased settlors set forth below for whom no personal representatives have been appointed within 90 days of death. All persons having claims or demands against said estates or trusts are requested to make known the same, and all persons indebted to said estates or trusts are requested to make payment, without delay, to the executors or administrators or trustees or to their attorneys named below.

FIRST PUBLICATION

Allen, Guy Leclod, dec'd.

Late of 413 Rural Avenue, Williamsport.

Administratrix: Sara Allen.

Attorney: G. Scott Gardner, Esquire, Attorney At Law, 2117 West Fourth Street, Williamsport, PA 17701, (570) 322-7653.

Bliss, Charles F., dec'd.

Late of Lewis Township.

Executrix: Marlene J. Hatley c/o Daniel K. Mathers, Esquire, Mathers Law Firm, PC, 416 Pine St., Ste. 308, Williamsport, PA 17701.

Attorneys: Daniel K. Mathers, Esquire, Mathers Law Firm, PC, 416 Pine St., Ste. 308, Williamsport, PA 17701.

Burley, Dennis L. a/k/a Denny L.

Burley a/k/a Dennis Burley, dec'd.

Late of Muncy.

Executors: Carlene K. Burley, 111 Chestnut Street, Apt. A, Berwick, PA 18603 and Kenneth J. Swank, 128 Harvest Moon Park, Linden, PA 17744.

Attorneys: Albert J. Evans, Esquire, Fanelli, Evans & Patel, P.C., No. 1 Mahantongo Street, Pottsville, PA 17901, (570) 622-2455.

Cunningham, Carol Ann, dec'd.

Late of South Williamsport Borough. Administrator: Michael Cunningham c/o Jessica Feese, Esquire, 140 East Third Street, Williamsport, PA 17701.

Attorneys: Jessica Feese, Esquire, Lepley, Engelman, Yaw & Wilk, LLC, 140 East Third Street, Williamsport, PA 17701.

Frey, Edward G., dec'd.

Late of Eldred Township.

Executor: Mark E. Frey.

Attorneys: Elizabeth A. White, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

Gamble, Donna L., dec'd.

Late of Williamsport.

Executrix: Sharon D. Snook, 52 Groupe Road, Jersey Shore, PA 17740.

Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Houseknecht, Sylvan R., dec'd.

Late of Hughesville.

Executrix: Jennifer R. Houseknecht, 632 Seventh Avenue, Williamsport, PA 17701.

Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Knittle, James P., dec'd.

Late of Cogan Station.

Executrix: Jane I. Cupp, 267 Sawmill Road, Lot 14, Cogan Station, PA 17728.

Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Nicoll, Janet R. a/k/a Janet R. Alberts a/k/a Janet R. Houseknecht, dec'd.

Late of the City of Williamsport.
 Executrix: Jessica Gehr c/o David F. Wilk, Esquire, 140 East Third Street, Williamsport, PA 17701.
 Attorneys: David F. Wilk, Esquire, Lepley, Engelman, Yaw & Wilk, LLC, 140 East Third Street, Williamsport, PA 17701.

Sargent, Nancy P., dec'd.

Late of Loyalsock Township.
 Executrix: Melissa Soule, 18 Denny Circle, Newark, DE 19702.
 Attorneys: Fred A. Holland, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

Shuta, James L., dec'd.

Late of the Township of Cogan House.
 Executrix: Shirley I. Kase.
 Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Tompkins, Clifford L., dec'd.

Late of the Borough of Duboistown.
 Executrix: Pamela K. Humphrey.
 Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Wither, James D., III, dec'd.

Late of the Borough of Duboistown.
 Executrix: Kathleen L. Wither, 143 Valley Street, Williamsport, PA 17702.
 Attorneys: Dale A. Tice, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

Zimmerman, Joyce M., dec'd.

Late of 503 Thompson Street, South Williamsport.

Executor: Lance E. Zimmerman, 416 Charlotte Avenue, South Williamsport, PA 17702.

Attorneys: Lester L. Greevy, Jr., Esquire, Greevy and Shoemaker, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

SECOND PUBLICATION

Andrews, Joann Lucille, dec'd.

Late of Montoursville.
 Executor: Jack R. Andrews, Jr., 101 Hemlock Hill Road, Montgomery, PA 17752.
 Attorney: None.

Bower, Catherine Ann, dec'd.

Late of Duboistown.
 Executrix: Karen Koch c/o Denise L. Dieter, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.
 Attorney: Denise L. Dieter, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.

Deuel, Wanda V., dec'd.

Late of Williamsport.
 Executor: George V. Deuel, Jr., 411 Giles Lane, Williamsport, PA 17702.
 Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, Williamsport, PA 17701.

Maffett, James J., dec'd.

Late of Antes Fort.
 Executors: James F. Maffett, P.O. Box 212, Antes Fort, PA 17720 and David L. Maffett, 6547 Quenshukeny Road, Cogan Station, PA 17728.
 Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Monds, Deborah L., dec'd.

Late of Williamsport, Old Lycoming Township.
 Administrator: Douglas C. Kinley, 1255 Kinley Road, Cogan Station, PA 17728.

Attorneys: Mark L. Taylor, Esquire, Greevy & Taylor Law Office, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

Ross, Susan A., dec'd.

Late of Muncy.
Administrator: Seth Balliet.
Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

Smith, William N., Jr., dec'd.

Late of Williamsport (Loyalsock Township).
Co-Executrices: Betsy S. Dick, 166 Kendall Avenue, Jersey Shore, PA 17740 and Bonnie K. Reeder, 1121 Walnut Street, Montoursville, PA 17754.
Attorney: None.

Waite, Joanna, Docket No. 41-18-0557, dec'd.

Late of Montoursville.
Co-Executrices: Kimberly J. Hile, 157 Mountain View, Linden, PA 17744 and Carolyn A. Wagner, 64 Crystal Beach Road, Mill Hall, PA 17751.
Attorneys: Frank S. Miceli, Esquire, Robertsmiceli, LLP, 146 East Water Street, Lock Haven, PA 17745, (570) 748-4059, fmiceli@robertsmiceli.com.

THIRD PUBLICATION

Bittner, Janet M., dec'd.

Late of Williamsport.
The Janet M. Bittner Income Only Residence Protector Trust dated September 15, 2016.
The Janet M. Bittner Income Only Real Estate Protector Trust dated September 15, 2016.
Settlor: Janet M. Bittner.
Co-Executors/Trustees: Ryan G. Bittner, 68 Rt. Highway, Trout Run, PA 17771, Julie N. Santos, 131 Tru-

man Street, Trout Run, PA 17771 and Holly L. Knopp, 658 Lake Road, Trout Run, PA 17771.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

Brobst, Annabelle M., dec'd.

Late of the Township of Loyalsock.
Executor: William D. Brobst c/o Matthew J. Parker, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.
Attorneys: Matthew J. Parker, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

Doebler, David E., dec'd.

Late of Williamsport.
Administrator: Richard D. Doebler, 946 Freedom Road, Williamsport, PA 17701.
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701.

Reich, Stephen H., dec'd.

Late of Williamsport.
Executrix: Nancy R. Reich, 1856 Marshall Ave., Williamsport, PA 17701.
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

Shull, Collette W. a/k/a Collette H. Shull a/k/a Collette Shull, dec'd.

Late of Muncy Creek Township.
The Collette H. Shull Income-Only Trust, dated February 10, 2004.
Settlor: Collette Shull.
Executors: Patrick O. Shull, Peter J. Shull and Colleen C. Shull.
Trustees: Patrick Shull, Peter Shull and Mary Shull.

Attorneys: Kathleen V. Yurchak, Esquire, Steinbacher, Goodall & Yurchak, 328 South Atherton Street, State College, PA 16801.

Spotts, H. Ray, dec'd.

Late of Hughesville.

Executrix: Sue E. Stackhouse, 274 Henry Drive, Montoursville, PA 17754.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

Umstead, Donna Arlene, dec'd.

Late of 112 Deerview Road, Unityville.

Executor: Richard Lloyd Umstead, 112 Deerview Road, Unityville, PA 17774.

Attorney: J. Howard Langdon, Esquire, 3 South Main Street, Muncy, PA 17756.

2. Davis, Ellen H., Estate—John V. Ertel, Executor.

3. Murray, Clara W., Estate—Polly M. Hess, Executrix.

4. Hirsh, Louis and Pauline a/k/a Hirsh Family Trust—Albert A. Clapps, Trustee.

5. Hirsh, Louis and Pauline, Trust—Albert A. Clapps, Trustee.

6. Hirsh, Pauline, Trust—Albert A. Clapps, Trustee.

7. Hirsh, Pauline, IRA Trust—Albert A. Clapps, Trustee.

8. Gulliver, Jean B., Estate—Lavern Gulliver, Executor.

9. Hawkes, William H., III, Estate—Elliott B. Weiss, Administrator.

10. Wolyniec, Frank P., Jr., Estate—Hubert A. Valencik, Personal Representative.

Kathy Rinehart
Register of Wills

O-19, 26; N-2

**REGISTER OF WILLS
CONFIRMATION OF
ACCOUNTS**

NOTICE IS HEREBY GIVEN to all parties interested that the following Accounts together with all Statement of Proposed Distribution accompanying the same have been filed in the Office of the Register of Wills and Clerk of Orphans' Court are presented to the Orphans' Court of Lycoming County for Confirmation Absolute November 6, 2018 unless exceptions are filed before 5:00 P.M. on that date.

1. Bower, Rosemary W. a/k/a Rosemary L. Bower, Estate—Michael J. McKernan and Kathryn J. McKernan, Executors.

**INTENTION TO
CHANGE NAME**

NOTICE IS HEREBY GIVEN that on September 14, 2018 the petition of Burgandie Keve Rabe was filed, praying for a decree to change her name to Andie Keve Rabe. The court has fixed November 15, 2018 at 10:00 a.m., at the Lycoming County Courthouse, 48 W. Third Street, Williamsport, PA 17701 in courtroom #2 for a hearing. All persons interested may appear and show cause why the prayer of the said petition should not be granted.

N-2

**Do you know what your
*LYCOMING LAW ASSOCIATION
FOUNDATION***

has done to improve the delivery of legal services in our community, facilitate learning about the legal system, and enhance the image of the organized Bar?

Assigned over \$75,700.00 in Arbitration Fees to North Penn Legal Services to promote and facilitate the delivery of legal services to indigent persons in Lycoming County over the last nine years

Granted \$500.00 to the Changing Lives Through Literature Program to assist in the purchase of books

Granted \$3,000.00 to West Branch School to assist in funding a trip for students to travel to Washington, DC and visit the Supreme Court and the Houses of Congress

Granted \$6,000.00 to North Penn Legal Services to assist in funding an AmeriCorp position

Granted \$2,000.00 to CASA to assist in developing the CCAP curriculum and train program staff and volunteers

Granted \$1,245.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Fair Debt Collection Act Boot Camp Seminar in San Francisco

Granted \$1,489.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Consumer Rights Litigation Conference in Philadelphia

Granted \$2,952.00 to the Law Library at the JV Brown Library for the initial digitization of its current collection of 140 local ordinances

Granted \$1,000.00 to the Curtin PTO toward their Ben Carson Reading Room Project

Granted \$2,945.00 to CASA of Lycoming County, so that the CASA Director and the CASA Coordinator of Early Education could attend at a three day national conference on Children and the Law held at Harvard Law School

Granted \$2,625.00 to North Penn Legal Services to fund the costs of a law student's employment at NPLS for ten weeks during a summer

Granted \$250.00 to Susquehanna Home Care & Hospice for the Nurse Family Partnership to purchase reference books for nurses to use with low income families

Granted \$1,250.00 to CASA for the purchase of a computer system and necessary software

Granted \$2,200.00 to North Penn Legal Services for the development of a customized Lycoming County Child Custody Video

Granted \$1,500.00 to Wise Options (on behalf of the Domestic Violence Task Force) for the preparation, printing and distribution of a county protocol for domestic violence calls

Granted \$1,000.00 to North Penn Legal Services to assist in funding a Medicare Part D Provider Education Training

Granted \$9,000.00 to the Lycoming County Historical Society for the interpretation, archiving and digitalization of historical legal documents owned by the Taber Museum

Granted \$2,750.00 to Lycoming County for training necessary to establish a Domestic Fatality Review Team

Granted \$2,500.00 to the Montoursville Area Mock Trial Team for their attendance at Harvard University's high school mock trial workshop

Granted \$600.00 to Lycoming County's Wills for Heroes 2018 event

Established a Pro Bono Litigation Costs Reimbursement Fund

Request for Grant Funding should be directed to the LLA Community Activities and Outreach and Committee. Information is available on the LLA website at <http://www.lycolaw.org/Committees/LLAfoundation.htm>

Please consider the Lycoming Law Association Foundation when making planned gifts.

Donations to the Lycoming Law Association Foundation are tax deductible.

The Lycoming Law Association Foundation is a tax-exempt, not-for-profit, 501(c)(3) corporation. Its mission is to cultivate the science of jurisprudence, improve the legal and judicial system, and facilitate the administration of justice for residents of Lycoming County.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, November 5, 2018**