

LYCOMING REPORTER

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LYCOMING REPORTER

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THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

EDITOR: Gary L. Weber • BUSINESS MANAGER: Michele S. Frey

Penn Tower
25 West Third Street, Suite 803
Williamsport, PA 17701

Telephone: (570) 323-8287
Fax: (570) 323-9897
Website: www.lycolaw.org

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LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

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www.lycolaw.org

LYCOMING LAW ASSOCIATION

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SCHEDULED EVENTS

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


- 1/13/2025 – Annual Meetings of LLA & LLAF:** *Annual Meeting of the LLA and Annual Meeting of the LLAF. All members are invited/encouraged to attend. Time: 4:00 PM to 5:00 PM.*
- 1/13/2025 – LLA Annual Banquet & Awards Ceremony:** *This is an event you do not want to miss! RSVP by December 23rd! Time: 5:30 PM to 8:30 PM.*
- 1/15/2025 – Community Outreach Committee Meeting:** *Quarterly meeting of the Community Outreach Committee. Time: 12:00 PM to 1:00 PM.*
- 1/16/2025 – Memorial Service for Robert W. Ferrell, III:** *Special Session of Lycoming County Court to memorialize member Bob Ferrell. Time: 4:00 PM to 5:00 PM.*
- 1/22/2025 – LLA Foundation Meeting:** *Quarterly meeting of the Lycoming Law Association Foundation. Time: 12:00 PM to 1:00 PM.*



Wildwood Cemetery Co.
Founded 1863

Wildwood has been under new management for over two and a half years. We are constantly improving and making changes to accommodate everyone's end of life planning needs.

Wildwood Cemetery's staff will guide your clients to make the decision that's right for them. We offer: burial options starting at \$599.00; free burial spaces for veterans and their spouses in our veteran section; green burial section; cremation scattering options; and much more.




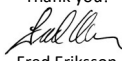
First Community
Foundation Partnership
OF PENNSYLVANIA

Wildwood Cemetery established a tax deductible endowment fund with **FCFP** in an effort to make donating to the cemetery safe and easy, with the comfort and security of knowing the funds are professionally managed.

When speaking to your clients about their estate planning needs, please let them know that the **Wildwood Cemetery** is the place they should consider.

**1151 CEMETERY ST., WILLIAMSPORT
PENNSYLVANIA 17701
(570) 323-8421
WILDWOODC@VERIZON.NET
WILDWOODCEMETERYPA.COM**



Thank you!

Fred Eriksson
General Manager

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

- ▶ **Commonwealth vs. Graves** (12/02/2024)—Judge Ryan M. Tira
Criminal: Amending criminal information to support actual facts adduced at hearing; habeas corpus petition; prima facie case for criminal attempt-sexual assault; motion to sever sexual assault counts from drug charges where drug use is interwoven with sexual offenses. (Graves122024t) (Posted: December 26, 2024)
- ▶ **Commonwealth vs. Quartman** (12/18/2024)—Judge Ryan M. Tira
Criminal: Suppression motion; probable cause to conduct a warrantless arrest; sufficiency of evidence supporting claim that defendant delivered drugs or received money for drugs; habeas corpus petition; prima facie case of drug offenses where the only evidence is suppressed. (Quartman121824t) (Posted: December 26, 2024)
- ▶ **Commonwealth vs. Jefferies** (12/20/2024)—Judge Ryan M. Tira
Criminal: Suppression motion; sufficiency of affidavit of probable cause to issue search warrant as to a particular house; drug sales, with defendant leaving the house in question to deliver drugs; substantial nexus between suspect's home and criminal activity or contraband. (Jefferies122024t) (Posted: December 26, 2024)
- ▶ **Commonwealth vs. Truax** (12/17/2024)—Judge Nancy L. Butts
Criminal: Habeas corpus petition; endangering welfare of child charges related to failure to provide care to newborn child; allowance of amicus brief by American College of Obstetrics and Gynecology regarding criminalizing behavior of women with adverse pregnancy outcomes; criminal liability for conduct during pregnancy that affects unborn child; liability for act of omission in failing to obtain medical care for child; knowing breach of duty to care for child; proper grading of offense where no course of conduct is established; suppression motion; probable cause to issue search warrants; use of a search warrant as a general investigatory tool; validity of search warrants issued without evidence of a crime, or to investigate conduct that cannot constitute a crime. (Truax121724bt) (Posted: December 22, 2024)

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- ▶ **LM Adoption** (12/02/2024)—Judge Ryan C. Gardner
Adoption: Petition for involuntary termination of parental rights; parent demonstrates settled purpose to relinquish parental claim to child or fails to perform parental duties for at least six months; no contact with child since 2012; failure to appear at termination hearing; existence of bond. (LMI20224RG) (Posted: December 22, 2024)
 - ▶ **Vosk vs. Vosk** (12/03/2024)—Judge Ryan C. Gardner
Divorce: Appeal; use of parol evidence if the terms of a contract are ambiguous, because they are subject to more than one reasonable interpretation when applied to a particular set of facts. (Vosk120324RG) (Posted: December 22, 2024)
 - ▶ **Commonwealth vs. Huyck** (12/06/2024)—Judge Ryan C. Gardner
Criminal: Suppression motion; reasonable suspicion to detain defendant; totality of the circumstances suggesting criminal activity; probable cause for arrest where canine alerted to the presence of narcotics. (Huyck120624RG) (Posted: December 22, 2024)

**NOTICE OF ANNUAL MEETINGS OF THE
LYCOMING LAW ASSOCIATION AND
THE LYCOMING LAW ASSOCIATION FOUNDATION**

**NOTICE OF PROPOSED
AMENDMENTS TO BY-LAWS**

The Lycoming Law Association will hold its annual meeting on Monday, January 13, 2025, at 4:00PM at the Lycoming Law Association office.

The Executive Committee has proposed a change to Article I of the By-laws of the Lycoming Law Association, relating to categories of membership. The full text of the proposed amendment is posted on the Association's website, lycolaw.org.

The Executive Committee has proposed a change to Article III of the By-laws of the Lycoming Law Association, relating to duties of the treasurer of membership. The full text of the proposed amendment is posted on the Association's website, lycolaw.org.

The Lycoming Law Association Foundation will hold its annual meeting on Monday, January 13, 2015, at the Lycoming Law Association office, immediately following the annual meeting of the Law Association.

PLEASE PLAN TO ATTEND.

D-13, 20, 27; J-3

**IN THE COURT OF COMMON PLEAS OF LYCOMING
COUNTY, PENNSYLVANIA**

In Re: LLA Bar History :
MEMORIAL RESOLUTION : CV-24-0003
ROBERT C. WISE :

TO THE HONORABLE JUDGES OF SAID COURT:

On the 16th day of October, 2024, the Honorable Nancy L. Butts, President Judge of the 29th Judicial District of the Commonwealth of Pennsylvania, appointed the undersigned Committee to prepare a Report and Resolutions memorializing the life of Robert C. Wise for submission to the Court at a public ceremony on Thursday, December 19, 2024 at 4:00pm.

Accordingly, your Committee respectfully submits the following Report and Resolutions:

- Robert C. Wise, a member of this bar and court from 1949 to 2024, as well as a member of the Lycoming Law Association and the Pennsylvania Bar Association, died peacefully surrounded by his family on September 3, 2024, at Celebration Villa of Loyalsock.
- Services were held at 10:30 a.m. on Saturday, September 21, 2024 at Trinity Episcopal Church, 844 West Fourth Street, Williamsport. The family received friends from 10 a.m. until the time of service. The church was very well attended by his many friends, colleagues and relatives including several Lycoming County Judges and numerous Lycoming County Bar members.
- Robert Campbell Wise was born on May 21, 1925, the son of the late Victor C. and Alice S. (Mahaffey) Wise, in Williamsport, where he lived, except during his schooling and military service, until his death.
- Bob married Margaret L. Browne (Peggy) on January 27, 1951, with whom he celebrated seventy years of marriage and who predeceased him on December 2, 2021.
- Bob and Peggy had three children, who, along with their spouses, survive: David L. Wise, and his wife, Leslie of Erdenheim, Carol L. Kirol, and her husband, Thomas, of Williamsport, and Sandra W. Stoner, and her husband, Herbert, of Harrisburg. Bob is also survived by eight grandchildren;

15 great grandchildren; his sister-in-law, Joyce Henninger Wise, of Williamsport; and his niece and three nephews.

- In addition to his wife, Bob was predeceased by his brother Victor E. Wise and his grandson, Nathanael W. Stoner.
- Bob graduated from Williamsport High School in 1943, and then enlisted in the U.S. Navy Officer Training Program, University of Notre Dame. He later transferred to the California Institute of Technology, Pasadena, CA, where he graduated with a meteorology degree.
- Following graduation Bob was commissioned as an ensign and served as the weather officer on an arctic icebreaker.
- After discharge from active-duty Bob enrolled in the Dickinson School of Law in Carlisle, PA and graduated in 1948, and began to practice law.
- Bob was admitted to the Court of Common Pleas of Lycoming County in 1949, the Supreme Court of Pennsylvania in 1950, the United States District Court for the Middle District of Pennsylvania in 1951 and the United States Supreme Court in 1954.
- Bob was recalled to active duty during the Korean War from 1952 to 1954, serving as a lieutenant in the U.S. Navy at the Fleet Weather Central in Washington, DC and lived in Silver Spring, MD.
- Upon return to civilian life, he began again in private practice. He served as assistant district attorney of Lycoming County from 1956 to 1960, working under then District Attorney George Hess.
- During his time in private practice Bob associated with, George Hess, Michael J. Casale, Sr., practicing as Hess, Casale and Wise and maintaining offices at 18 West Third Street in Williamsport. He later maintained offices with Nathan Stuart at 25 West Third Street, Williamsport until Nate's death.
- In 1964 Bob was elected a Representative in the Pennsylvania's General Assembly for the 83rd Legislative District in Lycoming County as a Democrat, a position to which he was re-elected four more times before choosing not to run in 1974. After leaving the House of Representatives in 1975 his legislative talents were further recognized when he

was elected by the General Assembly to serve as director of the PA State Legislative Reference Bureau from 1975 to 1976.

- Bob's work was concentrated in general practice and he was a municipal solicitor as well, including for South Williamsport Borough for many years and the South Williamsport School District January 11, 1984 through June 30, 2006. Bob served his clients well with his keen legal mind and professionalism.
- Bob was active in the Lycoming Law Association, having served as its President in 1969.
- Bob was a faithful, active lifetime member of Trinity Episcopal Church, where he was baptized some 99 years before his September 21st Memorial Service.
- Bob was active Mason, having received his Master Mason degree on June 20, 1963 as a member of Lodge Number 755 and then joined the Williamsport Scottish Rite as a 32nd degree Mason on November 22, 1963. He was awarded the 33rd in Scottish Rite Masonry on September 29, 1998, a degree only a select few are given.
- Bob was an active member of many other community organizations including the American Legion for over 70 years, the West Branch Boat Club, Ross Club, Williamsport Rotary Club, Williamsport Kiwanis Club.
- Bob had a wide variety of interests which included reading, performing music, golfing, boating, skiing, playing chess and watching sports. He particularly had a love and talent for music and played in many bands in the Williamsport area, including the Repasz and New Horizons and Teteque Bands and other ensembles as recently as May, 2024
- Bob always sought ways to engage with the world around him, he kept busy and was highly service-oriented. He was known for his loving nature, kindness, generosity and devotion to family, which he demonstrated through his constant acts of giving, doing, and involvement with others.
- Your Committee recommends the adoption of the following Resolutions:

NOW THEREFORE BE IT RESOLVED that we, the undersigned Committee appointed by this Court, joined in by the Lycoming County Bar, do hereby recognize the passing of Robert C. Wise, Esquire, and in his death, we remember his many contributions to the citizens of Lycoming County and to this Bar.

RESOLVED FURTHER that these Resolutions and statements be spread at length, upon the Minutes of Your Honorable Court with copies sent to Robert C. Wise's children and be published in the Lycoming Reporter.

RESOLVED FINALLY that this Court and the Lycoming Bar extend to Robert C. Wise's children, grandchildren, great grandchildren, and other family members, our deep heartfelt expression of sympathy and prayers.

Respectfully submitted,

William S. Kieser

Charles F. Greevy, III

C. Edward S. Mitchell

David C. Raker, Chairman



LYCOMING LAW ASSOCIATION FOUNDATION

The Lycoming Law Association Foundation expresses its great appreciation for the following contributions to the Robert C. Wise Memorial Fund:

Contribution by Hon. William I. Arbuckle, III

Contribution by Bradley Hillman, Esquire

Contribution by Fred Holland, Esquire

Contribution by Charles Greevy, III, Esquire

Contribution by the Lycoming Law Association

These contributions assist the LLA Foundation in furthering its purpose of providing access to justice for civil legal services needed by low-income people in Lycoming County and supporting law-related community events.

The LLA Foundation is funded almost entirely through the support of the LLA Members. Thank you.

—The Lycoming Law Association Foundation

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

Byham, Nellie S., dec'd.

Late of the Borough of South Williamsport.

Executor: Robert C. Byham.

Attorneys: Julieanne E. Steinbacher, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

SECOND PUBLICATION

McCormick, Marlene, dec'd.

Late of South Williamsport.

Administrators: Alicia Manzitti and Jacqueline Manzitti c/o Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701.

THIRD PUBLICATION

Barnes, Doris R., dec'd.

Late of Williamsport.

Executor: Alan Barnes, Jr. c/o Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701.

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

Cipriani, Peggy Marie, dec'd.

Late of Williamsport.

Administratrix: Linda M. Cipriani c/o Bradley S. Hillman, Esquire, Casale, Bonner, Hillman & Southard, P.C., 331 Elmira Street, Williamsport, PA 17701.

Attorneys: Bradley S. Hillman, Esquire, Casale, Bonner, Hillman & Southard, P.C., 331 Elmira Street, Williamsport, PA 17701.

Little, Ronald J., Sr., dec'd.

Late of Muncy.

Co-Executors: Kevin A. Little and Roberta J. Swinehart c/o Bradley S. Hillman, Esquire, Casale, Bonner, Hillman & Southard, P.C., 331 Elmira Street, Williamsport, PA 17701.

Attorneys: Bradley S. Hillman, Esquire, Casale, Bonner, Hillman & Southard, P.C., 331 Elmira Street, Williamsport, PA 17701.

Livermore, Shirley, dec'd.

Late of Williamsport.

Executrix: Lee Ann Bower c/o Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701.

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

Neufer, Alice M., dec'd.

Late of Unityville.

Administrator: James S. Neufer, P.O. Box 21, Unityville, PA 17774.

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

Reish, Barbara J. a/k/a Barbara Jane Reish, dec'd.

Late of the Township of Upper Fairfield.

Executrix: Mitzi J. Sechrist, 157 Waterfowl Way, Montoursville, PA 17754.

Attorney: Paul A. Roman, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Welker, Atwood L., Jr., dec'd.

Late of Williamsport.

Executor: Mark L. Welker c/o Bradley S. Hillman, Esquire, Casale, Bonner, Hillman & Southard, P.C., 331 Elmira Street, Williamsport, PA 17701.

Attorneys: Bradley S. Hillman, Esquire, Casale, Bonner, Hillman & Southard, P.C., 331 Elmira Street, Williamsport, PA 17701.

SERVICE BY PUBLICATION

Montoursville Area School District
50 North Arch Street
Montoursville, PA 17754

PUBLIC MEETING NOTICE

The Board of Directors of the Montoursville Area School District do, pursuant to Article VII, Section 780 of the Pennsylvania Public School Code of 1949, as amended, resolve that a Public Hearing of the Board will be held in the Auditorium of the Montoursville Area High School, 700 Mulberry Street on January 21, 2025 at 7:00 p.m. upon the question of permanently closing the Loyalsock Valley Elementary School located at 3790 State Rt 87, Montoursville, PA at the end of the 2026-2027 School Year. "Anyone attending the meeting who requires assistance or special physical and/or communication accommodations should contact the district office prior to the meeting."

J-3

Angel Tree Toy Drive a Success

The LLA has concluded its Annual Angel Tree Toy Drive! Thank you to everyone who supported this worthy cause.

About 500 families in Lycoming County will benefit from the Salvation Army's holiday toy collection. Additionally, support has been given to Susquehanna Valley CASA (Court Appointed Special Advocates).



Representing the Young Lawyers Division of the LLA are (left to right): Stephanie Wolak-Fleming, Gabrielle Tock, Bryan Fitzcharles, Kristian Villegas, Blake Marks, and Sean Gingerich.

Do you know what your



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?

From 2003 to Present,
the LLAF gave more than \$250,330 to worthy causes:
\$183,949 to provide free legal services to the residents of Lycoming County;
\$27,241 to preserve and provide access to legal materials for the public;
\$17,000 to train attorneys and other service providers in different areas of the law;
\$15,900 to fund legal education and Mock Trial Teams for high school students;
\$7,237.04 to provide funding for court-appointed child advocates.
\$7,000 Via the Joseph Rider Scholarship Fund newly created in 2024 to assist students with tuition costs associated with their enrollment in law school.

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

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, January 6, 2025