Lycoming Reporter

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LYCOMING REPORTER

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THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY ${\it www.lycolaw.org}$

PUBLISHED EVERY FRIDAY BY LYCOMING LAW ASSOCIATION

Editor: William L. Knecht Business Manager: Jessica A. Engel

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Annual subscription, \$50 per year.

Estate advertisement consisting of three (3) insertions, which shall include one (1) Proof of Publication at no additional cost, \$80.

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PBI SEMINARS FOR SPRING/SUMMER 2011

LYCOMING LAW ASSOCIATION 25 WEST THIRD STREET, SUITE 601 WILLIAMSPORT, PA

CONTACT PBI TO REGISTER: (800) 247-4724 SIGN-IN FOR ALL SEMINARS IS ONE-HALF HOUR PRIOR TO THE PROGRAM.

ANYONE REQUIRING SPECIAL ARRANGEMENTS FOR A DISABILITY PLEASE CONTACT ZINA BARLUP (800) 932-4637 EXT. 2284 TEN (10) DAYS PRIOR TO THE COURSE.

PBI may cancel replays when the registration is insufficient ten days prior to the replay.

Check with PBI for Tuition.

An additional \$25.00 charge is assessed for registration at the door.

If you plan to register at the door, please call the PBI Customer Service Department at (800) 247-4724 before the program. If you are pre-registered and PBI elects to cancel the replay, you will be notified by PBI.

Please feel free to check www.pbi.org to confirm a scheduled seminar or replay.

WEDNESDAY, MAY 11, 2011—9:00 A.M. to 5:00 P.M. (5 Substantive, 1 Ethics) WINNING NUMBERS

WEDNESDAY, MAY 18, 2011—12:00 P.M. to 2:00 P.M. (2 Substantive) TSA: PATTING DOWN YOUR RIGHTS—PART OF PBI'S PUBLIC POLICY SERIES

WEDNESDAY, MAY 25, 2011—9:00 A.M. to 12:15 P.M. (2 Substantive, 1 Ethics) PENNSYLVANIA'S NEW ADOPTION AMENDMENTS

- THURSDAY, JUNE 2, 2011—9:00 A.M. to 5:00 P.M. (5 Substantive, 1 Ethics) BRAINWASHING: CHILDREN HELD HOSTAGE
- **THURSDAY, JUNE 9, 2011—9:00 A.M. to 4:15 P.M.** (5 Substantive, 1 Ethics) TAKING AND DEFENDING DEPOSITIONS FOR LAY AND EXPERT WITNESSES
- TUESDAY, JUNE 14, 2011—9:00 A.M. to 5:00 P.M. (6 Substantive) 12th ANNUAL ESTATE & ELDER LAW SYMPOSIUM
- FRIDAY, JUNE 17, 2011—8:30 A.M. to 12:45 P.M. (4 Substantive) PROTECTING STUDENTS WITH DISABILITIES: A GUIDE TO SECTION 504 IN PUBLIC SCHOOLS
- TUESDAY, JUNE 21, 2011—9:00 A.M. to 12:30 P.M. (3 Substantive) FORENSICS FOR CRIMINAL PRACTITIONERS: CSI AT PBI
- THURSDAY, JUNE 23, 2011—9:00 A.M. to 11:00 A.M. (2 Substantive) PENNSYLVANIA'S NEW CHILD CUSTODY LAW
- WEDNESDAY, JUNE 29, 2011—8:30 A.M. to 4:15 P.M. (5 Substantive, 1 Ethics) GENERAL PRACTITIONERS UPDATE 2011
- THURSDAY, JULY 7, 2011—9:00 A.M. to 11:00 A.M. (1 Substantive, 1 Ethics) THE CHALLENGES OF REPRESENTING A CLIENT WITH DIMINISHED CAPACITY
- TUESDAY, JULY 12, 2011—9:00 A.M. to 1:30 P.M. (4 Substantive) INTIMATE PARTNERS, LEGAL STRANGERS: GUIDE FOR REPRESENTING UNMARRIED COUPLES
- THURSDAY, JULY 14, 2011—8:30 A.M. to 3:30 P.M. (5 Substantive, 1 Ethics) WINNING BEFORE TRIAL: 10 KEYS TO WINNING DEPOSITIONS (PEG)
- TUESDAY, JULY 19, 2011—9:00 A.M. to 4:30 P.M. (5 Substantive, 1 Ethics) ADVANCED ISSUES IN SOCIAL SECURITY DISABILITY

TUESDAY, JULY 26, 2011—9:00 A.M. to 12:30 P.M. (3 Substantive) WORKERS' COMPENSATION ISSUES AFFECTING YOUR AUTO ACCIDENT CASE

WEDNESDAY, JULY 27, 2011—9:00 A.M. to 1:15 P.M. (4 Substantive) FUNDAMENTALS OF CIVIL PRACTICE

TUESDAY, AUGUST 2, 2011—9:00 A.M. to 10:00 A.M. (1 Ethics) ETHICS POTPOURRI: BOB DYLAN AND THE ART OF TAKING LEGAL ETHICS SERIOUSLY

THURSDAY, AUGUST 4, 2011—9:00 A.M. to 1:30 P.M. (4 Substantive) FUNDAMENTALS OF INSURANCE LAW

TUESDAY, AUGUST 9, 2011—9:00 A.M. to 12:30 P.M. (3 Substantive) HANDLING THE FAILURE TO DISCLOSE CASE: FROM LEAKY ROOFS TO FLOODED BASEMENTS

THURSDAY, AUGUST 11, 2011—9:00 A.M. to 12:30 P.M. (3 Substantive) DOING GOOD DEEDS ... AND TITLE WORK

TUESDAY, AUGUST 16, 2011—9:00 A.M. to 5:00 P.M. (5 Substantive, 1 Ethics) ADVANCED ISSUES IN ESTATE PLANNING

THURSDAY, AUGUST 18, 2011—8:30 A.M. to 4:15 P.M. (6.5 Substantive) ANATOMY OF A "SUPERSTAR" DEPOSITION

TUESDAY, AUGUST 23, 2011—9:00 A.M. to 5:00 P.M. (5 Substantive, 1 Ethics) UNDERSTANDING THE BASICS OF ELDER LAW

THURSDAY, AUGUST 25, 2011—9:00 A.M. to 5:00 P.M. (5 Substantive, 1 Ethics) FAMILY LAW INSTITUTE 2011

TUESDAY, AUGUST 30, 2011—9:00 A.M. to 12:15 P.M. (3 Substantive) USING TRUSTS AND INSURANCE FOR ASSET PROTECTION

NOTICE TO THE PROFESSION

Law firm in North Central Pennsylvania seeking full-time Associate interested in developing a Family Law practice. Must have a minimum of 1 year experience as an attorney or law clerk. Position is available immediately. Pension, profit sharing and health benefits available. Please send resume or letter of interest and transcripts with writing samples to Ame L. Shuman, Rieders, Travis Law Firm, 161 West Third Street, Williamsport, PA 17701 or via e-mail to ashuman@riederstravis.com. EOE.

M-6, 13, 20, 27

The full text of the following decisions of the Court of Common Pleas of Lycoming County have been posted to the Lycoming Law Association Web site. To read the decision, navigate to www.lycolaw.org/Cases/search.asp, and enter the name or Web citation or check "Recent Postings." [How to read the summaries: Case Name, docket number (Web citation—unique number assigned to opinion)—issuing judge (date of issuance) [category] Summary of legal concepts involved (Date posted to the Web site)]

- ► Commonwealth vs. Prentiss, CR-633-2010 (Prentiss-041811bt)—Judge Nancy L. Butts (04/18/2011) [Criminal] Summary: Appeal. (Posted: 04/18/2011)
- ▶ Commonwealth vs. Baines, CR-495-2010 (baines041811a)— Judge Dudley N. Anderson (04/18/2011) [Criminal] Summary: Non-jury trial; retail theft; sufficiency of evidence that defendant conspired to have a department store cashier give her items without charge. (Posted: 04/18/2011)
- ►Commonwealth vs. Ringkamp, 08-10918 (ringkamp030411br)
 —Judge Kenneth D. Brown (03/04/2011)
 [Criminal] Summary: Post sentence motion; sufficiency of evidence; non-jury trial of drug offenses; probable cause to search camera images. (Posted: 04/18/2011)
- ▶ Commonwealth vs. Thomas, CR-1590-2010 (Thomas-040711bt)—Judge Nancy L. Butts (04/07/011) [Criminal] Summary: Motion to suppress; search of cell phone without warrant; abandoning expectation of privacy by giving possession to another; evidence discovered by private citizen. (Posted: 04/16/2011)
- ▶ Commonwealth vs. Bozochovic, CR-1784-2010 (Bozochovic041511bt)—Judge Nancy L. Butts (04/14/2011) [Criminal] Summary: Habeas corpus petition; prima facie evidence of crime; possession of prohibited substance by prisoner; lack of chemical testing of substance. (Posted: 04/16/2011)

▶ Commonwealth vs. Lyons, *CR-1280-2007* (Lyons041511bt)— Judge Nancy L. Butts (04/15/2011)

[Criminal] Summary: Post Conviction Relief Act petition; effectiveness of counsel; post-trial challenge to conviction; sufficiency of evidence; failure to request charge on lesser included offenses. (Posted: 04/16/2011)

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, Marie A., dec'd.

Late of Jersey Shore (Porter Twp.).

Executor: Richard L. Allen, 355 Cement Drive, P.O. Box 120, Jersey Shore, PA 17740. Attorneys: L. Craig Harris, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

Gardner, Sarah Alice, dec'd.

Late of Montoursville.

Executor: William M. Gardner, 606 W. Shady Lane, Enola, PA 17025-2053.

Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, P.O. Box 3, Williamsport, PA 17703.

Guerra, Eduardo a/k/a Rev. Dr. Eduardo Guerra, dec'd.

Late of Williamsport. Executrix: Tera Valle Bush, 1500 Ashwood Court, Williamsport, PA 17701. Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci, Shipman, Dinges & Dinges, P.C., 125 East Third Street, Williamsport, PA 17701.

Knaur, Richard M., dec'd.

Late of Limestone Township. Executor: Woodlands Bank, 2450 E. Third Street, Williamsport, PA 17701.

Attorneys: Henry P. Perciballi, Esquire, Law Offices of Perciballi & Williams, LLC, a division of Stevens & Lee, 429 Market Street, Williamsport, PA 17701.

Kulp, James P., Sr., dec'd.

Late of Gamble Township. Executor: Timothy Younes,

607 Robert Street, Mechanicsburg, PA 17055.

Attorneys: Richard E. Connell, Esquire, Ball, Murren & Connell, 2303 Market Street, Camp Hill, PA 17011.

Myers, Kimberly D., dec'd.

Late of Williamsport.

Executor: Jarrod L. Myers, 525 Oak Street, D10, Royersford, PA 19468.

Attorney: None.

Pulizzi, Philip N., dec'd.

Late of Montoursville.

Executor: Daniel J. Perka, 8354 Sailing Loop, Lakewood Ranch, FL 34202.

Attorney: Daniel J. Perka, Esquire, 8354 Sailing Loop, Lakewood Ranch, FL 34202.

SECOND PUBLICATION

Crary, Sylvia M., dec'd. Late of Williamsport.

Executrix: Miriam L. Boyd, 187 Wurster Road, Jersey Shore, PA 17740.

Attorneys: L. Craig Harris, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

Fox, Merna V., dec'd.

Late of 530 Barbours Cemetery Road, Williamsport. Executors: Donald H. Fox, 2710 Hoppestown Road, Williamsport, PA 17701 and Phyllis L. Run, 153 Scaife Road, Williamsport, PA 17701. Attorney: Andrea B. Bower, Esquire, 426 Broad Street, Montoursville, PA 17754.

Gansel, Joseph S., dec'd.
Late of Williamsport.
Co-Executors: Robert C. Gansel and William H. Gansel.
Attorneys: Gary T. Harris,
Esquire, Rieders, Travis,
Humphrey, Harris, Waters
& Waffenschmidt, 161 West
Third Street, Williamsport, PA
17701, (570) 323-8711.

Newcomer, Chester H., dec'd. Late of 3430 State Route 87, Montoursville. Executrix: Linda E. Lynch, 12 W. 8th Avenue. South Wil-

liamsport, PA 17702. Attorney: Andrea B. Bower, Esquire, 426 Broad Street, Montoursville, PA 17754.

Vermilya, James L., dec'd. Late of the Borough of Muncy. Executor: Susquehanna Trust & Investment Co., 48 Orchard Drive, Shamokin Dam, PA 17876-8800. Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Wurster, Stanley R. a/k/a Stanley Wurster, dec'd.

Late of the Borough of Jersey Shore.

Executrix: Stephanie H. Wurster, 333 Glover Street, Jersey Shore, PA 17740.

Attorneys: Adrianne J. Stahl, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

THIRD PUBLICATION

Baughman, Marshall W., dec'd. Late of the Borough of Jersey Shore.

Executors: Betty Conner, P.O. Box 109, Avis, PA 17721 and Richard I. Baughman, 98 Stone Ridge Lane, Mill Hall, PA 17751.

Attorney: Leroy H. Keiler, III, Esquire, P.O. Box 263, Jersey Shore, PA 17740.

Emerick, Linda A., dec'd.

Late of 465 John Brady Drive, Muncy.

Administrator: Theodore H. Emerick, 1145 Chester Street, Apt. 309, Williamsport, PA 17701.

Attorneys: John A. Smay, Equire, Williams and Smay, 39 South Main Street, P.O. Box 35, Muncy, PA 17756.

Strayer, Margaret J. a/k/a Margaret Strayer, dec'd.

Late of the Borough of Jersey Shore.

Margaret J. Strayer Special Needs Trust under Morris A. Strayer's last will and testament dated April 15, 2008. Trustee: Jeffrey A. Marshall c/o Tammy A. Weber, Esquire, Marshall, Parker & Associates, LLC, 49 E. Fourth Street, Suite 200, Williamsport, PA 17701.

Executor: C&N Trust & Financial Management Group, 130 Court Street, Williamsport, PA 17701.

Attorneys: Adrianne J. Stahl, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

NOTICE

In the Court of Common Pleas of Lycoming County, Pennsylvania Civil Action—Law

No. 11-00177

KYLE E. MARCH.

Plaintiff,

vs.

JOHN B. HACKENBERRY, a/k/a
J. BENNETT HACKENBERRY,
a/k/a JOHN BENNETT
HACKENBERRY and THELMA M.
HACKENBERRY, his wife, their
heirs, executors, administrators,
successors, assigns, and
unknown persons claiming any
right, lien, title or interest by,
through or under them
or any of them,

Defendants

QUIET TITLE

NOTICE OF PRELIMINARY JUDGMENT

TO: JOHN B. HACKENBERRY, a/k/a J. BENNETT HACKEN-BERRY, a/k/a JOHN BENNETT

HACKENBERRY and THELMA M. HACKENBERRY, his wife, their heirs, executors, administrators, successors, assigns, and unknown persons claiming any right, lien, title or interest by, through or under them or any of them.

You are hereby notified that judgment has been entered in favor of the Plaintiff and against the Defendants in the above captioned Action to Quiet Title on April 25, 2011.

WARNING

Final judgment may be entered against you unless you take such action as the above mentioned Order directs within thirty (30) days from the date of said Order. If such action is not taken within the thirty (30) day period, the prothonotary, on praecipe of the Plaintiff, will enter final judgment against you. You are warned that if you fail to take any action within thirty (30) days of the date of said Order final judgment may be entered against you without any further notice for the relief requested by the Plaintiff. You may lose money or property or other important rights.

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.

Pennsylvania Lawyer Referral Service Pennsylvania Bar Association 100 South Street P.O. Box 186 Harrisburg, PA 17108 (800) 692-7375 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.

North Penn Legal Services 329 Market Street Williamsport, PA 17701 (570) 323-8741 PETER BURCHANOWSKI, ESQUIRE ID 20816 Attorney for Plaintiff 4 West Fourth Street Williamsport, PA 17701 (570) 323-6832

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NOTICE

In the Court of Common Pleas of Lycoming County, Pennsylvania

NO. 11 00482 TERM

IN RE: CONDEMNATION BY THE COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION, OF THE RIGHT-OF-WAY FOR STATE ROUTE 2039, SECTION 002 IN THE TOWNSHIP OF LOYALSOCK

EMINENT DOMAIN PROCEEDING

IN REM

NOTICE OF CONDEMNATION AND DEPOSIT OF ESTIMATED JUST COMPENSATION

NOTICE IS HEREBY GIVEN that the Commonwealth of Pennsylvania, by the Secretary of Transportation, whose address is the Commonwealth of Pennsylvania, Department of Transportation, Office of Chief Counsel, Real Property Division, Commonwealth Keystone Building, Harrisburg, Pennsylvania 17120, pursuant to the provisions of Section 2003(e) of the Administrative Code of 1929, P.L. 177, 71 P.S. 513(e), as amended, has filed on March 25, 2011 a Declaration of Taking to the above term and number, condemning the property shown on the plans of the parcels listed on the Schedule of Property Condemned which have been recorded in the Recorder's Office of the above county at the places indicated on the said schedule. The name(s) of the owner(s) of the property interest(s) condemned is (are) also shown on the aforesaid Schedule. The Secretary of Transportation, on behalf of himself and the Governor has approved the within condemnation by signing on December 16, 2010, a plan entitled COMMONWEALTH OF PENNSYLVANIA, DEPARTMENT OF TRANSPORTATION, DRAW-INGS AUTHORIZING ACQUISI-TION OF RIGHT-OF-WAY FOR STATE ROUTE 2039 SECTION 002 R/W IN LYCOMING COUNTY, a copy of which plan was recorded in the Recorder's Office of the aforesaid county on January 20, 2011, in Recorder of Deeds, Lycoming County, Map Book 61, Page 341, sheets 5 and 6.

The purpose of the condemnation is to Acquire Property for Highway Improvement.

Plans showing the property condemned from the parcels listed on the Schedule of Property Condemned have been recorded in the aforesaid Recorder's Office at the places indicated on the Schedule, where they are available for inspection. The Property Interest thereby condemned is designated on the Declaration of Taking heretofore filed. The Commonwealth of Pennsylvania is not required to post security, inasmuch as it has the power of taxation.

Because the identity or the whereabouts of the condemnee(s) listed below is (are) unknown or for other reasons he (they) cannot be served, this notice is hereby published in accordance with Section 305(b) of the Eminent Domain Code (26 Pa. C.S. §305(b)).

Claim No.; Parcel No.; Name; Address

4100335000; 10; Unknown Owner: Unknown

The power or right of the Secretary of Transportation of the Commonwealth of Pennsylvania to appropriate the property condemned, the procedure followed by the Secretary of Transportation or the Declaration of Taking may be challenged by filing preliminary objections within thirty (30) days of the date of this notice.

FURTHERMORE, NOTICE IS GIVEN THAT the Commonwealth of Pennsylvania, Department of Transportation, pursuant to Section 522 of the Eminent Domain Code (26 Pa. C.S. §522), will, at the end of the above-referenced thirty (30) day time period within which to file preliminary objections to the Declaration of Taking, present a petition to the Court of Common Pleas of the above county to deposit into court the just compensation estimated by the Commonwealth to be due all parties in interest for damages sustained as the result of the condemnation of the property herein involved.

The petition to deposit estimated just compensation may not be presented to the court if the owner(s) of the property herein involved inform the District Right-of-Way Administrator of the District noted below of their existence and/ or whereabouts prior to the expiration of the noted period. After estimated just compensation has been deposited into court, the said monies may be withdrawn by the persons entitled thereto only upon petition to the court. If no petition is presented within a period of six years of the date of payment into court, the court shall order the fund or any balance remaining to be paid to the Commonwealth without escheat.

Lenny P. Confer
District Right-of-Way
Administrator
Engineering District 3-O
Pennsylvania Department of
Transportation

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NOTICE OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on April 27, 2011, with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation for a business corporation to be organized under the Pennsylvania Business Corporation Law of 1988, (P.L. 1444, No. 177), as amended. The name of the corporation is:

CHEF HOSCH & ANN CATERING, INC.

520 Vernon Ave., Williamsport, PA 17701. The purpose for which the business has been organized is

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to engage in and to do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Pennsylvania Business Corporation Law of 1988, as amended. Ann House 520 Vernon Ave.
Williamsport, PA 17701-2006 (570) 850-9843

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NOTES



PERIODICAL PUBLICATION

* Dated Material. Do Not Delay. Please Deliver Before Monday, May 9, 2011