

# Lycoming Reporter

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# LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

www.lycolaw.org

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LYCOMING LAW ASSOCIATION

*Editor:* Gary L. Weber

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## ADVERTISING RATES

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

Incorporation Notices, Fictitious Name Notices, LLC Notices, and similar business notices consisting of one (1) insertion, which shall include one (1) Proof of Publication at no additional cost: \$70.00.

All other advertising unless done by special contract arrangement, \$1.65 per half-column line and \$3.30 per full column line. This shall entitle the advertiser to one (1) Proof of Publication at no additional cost.

Additional Proofs of Publication, \$4.00.

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All legal notices must be submitted in typewritten form and are published exactly as submitted by the advertiser. Neither the Lycoming Reporter nor the printer will assume any responsibility to edit, make spelling corrections, eliminate errors in grammar or make any changes in content. The Lycoming Reporter makes no representation as to the quality of services offered by any advertiser in this publication.

**PBI SEMINARS FOR FALL 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](http://www.pbi.org)  
to confirm a scheduled seminar or replay.**

**TUESDAY, NOVEMBER 8, 2011—8:30 A.M. to 1:00 P.M.**  
(4 Substantive) 15TH ANNUAL FAMILY LAW UPDATE

**THURSDAY, NOVEMBER 10, 2011—9:00 A.M. to 5:00  
P.M.** (5 Substantive, 1 Ethical) GENERAL PRACTITIONERS  
UPDATE 2011

**TUESDAY, NOVEMBER 29, 2011—9:00 A.M. to 1:30 P.M.**  
(4 Substantive) THE LAW OF ARREST SEARCH AND SEI-  
ZURE IN PENNSYLVANIA

**THURSDAY, DECEMBER 1, 2011—9:00 A.M. to 12:15 P.M.**  
(3 Substantive) ELDER LAW UPDATE

**TUESDAY, DECEMBER 6, 2011—9:00 A.M. to 10:00 A.M.**  
(1 Ethics) ETHICS POTPOURRI: LAW FIRM RESPONSIBILITIES & RECOVERY

**WEDNESDAY, DECEMBER 7, 2011—9:00 A.M. to 4:30 P.M.** (6 Substantive) IDEAL GAS LAW: A COMPARATIVE REVIEW OF PA GAS LAW WITH THE LAWS OF OTHER MAJOR OIL PRODUCING STATES

**THURSDAY, DECEMBER 15, 2011—9:00 A.M. to 1:30 P.M.**  
(4 Substantive) REAL ESTATE ISSUES IN ESTATES

**FRIDAY, DECEMBER 16, 2011—12:00 P.M. to 4:15 P.M.**  
(4 Substantive) CRIMINAL LAW UPDATE

**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](http://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. Cassidy**, *CR-569-2008* (Cassidy102111bt)—  
Judge Nancy L. Butts (10/21/2011)  
[Criminal] *Summary*: Post Conviction Relief Act Petition; eligibility; defendant no longer serving a sentence at the time of the petition. (Posted: 10/24/2011)
- ▶ **Commonwealth vs. Scott**, *CR-516-2009* (Scott102011bt)—  
Judge Nancy L. Butts (10/20/2011)  
[Criminal] *Summary*: Appeal of non-final order dismissing Post Conviction Hearing Act petition; jurisdiction of the court; admissions made during the guilty plea hearing. (Posted: 10/24/2011)
- ▶ **Litz vs. Jersey Shore State Bank**, *10-01672* (Litz101911g)—  
Judge Richard A. Gray (10/19/2011)  
[Civil] *Summary*: Non-jury trial; verdict for defendant in a case involving a fall; obvious and known condition. (Posted: 10/19/2011)
- ▶ **Dreher & Takach vs. Williamsport Parking Authority vs. River Valley Transit**, *10-00579* (Dreher101911g)—Judge Richard A. Gray (10/19/2011)  
[Civil] *Summary*: Appeal. (Posted: 10/19/2011)
- ▶ **Commonwealth vs. Rupert**, *CR-97-2006* (Rupert101311g)—  
Judge Richard A. Gray (10/13/2011)  
[Criminal] *Summary*: Post Conviction Relief Act petition; timeliness; exceptions. (Posted: 10/13/2011)
- ▶ **Commonwealth vs. Matty**, *CR-1462-2011* (Matty093011bt)—  
Judge Nancy L. Butts (09/30/2011)  
[Criminal] *Summary*: Suppression motion; warrantless vehicle seizure and search. (Posted: 10/04/2011)

**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**

**Baier, Terrence L.,** dec'd.

Late of Jersey Shore.

Executrix: Samantha Koser c/o Christian D. Frey, Esquire, 140 East Third Street, Williamsport, PA 17701.

Attorneys: Christian D. Frey, Esquire, Lepley, Engelman & Yaw, LLC, 140 East Third Street, Williamsport, PA 17701.

**Bashnick, Viola D.,** dec'd.

Late of the Township of Loyalsock.

Executrices: Mary Bashnick, 900 Nichols Place, Apt. 108, Williamsport, PA 17701 and Jean Simcox, 2538 S. West Dallas Street, Port Saint Lucie, FL 34953.

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

**Christian, Emmaline A.,** dec'd.

Late of Old Lycoming Township.

Executrix: Betty L. Martin 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.

**Clarke, Fannie K.,** dec'd.

Late of Williamsport.

Executrix: Margaret Waltz, 918 Almond Street, Williamsport, PA 17701.

Attorneys: Charles F. Greevy, III, Esquire, Greevy & Taylor Law Office, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

**Greiner, Doris M.,** dec'd.

Late of 2142 Central Ave., Williamsport.

Executor: David A. Greiner, 8293 Reagan Drive, King George, VA 22485.

Attorney: Malcolm S. Mussina, Esquire, 426 Broad Street, Montoursville, PA 17754.

**Jamack, William A.,** dec'd.

Late of Pennsdale.

Executrix: Elizabeth Juna c/o Gregory T. Moro, Esquire, 348 East Second Street, Bloomsburg, PA 17815.

Attorney: Gregory T. Moro, Esquire, 348 East Second Street, Bloomsburg, PA 17815.

**Lawson, William R.,** dec'd.

Late of Montoursville.

Executor: Christopher W. Lawson, 125 Orvilla Road, Lansdale, PA 19446.

Attorneys: Fred A. Holland, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

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**Palmeter, Daniel J. a/k/a Daniel J. Palmeter, Sr.,** dec'd.

Late of 107 N. Market St., Muncy.

Executor: Daniel J. Palmeter, Jr., 915 Nicely Ave., Montoursville, PA 17754.

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

**Reeder, Anna M.,** dec'd.

Late of 104 N. Market St., Muncy.

Administratrix: Sherry L. Fruit, 385 Chippewa Rd., Pennsdale, PA 17756.

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

**Van Campen, Inez L.,** dec'd.

Late of Loyalsock.

Executor: William C. Van Campen, 826 Lafayette Parkway, Williamsport, PA 17701.

Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

**SECOND PUBLICATION**

**Crissman, Esther Louise,** dec'd.

Late of Williamsport.

Executor: Gary L. Crissman, 6265 Rose Valley Road, Trout Run, PA 17771.

Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

**Herrman, Ellen M. a/k/a Ellen Mary Herrman,** dec'd.

Late of Wolf Township.

Executrix: Donna M. Luff c/o Grim, Biehn & Thatcher, 104

South Sixth Street, P.O. Box 215, Perkasio, PA 18944-0215.

Attorneys: Gregory E. Grim, Esquire, Grim, Biehn & Thatcher, 104 South Sixth Street, P.O. Box 215, Perkasio, PA 18944-0215.

**Lewis, Mary Ellen,** dec'd.

Late of 62 Abbey Lane, Montgomery.

Executrices: Virginia Gruver, 632 Pepper Street, Muncy, PA 17756 and Andrea B. Bower, 426 Broad Street, Montoursville, PA 17754.

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

**Porter, D. Gary a/k/a Donald Gary Porter,** dec'd.

Late of Williamsport.

Executrix: Bonnie B. Porter, 1850 Bloomingrove Road, Williamsport, PA 17701.

Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci, Shipman, Dinges & Dinges, P.C., 125 East Third Street, Williamsport, PA 17701.

**Staver, Janet M.,** dec'd.

Late of the City of Montoursville.

Executor: Matthew A. Staver, 1717 Northway Road, Williamsport, PA 17701.

Attorneys: W. Jeffrey Yates, Esq. P.C., 425 Market Street, Williamsport, PA 17701.

**Winner, Paul K.,** dec'd.

Late of Eldred Township.

Executrix: Paula J. Sager.

Attorneys: Tammy A. Weber, Esquire, Marshall, Parker & Associates, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

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**Yoder, Anna L.**, dec'd.  
Late of Lewis Township.  
Executrix: Diana L. Rovenolt  
c/o Daniel K. Mathers, Es-  
quire, Mathers & Stapp PC,  
416 Pine St., Ste. 308, Wil-  
liamsport, PA 17701.  
Attorneys: Daniel K. Mathers,  
Esquire, Mathers & Stapp PC,  
416 Pine St., Ste. 308, Wil-  
liamsport, PA 17701.

**THIRD PUBLICATION**

**Ayers, William M.**, dec'd.  
Late of Jersey Shore.  
Executrix: Margaret E. Ayers,  
365 Girio Terrace, Apt. 5,  
South Williamsport, PA 17702.  
Attorney: James G. Malee, Es-  
quire, 310 East Third Street,  
Williamsport, PA 17701, (570)  
321-6112.

**Flexer, Shirley G. a/k/a Shirley  
Grace Flexer**, dec'd.  
Late of Williamsport.  
Executor: Charles F. Flexer,  
3211 Bottle Run Road, Wil-  
liamsport, PA 17701.  
Attorney: Christian D. Frey,  
Esquire, 140 East Third Street,  
Williamsport, PA 17701.

**Matlack, Harriet F.**, dec'd.  
Late of Nisbet Heights.  
Personal Representatives:  
Richard M. Matlack, 435 Ce-  
darwood Drive, Mountours-  
ville, PA 17754 and William  
J. Matlack, Jr., 4262 Briarcliff  
Road, Allentown, PA 18104.  
Attorneys: Scott T. Williams,  
Esquire, Law Offices of Perci-  
balli & Williams, LLC, 429  
Market Street, Williamsport,  
PA 17701.

**McLaughlin, May S. a/k/a May  
Shaffer McLaughlin**, dec'd.  
Late of the City of Williams-  
port.

Executor: Thomas S. Lem-  
mon, 194 Lemmon Road,  
Brockway, PA 15824.  
Attorneys: Adrienne J. Stahl,  
Esquire, Steinbacher & Stahl,  
413 Washington Boulevard,  
Williamsport, PA 17701.

**Swisher, Lois I.**, dec'd.  
Late of Hughesville.  
Executor: Charles Swisher,  
Jr., 2674 Beaver Run Road,  
Hughesville, PA 17737.  
Attorneys: Thomas D. Hess,  
Esquire, Hess and Hess,  
P.C., 30 South Main Street,  
Hughesville, PA 17737.

**NOTICE**

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

No. 11-01907

DENNIS D. RHODES and  
DONNA KAY RHODES, his wife,  
Plaintiffs

vs.

MILLVILLE LUMBER  
PRODUCTS, INC., and their  
successors, heirs, administrators  
and assigns or anyone claiming  
by, through or under them,  
Defendants

ACTION TO QUIET TITLE

NOTICE

TO: Millville Lumber Products,  
Inc., all of their heirs, succes-  
sors and assigns and anyone  
claiming by, through or under  
them, or any of them, Defen-  
dants

YOU ARE HEREBY NOTIFIED  
that the Plaintiffs have commenced

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an action against you which you are required to defend. You are required to plead to the Complaint within 20 days after appearance of this notice.

If you fail to answer the complaint within 20 days, a preliminary judgment may be entered against you, with the said judgment becoming final 30 days thereafter. This action concerns the land described as deed dated August 5, 1993 and recorded with Lycoming County Record Book 2101, Page 336. The premises consist of real estate containing 50 acres.

FOR IDENTIFICATION PURPOSES ONLY, being known as all of Tax Parcel No. 13-416-105 in the Lycoming County Tax Assessment Office.

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, this case may proceed without you, and a judgment may be entered against you without further notice for the relief requested by the Plaintiffs. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS NOTICE TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP:

Prothonotary of Lycoming County  
Lycoming County Courthouse  
48 West Third Street  
Williamsport, PA 17701  
JOHN A. SHOEMAKER, ESQUIRE  
GREEVY & ASSOCIATES  
Attorneys for Plaintiffs  
P.O. Box 328  
Montoursville, PA 17754

**PUBLIC NOTICE**

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In the Court of Common Pleas of  
Lycoming County, Pennsylvania

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NO. 11-01797

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IN RE: NAME CHANGE OF  
AUDERY EILLEN POWELL

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NOTICE IS HEREBY GIVEN that on October 21, 2011, Michelle E. Powell filed a Petition with the Lycoming County Court requesting an Order to change the name of her daughter, Audery Eillen Powell, to Audery Eillen Huey. The Court has scheduled the hearing on said Petition for December 19, 2011 at 9:00 a.m. in Courtroom Number 2 of the Lycoming County Courthouse, Williamsport, Pennsylvania, when and where all interested parties may appear and show cause, if any, why the request of the Petitioner should not be granted.

MARC S. DRIER, ESQUIRE  
ID NO. 32513  
DRIER & DIETER LAW OFFICES  
Attorneys for Petitioner  
227 Allegheny Street  
Jersey Shore, PA 17740  
(570) 398-2020

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**NOTICE**

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NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed on or about September 12, 2011, with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Organization for a domestic limited liability company, organized under the

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Business Corporation Law of 1988; December 21, 1988 (P.L. 1444, No. 177), as amended. The name of the limited liability company is:

TA FULMER, LLC  
333 Ertel Road, Williamsport, PA 17701.

The purpose for which the limited liability company was organized is: To engage in the business of hauling and delivering potable drinking water.

SCOTT T. WILLIAMS, ESQUIRE  
LAW OFFICES  
PERCIBALLI & WILLIAMS, LLC  
429 Market Street  
Williamsport, PA 17701

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**NOTICE**

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

NO. 08-20791

DEANNA GUNDLACH,  
Plaintiff

vs.

MICHAEL GUNDLACH,  
Defendant

IN DIVORCE

NOTICE

If you wish to deny any of the statements set forth in this affidavit, you must file a counter-affidavit within twenty days after this affidavit has been served on you or the statements will be admitted.

AFFIDAVIT UNDER  
SECTION 3301(d) OF  
THE DIVORCE CODE

1. The parties to this action separated in June 2007 and have continued to live separate and apart for a period of at least two years.

2. The marriage is irretrievably broken.

3. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

I verify that the statements made in this affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Date: 9/20/2011

/s/Deanna Gundlach  
Deanna Gundlach, Plaintiff

COUNTER-AFFIDAVIT  
UNDER §3301(d) OF THE  
DIVORCE CODE

1. Check either (a) or (b):

\_\_\_ (a) I do not oppose the entry of a divorce decree.

\_\_\_ (b) I oppose the entry of a divorce decree because (Check (i), (ii) or both):

\_\_\_ (i) The parties to this action have not lived separate and apart for a period of at least two years.

\_\_\_ (ii) The marriage is not irretrievably broken.

2. Check either (a) or (b):

\_\_\_ (a) I do not wish to make any claims for economic relief. I understand that I may lose rights concerning alimony, division of property, lawyer's fees or expenses if I do not claim them before a divorce is granted.

\_\_\_ (b) I wish to claim economic relief which may include alimony, division of property,

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lawyer's fees or expenses or other important rights.

I understand that in addition to checking (b) above, I must also file all of my economic claims with the prothonotary in writing and serve them on the other party. If I fail to do so before the date set forth on the Notice of Intention to Request Divorce Decree, the divorce decree may be entered without further notice to me, and I shall be unable thereafter to file any economic claims.

I verify that the statements made in this counter-affidavit are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa. C.S. §4904 relating to unsworn falsification to authorities.

Michael Gundlach, Defendant

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**NOTICE**

Lycoming County  
Court of Common Pleas

Number 11 01282

M&T Bank

Plaintiff

v.

Gussie R. Carter and  
Christopher W. Carter

Defendants

TO: GUSSIE R. CARTER AND  
CHRISTOPHER W. CARTER

TYPE OF ACTION: CIVIL AC-  
TION/COMPLAINT IN MORTGAGE  
FORECLOSURE.

PREMISES SUBJECT TO  
FORECLOSURE: 711 WYOMING  
STREET, WILLIAMSPORT, PENN-  
SYLVANIA 17701.

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 NOTICE 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.

Susquehanna Legal Services  
329 Market Street  
Williamsport, PA 17701  
(570) 323-8741

TERRENCE J. McCABE, ESQUIRE  
ID # 16496

MARC S. WEISBERG, ESQUIRE  
ID # 17616

EDWARD D. CONWAY, ESQUIRE  
ID # 34687

MARGARET GAIRO, ESQUIRE  
ID # 34419

McCABE, WEISBERG AND  
CONWAY, P.C.

Attorneys for Plaintiff  
123 South Broad Street  
Suite 2080  
Philadelphia, PA 19109  
(215) 790-1010

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## **PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, November 7, 2011**