

LYCOMING REPORTER

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LYCOMING REPORTER

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THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

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LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 601

Williamsport, PA 17701

www.lycolaw.org

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Your online connection for:

- Court Calendar • Continuing Legal Education
- Conference Room Facilities • Legal Assistance
- 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.

- 9/25/2013 – Charles F. Greevy, Jr., American Inn of Court Meeting:** *Informal gathering to begin the 2013–2014 Session. Time: 5:45 PM to 8:00 PM. Location: Bullfrog Brewery, Williamsport*
- 9/27/2013 – LLA Foundation Board Meeting:** *Regular Meeting of the Foundation Board Time: 12:00 PM to 1:00 PM. Location: Ross Club, 201 West Fourth Street, Williamsport*
- 10/14/2013 – LLA Executive Committee Meeting:** *Regular Meeting of the LLA Executive Committee Time: 12:00 PM to 1:00 PM. Location: LLA Office*
- 10/23/2013 – Charles F. Greevy, Jr., American Inn of Court Meeting:** *Group I presentation Time: 5:45 PM to 8:00 PM. Location: TBA*

The mission of the Lycoming Law Association is to promote the practice of law using the highest ethical standards and to advance the public image of our profession. We accomplish this by communicating within our profession and throughout our community, providing continuing legal education, encouraging collegiality among attorneys and the Court, providing *pro bono* legal assistance, and through community involvement.

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 9/11/2013 – Fee Agreements:** *PBI Video Replay*. **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 9/18/2013 – LLA Eat & Earn – Environmental Law:** *Getting the Deal Done: Buying and Selling Contaminated Property*. *Presenter: Todd Kantorczyk, Esq.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Holiday Inn, 100 Pine Street, Williamsport
- 9/24/2013 – Pretrial Practice Series: Session 1 – Setting the Stage:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 12:30 PM to 3:45 PM. **Location:** LLA Office
- 9/25/2013 – Fundamentals of Estate Administration:** *PBI Groupcast*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 4:30 PM. **Location:** LLA Office
- 10/2/2013 – Driving Under the Influence: Skills That Win Cases:** *PBI Groupcast*. **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:15 PM. **Location:** LLA Office
- 10/4/2013 – The Nuts and Bolts of Medicaid Planning:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** LLA Office
- 10/8/2013 – Mortgage Modification Program:** *PBI Video Replay*. **CLE credits:** 2 Substantive **Time:** 9:00 AM to 11:00 AM. **Location:** LLA Office
- 10/10/2013 – Sentencing in Pennsylvania State Courts:** *PBI Video Replay*. **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 10/15/2013 – Long Term Care Planning for Seniors:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 10/16/2013 – Family Law/Domestic Relations:** *LLA Eat & Earn*, *Presenter: Heather Willis*. **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Holiday Inn, 100 Pine Street, Williamsport
- 10/17/2013 – Estate Planning for Interests in Mineral Rights:** *PBI Video Replay*. **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 10/22/2013 – Basics of Employment Law:** *PBI Video Replay*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 10/23/2013 – Charles F. Greevy, Jr., American Inn of Court Meeting:** *Group 1 presentation*. **CLE credits:** 1 **Time:** 5:45 PM to 8:00 PM. **Location:** TBA

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- 10/23/2013 – Autism: Fitting the Pieces Together:** *PBI Video Replay*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 10/25/2013 – Trial Evidence: Artistry & Advocacy in the Courtroom:** *PBI Groupcast*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:30 PM. **Location:** LLA Office
- 10/28/2013 – Pretrial Practice Series: Session 2 – Discovery Strategy:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 12:30 PM to 3:45 PM. **Location:** LLA Office
- 10/29/2013 – General Practitioners’ Update 2013:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 11/5/2013 – Pretrial Practice Series: Session 3 – Preparing for Trial:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 12:30 PM to 3:45 PM. **Location:** LLA Office
- 11/8/2013 – Selecting & Influencing Your Jury:** *PBI Groupcast*. **CLE credits:** 6 Substantive **Time:** 8:30 AM to 3:30 PM. **Location:** LLA Office
- 11/12/2013 – The Best Retirement and Estate Plans for Attorneys:** *PBI Groupcast*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 4:15 PM. **Location:** LLA Office
- 11/13/2013 – Primer on the Fair Debt Collection Practices Act:** *PBI Video Replay*. **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 11/14/2013 – Working with Titles in Oil and Gas Law:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 1:15 PM. **Location:** LLA Office
- 11/18/2013 – Charles F. Greevy, Jr., American Inn of Court Meeting:** *Group 2 presentation; Special Guest Speaker: Justice Max Baer*. **CLE credits:** 1 **Time:** 5:45 PM to 8:00 PM. **Location:** TBA
- 11/20/2013 – Unemployment Compensation:** *LLA Eat & Earn, Presenter: Rick Baldys*. **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Holiday Inn, 100 Pine Street, Williamsport
- 11/21/2013 – Over the Top Settlements: How to Develop, Present and Settle for Maximum Value:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** LLA Office
- 11/26/2013 – Litigation Technology Workshop:** *PBI Video Replay*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office

12/3/2013 – Family and Medical Leave Act: PBI Video Replay. CLE credits:
4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office

***PBI Seminar.** For tuition, registration, and all other information, please contact PBI Customer Service at (800) 247-4724, or online at www.pbi.org. Unless otherwise noted, this seminar is being held at the Lycoming Law Association Offices at 25 West Third Street, Suite 601, Williamsport, PA. Additional fees may be assessed for registration at the door.

****LLA Seminar.** For tuition, registration, location, and all other information, please contact Jessica Engel at the LLA Office at (570) 323-8287, by e-mail at jengel@lycolaw.org, or online at www.lycolaw.org.

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

- ▶ **Commonwealth vs. Tuck** (08/30/2013)—Judge Nancy L. Butts
Criminal: Suppression motion; seizure of a vehicle and towing to police property while waiting for a search warrant to be issued; exigent circumstances; probable cause for issuance of a search warrant; confidential informant; reliability of the informant; corroborating evidence. (Tuck083013bt)
- ▶ **Commonwealth vs. Fulks** (08/30/2013)—Judge Nancy L. Butts
Criminal: Petition for habeas corpus; prima facie case; criminal conspiracy; intent to deliver; possession may be established as either actual or constructive; criminal use of communication facility; corrupt organizations; engagement in a drug distribution chain; endangering the welfare of a child by the child's presence where a loaded firearm, drugs, and drug paraphernalia used for dealing narcotics were found; hearsay testimony at a preliminary hearing; telephone recordings with evidence from an informant and with surveillance. (Fulks083013bt)
- ▶ **Adoption of PD and ED** (08/30/2013)—Judge Joy Reynolds McCoy
Adoption: Petition for involuntary termination of parental rights; failure to perform parental duties on behalf of children; inconsistencies in ability to maintain an appropriate safe home; repeated and continued incapacity, neglect or refusal to act resulting in the children being without essential parental care; deplorable home conditions; question of whether bond that exists with parents is beneficial to the children. (AdoptionofPandED83013m)
- ▶ **HS vs. CS** (08/28/2013)—Judge Joy Reynolds McCoy
Divorce: Exceptions to alimony pendente lite; calculation of husband's pay; fluctuating and unpredictable pay; use of most recent pay stub; evaluation of evidence on whether wife changed jobs to affect alimony order; entitlement of party to mortgage contribution as offset to alimony pendente lite award. (hs082813m)
- ▶ **Commonwealth vs. Miele** (08/29/2013)—Judge Nancy L. Butts
Criminal: Petition for expungement of arrest record; withdrawal of charges due to plea agreement; discretion of trial judge. (Miele082913bt)

- ▶ **Commonwealth vs. Dangle** (08/28/2013)—Judge Marc F. Lovecchio
Criminal: Motion to amend information; prejudice due facts not established at preliminary hearing by prima facie standard; amendment that does not charge an additional or different offense. (dangle082813L)
- ▶ **Commonwealth vs. Cruz-Echevarria** (08/29/2013)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; murder conviction; claim for ineffective assistance of counsel; failure to object to standard jury instruction on accomplice testimony; failure to impeach accomplice on motive for testifying; reasonable approach of counsel to choose one defense theory over another; failure to request limiting instruction after witness outburst; prejudice. (Cruz-Echevarria082913bt)
- ▶ **Commonwealth vs. Greene** (08/29/2013)—Judge Marc F. Lovecchio
Criminal: Motion to amend information; prejudice due facts not established at preliminary hearing by prima facie standard; constitutional right to preliminary hearing; cognate offenses to original charges. (Greene082913L)
- ▶ **Commonwealth vs. Carr** (08/29/2013)—Judge Marc F. Lovecchio
Criminal: Motion to amend information; prejudice due facts not established at preliminary hearing by prima facie standard; constitutional right to preliminary hearing; cognate offenses to original charges. (carr092913L)
- ▶ **Commonwealth vs. Ward** (08/29/2013)—Judge Marc F. Lovecchio
Criminal: Motion to amend information to add commission of offense with deadly weapon; prejudice due to being subjected to an increased penalty; no new facts alleged. (Ward082913L)

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**Delker, Mary W.,** dec'd.

Late of Cogan Station.

Administratrix c.t.a.: Linda K. Bierly, 161 Doebler Lane, Jersey Shore, PA 17740.

Attorneys: C. Edward S. Mitchell, Esquire, Mitchell Gallagher P.C., 10 West Third Street, Williamsport, PA 17701.

Embick, Lynn L. a/k/a Lynn Embick, dec'd.

Late of Porter Township.

Executor: Lynn W. Embick, 2391 East Valley Road, Loganton, PA 17747.

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

Lockcuff, George W., dec'd.

Late of the Township of Woodward.

Executors: William O. Lockcuff, 21 Wesley Lane, Linden, PA 17744 and Peggy A. Mahaffey, 64 Grimesville Road, Williamsport, PA 17701.

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

Noviello, Frances M., dec'd.

Late of Williamsport.

Executor: James J. Noviello, 321 Kane Street, South Williamsport, PA 17702.

Attorneys: Scott T. Williams, Esquire, Law Offices of Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.

Strouse, Dorothy E., dec'd.

Late of the Township of Loyalsock. The Dorothy E. Strouse Living Trust dated January 28, 2004.

Grantor: Dorothy E. Strouse.

Co-Trustees: James W. Bower, Sr., 2753 Sugar Camp Road, Trout Run, PA 17771 and Richard J. Bower, 271 Joseph Drive, Kingston, PA 18704.

Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

SECOND PUBLICATION**Baker, Richard Leonard,** dec'd.

Late of Montoursville.

Executrix: Genevieve A. Baker, 1218 Cedar Street, Montoursville, PA 17754.

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

Bausinger, Ruth W., dec'd.

Late of Montoursville.

Executrix: Diana L. McElwee, 1036 Chippewa Road, Muncy, PA 17756.

Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

Cipriany, Arthur W., dec'd.

Late of Jersey Shore.

Executrices: Lisa Cipriany Dacko, 99 Norway Lane, Lebanon, PA 17042 and Lori D. DiRusso, 85-1 Myrtle Avenue, Dobbs Ferry, NY 10522. Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Jacobs, Paul L., Jr., dec'd.

Late of 1158 Isabella Street, Williamsport.
 Executor: Mr. Lynn R. Jacobs, 1158 Isabella Street, Williamsport, PA 17701.

LaRose, John C., dec'd.

Late of Muncy.
 Executor: Anthony N. LaRose, Jr., 529 South Market Street, Muncy, PA 17756.
 Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, P.O. Box 7, Williamsport, PA 17703.

Meyer, Milton F., dec'd.

Late of the Township of Loyalsock.
 Executor: Craig Meyer, 906 Wildwood Boulevard, Williamsport, PA 17701.
 Attorneys: Julieanne E. Steinbacher, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

Reed, Georgianna Jean Gomez a/k/a Georgiana J. Gomez, dec'd.

Late of Muncy.
 Administratrix: Cassandra N. Gomez, 165 Heilman Circle, Montgomery, PA 17752.
 Attorneys: Robert B. Wayne, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

THIRD PUBLICATION

Deckard, Alice B. a/k/a Mary Alice Deckard, dec'd.

Late of the Township of Loyalsock.

The Alice B. Deckard Protector Trust, dated December 2, 2010.

The Alice B. Deckard Real Estate Protector Trust, dated December 2, 2010.

Settlor: Alice B. Deckard.

Executor/Trustee: John A. Deckard, 228 Lance Lane, Montoursville, PA 17754.

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

Holtzman, Donald G. a/k/a Donald Gene Holtzman, dec'd.

Late of South Williamsport.

Executor: David L. Holtzman, 464 Huling Lane, Williamsport, PA 17702.

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

Rothrock, E. Lorraine, dec'd.

Late of Plunketts Creek Township.
 Executor: Gregory Starr c/o Greevy & Associates, P.O. Box 328, Montoursville, PA 17754.

Attorneys: Greevy & Associates, P.O. Box 328, Montoursville, PA 17754.

Williams, Philip J., dec'd.

Late of Cogan Station.

Executor: David A. Williams.

Attorneys: Gary T. Harris, Esquire, Rieders, Travis, Humphrey, Harris, Waters, Waffenschmidt & Dohrmann, 161 West Third Street, Williamsport, PA 17701, (570) 323-8711.

Zercoe, Agnes Millis a/k/a Agnes Millis a/k/a Agnes Zercoe, dec'd.

Late of the Township of Loyalsock.
 Agnes Millis Zercoe Revocable Living Trust, dated February 15, 1999.

The Millis Family Irrevocable Trust,
dated August 31, 2005.

Settlor: Agnes Millis Zercoe a/k/a
Agnes Millis a/k/a Agnes Zercoe.

Trustee: Woodlands Bank c/o
Thomas B. Burkholder, Vice Presi-
dent and Trust Officer, 2450 East
Third Street, Williamsport, PA
17701.

Attorneys: Julieanne E. Steinbacher,
Esquire, Steinbacher & Stahl, 413
Washington Boulevard, Williams-
port, PA 17701.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, September 9, 2013**