

LYCOMING REPORTER

Vol. 32

March 20, 2015

No. 12

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LYCOMING REPORTER

(USPS 322-900)

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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Williamsport, Pennsylvania

LYCOMING REPORTER (ISSN 0884-187X) is published weekly for \$50 per annum by the Lycoming Law Association, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Legal Notices of less than 300 words in length must be received by 1:00 P.M. on the Tuesday preceding the date of publication; all other notices must be received by 4:00 P.M. on the Monday preceding the date of publication.

Periodical postage paid at Williamsport, PA 17701-9998 and additional mailing offices.

POSTMASTER: Send address changes to LYCOMING REPORTER, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Library of Congress Catalog Card Number 61 – 18866

LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

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Eric Ladley*

Real Estate: *Fred Holland*



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.

- 3/25/2015 – Inns of Court Meeting:** *Regular meeting of the Charles F. Greevy, Jr. American Inn of Court* **Time:** 5:45 PM to 8:30 PM. **Location:** TBA
- 4/1/2015 – Bar History Meeting:** **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Conference Center
- 4/13/2015 – LLA Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 5/1/2015 – Law Day 2015:** *Annual Law Day Event* **Time:** 4:00 PM to 5:00 PM. **Location:** Courtroom 1, Lycoming County Courthouse
- 5/4/2015 – Bench Bar Committee Meeting:** *Quarterly meeting of the committee.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 5/11/2015 – LLA Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office

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

- 3/25/2015** – **Inns of Court Meeting:** *Regular meeting of the Charles F. Greevy, Jr. American Inn of Court.* **CLE credits:** 1 **Time:** 5:45 PM to 8:30 PM. **Location:** TBA
- 3/26/2015** – **Understanding the Basics of Elder Law:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 4:00 PM. **Location:** LLA Conference Center
- 4/1/2015** – **What You Need to Know About the Changes to the Rules of Professional Conduct:** *PBI Video Replay.* **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** LLA Conference Center
- 4/2/2015** – **An Attorney’s Guide to Going Paperless:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center
- 4/7/2015** – **Due Diligence in Business Transactions:** *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Conference Center
- 4/9/2015** – **Thorny Issues in Landlord Tenant Law:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Conference Center
- 4/14/2015** – **Law of Arrest Search and Seizure:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 4:45 PM. **Location:** Lycoming Law Association Conference Center
- 4/16/2015** – **Tips and Techniques for the Trial of a Bad Faith Claim:** *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Conference Center
- 4/21/2015** – **Ethics Potpourri – Fee Practices, Pointers & Traps of Fee Agreements:** *PBI Video Replay.* **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** LLA Conference Center
- 4/23/2015** – **Family Law Institute 2015 Day 1:** *PBI Groupcast.* **CLE credits:** 8 Substantive / 1 Ethics **Time:** 9:00 AM to 4:00 PM. **Location:** Lycoming Law Association Conference Center
- 4/24/2015** – **Family Law Institute 2015 Day 2:** *PBI Groupcast.* **CLE credits:** 8 Substantive / 1 Ethics **Time:** 8:30 AM to 11:45 AM. **Location:** Lycoming Law Association Conference Center
- 4/27/2015** – **Trial Tactics, Tips and Techniques:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 4:30 PM. **Location:** Lycoming Law Association Conference Center
- 5/11/2015** – **Estate Planning for Younger Couples:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** LLA Conference Center

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- 5/12/2015 – Slicing Up the Pie: Property Distribution in PA:** *PBI Groupcast.*
CLE credits: 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:**
LLA Conference Center
- 5/14/2015 – Understanding Social Security Retirement:** *PBI Groupcast.*
CLE credits: 3 Substantive **Time:** 12:00 PM to 3:15 PM. **Location:**
Lycoming Law Association Conference Center
- 6/10/2015 – 16th Estate & Elder Law Symposium:** *PBI Video Reply.* **CLE**
credits: 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Loca-**
tion: LLA Conference Center
- 6/12/2015 – Best of the Oil and Gas Law Colloquium:** *PBI Video Replay.* **CLE**
credits: 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Loca-**
tion: LLA Conference Center
- 6/16/2015 – Effective Nonprofits & Ethical Issues for Attorney Board**
Members: *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics
Time: 9:00 AM to 1:30 PM. **Location:** LLA Conference Center
- *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 803, Williamsport,
PA. Additional fees may be assessed for registration at the door.
- **LLA Seminar.** For tuition, registration, location, and all other information,
please contact Michele Frey at the LLA Office at (570) 323-8287, by
email at mfrey@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. Valentine** (03/16/2015)—Judge Marc F. Lovecchio
Criminal: Habeas corpus petition; prima facie case of hindering apprehension where defendant allowed a fugitive to stay at her home and refused to respond to police at door. (Valentine031615L)
- ▶ **Fredericks vs. Sagan** (03/16/2015)—Judge Dudley N. Anderson
Civil: Non-jury trial; enforcement of oral contract; need for notarization of documents memorializing oral contract; unjust enrichment by retaining home that was improved using loan funds, that have not been repayed. (Fredericks031615a)
- ▶ **Commonwealth vs. Holmes** (03/12/2015)—Judge Marc F. Lovecchio
Criminal: Motion for nominal bail; Rule 600; excludable time; filing of Defendant’s omnibus pretrial motion causing delay in commencement of trial; delay attributable to unavailability of Defendant and his attorney. (Holmes031215L)
- ▶ **Commonwealth vs. Powell** (03/12/2015)—Judge Marc F. Lovecchio
Criminal: Motion to modify bail; Rule 600; excludable time; filing of Defendant’s omnibus pretrial motion causing delay in commencement of trial; delay attributable to unavailability of Defendant and his attorney. (Powell031215L)
- ▶ **Commonwealth vs. Morgret** (03/11/2015)—Judge Dudley N. Anderson
Criminal: Post-sentence motion; indirect criminal contempt for failing to report to prison as ordered; authority of court to impose a sentence of incarceration for indirect criminal contempt; constitutionally of statute prohibiting incarceration. (Morgret031115a)
- ▶ **Commonwealth vs. McHenry** (03/11/2015)—Judge Dudley N. Anderson
Criminal: Motion to dismiss; sexual offender registration requirements for temporary lodging; statute void for vagueness; whether or not consecutive dates required; palpable and plain violation of right to due process. (McHenry031115a)
- ▶ **Cohick vs. Lycoming County Tax Claim Bureau and Saratoga Partners, LP** (03/11/2015)—Judge Dudley N. Anderson
Administrative Appeal: Petition to set aside upset tax sale; proper notice; notice sent by certified mail returned as unclaimed; reasonable efforts to determine correct address; personal service required for owner-occupied property. (Cohick031115a)

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- **Commonwealth vs. JG** (03/11/2015)—Judge Marc F. Lovecchio
Criminal: Habeas corpus petition; prima facie case of involuntary deviate sexual intercourse; establishing penetration element; evidence of conduct that was not covered by enumerated sex offenses, to constitute aggravated indecent assault; submission of similar offenses to the jury; factual issue for the jury; laying on top of child as constituting unlawful restraint of a minor by a parent. (jg031115L)
- **Commonwealth vs. Jones** (03/11/2015)—Judge Marc F. Lovecchio
Criminal: Habeas corpus petition treated as Post Conviction Relief Act petition; challenge to legality of sentence under *Alleyne* case; timeliness; court jurisdiction; retroactive application of court decision. (Jones031115L)

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**Bower, Virginia M.,** dec'd.

Late of Old Lycoming Township, (Williamsport).
Executrix: Karen M. Bower, 4129 State Route 864, Montoursville, PA 17754.

Attorneys: Christopher H. Kenyon, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

Dewalt, Edward J., dec'd.

Late of Montgomery.
Executor: William K. Pysher, 1441 Petersburg Road, Allenwood, PA 17801.

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

Doughton, Daniel W., dec'd.

Late of the Township of Muncy.
Executrix: Margaret Louise Fulmer Doughton, 517 Carpenters Lane, Pennsdale, PA 17756.

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

Freezer, LeRoy O. a/k/a LeRoy Oscar Freezer a/k/a Le Roy Freezer a/k/a LeRoy Freezer, dec'd.

Late of the Borough of Montoursville.

Executor: Roland E. Freezer, 212 Brouse Road, Montgomery, PA 17752.

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

Jameson, Kathryn A., dec'd.

Late of Jersey Shore.

Executrix: Brenda L. Castaneda, P.O. Box 402, Boiling Springs, PA 17007.
Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

McCarty, Lois E., dec'd.

Late of the Township of Wolf.
Executor: The Muncy Bank & Trust Co., Two North Main Street, Muncy, PA 17756.

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

Poust, Kenneth D., Jr., dec'd.

Late of 4825 Route 220, Hughesville, Wolf Township.

Executor: Rudy Stackhouse, 148 Asher Lane, Spring Mills, PA 16875.
Attorneys: Lester L. Greevy, Jr., Esquire, Greevy & Associates, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

Smith, Brenda L., dec'd.

Late of the City of Williamsport.
Administrator: Dalton Smith, 1316 Mansel Avenue, Williamsport, PA 17701.

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

Stilwell, Judith J., dec'd.

Late of the City of Williamsport.
 Administratrix: Margaret Bressler,
 642 Lorson Road, Williamsport, PA
 17702.

Attorney: Joseph L. Rider, Esquire,
 143 West Fourth Street, Williams-
 port, PA 17701.

Yarison, Charles, dec'd.

Late of South Williamsport.
 Executrix: Linda Yarison, 222
 Church Street, South Williamsport,
 PA 17702.

Attorneys: Kari Mellinger, Esquire,
 R.J. Marzella & Associates, 3513
 North Front Street, Harrisburg,
 PA 17110.

SECOND PUBLICATION**Andrews, Harold C.,** dec'd.

Late of the Township of Loyalsock.
 Executor: Robert V. Andrews, 50
 Andrews Lane, Williamsport, PA
 17701.

Attorney: Joseph L. Rider, Esquire,
 143 West Fourth Street, Williams-
 port, PA 17701.

**Collins, Dorinda A. a/k/a Dorinda
Collins,** dec'd.

Late of Woodward Township.
 Administratrix: Kim M. Pepperman,
 519 Zinck Road, Jersey Shore, PA
 17740.

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

**Dvorak, Albert F. a/k/a Albert
Dvorak,** dec'd.

Late of the Township of Loyalsock.
 Administrator: Richard Dvorak.

Attorneys: Eric Ladley, Esquire,
 Steinbacher & Stahl, 413 Washington
 Boulevard, Williamsport, PA 17701.

Fuller, Steven A., dec'd.

Late of Montoursville.

Administratrix: Kimberly A. Tucker,
 1149 Yeagle Road, Montoursville, PA
 17754.

Attorneys: Joseph F. Orso, III,
 Esquire, Rudinski, Orso & Lynch,
 339 Market Street, Williamsport,
 PA 17701.

Guisewhite, June A., dec'd.

Late of Mill Creek Township.
 Executrix: Janet K. Zimmerman, 25
 Shick Road, Muncy, PA 17756.

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

Jenkins, Dorothy F., dec'd.

Late of Williamsport.
 Executor: Terry L. Austin, 216
 Spring Street, Duboistown, PA
 17702.

Attorneys: Stephen C. Sholder,
 Esquire, Raup & Sholder, P.C., 270
 West Third Street, Williamsport, PA
 17701, (570) 321-0709.

Pratt, Glenn S., dec'd.

Late of Loyalsock.
 Co-Executors: Robert E. Spencer,
 Sr., 6347 Rose Valley Rd., Trout
 Run, PA 17771 and Sharon A. Myers,
 12443 Rte. 414, Roaring Branch, PA
 17765.

Attorneys: Stephen C. Sholder,
 Esquire, Raup & Sholder, P.C., 270
 West Third Street, Williamsport, PA
 17701, (570) 321-0709.

Reeder, Elsie M., dec'd.

Late of Loyalsock.
 Executrix: Shirley J. Remsnyder,
 2042 Greenview Road, Montours-
 ville, PA 17754.

Attorneys: Stephen C. Sholder,
 Esquire, Raup & Sholder, P.C., 270
 West Third Street, Williamsport, PA
 17701, (570) 321-0709.

Sharar, Ruth N., dec'd.

Late of Williamsport.

Executrix: Ruth N. Taddeo.
Attorneys: Tammy A. Weber, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

Swisher, Harold L. a/k/a Harold Leroy Swisher, dec'd.

Late of 3750 Route 220 Highway, Hughesville.

Executor: Steven H. Swisher, 6146 Beaver Lake Road, Hughesville, PA 17737.

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

Zimmerman, Frank M., dec'd.

Late of South Williamsport.

Executrix: Helen G. Whiteman, 549 Grandview Place, South Williamsport, PA 17702.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

THIRD PUBLICATION

Allen, Robert L., dec'd.

Late of Williamsport.

Executors: Judy A. Batchelor and Steven R. Allen, 1015 Geigertown Road, Birdsboro, PA 19508.

Crociantte, Anna M. a/k/a Nancy Crociantte, dec'd.

Late of Muncy.

Executor: John J. Crociantte, 202 Route 118 Highway, Hughesville, PA 17737.

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

Harbach, Robert L., dec'd.

Late of the City of Williamsport.

Administrator: Michael P. Zarzyczny, 540 Plank Road, Jersey Shore, PA 17740.

Moore, Francis W., dec'd.

Late of Williamsport.

Executor: Robert E. Moore.

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

Nuss, Jeanette A., dec'd.

Late of Williamsport.

Executor: Gary L. Nuss, 16B Loganberry Court, Murrells Inlet, SC 29576.

Attorneys: Michael P. Robb, Esquire, Savinis, D'Amico & Kane, L.L.C., Gulf Tower, 707 Grant Street, Suite 3626, Pittsburgh, PA 15219.

Popovich, Rose Lu L., dec'd.

Late of Williamsport.

Executor: Keith D. Popovich, 113 Blackfriars Circle, Doylestown, PA 18901.

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

REGISTRATION OF FICTITIOUS NAME

NOTICE IS HEREBY GIVEN, pursuant to the Act of Assembly of December 16, 1982, P.L. 1309 No. 295 (54 Pa. C.S.A. Section 311), as amended, there was filed in the Office of the Secretary of the Commonwealth of Pennsylvania, on February 25, 2015, a Certificate for the conduct of business in Lycoming County, Pennsylvania, under the assumed or fictitious name, style or designation of:

SILVERWIRE

with its principal office at: 2833 Lycoming Mall Drive, Muncy, Pennsylvania 17756.

The name and address of the entity owning and interested in said business

is: Silverwire Companies, LLC, 2833 Lycoming Mall Drive, Muncy, Pennsylvania 17756.

LAYNE R. ODEN, ESQUIRE
Nine South Main Street
Muncy, PA 17756
(570) 546-5188

M-20

SHERIFF'S SALE

By Virtue of Writs of Execution issued out of the Court of Common Pleas of Lycoming County, and directed to me, there will be exposed to public sale at the Executive Plaza, 1st Floor, Commissioners Board Room, 330 Pine Street, Williamsport, PA 17701 on Friday, MARCH 27, 2015, at 10:30 A.M., the following described real estate to wit:

NO. 2-12

All those certain two (2) pieces or parcels of land situate in South Williamsport Borough, County of Lycoming, Commonwealth of Pennsylvania, bounded and described as follows:

PARCEL NO. 1: BEGINNING at a point on the South side of Mountain Avenue, one hundred eighty (180) feet of the Southwest corner of said Avenue and Clinton Street; Southerly at right angles to said Avenue, one hundred fifty (150) feet to an alley; thence West-erly along said alley forty-five (45) feet; thence Northerly one hundred fifty (150) feet to said Mountain Avenue; thence Easterly along same, forty-five (45) feet to the place of Beginning.

PARCEL NO. 2: BEGINNING at a post, the Southeast corner of Hill Street and Mountain Avenue; thence Easterly along the said Avenue Sixty-five (65) feet to Lot now or formerly of the Grantor; thence Southerly along said lot One hundred Fifty (150) feet to an alley, thence Westerly along said alley Sixty-five feet to the said Hill Street; thence Northerly along said Street one hundred Fifty (150) feet to the place of Beginning.

BEING KNOWN AS 1025 West Mountain Avenue, South Williamsport, PA 17702.

UPI and PARCEL NO. 52-004-179.

BEING the same premises which Marian Fish, single dated October 25, 2002, by Deed dated and recorded November 1, 2002, in the Office of the Recorder of Deeds in and for Lycoming County in Deed Book 4356 Page 046, granted and conveyed unto Jesse J. Hurst, single.

Take notice that a schedule of proposed distribution of the proceeds of the above sale will be on file by the Sheriff of Lycoming County, Pennsylvania, in his office on APRIL 6, 2015 and that distribution will be made in accordance with said schedule unless exceptions are filed thereto within ten days thereafter.

R. MARK LUSK,
Sheriff
Lycoming County, PA

M-6, 13, 20



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, March 23, 2015**