

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

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LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

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Your online connection for:

- Court Calendar • Continuing Legal Education
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www.lycolaw.org

SCHEDULED EVENTS

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

- 7/13/2015 – LLA Executive Committee Meeting:** *Regular monthly meeting.*
Time: 12:00 PM to 1:00 PM. **Location:** LLA Office
- 7/15/2015 – LLA Summer Outing on the Hiawatha:** *Summer gathering for food and drink aboard the Hiawatha, cruising the Susquehanna River.* **Time:** 6:00 PM to 8:00 PM. **Location:** Hiawatha paddle boat
- 8/3/2015 – Bench Bar Committee Meeting:** *Quarterly meeting of the committee.*
Time: 12:00 PM to 1:00 PM. **Location:** LLA Office
- 8/10/2015 – LLA Executive Committee Meeting:** *Regular monthly meeting.*
Time: 12:00 PM to 1:00 PM. **Location:** LLA Office

Lycoming Law Association Members are kindly asked to consider a donation to the Lycoming Law Association Foundation in memory of a deceased Member. The Foundation will notify the family of such Member that a gift was made by you.

Members of the Lycoming Law Association are reminded and urged to consider placing in your Wills a bequest to the Lycoming Law Association Foundation. As you probably know, your gift is tax deductible as the Foundation is a 501(c)(3) Organization.

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 7/11/2015 – Evidence for Criminal Attorneys:** *PBI Video Replay*. **CLE credits:** 2 Substantive / 1 Ethics **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Conference Center
- 7/18/2015 – Medicare Set Asides & Structured Settlements:** *PBI Video Replay*. **CLE credits:** 2 Substantive / 1 Ethics **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Conference Center
- 7/10/2015 – The Nuts and Bolts of Contract Drafting:** *PBI Video Replay*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center
- 7/13/2015 – Title Insurance 101:** *PBI Groupcast*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 4:15 PM. **Location:** LLA Conference Center
- 7/14/2015 – Smart Phone and Mobile Apps for Lawyers:** *PBI Video Replay*. **CLE credits:** 2 Substantive **Time:** 9:00 AM to 11:00 AM. **Location:** LLA Conference Center
- 7/15/2015 – New Developments in Pennsylvania’s Child Protection Law:** *LLA Eat & Earn*. **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 7/17/2015 – Estate Planning: Beyond Basics:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center
- 7/20/2015 – Premarital Agreements:** *PBI Groupcast*. **CLE credits:** 4 Substantive **Time:** 12:30 PM to 4:45 PM. **Location:** Lycoming Law Association Office
- 7/22/2015 – Law of Arrest Search and Seizure:** *PBI Video Replay*. **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Conference Center
- 7/30/2015 – Internet Legal Research:** *PBI Groupcast*. **CLE credits:** 2 Substantive / 1 Ethics **Time:** 12:30 PM to 3:45 PM. **Location:** LLA Conference Center
- 7/31/2015 – Winning at Trial:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center
- 8/4/2015 – Do Lawyers Still Need Wisdom in an Information Age?:** *PBI Video Replay*. **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** LLA Conference Center
- 8/6/2015 – Estate and Family Planning for the 21st Century Family:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Conference Center

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- 8/7/2015 – Solving Drivers Licensing Problems:** *PBI Video Replay*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center
- 8/11/2015 – Fear Factor – How Good Lawyers Get into Bad Ethical Trouble:** *PBI Video Replay*. **CLE credits:** 3 Ethics **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 8/12/2015 – The Ethics of Pro Bono: Doing Good the Right Way:** *PBI Video Replay*. **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** LLA Conference Center
- 8/13/2015 – SORNA Update:** *PBI Groupcast*. **CLE credits:** 3 Substantive **Time:** 1:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 8/14/2015 – Litigating in Orphans’ Court:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center
- 8/18/2015 – Understanding the Basics of Elder Law:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center
- 8/20/2015 – Hot Topics in Capital Cases – Part II:** *PBI Groupcast*. **CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** LLA Conference Center
- 8/24/2015 – Microsoft Excel, Adobe & PDF Files for Lawyers:** *PBI Groupcast*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 4:15 PM. **Location:** Lycoming Law Association Office
- 8/24/2015 – Bridge the Gap:** *In May of 2002, the Supreme Court of Pennsylvania passed a rule requiring newly admitted attorneys to complete the Bridge the Gap program as a condition of compliance prior to the first CLE deadline on which CLE credits are due.* **CLE credits:** 4 Ethics **Time:** 1:00 PM to 5:00 PM. **Location:** LLA Office
- 8/26/2015 – Who’s on First? Lien Priority in PA:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 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. Coleman** (06/22/2015)—Judge Marc F. Lovecchio
Criminal: Habeas corpus petition; jurisdiction; interpretation of sentence by Pennsylvania Board of Probation and Parole; certification of defendant's continued eligibility for RRR minimum. (Coleman062215L)
- ▶ **Commonwealth vs. Blackwell** (06/22/2015)—Judge Marc F. Lovecchio
Criminal: Appeal; waiver of issues for failure to file Rule 1925 statement; timeliness of Post Conviction Relief Act petition; jurisdiction. (Blackwell062215L)
- ▶ **Commonwealth vs. Tawney** (06/22/2015)—Judge Marc F. Lovecchio
Criminal: Motion to modify sentence nunc pro tunc; motion for post-conviction collateral relief; timeliness; waiver for failure to raise in previous proceeding; ineffective assistance of trial counsel; lack of prejudice. (Tawney062215L)
- ▶ **Red Run Mountain, Inc. vs. Earth Energy Consultants, LLC; Bradley R. Gill; and Sylvia B. Mase and Michael Hughes, As Executors of the Estate of Richard D. Mase** (06/18/2015)—Judge Richard A. Gray
Civil: Summary judgment motion; contracts relating to oil and gas exploration and overriding royalty payments; authority of corporation president to sign contracts; inherent authority; implied and apparent authority; estoppel. (redrun061815g)
- ▶ **Commonwealth vs. Hamilton** (06/15/2015)—Judge Nancy L. Butts
Criminal: Suppression motion; traffic stop; reasonable suspicion that defendant was committing DUI; observation of abrupt swerve and other erratic driving. (Hamilton061515bt)

**In the Court of Common Pleas
of Lycoming County, Pennsylvania**
***IN RE: APPOINTMENT OF A COMMITTEE
TO DRAFT RESOLUTIONS IN THE DEATH OF
JOHN C. GAULT, JR., ESQUIRE, NO. 15-01481***
RESOLUTIONS OF THE COMMITTEE

TO THE HONORABLE JUDGES OF THE COURT:

The Committee appointed by your Honorable Court to prepare resolutions concerning the death of John C. Gault, Jr., reports as follows:

John C. Gault, Jr. was born in Olean, New York on September 28, 1917. He was the son of John C. Gault, Sr. and Mary Emma Couling Gault. John was known throughout his life as Jack.

Jack grew up in Potter County, Pennsylvania and was a graduate of Galeton High School. Following high school, Jack attended Bucknell University and graduated in 1939 with a B.S. in economics. Jack then attended Dickinson School of Law and graduated with an LLB in 1942.

While in law school, Jack was accepted in the Federal Bureau of Investigation (FBI). He was given a delay of entry by J. Edgar Hoover to permit him to graduate from law school and take the Pennsylvania Bar exam. Jack passed the Pennsylvania Bar exam in 1942 and entered the FBI immediately thereafter. Jack served as a special agent on the west coast until 1946.

Jack came to Lycoming County in 1946 at the suggestion of his father who was a bank President in Mansfield and Coudersport.

Jack served a perceptorship under Joseph Keliher, father of Mary Keliher Gibbs-Smith, wife of Senior Judge Clinton W. Smith. Jack was admitted to the Pennsylvania Supreme Court on September 30, 1946. He was subsequently admitted to the Court of Common Pleas of Lycoming County in 1948 after serving a two-year residency which was then a requirement even though Jack had grown up in adjoining Potter County. Other members of the Bar admitted on the same day were John Thomas, who relocated to Philadelphia, and George Williams, who relocated to Wellsboro. Jack was also admitted to the Federal District Court for the Middle District of Pennsylvania.

Jack married Katherine (Kay) Webb on November 27, 1940. Kay predeceased Jack on March 17, 2012. Jack and Kay raised two sons in Williamsport. John C. Gault, III, is a graduate of Williamsport High School, Yale University (B.A. 1966) and Harvard University (Ph.D. 1975). John has a career in the Middle East as a consultant to the oil and gas industry and resides in Switzerland with his companion Heidi Dixon.

Jeffrey A. Gault graduated from Williamsport High School and St. Lawrence University. Jeffrey is an owner/operator of Marking Services, Inc. which provides consulting services in OSHA pipeline compliance. Jeffrey lives in Milwaukee, Wisconsin and Naples, Florida with his wife, Cindy. They have one daughter, Lauren.

Jack began his practice with Joseph Keliher and then joined Candor, Youngman & Gibson, later Candor, Youngman, Gibson & Gault, where he remained for the remainder of his career. He practiced with John G. Candor, John C. Youngman, Harry R. Gibson, J. Neafie Mitchell, John C. Youngman, Jr., Allen E. Ertel, Ronald C. Travis, John M. Humphrey, John P. Pietrovito, Cynthia Ranck Person, Kevin Way, Peter White and Romaine Bastian.

Jack's career concentrated in real estate and industrial finance. He was instrumental in forming the Industrial Properties Corporation and the Lycoming County Industrial Development Authority which attracted industry to Lycoming County by making available favorable financing. The development of the Reach Road Industrial Park is largely the result of efforts by Jack, his partner Harry R. Gibson, and others. Jack served on the Williamsport Redevelopment Authority and the boards of the Saving Institution, First National Bank of Williamsport, the YMCA and Wildwood Cemetery Association. He served for 10 years as secretary for the Board of Directors of the Consolidated Sportsmen of Lycoming County. He was a past President of the Lycoming Law Association in 1971 and the Lycoming Day Nursery Center. He was past Master of Lodge 755 (F&AM Dietrick Lamade Lodge). Jack was a member of the LLA, the PBA and the ABA.

The Boy Scouts of America, Susquehanna Council (at the time, the West Branch Council) presented to Jack the Silver Beaver Award in 1973.

Jack was an avid outdoorsman whose many skills included: hunting, fishing, beekeeping, waterfowl carving, furniture building, skiing and golf.

Jack designed and built two cabins along the west bank of Loyalsock Creek, south of Farragut. He then designed his home which was built at the top of a high bank overlooking the Loyalsock Valley. The home was called Point of View.

Jack was an efficient practitioner. He moved rapidly. He kept himself in excellent physical condition. He enjoyed outdoor physical activities. He balanced his life between professional and personal activities.

When he was honored for 50 years of service to the Lycoming Law Association in 2003, he complimented the Williamsport Area School District for what he described as the excellent education received by his sons. He said he would not have changed anything in his career. He said he enjoyed raising his family in Williamsport. Jack was proud of his family and was a devoted husband and father.

Jack died October 26, 2014 at age 97.

Jack's family has lost a beloved father and grandfather. Society has lost a contributing and exemplary member. The Lycoming Law Association has lost an excellent practitioner.

Your Committee recommends the adoption of the following Resolutions:

BE IT RESOLVED that in the passing of John C. Gault, Jr., there has been a loss to the Bar of Lycoming County of an able and conscientious member who upheld and exemplified the highest tradition of the legal profession, a loss to the community of a valued participant, a loss to his family of a devoted, kind and loving father and grandfather and a loss to his friends and acquaintances of a sincere and caring man.

BE IT FURTHER RESOLVED that this Court and this Bar do hereby extend to Jack's sons, John and his companion Heidi, and Jeff and his wife Cindy, and granddaughter, Lauren, a deep and heartfelt expression of sympathy.

BE IT FURTHER RESOLVED that this Resolution be spread at length upon the Minutes of the Court of Common Pleas of Lycoming County, and that copies of the same be sent to Jack's sons and granddaughter.

Respectfully submitted,

John M. Humphrey

C. Edward S. Mitchell

John P. Pietrovito

Ronald C. Travis

Kevin Way

ORDER

AND NOW, this 15th day of May 2015, in consideration of the resolutions presented by the committee appointed to draft resolutions in the death of John C. Gault, Jr., the said resolutions are adopted and it is hereby ordered and decreed that the resolutions herewith submitted and attached be adopted as an official expression of the Lycoming County Law Association and this Court and that the same be spread upon the records of the Court and that copies of this resolution be delivered to the two sons of Mr. Gault, and it is further ordered and directed that the resolutions be entered at large upon the record of the Court and that it be printed in the *Lycoming Reporter*.

BY THE COURT

Nancy L. Butts, PJ

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**Breen, Cheryl L.,** dec'd.

Late of Williamsport.

Executrix: Wahneeta A. Welter, 503 Hawthorne Avenue, Williamsport, PA 17701.

Attorney: Charles A. Szybist, Esquire, 423 Mulberry Street, Williamsport, PA 17701.

Fryer, Lloyd B., Jr., dec'd.

Late of 1115 Broad Street, Montoursville.

Administratrix: Michele R. Fryer.

Attorney: G. Scott Gardner, Esquire, Attorney At Law, 2117 West Fourth Street, Williamsport, PA 17701, (570) 322-7653.

Grimes, Virginia M., dec'd.

Late of Cogan House Township.

Executrix: Virginia T. Walters c/o Daniel K. Mathers, Esquire, Mathers & Stapp PC, 416 Pine St., Ste. 308, Williamsport, PA 17701.

Attorneys: Daniel K. Mathers, Esquire, Mathers & Stapp PC, 416 Pine St., Ste. 308, Williamsport, PA 17701.

Lundy, Muriel A., dec'd.

Late of Williamsport.

Executor: Kirt C. Lundy, 1048 S. Main Street, Unit 27, Plantsville, CT 06479.

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

SECOND PUBLICATION**Fenderson, Margaret A.,** dec'd.

Late of the Borough of Montoursville.

Executrix: Gloria J. Bower, 529 N. Montour Street, Montoursville, PA 17754.

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

Johnson, Martha J., dec'd.

Late of the Borough of Jersey Shore.

Executrix: Julie L. Borgemenke, 6211 Blue Bird Avenue, Harrisburg, PA 17112.

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

Orr, Mary L., dec'd.

Late of McIntyre Township.

Co-Executors: John P. Orr, 11114 Route 14 Hwy., P.O. Box 93, Ralston, PA 17763, David M. Orr, 1302 St. Lawrence Rd., Patton, PA 16668, William B. Orr, 4500 Via Marina #118V, Marina Del Rey, CA 90292 and Kathleen J. Morse, 100 Pendelton Street, Cortland, NY 13045.

Attorneys: Brann, Williams, Caldwell & Sheetz, Attorneys at Law, 1090 W. Main Street, Troy, PA 16947.

Parker, Helen, dec'd.

Late of Williamsport.

Executor: Wayne A. Matthews, 330 Park Avenue, Williamsport, PA 17701.

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

Payne, Arch A., dec'd.

Late of Williamsport.
 Executor: John N. Miller, 158 Brandon Place, Williamsport, PA 17701.
 Attorneys: John R. Bonner, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

Schreckengast, Thomas L., dec'd.

Late of the City of Williamsport.
 Executor: Gerald A. Brown, 35 Cliffside Dr., Williamsport, PA 17701.
 Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Stum, James K., dec'd.

Late of Montoursville.
 Co-Executrices: Debra Ann McMahon, 37 Dove Lane, Millville, PA 17846 and Barbara L. Wodrig, 420 N. Washington Street, Montoursville, PA 17754.
 Attorneys: McNERNEY, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17703.

Wease, Ralph A., dec'd.

Late of Williamsport.
 Executor: Kurt R. Wease.
 Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

THIRD PUBLICATION

Miller, Catherine a/k/a Catherine J. Miller a/k/a Catherine I. Miller a/k/a Catherine Irene Miller, dec'd.

Late of Williamsport.
 Administrator: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701.

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

Miller, Leona P., dec'd.

Late of the Township of Loyalsock.
 Executor: Woodlands Bank, 2450 E. Third Street, Williamsport, PA 17701.
 Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

**REGISTER OF WILLS
 CONFIRMATION OF
 ACCOUNTS**

NOTICE IS HEREBY GIVEN to all parties interested that the following Accounts together with all Statement of Proposed Distribution accompanying the same have been filed in the Office of the Register of Wills and Clerk of Orphans' Court are presented to the Orphans' Court of Lycoming County for Confirmation Absolute July 7, 2015 unless exceptions are filed before 5:00 P.M. on that date.

1. Boatman, Jean A. a/k/a Jean E. Boatman a/k/a Jean Elizabeth Boatman—Gary D. Allen, Executor.

2. Buck, Mary E. a/k/a Mary Elizabeth Buck—John Garrison and Kristin Garrison, Executors.

3. Klinefelter, William S. a/k/a William Steve Klinefelter a/k/a W. Steve Klinefelter a/k/a Steven Klinefelter—Nathan E. Grenoble, Vice President of Grenoble Funeral Home Inc., Administrator C.T.A.

4. Temple, Donald E.—Dana L. Temple, Administrator C.T.A.
 Annabel Miller
 Register of Wills

FILING ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on May 28, 2015, having an effective date of June 1, 2015.

The name of the Corporation is:

ALVICO LTD.

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

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania on May 29, 2015 for the purpose of obtaining a Certificate of Incorporation of a proposed business corporation to be organized under the Business Corporation Law of the Commonwealth of Pennsylvania, approved December 21, 1988 and its amendments and supplements. The name of the corporation is:

FIVESTAR OILFIELD
COMMUNICATIONS, INC.

whose registered office is located at: 1050 Broad St. Rear, Montoursville, PA 17754 in Lycoming County. The purpose for which the corporation is organized is: 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.

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REGISTRATION OF FICTITIOUS NAMES

NOTICE IS HEREBY GIVEN that Fly World, LLC, 1500 Sycamore Road, Suite 120, Montoursville, Pennsylvania, has filed with the Secretary of the Commonwealth of Pennsylvania, Harrisburg,

Pennsylvania 17105, an Application for Registration of Fictitious Name under the Fictitious Name Act to conduct business under the name of:

FLY WORLD TRAMPOLINE PARK with their principal place of business at: 1500 Sycamore Road, Suite 120, Montoursville, Pennsylvania, they being the only individuals interested in it or owning said business; all in accordance with 54 Pa. C.S. §311(g), as amended. MARC F. DEMSHOCK, ESQUIRE
1500 Sycamore Road
Suite 120
Montoursville, PA 17754
(570) 327-0111

J-26

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed in the Department of State of the Commonwealth of Pennsylvania on May 19, 2015 for:

HUMBLE FRAG

located at: 1246 Memorial Ave., Williamsport, PA 17701. The name and address of the individual interested in the business is: Colin Byerly, 1246 Memorial Ave., Williamsport, PA 17701. This was filed in accordance with 54 Pa. C.S. 311.

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SERVICE BY PUBLICATION

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

No. 07-20,084

FAITH LEONARD,

Plaintiff

v.

ANGEL BENITEZ,

Defendant

NOTICE OF ACTION IN DIVORCE

TO: ANGEL BENITEZ, Defendant, whose last known address is 2012 1/2 W. 4th St., East Apt., Williamsport, PA 17701

You are hereby notified that pursuant to the Divorce Complaint filed on January 9, 2007, Plaintiff, FAITH LEONARD, filed an Affidavit Under Section 3301(d) of the Divorce Code at the Court of Common Pleas of Lycoming County, Pennsylvania, docketed to No. 07-20,084. Also, on June 23, 2015, Plaintiff filed a Notice of Intention to Request Entry of a Divorce Decree with a blank Counter affidavit for your signing. Plaintiff seeks divorce you from the bonds of matrimony, whereupon a divorce decree would be entered and an order equitably dividing your marital property would be entered.

NOTICE

IF YOU wish to deny any of the statements set forth in this Affidavit, you must file a Counter affidavit within twenty (20) days after this Affidavit has been served on you or the statements will be deemed admitted.

AFFIDAVIT UNDER SECTION 3301(d) OF THE DIVORCE CODE

- 1. The parties to this action separated on November 12, 2006 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, attorney's fees or expenses if I do not claim them before a Divorce is granted.
- 4. A Divorce Decree should be entered at this time, after notice of intention to request entry of the decree is served on the other party.

This Affidavit was signed and verified by Plaintiff on May 5, 2015 and filed May 7, 2015.

COUNTERAFFIDAVIT UNDER SECTION 3301(d) OF DIVORCE CODE

- 1. Check either (a) or (b):
 - (a) I do not oppose the entry of Divorce Decree {check either (1) or (2)}

(1) I consent to entry of a decree at this time, after notice of Intention to request entry of the decree (unless waived), subject to the following protective provisions, to be contained in the decree:

- None
- (2) I do not consent to the entry of a decree until all outstanding economic issues are resolved.

(b) I oppose the entry of a Divorce Decree because {check either (i), (ii), or (both)}

(i) the parties 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, lawyer's fees or expenses or other important rights. (I understand that to claim economic relief, 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 delay.)

I verify that the statements made in this Counteraffidavit are true and cor-

rect. 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: _____

Defendant

NOTICE OF INTENTION TO
REQUEST ENTRY OF DIVORCE
DECREE UNDER SECTION 3301(d)

You have been sued in an action for divorce. You have failed to answer the Complaint or file a Counteraffidavit to the 3301(d) Affidavit. Therefore, on or after July 17, 2015, the other party can request the Court to enter a final Decree in divorce.

If you do not file with the Prothonotary of the Court an Answer with your signature notarized or verified or a Counteraffidavit by the above date, the Court can enter a final Decree in divorce. A Counteraffidavit which you may file with the Prothonotary of the court is attached to this notice.

Unless you have already filed with the court a written claim for economic relief, you must do so by the above date or the court may grant the divorce and you will lose forever the right to ask for economic relief. The filing of the form Counteraffidavit alone does not protect your economic claims.

YOU SHOULD TAKE THIS PAPER 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.

North Penn Legal Services
329 Market Street
Williamsport, PA 17701
(570) 323-5256

This notice was signed by Meghan Young, Esquire and filed with the court on June 23, 2015.

PRAECIPE TO TRANSMIT RECORD

Transmit the record, together with the following information, to the Court for entry of a Divorce Decree:

1. Ground for Divorce: Divorce under Section 3301(c) of Divorce Code.

2. Date and Manner of service of the Complaint: Served on Defendant by certified mail and personal service.

[a] Date of execution of the Affidavit of Consent required by Section 3301[c] of the Divorce Code:

By Plaintiff:

By Defendant:

[b] (1) Date of execution of the Affidavit required by Section 3301[d] of the Divorce Code.

Plaintiff: May 5, 2015

Defendant:

(2) Date of filing and service of the Plaintiff's Affidavit upon the Defendant: Filed on May 7, 2015 and served by way of publication on June 25, 2015.

4. Related claims pending:

(If claims resolved by written agreement, so indicate and attach a copy if to be entered along with Decree.)

5. Bifurcation (complete only if related claims are pending): N/A (check either paragraph [a] or [b]):

___ [a] Permitted by Order dated _____ (attach a copy).

___ [b] Consented to as verified by Affidavit.

6. Complete either [a] or [b]:

[a] Date and manner of service of the notice of intention to file praecipe to transmit record, a copy of which is attached: Served by way of publication on June 25, 2015. See attached proof of service [not published herein].

[b] Date Plaintiff's Waiver of Notice in 3301[c] Divorce was filed with Prothonotary: Date Defendant's Waiver of Notice in 3301[c] Divorce was filed with Prothonotary:



PERIODICAL PUBLICATION

* Dated Material. Do Not Delay. Please Deliver Before Monday, June 29, 2015