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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

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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.

2/14/2015 – 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

- 11/10/2015 – Family Law 101: PBI Video Replay. CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 11/16/2015 – Taking and Defending Depositions: PBI Groupcast. CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 11/17/2015 – Representing a Client With Diminished Capacity in Estate & Elder Law: PBI Video Replay. CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 11/18/2015 – Understanding Pennsylvania’s Protection From Sexual Violence and Intimidation Act (Host: Jenna Neidig, Esq.): Eat & Earn. CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 11/19/2015 – Fire at Will in Pennsylvania: PBI Video Replay. CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 11/23/2015 – School Law: PBI Groupcast. CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:15 PM. **Location:** Lycoming Law Association Office
- 12/1/2015 – Hot Topics in Capital Cases – Part II: PBI Video Replay. CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 12/2/2015 – A Day on Ethics w/Sean Carter: PBI Groupcast. CLE credits:** 6 Ethics **Time:** 9:00 AM to 4:15 PM. **Location:** Lycoming Law Association Office
- 12/3/2015 – Seven Steps to Becoming an Extraordinary Trial Lawyer: PBI Video Replay. CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 12/4/2015 – Special Needs Trusts: PBI Video Replay. CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 12/7/2015 – Basics of UM/UiM and Limited Tort: PBI Video Replay. CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 12/8/2015 – The Emerging Retiree – Maximizing Social Security & Retirement Plans: PBI Groupcast. CLE credits:** 3 Substantive **Time:** 12:00 PM to 3:15 PM. **Location:** Lycoming Law Association Office

12/9/2015 – A Look at the New Federal Rules: *PBI Video Replay*. **CLE credits:** 1.5 Substantive **Time:** 9:00 AM to 10:30 AM. **Location:** Lycoming Law Association Office

12/10/2015 – A Day on Real Estate: *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office

12/16/2015 – Ethics Credit – Specific Topic TBA: *Eat & Earn*. **CLE credits:** 1 Ethics **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office

1/13/2016 – Municipal Law: *PBI Groupcast*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 4:15 PM. **Location:** Lycoming Law Association Office

1/21/2016 – Personal Injury Litigation Basics: *PBI Groupcast*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 4:30 PM. **Location:** Lycoming Law Association Office

1/26/2016 – Selecting and Influencing Your Jury: *PBI Video Replay*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association 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 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. McDowell** (11/02/2015)—Judge Marc F. Lovecchio
Criminal: Pretrial motions; pro se defendant; probable cause to arrest; investigation related to probable attempted crime that was not committed; need for arrest warrant; delayed arraignment; probable cause to seize vehicle; unduly suggestive photo identification. (McDowell110215L)
- ▶ **Commonwealth vs. Gatz** (10/27/2015)—Judge Nancy L. Butts
Criminal: Post-sentence motion; sufficiency of evidence for a duress instruction; trial continuance request due to claimed unavailability of trial witness; sentence reconsideration. (Gatz102715bt)
- ▶ **Commonwealth vs. Williams** (10/19/2015)—Judge Nancy L. Butts
Criminal: Appeal; grading of intimidation of a victim offense; admissions of defense counsel. (Williams101915bt)
- ▶ **J.S.E. Enterprises, Inc. t/a J.P.'s Sports Bar & Grill vs. Pennsylvania Liquor Control Board** (10/23/2015)—Judge Richard A. Gray
Administrative Appeal: PLCB license refusal appeal; de novo hearing; accidental RAMP lapse; violations before Conditional Licensing Agreement; remotely located disturbance between patrons; corrective measures. (JSEEnterprises102315g)
- ▶ **Lycoming County Water and Sewer Authority vs. Valley Truck Ventures, LLC** (10/22/2015)—Judge Richard A. Gray
Civil: Appeal; writ of scire faicas; tapping fee; revised EDU assessment; no evidence of deception by owner; no change in use; claimed unfair burden on water and sewer authorities; waiver of issues not raised in lower court. (ValleyTruck102215g)
- ▶ **Commonwealth vs. Asher** (10/23/2015)—Judge Marc F. Lovecchio
Criminal: Habeas corpus petition; loaded and cocked firearm gun left accessible to child; required mens rea of recklessness; prima facie case; mens rea of negligence. (Asher102315L)

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

Bressler, Barbara S., dec'd.

Late of Williamsport (Loyalsock Township).

Co-Executors: Paul Allvord, 1933 Lake Rd., Trout Run, PA 17771 and Mae Allvord, 2900 Cochran Ave., Duboistown, PA 17702.

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

Farr, Tammy L., dec'd.

Late of the City of Williamsport.

Administrator: Cody R. Parsons.

Attorneys: Elizabeth A. White, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

Guffy, Wellard R., dec'd.

Late of the City of Williamsport.

Executors: Margaret Stryker, 759 Ganderback Road, Hughesville, PA 17737 and Dennis C. Stalker, 6443 Windy Creek Way, Fayetteville, NC 28306.

Attorneys: Kristine L. Waltz, Esquire, Dinges, Dinges & Waltz, LLC, 1307 Sheridan Street, Williamsport, PA 17701.

Heaton, Tracy L. a/k/a Tracy Heaton a/k/a Tracy L. Winder-Heaton, dec'd.

Late of Hughesville.

Administratrix: Elizabeth L. Clark, 80 East Water Street, Apt. 2, Hughesville, PA 17737.

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

McCarthy, Charles E., dec'd.

Late of Waterville.

Executor: James M. Capel.

Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

Newhart, Linda A., dec'd.

Late of Hughesville.

Co-Executors: Frederick C. Newhart, 183 South Main Street, Hughesville, PA 17737 and Stephen A. Newhart, 132 Art Shaner Road, Muncy, PA 17756.

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

Wyland, Doris M., dec'd.

Late of Williamsport.

Executors: Linda K. Hess, 1827 Beauty Avenue, Williamsport, PA 17701 and Alan T. Wyland, 228 Adams Street, Williamsport, PA 17701.

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

SECOND PUBLICATION

Cushman, Clement J., dec'd.

Late of Williamsport.

Administrator: Christopher Cushman, 822 Maple Street, Kulpmont, PA 17834.

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

Flook, Paul B., dec'd.

Late of Mifflin Township.
Administratrix: Jeri L. Verrett, 620 NC Hwy. 581 South, Goldsboro, NC 27530.

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

Kressly, Elaine F., dec'd.

Late of the Township of Loyalsock.
Co-Executors: Margaret Ann Harbaugh and Thomas C. Kressly.

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

Schweitzer, Nancy M., dec'd.

Late of Muncy.
Co-Executors: George A. Richner, 178 Buck Street, Muncy, PA 17756 and John A. Smay, 39 South Main Street, Muncy, PA 17756.

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

THIRD PUBLICATION

Bardo, William C., dec'd.

Late of the Township of Muncy.
The William C. Bardo Living Trust, dated May 21, 2012.

Settlor: William C. Bardo.
Executor/Trustee: Duane D. Bardo.
Attorneys: Adrienne J. Stahl, Esquire, Steinbacher, Stahl, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Fry, Lois A. a/k/a Lois Artley Fry, dec'd.

Late of Williamsport.
The Lois A. Fry Protector Trust, dated February 10, 2014.

Settlor: Lois A. Fry.
Executor/Trustee: Stephen D. Fry.
Attorneys: Eric Ladley, Esquire, Steinbacher, Stahl, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Pfeiffer, Marion L., dec'd.

Late of Loyalsock Township.
Executor: William B. Pfeiffer, Jr., 4958 Bloomingrove Road, Williamsport, PA 17701.

Attorneys: Douglas C. Loviscky, Esquire c/o Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third Street, Williamsport, PA 17701.

Williamson, Roy A., dec'd.

Late of the City of Williamsport.
Executrix: Daun M. Williamson, 450 S. Pine Run Road, Linden, PA 17744.
Attorneys: Paul A. Roman, Esquire, Law Offices of Joseph L. Rider, 143 West Fourth Street, Williamsport, PA 17701.

Young, D. Louise a/k/a Dorothy Louise Young, dec'd.

Late of Montoursville.
Executrix: Mary L. Harding.
Attorney: Charles F. Greevy, III, Esquire, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

FILING ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation, having an effective date of October 15, 2015, were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania on October 6,

2015, for the purpose of incorporating a nonprofit corporation organized under the Nonprofit Corporation Law of 1988 of the Commonwealth of Pennsylvania.

The name of the Corporation is:

TREAT RIGHT

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

N-6

NONPROFIT CORPORATION Articles of Incorporation will be filed with the Department of State, on August 2, 2015 for:

**THE WILLIAMSPORT
WILDCAT ASSOCIATION**

pursuant to the provisions of the Pennsylvania Nonprofit Corporation Law of 1988. The purpose of the corporation is to promote and support community involvement and civil responsibility.

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REGISTRATION OF FICTITIOUS NAME

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 September 8, 2015 for:

RJP DELIVERY SERVICE

located at: 110 Heatherbrooke Estates, Muncy, PA 17756. The name and address of the person interested in the business is: Robert J. Pearson, 110 Heatherbrooke Estates, Muncy, PA 17756. This was filed in accordance with 54 Pa. C.S. 311.

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DISSOLUTION OF CORPORATION

NOTICE IS HEREBY GIVEN that Articles of Dissolution have been filed

with the Department of State of the Commonwealth of Pennsylvania, in order to wind up the business activities of the non-profit corporation named below. The name of the non-profit corporation is:

**CHURCH OF THE
SAVIOR LUTHERAN**

522 North Grier Street, Williamsport, PA 17701.

ANDREA B. BOWER, ESQUIRE
426 Broad Street
Montoursville, PA 17754

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SERVICE BY PUBLICATION

**NOTICE OF ACTION IN
MORTGAGE FORECLOSURE**

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

No. CV-2015-001296

WELLS FARGO BANK, N.A.

Plaintiff

vs.

DONALD SPECK, in his capacity
as Administrator dbn of the Estate
of **RUSSELL J. MCGILL, UNKNOWN
HEIRS, SUCCESSORS, ASSIGNS
AND ALL PERSONS, FIRMS
OR ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST
FROM OR UNDER
RUSSELL J. MCGILL, DECEASED**

Defendants

NOTICE

To: **UNKNOWN HEIRS, SUCCESSORS,
ASSIGNS AND ALL PERSONS, FIRMS
OR ASSOCIATIONS CLAIMING
RIGHT, TITLE OR INTEREST FROM
OR UNDER RUSSELL J. MCGILL,
DECEASED**

You are hereby notified that on May 13, 2015, Plaintiff, WELLS FARGO BANK, N.A., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of LYCOMING County, Pennsylvania, docketed to No. CV-2015-001296. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 1104 MARKET STREET, WILLIAMSPORT, PA 17701-2124 whereupon your property would be sold by the Sheriff of LYCOMING County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

—————
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 re-

lief 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.

Notice to Defend:
 North Penn Legal Services
 329 Market Street
 Williamsport, PA 17701
 Telephone (570) 323-8741

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

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The Lycoming Law Association Foundation is a tax-exempt not-for-profit, 501(c)(3) corporation. The mission of the Foundation is to cultivate the science of jurisprudence, improve the legal and judicial system and facilitate the administration of justice for residents of Lycoming County.

The Foundation provides funding for worthwhile law-related community projects and activities, in addition to supporting the Williamsport Office of North Penn Legal Services, which has provided civil legal services on a wide range of high priority legal problems to poor people in Lycoming County since 1974.

The Foundation is funded through the support of the members of the Lycoming Law Association. This support comes in various forms: from member dues, income from the *Lycoming Reporter*; donations by individual lawyer members of the Lycoming County Bar; donations by other individuals, lawyer family members, and estates.

The Lycoming Law Association's Community Activities and Outreach Committee is responsible to advise and assist the Foundation in administering funds for community projects of merit. The Committee is actively involved in reviewing grant applications and in making recommendations to the Foundation and the Association's Executive Committee concerning the funding of worthwhile projects and activities.

For additional information regarding the Foundation and its procedures, contact Michele Frey, Executive Director, at (570) 323-8287 or mfrey@lycolaw.org.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, November 9, 2015**