

LYCOMING REPORTER

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LYCOMING REPORTER

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THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
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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
- 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.

- 6/27/2016 – Executive Committee Meeting:** *Regular monthly meeting* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 7/20/2016 – Annual Picnic:** *On the Hiawatha paddle wheeler. Catered meal provided by Chef Hosch.* **Time:** 5:30 PM to 8:00 PM. **Location:** Hiawatha, Susquehanna Park
- 7/25/2016 – 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

- 6/15/2016** – **Eat & Earn: Developments in Employment Law:** *Developments in Employment Law: Personnel Files, Wellness Programs and the First Amendment. Presented by: Ryan M. Tira. CLE credits:* 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 6/21/2016** – **Alzheimer’s Disease and Other Dementias: Diagnosis, Research and Estate Planning Issues:** *PBI Groupcast. CLE credits:* 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:30 PM. **Location:** Lycoming Law Association Office
- 6/29/2016** – **CLE for Today’s Busy Lawyer:** *PBI Groupcast. CLE credits:* 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:45 PM. **Location:** Lycoming Law Association Office
- 7/15/2016** – **Vehicle Stops and Searches in Pennsylvania:** *PBI Groupcast. CLE credits:* 3 Substantive **Time:** 8:30 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 7/22/2016** – **Understanding Injuries to the Brain, Back & Knee:** *PBI Groupcast. CLE credits:* 6 Substantive **Time:** 8:30 AM to 3:30 PM. **Location:** Lycoming Law Association Office
- 7/25/2016** – **Easements and Rights of Way: From Acquisition to Zoning:** *PBI Groupcast. CLE credits:* 3 Substantive / 1 Ethics **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 8/4/2016** – **The Jury Process in Criminal Cases:** *PBI Video Replay. CLE credits:* 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 8/8/2016** – **Federal Appellate Advocacy:** *PBI Groupcast. CLE credits:* 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 8/9/2016** – **CLE Ethics Fun and Fantasy With Sean Carter:** *PBI Groupcast. CLE credits:* 3 Substantive / 3 Ethics **Time:** 9:00 AM to 4:15 PM. **Location:** Lycoming Law Association Office
- 8/11/2016** – **Premises Liability Litigation: Focus on the Slip, Trip and Fall Case:** *PBI Groupcast. CLE credits:* 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 8/16/2016** – **Ethics Potpourri—Depression: An Occupational Hazard of the Legal Profession:** *PBI Video Replay. CLE credits:* 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** Lycoming Law Association Office
- 8/24/2016** – **5th Annual U.S. Supreme Court Roundup:** *PBI Groupcast. CLE credits:* 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office

8/30/2016 – Ethics Potpourri—A Piano Man’s Journey to the Bar: Billy Joel’s Lessons for a Lawyer’s Life: PBI Video Replay. CLE credits:
1 Ethics **Time:** 10:30 AM to 11:30 AM. **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.

- ▶ **Goldy vs. Woodlands Bank** (05/31/2016)—Judge Richard A. Gray
Civil: Summary judgment motion; slip and fall case; assumption of the risk; subjective appreciation of the danger of defect in sidewalk; inability of plaintiff to say that a sidewalk defect caused her fall; logical and reasonable inferences; material factual questions. (Goldy053116g)
- ▶ **Guenot vs. Motis Energy, LLC** (06/01/2016)—Judge Richard A. Gray
Civil: Preliminary objections; legal sufficiency of claim fraud; economic loss doctrine; exception for negligent misrepresentation; gist of the action; recasting ordinary breach of contract claims into tort claims; claim for intentional breach of contract; fraudulent inducement. (guenot060116g)
- ▶ **Commonwealth vs. Keiss** (06/01/2016)—Judge Marc F. Lovecchio
Criminal: Motions to reconsider sentence; boating under the influence; grading and offense number disputes; request for reduction of sentence so defendant could be present for the birth of his child; eligibility for intermediate punishment because of prior convictions; inclusion of New York conviction for driving while impaired in calculation; statutory interpretation; differences between boating and driving under the influence statutes; inclusion of substantially similar offense from another jurisdiction; applicability of Vehicle Code grading and penalty provisions; look-back periods or time limits. (Kiess060116L)
- ▶ **Commonwealth vs. Helminiak** (05/31/2016)—Judge Nancy L. Butts
Criminal: Suppression motion; constitutionality of Pennsylvania's implied consent law; reasonableness of warrantless blood test of a drunk-driving suspect; unconstitutional conditions doctrine; lack of criminal liability as a direct consequence of refusing a chemical blood test; actual consent for blood test. (GSH053116bt)
- ▶ **Commonwealth vs. Drummond** (05/31/2016)—Judge Nancy L. Butts
Criminal: Post Conviction Collateral Relief Act petition; sentencing issue; crime victim compensation/victim service fee assessments on summary convictions; superseding statutory provisions; proper time credit for days incarcerated before sentencing hearing; waiver of sentencing issue by failure to file direct appeal; ineffective counsel claim where counsel unsuccessfully made the argument that defendant believes counsel should have made. (JAD053116bt)

- **Commonwealth vs. Reuss** (06/01/2016)—Judge Marc F. Lovecchio
Criminal: Suppression motion; timeliness; interest of justice; defendant's attorney's attempt to circumvent the rules by transferring representation to another attorney; consideration of the merits of the underlying suppression motion; probable cause for motor vehicle stop; failure to use turn signal where vehicle was only able to turn right. (Reuss060116L)

Law Office Joseph L. Rider, Esq.

Paul A. Roman, Esq., Associate has relocated at:

1700 Four Mile Drive

Williamsport, PA 17701

(Southeast corner of Four Mile Drive and Northway Road)

Phone, fax and e-mail remain unchanged.

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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**Boyer, Paul D.,** dec'd.

Late of the City of Williamsport.
 Executor: Alfred Boyer, 1142 The Terrace, Hagerstown, MD 21742.
 Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Bressler, Elizabeth F., dec'd.

Late of the Township of Loyalsock.
 Executor: Francis P. Vogel, 431 Pearson Ave., Apt. 2, Williamsport, PA 17701.
 Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Cummings, Mable L. a/k/a Mable Lucille Cummings, dec'd.

Late of Moreland Township.
 Executrix: Susan J. Liuzza c/o James T. Baldwin, Esquire, Baldwin & Baldwin, 42 South Front Street, Milton, PA 17847.
 Attorneys: James T. Baldwin, Esquire, Baldwin & Baldwin, 42 South Front Street, Milton, PA 17847.

Henley, Rosemary W. a/k/a Rosemary Henley, dec'd.

Late of Williamsport.
 Co-Executors: Deborah C. Mann, 1092 Ellis Artley Road, Pennsdale, PA 17756 and Guy E. Henley, 482 Myers Road, Trout Run, PA 17771.
 Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

Keagle, Larry G., dec'd.

Late of Jersey Shore.
 Administrators: Morgan A. Keagle, 62 Level Corners, Linden, PA 17744 and Stephanie A. Marshall, 146 Laryville Road, Jersey Shore, PA 17740.
 Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Miller, Michael Francis, dec'd.

Late of Jersey Shore.
 Administratrix: Michelle L. Campbell, 208 Martzville Road, Berwick, PA 18603.
 Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Querimit, Jorge A., dec'd.

Late of the City of Williamsport.
 Executrix: Janet R. Querimit, 910 Vallamont Drive, Williamsport, PA 17701.
 Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Swank, Chester Clayton, Jr. a/k/a Chester C. Swank, Jr., dec'd.

Late of Moreland Township.
 Executrix: Mary E. Gavitt, 1824 Egli Hill Road, Muncy, PA 17756.
 Attorney: Graham C. Showalter, Esquire, 36 S. Third Street, P.O. Box 553, Lewisburg, PA 17837-0553.

SECOND PUBLICATION

McMullen, Doris J., dec'd.
Late of Limestone Twp.
Executor: Robert E. McMullen,
146 Wagner Rd., Jersey Shore, PA
17740.
Attorneys: Elizabeth B. Place, Es-
quire, Skarlatos Zonarich LLC, 17
S. 2nd St., 6th Fl., Harrisburg, PA
17101-2039.

Oakes, Frederick H., dec'd.
Late of Williamsport.
Executor: Richard J. Palmer, 87 Mann
Creek Heights Road, Mansfield, PA
16933.
Attorney: Scott A. Williams, Esquire,
57 East Fourth Street, P.O. Box 3,
Williamsport, PA 17703.

Preizt, Curtis Mark, Sr., dec'd.
Late of Williamsport.
Executor: Curtis Mark Preizt, Jr.,
105 Kinsey Street, Montgomery, PA
17752.
Attorneys: James D. Casale, Esquire,
Casale & Bonner, P.C., 33 West
Third Street, Suite 202, Williams-
port, PA 17701, (570) 326-7044.

Swisher, Charlotte, dec'd.
Late of the Township of Old Lycom-
ing.
Administrators: Christine Bartlett,
Steven A. Swisher and Jeffrey W.
Swisher.
Attorneys: Eric Ladley, Esquire,
Steinbacher, Goodall & Yurchak,
413 Washington Boulevard, Wil-
liamsport, PA 17701.

THIRD PUBLICATION

**Hall, T. Max a/k/a Thomas Max
Hall**, dec'd.
Late of Williamsport.
Executrix: Betty L. Hall, 1729 Pent-
ridge Cove, Williamsport, PA 17701
Attorneys: McNerney, Page, Vander-
lin & Hall, 433 Market Street, Wil-
liamsport, PA 17701.

**Lehman, Glenn S. a/k/a Glenn
Samuel Lehman**, dec'd.
Late of Loyalsock Township.
Executor: Perry P. Lehman.
Attorneys: Matthew J. Parker, Es-
quire, Marshall, Parker & Weber,
LLC, 49 E. Fourth Street, Suite 105,
Williamsport, PA 17701.

**Meckley, Mary M. a/k/a Mary Mar-
garet Meckley**, dec'd.
Late of Muncy Creek Township.
Executrix: Jeanne M. Burkholder,
141 Buck Street, Muncy, PA 17756.
Attorney: Layne R. Oden, Esquire,
Nine South Main Street, Muncy, PA
17756-1306.

SERVICE BY PUBLICATION

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

NO.: 15-02334

FIRST BAPTIST CHURCH,
Plaintiff

v.

HEIRS OF PETER HERDIC et al.,
Defendants

NOTICE

TO: Unknown Heirs of Peter Herdic
A complaint has been filed to quiet
title in the property located at 380 West
Fourth Street, Williamsport, Pennsyl-
vania, described at Lycoming County
Deed Book 28, Page 258. Any interest
you may have in the property will be
extinguished if you fail to timely object
to the Plaintiff's requested relief. If you
do not object, judgment will 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 PAPER
TO YOUR LAWYER AT ONCE. IF
YOU DO NOT HAVE A LAWYER,
CONTACT:

Pennsylvania Bar Association
Lawyer Referral Service
100 South Street
P.O. Box 186
Harrisburg, PA 17108-0186
Telephone: (800) 692-7375

IF YOU CANNOT AFFORD A
LAWYER, YOU MAY BE ELIGIBLE FOR
LEGAL AID THROUGH:

North Penn Legal Services
329 Market Street
Williamsport, PA 17701
Telephone: (570) 323-8741
MICHAEL H. COLLINS, ESQUIRE
ID# 19237
McNERNEY, PAGE, VANDERLIN
& HALL
Attorneys for Petitioner
433 Market Street
Williamsport, PA 17701
Telephone: (570) 326-6555

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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.



PERIODICAL PUBLICATION

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