

LYCOMING REPORTER

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TABLE OF CONTENTS

BAR NEWS	LEGAL ADVERTISEMENTS
LLA Upcoming Events..... 3	Estate & Trust Notices..... 8
Continuing Legal Education 4	Confirmation of Accounts 10
Recent Lycoming County Court Opinions..... 6	Incorporation Notice..... 10
Notice of Administrative Suspension..... 5	Service by Publication 10

LYCOMING REPORTER

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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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LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

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Eric Ladley
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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.

- 9/22/2016 – LLA History Committee Meeting:** *Meeting to discuss possible update of LLA history.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 9/26/2016 – Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 10/4/2016 – Community Activities and Outreach Committee Meeting:** *Meeting scheduled to consider pending grant requests.* **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

- 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
- 8/31/2016** – **Representing Residential Landlords & Tenants in PA:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 9/8/2016** – **He Died With Guns in His Closet: Firearms and Estates:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 1:15 PM. **Location:** Lycoming Law Association Office
- 9/14/2016** – **A Family of Laws for the Family Lawyer:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 9/16/2016** – **Medicare and Medicaid Issues in the Litigation and Settlement of PI and WC Claims:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 9/20/2016** – **Sheriff’s Sales in PA:** *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:15 PM. **Location:** Lycoming Law Association Office
- 9/21/2016** – **Don’t Give Up Minutes Before the Miracle:** *Presented By: Laurie J. Besden, Esquire, Executive Director of Lawyers Concerned for Lawyers.* **CLE credits:** 1 Ethics **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 10/5/2016** – **Vehicle Stops and Searches in Pennsylvania:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 10/13/2016** – **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
- 10/19/2016** – **Traffic Court Practice in Magisterial District Court:** *PPBI Groupcast.* **CLE credits:** 1 Substantive **Time:** 2:00 PM to 3:00 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.

NOTICE OF ADMINISTRATIVE SUSPENSION

NOTICE IS HEREBY GIVEN that **Joel Michael McDermott** of **Lycoming County** has been **Administratively Suspende**d by Order of the Supreme Court of Pennsylvania dated July 18, 2016, pursuant to Rule 111(b), Pa. R.C.L.E., which requires that every active lawyer shall annually complete, during the compliance period for which he or she is assigned, the continuing legal education required by the Continuing Legal Education Board. The Order became effective August 17, 2016 for Compliance Group 3.

Suzanne E. Price

Attorney Registrar

The Disciplinary Board of the
Supreme Court of Pennsylvania

Au-26

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

- ▶ **Commonwealth vs. Scarantino** (08/24/2016)—Judge Marc F. Lovecchio
Criminal: Motion challenging costs of prosecution; crime lab user fees; recovery of costs of tests to determine if homicide occurred where homicide was not charged; costs necessary to prove elements of crime charged. (Scarantino082415L)
- ▶ **Commonwealth vs. Mays** (08/22/2016)—Judge Nancy L. Butts
Criminal: Appeal; sufficiency of evidence of intent to deliver heroin; credibility of witnesses; proof of quantity for sentencing purposes; elements of conspiracy; sufficiency of evidence of criminal use of a communication facility; factors considered when determining sentence; challenge to discretionary aspect of sentence; treatment purpose of state intermediate punishment program. (Mays082216bt)
- ▶ **Commonwealth vs. Wilcox** (08/22/2016)—Judge Nancy L. Butts
Criminal: Appeal; sufficiency of evidence of sexual abuse where victim does not testify; testimony of forensic interviewer; unavailability under tender years doctrine; coordinate jurisdiction rule; denial of continuance request; harmless error. (Wilcox082216bt)
- ▶ **Commonwealth vs. Person** (08/22/2016)—Judge Marc F. Lovecchio
Criminal: Habeas corpus petition; violation of employment reporting requirements under SORNA; issues concerning credibility and weight of Commonwealth exhibits and testimony; jury issues; repeated failures to report as multiple offenses. (Person082216L)
- ▶ **Commonwealth vs. Bell** (08/19/2016)—Judge Dudley N. Anderson
Criminal: Motion to reconsider denial of motion to dismiss in light of *Birchfield v. North Dakota*; constitutionality of implied consent law; fourth amendment right to refuse a warrantless blood test; refusal to take test as consciousness of guilt; preservation of issue; futility of trial objection; new trial. (Bell081916a)
- ▶ **Southwestern Energy Production Company vs. Forest Resources, LLC et al.** (08/17/2016)—Judge Dudley N. Anderson
Civil: Preliminary objections to complaint joining indispensable parties; statute of limitations; date actual controversy arose in case involving interpretation of statute and lease; claimed survival of quiet title actions, even if declaratory judgment actions are time-barred; inextricably intertwined causes of action; subject matter jurisdiction of court where indispensable parties are dismissed; factual issues preventing dismissal of claims. (Southwestern081716a)

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- ▶ **Commonwealth vs. Graham** (08/16/2016)—Judge Marc F. Lovecchio
Criminal: Motion to correct illegal sentence treated as Post Conviction Relief Act petition; timeliness; jurisdiction of the court. (Graham081616L)
 - ▶ **Commonwealth vs. Greninger** (08/17/2016)—Judge Nancy L. Butts
Criminal: Suppression motion; probable cause to stop vehicle; constitutionality of implied consent statute in light of *Birchfield v. North Dakota*. (Greninger081716bt)

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, Rosemary W. a/k/a Rosemary L. Bower, dec'd.**

Late of the City of Williamsport.
Executors: Michael J. and Kathryn J. McKernan, 320 Grampian Boulevard, Williamsport, PA 17701.
Attorneys: W. Jeffrey Yates, Esq. P.C., 425 Market Street, Williamsport, PA 17701.

Chapman, Phillip T., dec'd.

Late of Trout Run.
Executor: Thomas P. Chapman, 45 Back Street, Lot 15, Montoursville, PA 17754.
Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Donovan, Jean P., dec'd.

Late of Jersey Shore.
Executrix: Patricia A. Lose, 8206 S. Rt. 44 Hwy., Williamsport, PA 17702.
Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

Millheim, Dawn Marie Baker, dec'd.

Late of Williamsport.
Administrator: David L. Wertz, Jr., 939 Saeger Station Road, Montgomery, PA 17752.
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Ochej, Luba K., dec'd.

Late of 2985 Four Mile Drive, Montoursville, Loyalsock Township.
Co-Executrices: Helen Ochej and Mary Ochej, 20 Chantilly Court, Rockville, MD 20850.
Attorneys: Lester L. Greevy, Jr., Esquire, Greevy and Shoemaker, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

Perry, Elizabeth F., dec'd.

Late of Williamsport.
Administrator: John A. Smay, 39 South Main Street, P.O. Box 35, Muncy, PA 17756.
Attorneys: John A. Smay, Esquire, Williams and Smay, 39 S. Main St., P.O. Box 35, Muncy, PA 17756.

Stetts, Gary E., dec'd.

Late of South Williamsport.
Administratrix: Selena R. Stetts, 315 E. 7th Ave., South Williamsport, PA 17702.
Attorneys: John B. Zonarich, Esquire, Skarlatos Zonarich LLC, 17 S. 2nd St., 6th Fl., Harrisburg, PA 17101.

SECOND PUBLICATION**Eck, Virginia L., dec'd.**

Late of Montoursville.
Administrator: Stanley E. Eck, 1428 Briarwood Drive, Montoursville, PA 17754.
Attorneys: Scott T. Williams, Esquire, Law Offices of Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.

Ertel, Allen E., dec'd.

Late of Montoursville.
Executrix: Catharine K. Ertel, 2245
Heim Hill Rd., Montoursville, PA
17754-9622.

Attorney: Samuel T. Swansen, Es-
quire, 510 Township Line Rd., Ste.
150, Blue Bell, PA 19422.

Ertel, Allen E., dec'd.

Late of Montoursville.
Tax Exemption Trust Under Will of
Allen E. Ertel, Dated February 25,
1997.

Trustee: Catharine K. Ertel c/o
Samuel T. Swansen, Esquire, 510
Township Line Rd., Ste. 150, Blue
Bell, PA 19422.

Attorney: Samuel T. Swansen, Es-
quire, 510 Township Line Rd., Ste.
150, Blue Bell, PA 19422.

Fry, Arnold M., dec'd.

Late of 117 C. P. Fry Lane, Muncy.
Executrices: Debra A. Trostle, 388
Trinity Drive, Hughesville, PA 17737
and Denise D. Fry, 17804 Greentree
Lane, Hagerstown, MD 21740.

Attorney: J. Howard Langdon, Es-
quire, 3 South Main Street, Muncy,
PA 17756.

McKay, William S., dec'd.

Late of Loyalsock Township.
Executrix: Debra A. Turner, 110
Brouse Road, Montgomery, PA
17752.

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

Womer, Lynn C., Jr., dec'd.

Late of Montoursville.
Co-Executrices: Kristie L. Clark,
327 Heritage Run Road, Indiana, PA
15201 and Lisa Lettiere, 2828 Lin-
coln Drive Extension, Montoursville,
PA 17754.

Attorneys: James D. Casale, Esquire,
Casale & Bonner, P.C., 33 West

Third Street, Suite 202, Williams-
port, PA 17701, (570) 326-7044.

THIRD PUBLICATION**Berfield, Pearl,** dec'd.

Late of Mifflin Township.
Administrator: Robert C. Berfield,
3681 Nichols Run Road, Jersey
shore, PA 17740.

Attorney: Douglas C. Loviscky, Es-
quire, 1500 West College Avenue,
State College, PA 16801.

Diehl, Lester A., 41-16-0377, dec'd.

Late of Lycoming County.
Executrix: Linda A. Huzar, 7764
Carlton Road, Coopersburg, PA
18036.

Attorneys: Frank S. Miceli, Esquire,
RobertsMiceli, LLP, 146 East Water
Street, Lock Haven, PA 17745, (570)
748-4059.

Miller, Shuman E., dec'd.

Late of Lycoming County.
Executrix: Carol E. Johnson.
Attorneys: Jessica Feese, Esquire,
Lepley, Engelman & Yaw, 140 East
Third Street, Williamsport, PA
17701.

Phillips, Barbara A., dec'd.

Late of Muncy Township.
Executrix: Christine E. Baur, 178 Rt.
118 Hwy., Hughesville, PA 17737.
Attorneys: James G. Malee, Esquire,
Malee Law Firm, P.C., 310 East Third
Street, Williamsport, PA 17701,
(570) 321-6112.

Phillips, Donald M., dec'd.

Late of Muncy Township.
Executrix: Christine E. Baur, 178 Rt.
118 Hwy., Hughesville, PA 17737.
Attorneys: James G. Malee, Esquire,
Malee Law Firm, P.C., 310 East Third
Street, Williamsport, PA 17701,
(570) 321-6112.

Scott, Diane C., dec'd.

Late of Williamsport.

Executor: Charles C. Scott, Jr.,
727 Pearl Street, Williamsport, PA
17701.

Attorneys: Anthony J. Grieco, Es-
quire, Elion, Wayne, Grieco, Car-
lucci & Shipman, P.C., 125 East Third
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 September 6,
2016 unless exceptions are filed before
5:00 P.M. on that date.

Watkins, Jason M. Estate—Yvonne
M. Watkins, Administratrix.
Kathy Rinehart
Register of Wills

Au-19, 26

**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 23,
2016, for the purpose of incorporating
a nonprofit corporation to organize
under the Domestic Nonprofit Cor-
poration Law of the Commonwealth
of Pennsylvania (15 P.S. 5306).

The name of the corporation is:

TINY BLESSED MINISTRIES, INC.
with its registered office being situate
at: 225 Ban Road, Muncy, Lycoming
County, Pennsylvania 17756.

The primary purpose of the corpo-
ration is to develop, manage a loving

and flourishing community of tiny homes
where individuals can thrive. This com-
munity will consist of homeless people
who might otherwise inhabit doorways,
parks, benches, sidewalks and bridges;
and to exercise all the rights and powers
conferred on nonprofit corporations
under the Pennsylvania Domestic Non-
profit Corporation Law as it is now in
effect or may at any time be amended.
J. HOWARD LANGDON, ESQUIRE
Attorney for Tiny Blessed
Ministries, Inc.
3 South Main Street
Muncy, PA 17756
(570) 546-3104

Au-26

SERVICE BY PUBLICATION

In the Court of Common Pleas of
Lycoming County, Pennsylvania
Civil Division

No.: 2016-00848

KONDAUR CAPITAL
CORPORATION AS SEPARATE
TRUSTEE OF MATAWIN VENTURES
TRUST SERIES 2015-2
(Plaintiff)

vs.

DAVID W. ALLISON
(Defendant)

NOTICE

TO: DEFENDANT

You are hereby notified the plain-
tiff, Kondaur Capital Corporation as
separate trustee of Matawin Ventures
Trust Series 2015-2, has filed a Com-
plaint in Mortgage Foreclosure with
regard to the premises situate at 361
N. Main Street, Jersey Shore, PA 17740,
endorsed with a Notice to Defend,
against you at No. 2016-00848 in the
Civil Division of the Court of Common

Pleas of Lycoming County, Pennsylvania, wherein the plaintiff seeks to foreclose on the mortgage encumbering said property, which foreclosure would lead to a public sale by the Lycoming County Sheriff.

YOU HAVE BEEN SUED. IF YOU WISH TO DEFEND AGAINST THE CLAIMS SET FORTH IN THE FOLLOWING PAGES, YOU MUST TAKE ACTION WITHIN TWENTY (20) DAYS AFTER THIS COMPLAINT AND NOTICE ARE SERVED BY ENTERING A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILING IN WRITING WITH THE COURT YOUR DEFENSES OR OBJECTIONS TO THE CLAIMS SET FORTH AGAINST YOU. 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 ANY MONEY CLAIMED IN THE COMPLAINT OR FOR ANY OTHER CLAIM OR 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, 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.

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

- or -

North Penn Legal Services
329 Market Street
Williamsport, PA 17701
(570) 323-8741

STEPHEN M. HLADIK, ESQUIRE
298 Wissahickon Avenue
North Wales, PA 19454

Au-26



PERIODICAL PUBLICATION

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