

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
- 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
- 10/24/2016 – 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

- 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 – October Eat & Earn:** *Live Speaker—Hon. Robert A. Graci.* **CLE credits:** 1 Ethics **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 11/2/2016 – A Day on Employment Law:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 11/9/2016 – Lawyer’s Guide to Appraisals & Appraisers:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:15 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. Dymeck** (08/30/2016)—Judge Nancy L. Butts
Criminal: Suppression motion; timeliness; probable cause to stop and search; mere encounter; permissibility of search of pockets of someone who is being detained during an investigative detention. (Dymeck083016bt)
- ▶ **Commonwealth vs. Ford** (08/30/2016)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; timeliness; newly discovered evidence exception claim pertaining to witness who previously testified. (Ford083016bt)
- ▶ **Commonwealth vs. Young** (08/30/2016)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; voluntariness of guilty plea; guilty plea colloquy; defendant understands nature of charges against him; ineffective counsel for failure to file suppression motion; waiver of pretrial motions. (Young083016bt)
- ▶ **Commonwealth vs. Andrews** (08/30/2016)—Judge Nancy L. Butts
Criminal: Timeliness of Post Conviction Relief Act petition; extension of time due to re-sentencing; illegal sentence. (Andrews083016bt)
- ▶ **LRF vs. DWF** (08/29/2016) Judge Dudley N. Anderson
Support: Appeal of support order; credibility of business financial documentation; use of earning capacity evidence; evidence of manipulation of business opportunities. (LRF082916A)
- ▶ **Commonwealth vs. Weller** (08/29/2016)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act motion; credit for time served; start time of concurrent sentence; computation of prior record score; sentence based on plea agreement. (Weller082916bt)
- ▶ **Commonwealth vs. Rivera** (08/29/2016)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; bootcamp eligibility; legal basis to grant relief. (Rivera082916bt)
- ▶ **Commonwealth vs. MAB** (08/29/2016)—Judge Nancy L. Butts
Criminal: Post-conviction collateral relief motion; timeliness; newly discovered evidence exception to time requirement; victim recanting incriminating statements as newly discovered evidence where defendant admitted to crime. (MAB082916bt)

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

Connacher, Mary V., dec'd.

Late of the City of Williamsport.
Executrix: Linda Pfleeger, 1327 Dewey Ave., Williamsport, PA 17701.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Engel, Thomas J., dec'd.

Late of Lycoming Township.
Co-Administratrices: Jennifer L. Engel, 34 Stone Lane, Williamsport, PA 17701 and Emily E. Baggett, 393 Eldred Street, Williamsport, PA 17701.

Hambridge, Edith L. a/k/a Edith Lyons Hambridge, dec'd.

Late of Moreland Township.
Executor: James Hambridge, 200 J. Houseknecht Road, Muncy, PA 17756.

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

Hensley, Barbara J., dec'd.

Late of the City of Williamsport.

Executor: Citizens and Northern Bank Trust Department c/o Daniel K. Mathers, Esquire, Mathers Law Firm, PC, 416 Pine St., Ste. 308, Williamsport, PA 17701.

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

SECOND 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.

THIRD 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, Esquire, 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, Esquire, 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, Esquire, 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 Lincoln Drive Extension, Montoursville, PA 17754.
Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

FILING OF CERTIFICATE OF ORGANIZATION OF LLC

NOTICE IS HEREBY GIVEN that a Certificate of Organization for a

Domestic Limited Liability Company was filed with the Department of State at Harrisburg, Pennsylvania, on August 15, 2016 for the purpose of obtaining a Certificate of Organization for a Domestic Limited Liability Company to be organized under the Pennsylvania Business Corporation Law of 1988 (P.L. 1444, No. 177) as amended. The name of the Limited Liability Company is:

ANDERSON FAMILY
GRASS-FED BEEF, LLC

whose principal place of business is: 1214 Mill Hill Road, Roaring Branch, Pennsylvania 17765. The purpose for which the business has been organized is to engage in and to do any lawful act concerning any and all lawful business for which a limited liability company may be incorporated under the Pennsylvania Business Corporation Law of 1988, as amended.

MARK L. TAYLOR, ESQUIRE
330 Pine Street
Suite 403
Williamsport, PA 17701

having objections to the Petition may be heard.

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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.: 16-0399

WELLS FARGO BANK, NA,
Plaintiff,

vs.

James R. Irvin, Jr., as believed Heir and/or Administrator of the Estate of Irene M. Irvin a/k/a Irene Irvin; Joseph G. Irvin, as believed Heir and/or Administrator of the Estate of Irene M. Irvin a/k/a Irene Irvin; Thomas L. Irvin, as believed Heir and/or Administrator of the Estate of Irene M. Irvin a/k/a Irene Irvin; Robin M. Lucas, as believed Heir and/or Administrator of the Estate of Irene M. Irvin a/k/a Irene Irvin; Unknown Heirs and/or Administrators of the Estate of Irene M. Irvin a/k/a Irene Irvin,

Defendants

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**INTENTION TO
CHANGE NAME**

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

Docket 16-0196

NOTICE

NOTICE IS HEREBY GIVEN that the Petition of Kiya Antoinette Kelly was filed in the said Court, praying for a Decree to change his name to Kai Nathaniel Kelly. The Court has fixed September 26, 2016 at 1:30 p.m. Judge Anderson, Lycoming County Courthouse, Williamsport, for the hearing of said Petition, at which time anyone

TO: Unknown Heirs and/or Administrators of the Estate of Irene M. Irvin a/k/a Irene Irvin

You are hereby notified that Plaintiff, Wells Fargo Bank, NA, filed an Action in Mortgage Foreclosure endorsed with a Notice to Defend, in the Court of Common Pleas of Lycoming County, Pennsylvania, docketed to No. 16-0399, seeking to foreclose the mortgage secured by the real estate located at 1230 Anne Street, Williamsport, PA 17701.

A copy of the Action in Mortgage Foreclosure will be sent to you upon request to the Attorney for the Plaintiff, Manley Deas Kochalski LLC, P.O. Box 165028, Columbus, OH 43216-5028. Phone (614) 220-5611.

You have been sued in court. If you wish to defend against the claims in this notice, you must take action within twenty (20) days after this publication, 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 by the court 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 NOTICE 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.

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

- or -

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

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**Do you know what your
LYCOMING LAW ASSOCIATION
FOUNDATION**

has done to improve the delivery of legal services in our community, facilitate learning about the legal system, and enhance the image of the organized Bar?

Assigned over \$59,000.00 in Arbitration Fees to North Penn Legal Services to promote and facilitate the delivery of legal services to indigent persons in Lycoming County over the last eight years

Granted \$500.00 to the Changing Lives Through Literature Program to assist in the purchase of books

Granted \$3,000.00 to West Branch School to assist in funding a trip for students to travel to Washington, DC and visit the Supreme Court and the Houses of Congress

Granted \$6,000.00 to North Penn Legal Services to assist in funding an AmeriCorp position

Granted \$2,000.00 to CASA to assist in developing the CCAP curriculum and train program staff and volunteers

Granted \$1,245.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Fair Debt Collection Act Boot Camp Seminar in San Francisco

Granted \$1,489.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Consumer Rights Litigation Conference in Philadelphia

Granted \$2,952.00 to the Law Library at the JV Brown Library for the initial digitization of its current collection of 140 local ordinances

Granted \$1,000.00 to the Curtin PTO toward their Ben Carson Reading Room Project

Granted \$2,945.00 to CASA of Lycoming County, so that the CASA Director and the CASA Coordinator of Early Education could attend at a three day national conference on Children and the Law held at Harvard Law School

Granted \$2,625.00 to North Penn Legal Services to fund the costs of a law student's employment at NPLS for ten weeks during a summer

Granted \$250.00 to Susquehanna Home Care & Hospice for the Nurse Family Partnership to purchase reference books for nurses to use with low income families

Granted \$1,250.00 to CASA for the purchase of a computer system and necessary software

Granted \$2,200.00 to North Penn Legal Services for the development of a customized Lycoming County Child Custody Video

Granted \$1,500.00 to Wise Options (on behalf of the Domestic Violence Task Force) for the preparation, printing and distribution of a county protocol for domestic violence calls

Granted \$1,000.00 to North Penn Legal Services to assist in funding a Medicare Part D Provider Education Training

Granted \$7,500.00 to the Lycoming County Historical Society for the interpretation, archiving and digitalization of historical legal documents owned by the Taber Museum

Granted \$2,750.00 to Lycoming County for training necessary to establish a Domestic Fatality Review Team

Established a Pro Bono Litigation Costs Reimbursement Fund

Request for Grant Funding should be directed to the LLA Community Activities and Outreach and Committee. Information is available on the LLA website at <http://www.lycolaw.org/Committees/LLAfoundation.htm>

Please consider the Lycoming Law Association Foundation when making planned gifts.

Donations to the Lycoming Law Association Foundation are tax deductible.

The Lycoming Law Association Foundation is a tax-exempt, not-for-profit, 501(c)(3) corporation.

Its mission is to cultivate the science of jurisprudence, improve the legal and judicial system, and facilitate the administration of justice for residents of Lycoming County.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, September 5, 2016**