

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.

- 11/28/2016 – Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 12/2/2016 – New Attorney Admission Ceremony:** *New Attorney Admission to the Courts of Lycoming County.* **Time:** 4:00 PM to 5:00 PM. **Location:** Courtroom #1
- 12/8/2016 – Last Day of Angel Tree Toy Drive:** *The Annual Angel Tree Toy Drive is ending.* **Time:** 12:00 PM
- 12/12/2016 – 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

- 12/5/2016 – PA Attorney-Client Privilege and Work Product Doctrine:** *PBI Groupcast.* **CLE credits:** 3 Ethics **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 12/7/2016 – Federal Appellate Advocacy:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 12/14/2016 – Appellate Advocacy in State Courts:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 12/15/2016 – Ethics Potpourri—The Race for Clients:** *PBI Video Replay.* **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** Lycoming Law Association Office
- 12/21/2016 – Juvenile Criminal Matters:** *Speakers: Attorneys Jeff Yates and Don Martino.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 1/13/2017 – A Guide to Choosing the Best Business Entity:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 1/18/2017 – Topic TBA:** *Speaker: Hon. Matthew W. Brann.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 1/20/2017 – Hot Topics in Capital Cases:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 1/20/2017 – Act 79: Omnibus Changes to the PEF Code:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 1/25/2017 – Succession Planning for Family and Closely Held Businesses:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 2/1/2017 – PA Civil Procedure:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 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. Forsythe** (06/17/2016)—Judge Nancy L. Butts
Criminal: Commonwealth appeal; suppression motion; strict construction of agreement between District Attorney and the Attorney General of the Commonwealth; enforcement of Municipal Drug Task Force agreement. (Forsythe061716bt)
- ▶ **Commonwealth vs. Watkins** (05/25/2016)—Judge Nancy L. Butts
Criminal: Appeal. (Watkins052516bt)
- ▶ **Commonwealth vs. Weller** (11/10/2016)—Judge Nancy L. Butts
Criminal: Amended Post Conviction Relief Act petition; claims that do not go to the truth determining process; claims cognizable under the Act. (Weller111016bt)
- ▶ **Commonwealth vs. Probst** (11/08/2016)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; fully satisfied sentence; timeliness of petition; due diligence; jurisdiction of the court. (Probst110816bt)
- ▶ **Commonwealth vs. Martin** (11/08/2016)—Judge Marc F. Lovecchio
Criminal: Post-sentence motion; forfeiture by wrongdoing exception to the hearsay rule; availability for trial; declaration of unavailable witness introduced against party who made witness unavailable; witness concerned for his safety and the safety of his family; witness considered unavailable if the witness testified to not remembering the subject matter; prosecutorial misconduct claim relating to ex parte judge shopping; admission by district attorney of request for reassignment of senior judge; prejudice; sufficiency of the evidence; waiver of arguments; admissibility of lay opinion; accomplice liability charge; admission of photographs that were posted on Instagram; authenticity of documents; disparity in sentences between defendant and his co-defendants who were not similarly situated. (Martin110816L)
- ▶ **Commonwealth vs. Bortz** (11/08/2016)—Judge Marc F. Lovecchio
Criminal: Appeal; probation violation sentence; failure of court to account rehabilitative where defendant had already served a ten-year sentence; need for sexual offender treatment program offered in state prison; deterrent effect of threat of future incarceration. (Bortz110816L)

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

Bastian, Thomas I., Sr., dec'd.

Late of Linden.

Executor: Thomas I. Bastian, Jr., 804 Edwards Road, Trout Run, PA 17771.

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

Dailey, Marion E., dec'd.

Late of Williamsport.

Executor: Dennis A. Dailey, 6107 Lycoming Creek Road, Cogan Station, PA 17728.

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

Liddick, Floyd S., dec'd.

Late of Williamsport.

Executrix: Susan L. Metzger, 146 Kiess Hill Road, Linden, PA 17744.

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

SECOND PUBLICATION

Baker, Ernest E., dec'd.

Late of Lycoming Township.

Executrix: Kathy A. Furman, 1409 Gap Road, Allenwood, PA 17810.

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

Bausinger, Eva M. a/k/a Eva Mae Bausinger, dec'd.

Late of Susquehanna Township.

Executrix: Joanne M. Stull, 177 Main Street, Butler, OH 44822.

Attorneys: Fred A. Holland, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

Bloom, Eleanor Marie, dec'd.

Late of Williamsport.

Executor: Keith A. Bloom, 607 Willow Street, Montoursville, PA 17754.

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

Campbell, Olive Lucille a/k/a O. Lucille Campbell, dec'd.

Late of Muncy.

Executors: Roger N. Campbell, 257 Turkey Bottom Road, Muncy, PA 17756 and Peggy C. Schively, 1637 Bloominggrove Road, Williamsport, PA 17701.

Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

Confair, Richard H., dec'd.

Late of Williamsport.

Co-Executors: David S. Confair and R. Craig Confair.

Attorneys: Vicky Ann Trimmer, Esquire, Daley Zucker Meilton & Miner, LLC, 635 N. 12th Street, Suite 101, Lemoyne, PA 17043.

Kinley, Norma L., dec'd.

Late of Williamsport.

Administrator: Douglas C. Kinley, 1255 Kinley Road, Cogan Station, PA 17728.

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

Kirk, Sophia C., dec'd.

Late of Williamsport.

Administrators: Matthew Kirk and Kristy Kirk c/o Kim D. Fetrow, Esquire, 100 Four Falls, Ste. 300, West Conshohocken, PA 19428-2983.

Attorneys: Kim D. Fetrow, Esquire, Heckscher, Teillon, Terrill & Sager, P.C., 100 Four Falls, Ste. 300, West Conshohocken, PA 19428-2983.

Loudenslager, Maxine R., dec'd.

Late of Williamsport.

Executor: Robert G. Loudenslager c/o Wendy A. Nicolosi, Esquire, Broughal & DeVito, L.L.P., 38 West Market Street, Bethlehem, PA 18018.

Attorneys: Wendy A. Nicolosi, Esquire, Broughal & DeVito, L.L.P., 38 West Market Street, Bethlehem, PA 18018.

Mondell, Margaret M., 41-16-0573, dec'd.

Late of Lycoming County.

Executors: James A. Russo, 1075 Renovo Road, Mill Hall, PA 17751 and Lucy L. Barto, 72 Westside Road, Jersey Shore, PA 17740.

Attorneys: Lee H. Roberts, Esquire, Roberts Miceli, LLP, 146 East Water Street, Lock Haven, PA 17745.

Nierle, Elsie S., dec'd.

Late of Loyalsock Township.

Executor: Ronald S. Skvir, 729 S. Logan Blvd., Hollidaysburg, PA 16648.

Attorneys: Robert P. Rea, Esquire, Rea, Rea & Lashinsky, 415 Wayne Street, P.O. Box 487, Hollidaysburg, PA 16648.

Stackhouse, Polly A. a/k/a Polly Ann Stackhouse, dec'd.

Late of Muncy.

Executor: Scott E. Stackhouse, 775 Stoney Batter Road, Muncy, PA 17756.

Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

Suddath, Anna Fay, dec'd.

Late of 371 Hastings Street, South Williamsport.

Executrix: Melanee S. Herrera, 371 Hastings Street, South Williamsport, PA 17702.

Attorneys: Lester L. Greevy, Jr., Esquire, Greevy and Shoemaker, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

THIRD PUBLICATION

Asplund, Virginia K., dec'd.

Late of the City of Williamsport.

Executor: Robert W. Asplund, 148 Huffman Avenue, Williamsport, PA 17701.

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

Carson, Eulodia B., dec'd.

Late of the Township of Loyalsock. The Carson Family Protector Trust, dated July 3, 2012 as amended March 25, 2013.

Settlor: Eulodia B. Carson.

Executor: Warren W. Carson, 1830 Green Hollow Road, Montoursville, PA 17754.

Trustees: Billy Carson and Warren W. Carson, 1830 Green Hollow Road, Montoursville, PA 17754.

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

Dugan, Michael J., dec'd.

Late of the Borough of Duboistown.

Executrix: Marjorie A. Dugan, 1512 West Vine Avenue, Searcy, AK 72143.

Attorneys: Paul A. Roman, Esquire, Law Office of Joseph L. Rider, 1700 Four Mile Drive, Williamsport, PA 17701.

Houseknecht, Jesse R., dec'd.

Late of 812 J. Houseknecht Road, Muncy.

Executor: Galen R. Houseknecht, 485 Dr. Poust Road, Hughesville, PA 17737.

Attorney: J. Howard Langdon, Esquire, 3 South Main Street, Muncy, PA 17756.

Johnson, Janice Lee, dec'd.

Late of Lycoming County.

Executor: Ronnie Kiess, 183 Green Valley Road, Hughesville, PA 17737.

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

Newswanger, Lee E., dec'd.

Late of Williamsport.

Administratrix: Candy Eck, 721 First Avenue, Williamsport, PA 17701.

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

Price, Virgile L., Jr. a/k/a Virgile L. Price, dec'd.

Late of South Williamsport Borough. Administratrix: Bethany Price 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.

Smith, David W., dec'd.

Late of Hughesville.

Administrator: Kim M. Smith, 69 Fairground Street, Muncy, PA 17756.

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

Stancati, Arlene M., dec'd.

Late of Wolfe Township.

Executrix: Vickie L. Evans 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.

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.

**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 \$9,000.00 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, November 28, 2016**