

# LYCOMING REPORTER

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## LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY  
LYCOMING LAW ASSOCIATION

EDITOR: Gary L. Weber • BUSINESS MANAGER: Michele S. Frey

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Williamsport, PA 17701

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# LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

[www.lycolaw.org](http://www.lycolaw.org)

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Gary L. Weber

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- Court Calendar • Continuing Legal Education
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- Recent Court Decisions • Upcoming LLA & Public Events

[www.lycolaw.org](http://www.lycolaw.org)

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## SCHEDULED EVENTS

Additional information about any of these events is available on the Lycoming Law Association website at [www.lycolaw.org](http://www.lycolaw.org).

- 6/27/2017 – Criminal Law Committee Meeting:** **Time:** 12:00 PM to 1:00 PM. **Location:** Courtroom #1
- 6/28/2017 – Bar History Committee Meeting:** *Meeting of the Bar History Committee* **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 6/29/2017 – LLA Annual Picnic:** *The annual picnic. Members: \$30, YLD: \$20, Guests: \$30. Sign-up deadline: June 19* **Time:** 4:00 PM to 8:00 PM. **Location:** Herman & Luther's, Montoursville
- 6/29/2017 – Technology Committee Meeting:** *Regularly scheduled meeting of the Technology Committee* **Time:** 12:00 PM to 1:00 PM. **Location:** Bullfrog
- 7/10/2017 – Community Outreach Committee Meeting:** *Quarterly meeting of the committee* **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 7/11/2017 – Elder Law Committee Meeting:** *Regular meeting of the Elder Law Committee* **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 7/18/2017 – Family Law Committee Meeting:** **Time:** 12:00 PM to 1:00 PM. **Location:** Courtroom #5
- 7/28/2017 – LLA Foundation Meeting:** *Quarterly meeting of the LLA Foundation* **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 8/7/2017 – Bench Bar Meeting:** *Regular meeting of the committee to discuss matters of concern in Bench and Bar relations* **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office

**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

- 6/29/2017** – **Piercing the Corporate Veil:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:00 PM. **Location:** Lycoming Law Association Office
- 7/11/2017** – **Medicare ABCs and D:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office
- 7/12/2017** – **Ethics Credit, E&E Presentation, Topic TBA:** *Eat & Earn CLE—Speaker: David Trevasakis, Esq.* **CLE credits:** 1 Ethics **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 7/18/2017** – **Bringing and Defending Birth Trauma Cases:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 3:30 PM. **Location:** Lycoming Law Association Office
- 7/20/2017** – **Consumer Protection:** *E&E Presentation—Speaker: Andy Miltz, Esq.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 7/26/2017** – **Child & Spousal Support: Back to the Basics:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office
- 7/27/2017** – **Big Changes Coming for LLCs, LLPs, LPs and GPs:** *PBI Groupcast.* **CLE credits:** 6 Substantive **Time:** 9:00 AM to 4:00 PM. **Location:** Lycoming Law Association Office
- 8/16/2017** – **Speaker: Yvonne Campbell, Esquire:** *Eat & Earn CLE.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 8/22/2017** – **Fire at-Will in PA:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 8/30/2017** – **Help! The Rules are Changing ... and They Impact ALL PA Court Filings:** *PBI Groupcast.* **CLE credits:** 2 Substantive / 1 Ethics **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 8/31/2017** – **Pennsylvania’s Mechanics’ Liens:** *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office
- 9/11/2017** – **Excel for Lawyers—Basic to Intermediate:** *PBI Groupcast.* **CLE credits:** 2 Substantive **Time:** 12:30 PM to 2:30 PM. **Location:** Lycoming Law Association Office
- 9/13/2017** – **Speaker: Ryan Tira, Esq.—Topic TBA:** *Eat & Earn CLE.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 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](http://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](mailto:mfrey@lycolaw.org), or online at [www.lycolaw.org](http://www.lycolaw.org).

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.

The full text of the following Lycoming County Court opinions is reported at <http://www.lycolaw.org/cases/postings.asp>

- ▶ **Commonwealth vs. McCloskey** (06/19/2017)—Judge Nancy L. Butts  
Criminal: Post Conviction Relief Act petition; claim of ineffective trial counsel due to interference with defendant’s right to testify and right to make a knowing, intelligent, and voluntary decision on whether or not to testify; timeliness; arguable merit of claim; reasonably designed strategy; prejudicing right to fair trial. (McCloskey061917bt)
- ▶ **Commonwealth vs. Spencer** (06/19/2017)—Judge Marc F. Lovecchio  
Criminal: Appeal; sufficiency and weight of evidence of defendant’s identity in aggravated assault case involving a shooting; waiver of issues not raised with the trial judge; verdict shocking the court’s conscience; admissibility of taped conversations of defendant discussing possible guilty plea with members of his family; confessions of guilt. (Spencer061917L)
- ▶ **Commonwealth vs. Shoemaker** (06/19/2017)—Judge Marc F. Lovecchio  
Criminal: Post Conviction Relief Act petition; defendant’s misconception that he was sentenced under repealed statute. (Shoemaker 061917L)
- ▶ **Commonwealth vs. LaRochelle** (06/08/2017)—Judge Marc F. Lovecchio  
Criminal: Appeal; weight and sufficiency of evidence. (Larochelle 060817L)
- ▶ **Commonwealth vs. Howell** (06/08/2017)—Judge Marc F. Lovecchio  
Criminal: Post Conviction Relief Act petition; improper advice by counsel because of no notification of consequences; license suspension as a collateral civil consequence of a criminal conviction. (Howell060817L)
- ▶ **Bausch vs. Orso, Casale & Bonner, PC, Semo, Hinkle and Recla** (05/16/2017)—Judge J. Michael Williamson, Specially Presiding  
Civil: Motion for compulsory nonsuit; *Dragonetti* Act claim; favorable termination; case resolved by settlement of co-defendant; complaint filed as a result of significant consideration and supported by probable cause; lack of negligence; abuse of process claim; evidence that suit filed for designed purpose, which purpose was partially achieved; existence of fiduciary relationship. (bausch051617W)

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Please be advised that there will be an early deadline for Reporter notices for the July Fourth holiday. All notices must be submitted as follows:

Received by Wednesday, June 28th, at 1:00 p.m. for publication in the Friday, July 7 edition.

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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.

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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**

**Anderson, B. Eleanor, dec'd.**

Late of Loyalsock.

The B. Eleanor Anderson Protector Trust, dated August 10, 2016.

Settlor: B. Eleanor Anderson.

Trustees: Doris H. Shandry and Margaret E. Bridenbaugh.

Attorneys: Brittany O.L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Berry, Alice R., dec'd.**

Late of Trout Run.

Administratrix: Elizabeth E. Flook, 309 Maple Street, Jersey Shore, PA 17740.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701.

**Frey, R. David, dec'd.**

Late of Loyalsock Township.

Executors: Steven R. Frey, 1412 Pine Crest Drive, South Williamsport, PA 17702, David L. Frey, 1941 Mount View Ave., Montoursville, PA 17754 and Charles G. Frey, 1702 Carey Hill Road, Montoursville, PA 17754.

Attorneys: Charles F. Greevy, III, Esquire, Greevy & Taylor Law Offices, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

**Harner, Joanne E., dec'd.**

Late of the City of Williamsport.

Executrices: Barbara L. Munsell, 2001 Memorial Ave., Apt. 46, Williamsport, PA 17701 and Rebecca A. Jean, 220 Claredon St., S. Williamsport, PA 17702.

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

**Klobe, Barbara A., dec'd.**

Late of Montgomery.



Executrix: Lori Deisher, 134 Hillcrest Lane, Montgomery, PA 17752, (570) 547-7077.  
Attorney: None.

**McCoy, Doris F.,** dec'd.

Late of Williamsport.  
The Doris F. McCoy Real Estate Protector Trust, dated October 11, 2010.

Settlor: Doris F. McCoy.  
Executrix: Ann M. Young.  
Trustees: Ann M. Young, Jay G. McCoy and Sue E. McCoy.  
Attorneys: Brittany O.L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Smith, Danie I.,** dec'd.

Late of Trout Run, Cascade Township.

Administratrix: Norma J. Smith, 236 Devils End Road, Trout Run, Cascade Township, PA 17771.

Attorney: Benjamin Apfelbaum, Esquire, 124 N. Fourth Street, Sunbury, PA 17801, (570) 286-1692.

**Wenner, Harold J.,** dec'd.

Late of the Township of Bastress.

Executor: Timothy J. Wenner, 60 Carl Wenner Lane, Williamsport, PA 17702.

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

**Whitton, Calvin L.,** dec'd.

Late of Jersey Shore.

Administrators: Kelli Ann Markley, 6460 Pine Run Road, Jersey Shore, PA 17740 and Albert Winkleman, Sr., 8243 N. Rte. 44 Highway, 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.

**SECOND PUBLICATION**

**Hall, Barbara J.,** dec'd.

Late of Loyalsock Township.

Executrix: Sharyn M. Eckman, 1931 Greenview Road, Montoursville, PA 17754.

Attorney: None.

**Houseknecht, Esther M.,** dec'd.

Late of Penn Township.

Executor: David L. Houseknecht, 1398 Logue Hill Road, Muncy Valley, PA 17758.

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

**Imrisek, Bernard P.,** dec'd.

Late of Montoursville.

Executor: John P. Imrisek.

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

**Martz, Martha L. a/k/a Martha Lois Martz,** dec'd.

Late of Loyalsock Township.

Executor: David J. Martz, Jr., 2701 Bellforest Court, Apt. 302, Vienna, VA 22180.

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

**Turik, Janet M.,** dec'd.

Late of the City of Williamsport.

Executor: George Miller.

Attorneys: Brittany O.L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Umstead, Clarence Russell a/k/a Clarence R. Umstead,** dec'd.

Late of the Township of Porter.

Administratrices: Stacey L. Berard and Kelsey D. Umstead c/o Matthew J. Parker, Esquire, Marshall, Parker

& Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701. Attorneys: Matthew J. Parker, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

**Volpe, Kimbra Lou**, dec'd.  
Late of 910 Odell Road, Lot E5, Muncy.  
Administratrix: Sharon Dunkleberger, 1840 Jameson Avenue, Williamsport, PA 17701.  
Attorney: G. Scott Gardner, Esquire, Attorney At Law, 2117 West Fourth Street, Williamsport, PA 17701, (570) 322-7653.

**Woolever, Patricia A.**, dec'd.  
Late of South Williamsport.  
Executrix: Lynda L. Brandenburg.  
Attorneys: Tammy A. Weber, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

**Yon, John F.**, dec'd.  
Late of the City of Williamsport.  
Executrix: Cherie K. Hodrick, 980 Canterbury Rd., Williamsport, PA 17701.  
Attorney: None.

**Yon, Lucile E.**, dec'd.  
Late of the City of Williamsport.  
Executrix: Cherie K. Hodrick, 980 Canterbury Rd., Williamsport, PA 17701.  
Attorney: None.

### THIRD PUBLICATION

**Baker, Bessie D.**, dec'd.  
Late of the Borough of Montoursville.  
Executors: Richard H. Baker, 7101 Treasure Island Road, Leesburg, FL 34788 and Joyce Baker Brown, P.O. Box 1607, Mount Dora, FL 32756.  
Attorney: None.

**Emore, Marion E.**, dec'd.  
Late of Williamsport.  
The Marion E. Emore Real Estate Protector Trust, the Marion E. Emore Gas Protector Trust and the Marion E. Emore Real Estate Protector Trust, all dated January 8, 2015. Settlor: Marion E. Emore.  
Administrator/Trustee: Robert W. Emore, Jr.  
Attorneys: Brittany O.L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Rogers, Nancy L.**, dec'd.  
Late of Williamsport.  
Executor: Myron L. Rogers, 339 Spruce Street, 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.

**Uskurait, Betty I.**, dec'd.  
Late of South Williamsport.  
Executrix: Jill K. Wollet, P.O. Box 5083, South Williamsport, PA 17702.  
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

### 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 July 4, 2017 unless exceptions are filed before 5:00 P.M. on that date.

1. Young, John Henry—Carol A. Young, Executrix.

2. Haas, Richard C.—Mark A. Haas, Executor.

3. Charles, Sheldon Albert a/k/a Sheldon A. Charles—Sheldon E. Charles, Administrator.

Kathy Rinehart  
Register of Wills

J-9, 16, 23, 30

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**INTENTION TO  
CHANGE NAME**

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In the Court of Common Pleas of  
Lycoming County

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No. 17-0760

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IN RE: NAME CHANGE OF  
RAYVEN J. APPLGATE,  
a minor child

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NOTICE IS HEREBY GIVEN that  
on May 15, 2017 the Petition of Nathan

Johnson was filed in the above named Court, praying for a decree to change the minor child's name from RAYVEN JAYLEE APPLGATE to RAYVEN JAYLEE JOHNSON.

The Court has fixed July 25, 2017, at 1:30 P.M. in Courtroom No. 3 of the Lycoming County Courthouse, 48 West Third Street, Williamsport, Pennsylvania, as the time and place for the hearing on said Petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the Petitioner should not be granted.

CHRISTINA L. DINGES, ESQUIRE  
1307 Sheridan Street  
Williamsport, PA 17701  
(570) 279-4763

J-23



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**PERIODICAL PUBLICATION**

\* Dated Material. Do Not Delay. Please Deliver Before Monday, June 26, 2017