

LYCOMING REPORTER

Vol. 34

November 10, 2017

No. 45

TABLE OF CONTENTS

BAR NEWS	LEGAL ADVERTISEMENTS
LLA Upcoming Events..... 3	Estate & Trust Notices..... 9
Continuing Legal Education 4	Confirmation of Accounts 10
Recent Lycoming County Court Opinions..... 6	Fictitious Name 11
Notice to Profession..... 8	Incorporation Notice..... 11
	Name Change Notice 11

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

Penn Tower
25 West Third Street, Suite 803
Williamsport, PA 17701

Telephone: (570) 323-8287
Fax: (570) 323-9897
Website: www.lycolaw.org

Copyright © 2017, Lycoming Law Association
Williamsport, Pennsylvania

LYCOMING REPORTER (ISSN 0884-187X) is published weekly for \$50 per annum by the Lycoming Law Association, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Legal Notices of less than 300 words in length must be received by 1:00 P.M. on the Tuesday preceding the date of publication; all other notices must be received by 4:00 P.M. on the Monday preceding the date of publication.

Periodical postage paid at Williamsport, PA 17701-9998 and additional mailing offices.

POSTMASTER: Send address changes to LYCOMING REPORTER, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Library of Congress Catalog Card Number 61 – 18866

LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

EXECUTIVE COMMITTEE

Ryan M. Tira, President
Jennifer L. Heverly, President-Elect
Christian D. Frey, Treasurer
Angela Lovecchio, Secretary

Robert Cronin,
Past President
Donald F. Martino
Corey Mowrey
Yvonne H. Campbell
Elizabeth A. White

EDITOR OF LYCOMING REPORTER

Gary L. Weber

EXECUTIVE DIRECTOR

Michele S. Frey

COMMITTEE CHAIRS

Bench Bar: *C. Edward Mitchell*
Customs and Rules: *Gary Weber*
Community Activities and
Outreach: *Tammy Weber*
Criminal Law: *Aaron Biichle*
Education: *John Pietrovito*
Social: *Jessica L. Harlow*
Young Lawyers Division:
Corey Mowrey
Fee Dispute: *Michael Collins*
Publicity: *Angela Campana Lovecchio*

Legal Services for the Indigent:
John Pietrovito
Bar History: *Charles Greevy, III*
Technology and LLA Web Site:
Gary Weber
Law Day: *Christian D. Frey*
Family Law: *Christina Dinges*
Estate, Probate and Elder Law:
Elizabeth A. White
Real Estate: *Fred Holland*



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.

11/21/2017 – Family Law Committee Meeting: Time: 12:00 PM to 1:00 PM.
Location: Courtroom #5

12/1/2017 – New Attorney Admission Ceremony and Reception: *After the new attorneys are admitted to the courts of Lycoming County, all LLA members are invited to a reception at the Old Corner* **Time:** 4:00 PM to 7:00 PM.
Location: Ceremony in Courtroom #1; Reception at Old Corner

12/19/2017 – Criminal Law Committee Meeting: Time: 12:00 PM to 1:00 PM.
Location: Courtroom #1

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

- 11/14/2017 – How to Start and Run a Non-Profit:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office
- 11/15/2017 – Annual Civil Update:** *Eat & Earn Speaker: Clifford A. Rieders, Esq.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 12/11/2017 – The General Practitioners’ Year in Review:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:45 PM. **Location:** Lycoming Law Association Office
- 12/6/2017 – What Every Lawyer Must Know About the New Public Access Policy, Prior to January 6, 2018:** *Presented by: Administrative Office of PA Courts, Adrienne J. Stahl, Esq., Lycoming Court Administrator and William P. Carlucci, Esq., Solicitor for the Lycoming Prothonotary.* **CLE credits:** 2 Substantive **Time:** 12:00 PM to 2:00 PM. **Location:** Lycoming Law Association Office
- 12/7/2017 – 2017 Criminal Law Update:** *PBI Groupcast.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 12/11/2017 – PBA Civil Litigation Trial Minicamp:** *Programming includes 3.5 substantive credits. Following the program, there will be a reception with Justice Sallie Updyke Mundy.* **CLE credits:** 3.5 Substantive **Time:** 2:00 PM to 5:45 PM. **Location:** Holiday Inn
- 12/14/2017 – Transitioning Your Practice: Death, Disbarment and Everything in Between:** *Presented by: Tammy Avery Weber, Esq., Jessica L. Harlow, Esq., Brian J. Bluth, Esq., Jennifer E. Linn, Esq.* **CLE credits:** 1 Ethics **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 12/19/2017 – Presidential Power From Nixon to Now:** *PBI Video Replay.* **CLE credits:** 2 Substantive/1 Ethics **Time:** 9:00 AM to 12:00 PM. **Location:** Lycoming Law Association Office
- 12/20/2017 – Video Replay in the Afternoon:** *PBI Video (1) Impact of the US Supreme Court’s Decision in Caperton v. Massey Coal (2) Corporate Criminal Liability for Environmental Violations (3) Business Valuation for Attorneys (4) Online Legal Directories.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 1:00 PM to 5:00 PM. **Location:** Lycoming Law Association Office
- 1/17/2018 – Navigating the Various Treatment Courts of Lycoming County:** *Eat and Earn presented by: Matthew Welickovitch, Esq.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office

2/1/2018 – Death & Taxes: PBI Groupcast. CLE credits: 4 Substantive Time:
12:00 PM to 4:15 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 Lycoming Law Association office conference room is available for rental by both members and non-members. The office has a large conference table and additional area for chairs. Coffee and food services are available.

The space is ideal for depositions or small presentations. Equipment, including a projector and screen, DVD and VHS players and television, is available for use.

The cost for non-LLA members is \$100 per day. Members may use the conference room at no cost.

Scheduling arrangements may be made with Michele Frey, (570) 323-8287 or mfrey@lycolaw.org.

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

- ▶ **Commonwealth vs. Sailor** (11/05/2017)—Judge Marc F. Lovecchio
Criminal: Petition to withdraw as counsel and continuance for trial; irreconcilable conflict between counsel and defendant that has caused a breakdown in the attorney/client relationship; testimony to facts that counsel knows are false; substitution of co-counsel to handle the examination of defendant and closing arguments. (Sailor110517L)
- ▶ **In the Interest of BNK** (11/02/2017)—Judge Joy Reynolds McCoy
Criminal: Motion to vacate nolle prosequi; compliance with the juvenile court rules; proper recourse of re-filing the delinquency petition; action taken by assistant district attorney without any request or influence from the court; lack of communication and internal policy violation within district attorney's office; prejudice. (InREBNK110217m)
- ▶ **Commonwealth vs. Best** (10/31/2017)—Judge Marc F. Lovecchio
Criminal: Omnibus pretrial motion, nunc pro tunc; timeliness; discretion to hear an untimely motion; interests of justice; absconding as waiver of any right to assert the protection of the law; merits of the suppression motion. (Best103117L)
- ▶ **Commonwealth vs. DeSciscio** (11/03/2017)—Judge Marc F. Lovecchio
Criminal: Motion to establish number of prior offenses; Florida convictions for DUI; substantially similar offenses; lesser degree of impairment; exactitude or equivalency. (DeSciscio110317L)
- ▶ **Nye vs. Shipman; Nye vs. Shipman & Neff** (11/02/2017)—Judge Richard A. Gray
Civil: Appeal of non-jury verdict; deed interpretation; credibility of expert opinion; significance of man-made monuments and acreage amounts specified in the deed in the absence of course, distances, metes and bounds or natural monuments; weight given to typeover in article of agreement; unambiguous deed description. (Nye110217g)
- ▶ **Commonwealth vs. Faison** (10/20/2017)—Judge Richard A. Gray
Criminal: Appeal; Post Conviction Relief Act petition; waiver of issues by decision of defendant not to pursue pretrial motion; reasonable basis to not file suppression motion; probable cause to authorize pen register; contraband in plain view. (Faison102017g)
- ▶ **Weiser vs. Heckman & South Williamsport Borough** (10/13/2017)
Judge Richard A. Gray
Civil: Summary judgment motion; snow plow damaged curb; applicability of streets exception to municipal immunity; secondary liability under the sidewalk exception. (weiser101317g)

- **In re: RB, a Person Alleged to Be Mentally Disabled** (10/12/2017)—
Judge Richard A. Gray
Administrative Appeal: Review petition; patient suffering from delusional thinking who, without inpatient treatment, was a danger to himself and others. (In re RB101217g)
- **Armson vs. Helsel and Pinnacle Baseball, LLC d/b/a U.S. Elite Baseball** (10/31/2017)—Judge Dudley N. Anderson
Civil: Preliminary factual determination; contract interpretation; plain meaning; evidentiary support for factual determinations. (armson103117a)

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.

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

Received by Wednesday, November 15th at 1:00 p.m. for publication in the Friday, November 24th edition.

N-3, 10

The Lycoming Law Association Foundation is a tax-exempt not-for-profit, 501(c)(3) corporation. The mission of the Foundation is to cultivate the science of jurisprudence, improve the legal and judicial system and facilitate the administration of justice for residents of Lycoming County.

The Foundation provides funding for worthwhile law-related community projects and activities, in addition to supporting the Williamsport Office of North Penn Legal Services, which has provided civil legal services on a wide range of high priority legal problems to poor people in Lycoming County since 1974.

The Foundation is funded through the support of the members of the Lycoming Law Association. This support comes in various forms: from member dues, income from the *Lycoming Reporter*; donations by individual lawyer members of the Lycoming County Bar; donations by other individuals, lawyer family members, and estates.

The Lycoming Law Association's Community Activities and Outreach Committee is responsible to advise and assist the Foundation in administering funds for community projects of merit. The Committee is actively involved in reviewing grant applications and in making recommendations to the Foundation and the Association's Executive Committee concerning the funding of worthwhile projects and activities.

For additional information regarding the Foundation and its procedures, contact Michele Frey, Executive Director, at (570) 323-8287 or mfrey@lycolaw.org.

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

Boatman, Sheila C. a/k/a Sheila M.

Boatman, dec'd.

Late of Jersey Shore.

Executrix: Donna J. Harbach, 452 Ridge 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.

Farley, Betty J., dec'd.

Late of 1303 Spruce Street, Montoursville.

Executors: Teri L. Umstead, 916 Arthur Road, Montoursville, PA 17754, Robert T. Dunkleberger, 429 N. Montour Street, Montoursville, PA 17754 and Joseph F. Farley, 730 Nicely Avenue, Montoursville, PA 17754.

Attorney: Malcolm S. Mussina, Esquire, 426 Broad Street, Montoursville, PA 17754.

Waltz, Betty J., dec'd.

Late of 2614 Beautys Run Road, Cogan Station.

Executor: Terry L. Brooks, 316 Andrews Road, Everett, PA 15537.

Attorney: Malcolm S. Mussina, Esquire, 426 Broad Street, Montoursville, PA 17754.

Young, Mark E. a/k/a Mark Young, dec'd.

Late of Williamsport.

Executrix: Jackie S. Young, 2217 Mahaffey Lane, Williamsport, PA 17701.

Attorney: David R. Breschi, Esquire, 946 Lincoln Way East, Chambersburg, PA 17201.

SECOND PUBLICATION

Metzger, Marian L., dec'd.

Late of the Township of Loyalsock.

Executor: R. Edward Alberts, 1304 Bonair Drive, Williamsport, PA 17701.

Attorney: None.

Reed, William A., dec'd.

Late of the City of Williamsport.

Executor: William A. Reed, II, 1132 Mountain Road, Montoursville, PA 17754.

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

Reeder, John W., Jr., dec'd.

Late of Loyalsock Twp.

Executor: Bradley A. Reeder, P.O. Box 44, Duncannon, PA 17020.

Attorneys: Kristen Snyder, Esquire, Jackson Law Firm, PLLC, 1215 Manor Drive, Ste. 202, Mechanicsburg, PA 17055.

THIRD PUBLICATION

Bieber, Maurice D., Sr., dec'd.

Late of Trout Run.

Co-Executors: Maurice D. Bieber, Jr., 1270 Chapman Road, Trout Run, PA 17771 and Charlene C. Fischer, 1211 Pearl Blvd., Montoursville, PA 17754.

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

Bowers, Mary R., dec'd.

Late of Jordan Township.
 Executrix: Sidney L. Bowers, 1252 Route 329 Highway, Unityville, PA 17774.

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

Fry, Raymond L., dec'd.

Late of Montoursville.
 Executrix: Jemai A. Andy, 209 Chestnut Grove Road, Jersey Shore, PA 17740.

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

Gehret, Lillian M., dec'd.

Late of the City of Williamsport.
 Executors: Thomas M. Gehret, 44 Overhill Road, Williamsport, PA 17701 and G. Michael Gehret, 3 Elfreths Court, Newtown, PA 18940.
 Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Getz, Vera G., dec'd.

Late of the City of Williamsport.
 Executrix: Donna L. Sperow, 7 Lamatan Rd., Newark, DE 19711.
 Attorneys: Paul A. Roman, Esquire, Law Office of Joseph L. Rider, Esq., 1700 Four Mile Drive, Williamsport, PA 17701.

Hale, Dr. Creighton J., dec'd.

Late of Loyalsock Township.
 Executrix: Beverly J. Hale, 1727 Pentridge Cove, Williamsport, PA 17701.

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

Miller, Beverly R. a/k/a Beverly A. Miller, dec'd.

Late of Williamsport.
 Executrix: Anne L. Bennett, 1167 Pine Run Road, Linden, PA 17744.
 Attorneys: Fred A. Holland, Esquire, Murphy, Butterfield & Holland, P.C., 442 William Street, Williamsport, PA 17701.

Quay, John G. a/k/a John Galen Quay, dec'd.

Late of South Williamsport.
 Executrix: Adria Quay Thackeray c/o Marc S. Drier, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.
 Attorney: Marc S. Drier, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.

**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 December 5, 2017, unless exceptions are filed before 5:00 P.M. on that date.

1. Puderbach, Arley J.—Gail Eakin, Executrix.

2. Cranmer, Shirley M.—Scott Mitchel, Administrator.

3. Crawford, Peter G. a/k/a Peter Gregory Crawford—Dennis E. Gorg, Executor.

4. Nierle, Elsie S.—Ronald S. Skvir, Executor.

5. Chapman, Phillip T.—Thomas P. Chapman, Executor.

Kathy Rinehart
 Register of Wills

N-10, 17, 24; D-1

REGISTRATION OF FICTITIOUS NAME

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name has been filed with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania on October 26, 2017, under the Fictitious Names Act. The fictitious name registered is:

JARTREK SUPPORT

The fictitious name is registered to: Keystone Bingo Supply, Inc., with a registered address of: 1625 John Brady Drive, Muncy, Lycoming County, Pennsylvania 17754.

ANTHONY J. GRIECO, ESQUIRE
ELION GRIECO CARLUCCI
& SHIPMAN, P.C.
125 East Third Street
Williamsport, PA 17701

N-10

FILING ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania on October 24, 2017 for the purpose of forming a non-profit corporation under the Non-Profit Corporation Law of 1988 of the Commonwealth of Pennsylvania. 15 Pa. C.S. §5101 et seq.

The name of the corporation is:

DIAMOND STREET CHRISTIAN CHURCH, INC.

John C. Mott, Esquire
The Mott Law Firm
200 Pine Street
Suite 200
Williamsport, PA 17701
(570) 326-MOTT (6688)

N-10

INTENTION TO CHANGE NAME

In the Court of Common Pleas of
Lycoming County, Pennsylvania

No.: 17-01218

IN RE: CHANGE OF NAME OF
Carlos Arturo Medina Lara

NOTICE IS HEREBY GIVEN that on August 23, 2017, the Petition of Carlos Arturo Medina Lara was filed in the above named Court, praying for a decree to change his name from Carlos Arturo Medina Lara to Maximillion Krepps.

The Court has fixed DECEMBER 12, 2017, at 1:30 p.m., in Courtroom #2 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.

Matthew Krepps
931 Mulberry St.
Montoursville, PA 17754-2018

N-10

D
E
L
I
V
E
R

TO:

PERIODICAL PUBLICATION

* Dated Material. Do Not Delay. Please Deliver Before Monday, November 13, 2017