

LYCOMING REPORTER

Vol. 34

November 3, 2017

No. 44

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LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

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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

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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.

11/21/2017 – 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
- 12/1/2017 – 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 – New Public View Law—Lycoming County:** *Two-Hour E&E—Details TBA.* **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
- 12/19/2017 – 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 Replay—Videos TBA.* **CLE credits:** 4 credits (at least 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

*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

- ▶ **C.J.K. Mental Health Expungement Petition (10/31/2017)**—Judge Nancy L. Butts
Administrative Appeal: Petition for expungement of mental health records and/or a petition to restore civil rights; firearm purchase prohibition; involuntary commitment due to use of drugs; review of sufficiency of the evidence upon which commitment was based; patient truly in need of mental health services provided at the time of commitment; due process protections; acts and statements solely the result of controlled substance use. (InreCJK103117bt)
- ▶ **Commonwealth vs. Shaffer (10/31/2017)**—Judge Nancy L. Butts
Criminal: Appeal. (Shaffer103117bt)
- ▶ **Commonwealth vs. Heddings (10/31/2017)**—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; eligibility for a Recidivism Risk Reduction Incentive; legality of sentence; after-discovered evidence; burglary conviction not disqualifying an individual from an RRR1 sentence; need to file amended petition. (Heddings103117L)
- ▶ **Commonwealth vs. Nottingham (10/31/2017)**—Judge Nancy L. Butts
Criminal: Appeal; defendant's request to bar use of blood evidence or to have it tested, where Commonwealth chose not to use the evidence to prove any crimes; propriety of trial judge overruling an interlocutory order by another judge of the same court; sufficiency of evidence of convictions for multiple assault-related crimes. (Nottingham103117bt)
- ▶ **Commonwealth vs. Satterfield (10/31/2017)**—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; patently untimely filing; legality of sentence; jurisdiction of the court. (Satterfield103117bt)
- ▶ **Commonwealth vs. Boone (10/30/2017)**—Judge Marc F. Lovecchio
Criminal: Commonwealth's motions in limine and to admit statements; evidence of victim's prior convictions for assault-related offenses; admissibility of pertinent character that is relevant to the crime or defense; self-defense claim; knowledge of victim's violent character; evidence of actual conviction of a crime of a violent nature; hearsay rule; admissibility of statement by unavailable declarant made against interest; factors bearing on the reliability of the statements; statements against the declarant's penal interest. (Boone103017L)

- ▶ **Commonwealth vs. Brown** (10/30/2017)—Judge Marc F. Lovecchio
Criminal: Request of defendant to plead guilty to some charges in a criminal information and demand for a trial on remaining charges; inherent authority of the court to ensure fairness in the legal proceedings, promote judicial efficacy and protect against abuse. (Brown103017L)
- ▶ **Commonwealth vs. Foster** (10/30/2017)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; credit for time served; entitlement to duplicate credit. (Foster103017L)
- ▶ **Commonwealth vs. Reem** (10/30/2017)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; knowing, intelligent, and voluntary guilty plea to possession with intent to deliver; denial of offense during guilty plea hearing; requirement that his conditions of supervision relate to rehabilitation or sentence; collateral consequences of guilty plea such as driver's license suspension. (reem102017L)
- ▶ **WCR, Jr. vs. JGR** (10/27/2017)—Judge Dudley N. Anderson
Civil: Petitions to enforce property settlement agreement and for contempt; failure to prepare and submit an Approved Domestic Relations Order; reversion of pension benefit after death of spouse; insufficient evidence of such mal-intent as would support a finding of contempt. (reighard102717a)
- ▶ **Cohick vs. Carr** (10/26/2017)—Judge Dudley N. Anderson
Civil: Petition to reinstate appeal; failure of plaintiff to file complaint within 20 days of appeal of decision of magisterial district judge; plaintiff's intent to appeal decision awarding damages on counterclaim on notice listing incorrect docket number; opening judgment entered on the counterclaim. (cohick102617a)
- ▶ **Commonwealth vs. Williams** (10/19/2017)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; sufficiency of evidence issues; sentencing issue where no portion of the sentence was pursuant to a mandatory sentencing provision made unconstitutional by *Alleyne*; sufficiency of uncorroborated testimony of a sexual assault victim to sustain conviction; authentication of Facebook and text messages; racial imbalance of the jury panel; waiver of issues not raised at trial; ineffective counsel for failing to raise on appeal a substantial question on sentencing. (Williams101917bt)

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.

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NOTICE OF ADMINISTRATIVE SUSPENSION

NOTICE IS HEREBY GIVEN that **Jarett Rand Smith of Potter County** has been **Administratively Suspended** by Order of the Supreme Court of Pennsylvania dated September 26, 2017, pursuant to Rule 219, Pa. R.D.E., which requires that all attorneys admitted to practice in any court of this Commonwealth must pay an annual assessment of \$225.00. The Order became effective **October 26, 2017**.

Suzanne E. Price
Attorney Registrar
The Disciplinary Board of the
Supreme Court of Pennsylvania

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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.

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

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.

SECOND 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.

Executor: 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.

THIRD PUBLICATION

Davis, Edward, dec'd.

Late of Williamsport.
Executor: John V. Ertel, 8240 Sheffield Drive, Gloucester, VA 23061.
Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, P.O. Box 3, Williamsport, PA 17703.

Dillon, Robert Joshua, dec'd.

Late of Jackson Township.
Administratrix: Lisa Dillon, 422 Nolancrest Drive, Lexington, SC 29073.
Attorneys: Spencer, Gleason, Hebe & Rague, P.C., 17 Central Avenue, Wellsboro, PA 16901.

Facey, Mary B., dec'd.

Late of the City of Williamsport.
Executrix: Katherine M. Facey.
Attorneys: Kathleen V. Yurchak, Esquire, Steinbacher, Goodall & Yurchak, 328 South Atherton Street, State College, PA 16801.

Foust, Brett R., dec'd.

Late of the Township of Loyalsock.
Administratrix: Kelly A. Pittenger, 4733 Warrensville Rd., Montoursville, PA 17754.
Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Karschner, Dotty J., dec'd.

Late of 1324 Cemetery Road, Muncy.
Executrix: Carlene Jean Keyte, 167 Halltown Road, Montoursville, PA 17754.
Attorney: Malcolm S. Mussina, Esquire, 426 Broad Street, Montoursville, PA 17754.

Phillips, William L., dec'd.

Late of Williamsport.
Executor: David L. Phillips, 3024 Mountain Crescent, Montoursville, PA 17754.
Attorneys: McNerney, Page, Vanderlin and Hall, 433 Market Street, Williamsport, PA 17701.

Plants, Evelyn M., dec'd.

Late of Linden.
Administrator: James R. Huey c/o Denise L. Dieter, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.
Attorney: Denise L. Dieter, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.

Reed, Naomi, dec'd.

Late of Hughesville.
Executor: Daniel Reed, 73 N. 2nd St., Hughesville, PA 17737.
Attorneys: Kilgus Law Offices, LLC, 416 Pine St., Ste. 405, Williamsport, PA 17701.

Williams, Virginia F., dec'd.

Late of Williamsport (Loyalsock Township).

Executrix: Ann G. Darnell, 3 Johnson Drive, Apt. #2, Gettysburg, PA 17325.

Attorneys: Dale A. Tice, Esquire, Carpenter, Harris & Flayhart, 128 S. Main Street, Jersey Shore, PA 17740.

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 at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Pennsylvania Business Corporation Law, Act of December 21, 1988 (P.L. 1444, No. 177) as amended, by the following Corporation:

The name of the corporation is:

DANVILLE CORP.

Norris McLaughlin & Marcus, P.A.
515 W. Hamilton Street
Suite 502
Allentown, PA 18101
Telephone: (610) 391-1800

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NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Pennsylvania Business Corporation Law, Act of December 21, 1988 (P.L. 1444, No. 177) as amended, by the following Corporation:

The name of the corporation is:

LYCOMING CREEK CORP.

Norris McLaughlin & Marcus, P.A.
515 W. Hamilton Street
Suite 502
Allentown, PA 18101
Telephone: (610) 391-1800

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SHERIFF'S SALE

In the Court of Common Pleas of Lycoming County, Pennsylvania

NO. 17-0420

WELLS FARGO USA HOLDINGS, INC. SUCCESSOR BY MERGER TO WELLS FARGO FINANCIAL PENNSYLVANIA, INC.

vs.

JERIME D. FIELDS

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

NOTICE TO: JERIME D. FIELDS

Being Premises: 114 NORTH MARKET STREET, MUNCY, PA 17756-1023. Being in MUNCY BOROUGH, County of LYCOMING, Commonwealth of Pennsylvania, 39+,001.0-0134.00-000+.

Improvements consist of residential property.

Sold as the property of JERIME D. FIELDS.

Your house (real estate) at 114 NORTH MARKET STREET, MUNCY, PA 17756-1023 is scheduled to be sold at the Sheriff's Sale on February 2, 2018 at 10:30 A.M., at the LYCOMING County Courthouse, 48 West 3rd Street, Williamsport, PA 17701, to enforce the Court Judgment of \$105,823.09 obtained by, WELLS FARGO USA HOLDINGS, INC. SUCCESSOR BY MERGER TO WELLS FARGO FINANCIAL PENNSYLVANIA, INC. (the mortgagee), against the above premises.

**PHELAN HALLINAN
DIAMOND & JONES, LLP**
Attorneys for Plaintiff

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Order Form

LLA Directory

Name: _____

Telephone Number: _____

Number of Copies: _____
(\$8.00 each)

Amount Enclosed: _____

Please return this completed form and your payment to:
Lycoming Law Association
25 West Third Street, Suite #803
Williamsport, PA 17701

If you have any questions, please contact Michele Frey
at (570) 323-8287 or MFrey@lycolaw.org.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, November 6, 2017**