

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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Williamsport, PA 17701

www.lycolaw.org

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- 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.

- 2/17/2020** – **LLA Executive Committee Retreat.** *Annual board retreat for bar leaders. Time: 12:00 PM to 4:00 PM.*
- 2/25/2020** – **Criminal Law Committee Meeting.** *Brown bag lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 2/26/2020** – **Lycoming Law Association Foundation.** *Monthly meeting of the Lycoming Law Association Foundation. Time: 12:00 PM to 1:00 PM.*
- 3/19/2020** – **Memorial Service for Kristine Waltz.** *Memorial Service for Kristine Waltz, Ctrm. #1, 4 PM. Time: 4:00 PM to 5:00 PM.*
- 3/23/2020** – **Executive Committee Meeting.** *Monthly meeting of the LLA Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 3/24/2020** – **Family Law Committee Meeting.** *Brown bag lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 3/25/2020** – **Lycoming Law Association Foundation.** *Monthly meeting of the Lycoming Law Association Foundation. Time: 12:00 PM to 1:00 PM.*
- 4/4/2020** – **Wills for Heroes.** *Old Lycoming Township Fire Hall—Specific Details TBA—1 Ethics and 1 Substantive Credit for Attorney Volunteers. Time: 8:00 AM to 4:00 PM.*

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 2/18/2020 – Key New Caselaw Developments.** *Eat & Earn. Speaker: Clifford A. Rieders, Esq. Read the flyer. CLE Credits: 1 Substantive Time: 12:00 PM to 1:00 PM.*
- 2/19/2020 – Lincoln & His Leadership.** *PBI Video Replay. Register at www.pbi.org. CLE Credits: 2 Substantive / 1 Ethics Time: 9:00 AM to 12:00 PM.*
- 3/4/2020 – Civil Litigation Update.** *PBI Groupcast. Register at www.pbi.org. CLE Credits: 5 Substantive / 1 Ethics Time: 9:00 AM to 4:15 PM.*
- 3/12/2020 – Depression, Stress and Burnout.** *Eat & Earn. Speaker: Brian S. Quinn, Esq. CLE Credits: 1 Ethics Time: 12:00 PM to 1:00 PM.*
- 3/23/2020 – Realty Transfer Tax Update.** *PBI Groupcast. Register at www.pbi.org. CLE Credits: 3 Substantive Time: 12:00 PM to 3:15 PM.*
- 3/31/2020 – Binders on Pennsylvania Evidence.** *PBI Groupcast. Register at www.pbi.org. CLE Credits: 3 Substantive Time: 1:00 PM to 4:15 PM.*
- 4/15/2020 – PFA Practice in Lycoming County—Practical Tips From the Court, Wise Options and North Penn Legal Services.** *Eat and Earn. Speakers: Hon. Joy Reynolds McCoy, Amber Morningstar, Jennifer Heverly, Esq. and Taylor Mullholand, Esq. CLE Credits: 1 Substantive Time: 12:00 PM to 1:00 PM.*

*For more information on these events and CLEs go to www.lycolaw.org or contact Michele Frey at the LLA Office at (570) 323-8287.

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

- ▶ **Commonwealth vs. Boyd** (02/04/2020)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; ineffectiveness of counsel; failure to object to references to defendant being on parole where the court had already allowed such references; failure of counsel to predict changes in the law; lack of prejudice where the totality of the evidence supports the verdict; credibility of defendant’s testimony about degree of trial preparation. (Boyd020420L) (Posted: February 4, 2020)
- ▶ **Commonwealth vs. DeGarmo** (02/04/2020)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act; timeliness; jurisdiction of the court. (Degarmo020420BT) (Posted: February 4, 2020)
- ▶ **Commonwealth vs. Williams** (02/03/2020)—Judge Nancy L. Butts
Criminal: Pretrial motions; prima facie case of constructive possession of controlled substances; suppression of evidence; sufficiency of allegation of probable cause of search warrant; use of confidential informant; adequacy of *Miranda* warnings; permissibility of search of person where officer knew of the warrant but did not have physical possession of it. (Williams020320BT) (Posted: February 3, 2020)
- ▶ **Commonwealth vs. McMillan** (01/31/2020)—Judge Nancy L. Butts
Criminal: Suppression motion; reasonable suspicion to conduct an investigatory detention; abandonment of gun dropped on ground as police passed; standing. (McMillan013120BT) (Posted: February 1, 2020)
- ▶ **Keller vs. Serafini** (01/30/2020)—Judge Ryan M. Tira
Custody: Petition to enforce; reconsideration of order issued without notice to opposing party; interpretation of court order relating to consent of party for significant decisions related to medical treatment; routine medical evaluations. (Keller013020t) (Posted: February 1, 2020)

- **Buckley vs. Geisinger Clinic and Geisinger Health** (01/29/2020)—
Judge Eric R. Linhardt
Civil: Preliminary objections; formation of employment contract; conditional offer; at-will employment; anticipation of “just cause” term that might have been in a future written contract. (Buckley012920Li) (Posted: January 30, 2020)
- **Citibank, N.A. vs. Hudock** (01/28/2020)—Judge Ryan M. Tira
Civil: Preliminary objections; specificity of complaint; attaching an agreement in a credit card collection case; scope of account statements; issues for discovery; consequences of failure to file brief. (citibank012820t) (Posted: January 30, 2020)

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TAX CLAIM BUREAU SOLICITOR

Lycoming County Government is seeking to establish a professional service agreement with a contractor (individual attorney or law firm) to serve as Solicitor for the Tax Claim Bureau Office. Successful candidates must have a law degree and current bar status in the State of Pennsylvania. This contract would be effective March 1, 2020 and run through February 28, 2021.

Interested candidates should forward a letter of interest, resume, fee schedule and references prior to Friday, February 14, 2020, addressed to Lycoming County Purchasing Office, 330 Pine Street, 4th Floor, Williamsport, PA 17701.

EOE/AA.

F-7

Rent Space at 416 Pine Street, Downtown Williamsport!

We have a variety of space available between 150 square feet and 1100 square feet. Currently we rent to attorneys and other professionals. We even have a first-floor, corner space with large display windows! Rent includes water, sewer, trash and heat, starting at \$10 per square foot. Call (570) 327-8228 or e-mail:

wheresmyapt@yahoo.com for information or to schedule a showing.

J-24—M-13

WILLIAMSPORT SUN-GAZETTE

SATURDAY, JANUARY 25, 2020

Talk of the Town

SERVICE AWARD



The William E. Nichols Community Service Award was awarded to Gary Weber, middle, at the Lycoming Law Association's annual banquet to recognize his outstanding community service and for exemplifying the positive role that attorneys play in the community beyond the practice of law. The award was established in 2012, with its first recipient being Bill Nichols, in recognition of the breadth of Nichols' sustained commitment to volunteer community service. The award was presented by Weber's former law partner, Sean Roman, left and association president, Angela Campana Lovecchio, right. Weber is president of the Lycoming County Historical Society and has served on the Williamsport Area School Board, the Local Tax Commission, the Boy Scouts of America, the Lycoming Law Association and St. Mark's Lutheran Church.

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**Augustine, Ralph J., Jr.,** dec'd.

Late of 1551 Catherine Street, Williamsport.

Administratrix: Milissa M. Augustine, 1217 Louisa Street, Williamsport, PA 17701.

Attorney: G. Scott Gardner, Esquire, Attorney At Law, 2117 West Fourth Street, Williamsport, PA 17701, (570) 322-7653.

Fry, Shirley A., dec'd.

Late of Loyalsock Township.

Executrix/Executor: Michele J. McQuillen and Woodlands Bank, Trust Department, 2450 East Third Street, Williamsport, PA 17701.

Attorney: None.

Haas, Suzanne S., dec'd.

Late of Montoursville.

Executor: Donald E. Hessert, II, 1305 Pennsylvania Avenue, Williamsport, PA 17701.

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

SECOND PUBLICATION**Bailey, Charles H.,** dec'd.

Late of South Williamsport.

Executor: Eric Bailey, 440 Elm Ave., Pitman, NJ 08071.

Attorney: None.

Horak, Marian F., dec'd.

Late of Old Lycoming Township.

Executor: Kurt R. Horak c/o Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701.

Attorneys: Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701.

Horak, Marian F., dec'd.

Late of the Township of Old Lycoming.

The Marian Horak Irrevocable Trust Dated October 12, 2018.

Settlor: Marian F. Horak.

Trustee: Kurt R. Horak, 26 Catherine Drive, Williamsport, PA 17701.

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

Kinney, Shirley M., dec'd.

Late of South Williamsport.

Co-Executors: Susan A. Shay n/k/a Susan A. Kinney, 321 East Second Avenue, South Williamsport, PA 17702 and Stephan A. Kinney, 1007 West Southern Avenue, South Williamsport, PA 17702.

Attorney: John A. Smay, Esquire, 39 South Main Street, P.O. Box 35, Muncy, PA 17756.

Leiphart, Beverly, dec'd.

Late of Cogan Station.

Executrix: Amber Houser, 3615 Pine Street, Cogan Station, PA 17728.

Attorney: None.

Schramm, Carl W., dec'd.

Late of Montoursville.

Executor: Steven R. Persun 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.

Shade, William F. a/k/a William F. Shade, Jr., dec'd.

Late of Loyalsock Township.
Co-Executors: David L. Shade and Susan S. Zeigler.

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

Wentzler, Lois P., dec'd.

Late of the Township of Muncy.
Administrator: Clarence R. Wentzler c/o Tammy A. Weber, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

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

THIRD PUBLICATION

Baker, Raymond G., dec'd.

Late of the City of Williamsport.
Executor: Marc A. Baker c/o Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701.
Attorneys: Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701.

Baker, Raymond G., dec'd.

Late of the City of Williamsport.
The Raymond Baker Irrevocable Trust Dated October 16, 2018.
Settlor: Raymond G. Baker.
Trustee: Marc A. Baker, 7 Charlotte Street, Williamsport, PA 17701.

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

Bubb, Charles F., Jr., dec'd.

Late of the City of Williamsport.
Administrators: Franklin P. Bubb and Ronald E. Bubb c/o W. Jeffrey Yates, Esquire, 425 Market Street, Williamsport, PA 17701.
Attorney: W. Jeffrey Yates, Esquire, 425 Market Street, Williamsport, PA 17701.

Bubb, Mary L., dec'd.

Late of the City of Williamsport.
Administrators: Franklin P. Bubb and Ronald E. Bubb c/o W. Jeffrey Yates, Esquire, 425 Market Street, Williamsport, PA 17701.
Attorney: W. Jeffrey Yates, Esquire, 425 Market Street, Williamsport, PA 17701.

Miller, William R., dec'd.

Late of Wolf Township.
Executor: Steven W. Miller, 10813 State Route 864 Highway, Hughesville, PA 17737.
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Simon, Dolores, dec'd.

Late of Cummings Township.
Executrix: Michele D. Arduin.
Attorneys: Matthew J. Parker, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

Watson, Viola Louise a/k/a Viola L. Watson a/k/a Viola Watson, dec'd.

Late of Muncy.
Executor: Jerry W. Watson, 101 South Market Street, Muncy, PA 17756.

Attorneys: Layne R. Oden, Esquire, Layne R. Oden, Attorney and Counselor at Law, P.C., Nine South Main Street, Muncy, PA 17756.

**REGISTER OF WILLS
CONFIRMATION OF
ACCOUNT**

NOTICE IS HEREBY GIVEN to all parties interested that the following Account together with all Statement of Proposed Distribution accompanying the same has been filed in the Office of the Register of Wills and Clerk of Orphans' Court is presented to the Orphans' Court of Lycoming County for Confirmation Absolute March 3, 2020 unless exceptions are filed before 5:00 P.M. on that date.

Kiehl-Koch, Linda, Estate—Gerald Weinfurther, Executor.

David A. Huffman
Register of Wills

F-7, 14, 21, 28

**REGISTRATION OF
FICTITIOUS NAMES**

NOTICE IS HEREBY GIVEN that pursuant to the provisions of the 54 Pa. C.S. Section 311(g), as amended, of the filing in the Office of the Secretary of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, on or before February 15, 2020, a Certificate for the conduct of a business in Lycoming County, Pennsylvania, under the assumed or fictitious name, style or designation of:

HERMANCE-HIGHLAND
AUTOMATION AND ROBOTICS
with its principal place of business at: 178 Campbell Street, Williamsport, PA 17701. The name and address of the entity owning and interested in said business are Hermance and Strouse, Inc., 178 Campbell Street, Williamsport, PA 17701.

MICHAEL J. CASALE, JR., ESQUIRE
1500 Sycamore Road
Suite 120
Montoursville, PA 17754

F-7

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 January 21, 2020, under the Fictitious Names Act. The fictitious name registered is:

SPONGIE'S

The fictitious name is registered to: Pennsylvania Amusements, Inc. with a registered address of 535 East Third Street, Williamsport, Lycoming County, Pennsylvania 17701.

ANTHONY J. GRIECO, ESQUIRE
ELION GRIECO CARLUCCI &
SHIPMAN, P.C.

125 East Third Street
Williamsport, PA 17701

F-7



PERIODICAL PUBLICATION

* Dated Material. Do Not Delay. Please Deliver Before Monday, February 10, 2020