

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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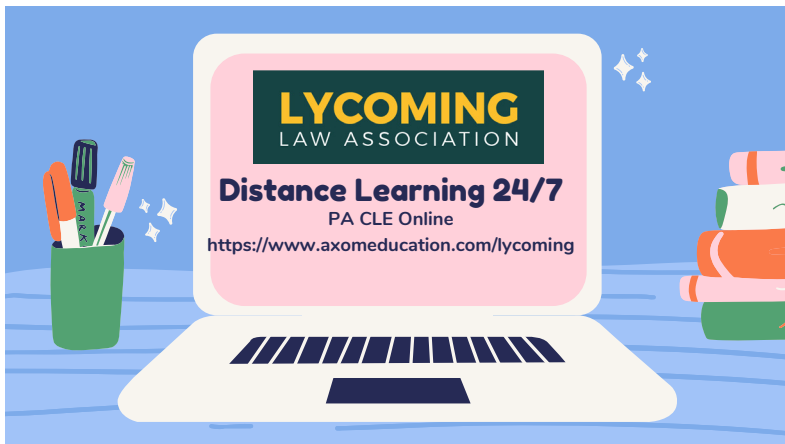
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SCHEDULED EVENTS

Additional information about any of these events is available on the Lycoming Law Association website at www.lycolaw.org.

- 7/13/2022 – Community Outreach Committee Meeting.** Quarterly meeting of the Community Outreach Committee. **Time:** 12:00 PM to 1:00 PM.
- 7/16/2022 – Knoebel’s. Pavilion Q—Picnic lunch provided. Gift cards for LLA Members. Register with Dance Drier (drierlaw@gmail.com) by July 8th. Time:** 12:00 PM to 3:00 PM.
- 7/19/2022 – Family Law Committee Meeting.** Regularly scheduled Family Law Committee “brown bag lunch” meeting. **Time:** 12:00 PM to 1:00 PM.



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

- ▶ **Pysher vs. Clinton Township Volunteer Fire Company** (06/20/2022)—Judge Eric R. Linhardt
Administrative Appeal: Right-to-Know Law appeal; applicability of statute to non-profit corporation; degree of governmental control over fire company, nature of its functions, and financial control by government; financial dependence of entity on government for its existence. (pysher062022Li) (Posted: June 20, 2022)
- ▶ **Commonwealth vs. Mitchell** (06/01/2022)—Judge Nancy L. Butts
Criminal: Motion for nominal bail; Rule 600 time calculation; excludable time. (Mitchell060122bt) (Posted: June 20, 2022)
- ▶ **Commonwealth vs. Dunlap** (05/31/2022)—Judge Nancy L. Butts
Criminal: Motion to modify restitution; burden of proof; causal relationship of damages to criminal incident. (Dunlap053122bt) (Posted: June 20, 2022)
- ▶ **Commonwealth vs. Thomas** (06/02/2022)—Judge Nancy L. Butts
Criminal: Suppression motion; probable cause for search warrant; credibility of confidential informant; totality of circumstances; reliability of informant who is identified in the warrant and who gives information against his penal interest. (Thomas060222bt) (Posted: June 20, 2022)
- ▶ **Commonwealth vs. Racey** (05/31/2022)—Judge Nancy L. Butts
Criminal: Motion for release of mental health records; discoverability of mental health records of victim in criminal prosecution; undisclosed purpose for request; mental health not placed at issue; waiver of privilege. (Racey053122bt) (Posted: June 20, 2022)
- ▶ **Cogan House Township vs. Lenhart** (06/14/2022)—Judge Eric R. Linhardt
Civil: Propriety of summary judgment motion filed mid-way through bifurcated trial; bar of statute of limitations; waiver of issue not pursued at trial; pleading separate counts of negligence, gross negligence and negligence per se; objection to form over substance of complaint; property purchaser's suit for a trespass that already occurred when they knew or should have known of that trespass when property was purchased; right of suit for continuing trespass; failure to plead damages to particular property as bar to recovery; changing scope of liability after conclusion of first trial; governmental immunity; legal duty of municipality to enforce its own ordinances;

limited authority of court after remand of appealed case; application of *res ipsa loquitur* to determine cause of death of trees; need for expert testimony; liability for acts of third parties; utility service facility or real property exceptions to immunity; bar of court awarding equitable relief of an injunction requiring affirmative action such as constructing new storm water management facilities; applicability of monetary award cap; motions in limine regarding expert reports; novel scientific evidence; methodology not generally accepted in relevant field; *Frye* test; weight and reliability of expert's conclusions; appropriate scope of a *Frye* inquiry; argument that assumptions are "too conservative" or "unrealistic" as challenge to methodology; factual basis for expert opinion; scope of trial on remand; grant of nonsuit implicating law of the case, *res judicata* or collateral estoppel that would preclude defense based on nonsuited claims; admissibility of relevant evidence; admissibility of evidence of citation and police report. (CoganHouse061422Li) (Posted: June 14, 2022)

► **Lehman Estate** (06/13/2022)—Judge Eric R. Linhardt

Wills and Estates: Petition to probate copy of will; rebuttable presumption that testator revoked or destroyed will; two-witness rule; alternative explanation for the inability to locate original will. (lehman061322Li) (Posted: June 14, 2022)

► **Darris Wilburn and Pamela Wilburn vs. Narcotics Anonymous World Services, Inc., Narcotics Anonymous World Services, Inc., Central Susquehanna Valley Chapter of Narcotics Anonymous World Services, Inc., Mid-Atlantic Region of Narcotics Anonymous World Services, Inc., Donald L. Heiter Community Center, Inc., John Doe, Inc., Richard Roe, Inc.** (06/08/2022)—Judge Eric R. Linhardt

Civil: Motion to dismiss and stipulation to discontinue as to less than all defendants; effect of stipulation to discontinue containing a clerical error of counsel; unilateral mistake by a party; striking a discontinuance to protect the rights of any party from unreasonable inconvenience, vexation, harassment, expense, or prejudice; 6-day delay as prejudicial; consideration of procedural delay. (Wilburn060822Li) (Posted: June 14, 2022)

TO: WHOM IT MAY CONCERN
FROM: THE REGISTER AND RECORDER
OFFICE
REGARDING: ADOPTIONS IN THE ORPHANS'
COURT

Effective July 1, in accordance with new Commonwealth Orphans' Court Rule 15.6, no petition to terminate parental rights may be filed unless an adoption petition has been filed.

Under new Rule 15.3, separate adoption and termination petitions must be filed for **each** child. Fees will be as follows: Adoption Petition \$65.25 and corresponding Termination Petition \$20.00 totaling \$85.25. Do not combine payment. Separate checks (each made out to The Orphans' Court) must accompany each petition being filed. It is important to note that this is not a fee increase. The "Additional Child" fee of \$12.50 for Adoption Petition on the current fee schedule will no longer be collected.

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**Sandy Spencer
 Recognized for
 Public Service to the Legal
 Community**

In June, the LLA presented its Public Service Award to Sandy Spencer for her work with Susquehanna Valley CASA. In presenting the award, LLA President Corey Mowrey noted Sandy's lengthy and continued work with Susquehanna Valley CASA, an organization that advocates in court for the children who are in the worst cases of abuse and neglect.

It was also noted that Sandy Spencer served on the Montoursville Rotary for twenty-four years, the Harry Plankenhorn Foundation Board for five years, as her church choir director for many years, and has been involved in organizing the Balloonfest since its inception sixteen years ago.

Thank you to Sandy Spencer for her service to our community and congratulations on recognition well deserved!

Photo (left to right): Corey Mowery, Sandy Spencer and CASA Case Manager, Louise Campana.

DAY AT KNOEBELS GROVE



The Lycoming Law Association and the Lycoming County Paralegal Association have teamed up to head out to Knoebels Grove for the day.

Come early for lunch, stay late for the rides!

Be sure to **register by July 8, 2022** to secure your free tickets and so we can get a headcount for hamburgers and hot dogs. Everyone is invited to bring a dish to share at the picnic (not required).

Register by July 8

LLA Members:

Contact Dance Drier

Email: drierlaw@gmail.com

LCPA Members:

Contact: Rebecca A. Hovenstine

E-mail: rhovenstine@usa.doj.gov

Families Welcome!

Date: 07/16/2022

Start Time: 12PM

Picnic Clean Up: 3PM

* Tickets will be distributed close to the start time of the event. Arrive timely to receive your tickets. Cold drinks will be available until clean up.

Pavilion Q

Knoebels Grove
391 Knoebels Boulevard
Elysburg, PA 17824



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

Buck, Gil I., dec'd.

Late of Montgomery.

Administrators: Jay R. Buck, II, 505 Dance Hall Road, Milton, PA 17847, Jeffery W. Berger, 2424 Lime Bluff Road, Muncy, PA 17756 and Betty L. George, 290 State Route 239, Unityville, PA 17774.

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

Hughes, Lois A., dec'd.

Late of Williamsport.

Executor: Timothy J. Hughes, P.O. Box 3003, Williamsport, PA 17701. Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

Kriesher, Dorothy A., dec'd.

Late of Williamsport.

Executrix: Denise M. Dersham, 180 Florence Drive, Cogan Station, PA 17728.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

Mooney, Helen L., dec'd.

Late of Muncy.

Executor: Russell J. Pamer, 1142 Foxboro Road, Springfield, OH 45503.

Attorney: John P. Pietrovito, Esquire, 3 South Main Street, Muncy, PA 17756.

Reome, Norman Gilbert, dec'd.

Late of Williamsport.

Administratrix: Angela S. Reome, 1102 N. Pennsylvania Ave., Plant City, FL 33563.

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

SECOND PUBLICATION

Asplund, Robert W., dec'd.

Late of the City of Williamsport.

Executor: Robert L. Asplund.

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

Schultz, Marion a/k/a Marion E. Schultz, dec'd.

Late of the Borough of DuBoistown.

Executrix: Carol A. Kagenski, 767 4th Gap Road, Loganton, PA 17747.

Attorneys: Andrea P. Pulizzi, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

Thomas, Joann E. a/k/a Joann S. Thomas, dec'd.

Late of 130 Cardinal Drive, Hughesville.

Executor: Beth L. Thomas 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.

Triaca, Francesca J., 41-22-0182, dec'd.

Late of the City of Williamsport.
Co-Administrators: Eugene L. Pelleschi and Robert L. Pelleschi 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.

Twigg, L. Jean a/k/a Jean Twigg, dec'd.

Late of Fairfield Township.
Executrix: Kristie A. Smedley 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.

Waldeisen, Marion S., dec'd.

Late of Loyalsock Township.
Co-Executor: W. Robert Waldeisen, 1358 Sandpiper Drive, State College, PA 16801.
Co-Executrix: Wendy L. Hooper, 16259 Route 87 Highway, Hillsgrove, PA 18619.
Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Wein, Ellen Marie a/k/a Ellen M. Wein, dec'd.

Late of Muncy Creek Township.
Administrator: Eric Allen Wein, 264 Claremont Avenue, State College, PA 16801.
Attorneys: Jessica L. Fisher, Esquire, McQuaide Blasko, Inc., Gateway Centre, 601 Hawthorne Drive, Suite 2A, Hollidaysburg, PA 16648.

Wheeland, Ruth J., dec'd.
Late of Loyalsock Township.

Personal Representative: Richard H. Wheeland, 1585 Hidden Valley Road, Montoursville, PA 17754.

Attorney: Douglas C. Loviscky, Esquire, 1500 West College Avenue, State College, PA 16801.

Winner, Scott F., dec'd.

Late of Williamsport.
Executrix: Tina M. Winner c/o Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.
Attorneys: Lindsay M. Scheller, Esquire, Law Offices of Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.

THIRD PUBLICATION

Butters, Robert P., dec'd.

Late of the Borough of Montoursville.
Executors: Paul J. Butters and Patricia A. Moon.
Attorneys: Julieanne E. Steinbacher, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Cox, Lisa F. a/k/a Lisa Faye Cox, dec'd.

Late of Muncy.
Executrix: Susan McCarty, 10905 SE 52nd Avenue, Milwaukie, OR 97222.
Attorneys: Layne R. Oden, Esquire, Layne R. Oden, Attorney and Counselor at Law, P.C., Nine South Main Street, Muncy, PA 17756.

Gunter, Shirley L., dec'd.

Late of Williamsport.
Executor: Francis E. Gunter 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.

Hoffman, Teddy J., dec'd.
Late of Jersey Shore.

Administratrix: Ashley Peck, 1513 Pine Creek Avenue, Jersey Shore, PA 17740.

Attorneys: Joseph F. Orso, III, Esquire, Rudinski, Orso & Associates, P.C., 339 Market Street, Williamsport, PA 17701, (570) 321-8090.

Norton, Robert M., dec'd.

Late of the Township of Eldred.
Executor: Jennifer L. Norton.

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

Portanova, Rhonda L., 41-22-0321, dec'd.

Late of Loyalsock Township.
Administratrix: Terra J. Sechrist 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.

**REGISTER OF WILLS
CONFIRMATION OF
ACCOUNTS**

NOTICE IS HEREBY GIVEN to all parties interested that the following Accounts together with all Statements 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 5, 2022 unless exceptions are filed before 5:00 P.M. on that date.

1. Cohick, Weldon C., Jr., Estate—Melvin R. Cohick, Executor.
 2. Twin Hills Memorial Park and Mausoleum—Nina B. Stryker, Esquire.
 3. Greenlawn Memorial Park—Nina B. Stryker, Esquire.
- David A. Huffman
Register of Wills

J-3, 10, 17, 24

**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 May 17, 2022 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. §1101 et seq.

The name of the corporation is:

ELIMSPORT UNITED
METHODIST CHURCH

Fred A. Holland, Esquire
McNerney, Page, Vanderlin & Hall
433 Market Street
Williamsport, PA 17701

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**TERMINATION OF
PARENTAL RIGHTS**

To: Unknown Father

A petition has been filed asking the Court to put an end to all rights you have to your child, C.W., born to Ruthanne Young on November 3, 2020. The Court has set a hearing to consider ending your rights to your child. That hearing will be held in the Lycoming County Courthouse, in Courtroom No. 3, 48 West Third Street, Williamsport, PA on August 10, 2022 at 1:30 P.M. If you do not appear at this hearing the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child.

You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. Contact Lycoming Children and Youth, 200 East Street, Williamsport, PA 17701 or phone (800) 525-7938 or (570) 326-7895.

YOU HAVE A RIGHT TO BE REPRESENTED AT THAT HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

JENNIFER AYERS, ESQUIRE
SUSQUEHANNA LAW GROUP, INC.
25 West Third Street
Suite 300
Williamsport, PA 17701
(570) 601-6636

J-24

LOOKING FOR ESTATE NOTICES

OR OTHER LEGAL NOTICES
REQUIRING PUBLICATION
IN A PA LEGAL JOURNAL?

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whether a specific legal notice
has been published.





PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, June 27, 2022**