

LYCOMING REPORTER

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June 21, 2019

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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

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

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Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

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.

- 6/25/2019 – Criminal Brown Bag Lunch.** *Regular meeting of the Criminal Bar. Time: 12:00 PM to 1:00 PM.*
- 6/26/2019 – Civil Bar Committee Meeting.** *Brown bag lunch meeting of the Civil Bar Committee. Time: 12:00 PM to 1:00 PM.*
- 7/16/2019 – Family Law Brown Bag Lunch Meeting.** *Regular meeting of the family law attorneys. Time: 12:00 PM to 1:00 PM.*
- 7/24/2019 – Lycoming Law Association Foundation Meeting.** *Regularly scheduled meeting of the LLA Foundation. Time: 12:00 PM to 1:00 PM.*
- 7/25/2019 – Education Committee Meeting.** *Brown bag lunch meeting of the Education Committee. Time: 12:00 PM to 1:00 PM.*
- 8/5/2019 – Bench Bar Committee Meeting.** *Regularly scheduled meeting of the Bench Bar Committee. Time: 12:00 PM to 1:00 PM.*
- 8/27/2019 – Criminal Brown Bag Lunch.** *Regular meeting of the Criminal Bar. Time: 12:00 PM to 1:00 PM.*
- 8/28/2019 – Lycoming Law Association Foundation Meeting.** *Regularly scheduled meeting of the LLA Foundation. Time: 12:00 PM to 1:00 PM.*
- 8/29/2019 – Community Activities and Outreach Committee.** *Quarterly meeting of the Community Activities and Outreach Committee. Time: 12:00 PM to 1:00 PM.*
- 8/29/2019 – Community Outreach & Activities Committee Meeting.** *Regular meeting of the Community Outreach & Activities Committee. Time: 12:00 PM to 1:00 PM.*
- 9/7/2019 – Knoebel’s Grove Outing.** *LLA members and their families are invited to a picnic, starting at noon in Pavilion D. Knoebel’s gift cards will be distributed to members who are then invited to enjoy the amusement park, shops, games and pool at Knoebel’s on their own. Cold drinks and snacks will be at the pavilion until early afternoon for anyone who wants to stop back. Time: 12:00 PM to .*

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 7/10/2019** – **Equitable Distribution in PA 2019.** *PBI Video Replay. Register at www.pbi.org.* **CLE Credits:** 3 Substantive **Time:** 9:00 AM to 12:00 PM.
- 7/15/2019** – **Criminal Law Symposium 2019—Day 2.** *Capital Credits Approved! PBI Video Replay. Register at www.pbi.org.* **CLE Credits:** 5 Substantive / 1 Ethics (6 Capital) **Time:** 9:00 AM to 3:00 PM.
- 7/17/2019** – **Maximizing the Outcome of Personal Injury Cases.** *PBI Groupcast. Register at www.pbi.org.* **CLE Credits:** 4 Substantive **Time:** 9:00 AM to 1:15 PM.
- 7/24/2019** – **How to Handle Small & Insolvent Estates 2019.** *PBI Video Replay. Register at www.pbi.org.* **CLE Credits:** 3 Substantive **Time:** 9:00 AM to 12:00 PM.
- 8/1/2019** – **Boundary Law in PA 2019.** *PBI Video Replay. Register at www.pbi.org.* **CLE Credits:** 3 Substantive **Time:** 9:00 AM to 12:00 PM.
- 8/5/2019** – **Topic TBA.** *Eat and Earn Series. Speaker: Brian Quinn, Esquire.* **CLE Credits:** 1 Ethics **Time:** 12:00 PM to 1:00 PM.
- 8/9/2019** – **The Constitution.** *PBI Groupcast. Register at www.pbi.org.* **CLE Credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:15 PM.
- 8/21/2019** – **Topic TBA.** *Eat and Earn Series. Speaker: David Trevaskis, Esquire.* **CLE Credits:** 1 Ethics **Time:** 12:00 PM to 1:00 PM.
- 8/27/2019** – **Powerful Witness Preparation.** *PBI Groupcast. Register at www.pbi.org.* **CLE Credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 3:30 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. Kennedy** (06/18/2019)—Judge Marc F. Lovecchio
Criminal: Opinion on remand to determine whether double jeopardy motion was frivolous; mistrial ordered due to manifest necessity; inadequately developed record; jurors concerned about mere presence of one of defendant's supporters, who also was a potential witness. (Kennedy061819L) (Posted: June 18, 2019)
- ▶ **Commonwealth vs. Morgret** (06/12/2019)—Judge Marc F. Lovecchio
Criminal: Commonwealth appeal; suppression issue; reasonable suspicion; rights of a parolee; issues raised in the trial court; waiver; scope of the motion to suppress; issues argued during the hearing without objection about scope of motion. (morgret061219L) (Posted: June 14, 2019)
- ▶ **Commonwealth vs. Frisosky** (06/14/2019)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; timeliness; jurisdiction of the court; applicability of statutory exceptions; retroactive application of *Muniz* case; legality of sentence challenge. (frisosky061419L) (Posted: June 14, 2019)
- ▶ **Commonwealth vs. McLaurin** (06/14/2019)—Judge Marc F. Lovecchio
Criminal: Post-sentence motion; sufficiency of evidence that defendant possessed controlled substances with the intent to deliver them; flight as consciousness of guilt; possession of separately packaged drugs, cash, a phone and no possession of ways to ingest the drugs, as evidence of intent to distribute; permitted inferences. (McLaurin061419L) (Posted: June 14, 2019)
- ▶ **Commonwealth vs. Clay** (06/13/2019)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; jurisdiction; allegation of error previously litigated or waived; binding Superior Court decision. (Clay061319BT) (Posted: June 14, 2019)
- ▶ **Commonwealth vs. Bean** (06/13/2019)—Judge Marc F. Lovecchio
Criminal: Pretrial discovery and inspection motion; court discretion; request for prison policies to support self-defense argument in an assault of officer case; officers within scope of duties; interests of safety and security; in camera review; balancing interests. (Bean061319L) (Posted: June 13, 2019)

- **O'Brien vs. Board of Directors of the South Williamsport Area Volunteer Fire Department** (06/13/2019)—Judge Nancy L. Butts
Civil: Preliminary objections; claimed Sunshine Act violation; non-waivable statute of limitations; date of discovery of a potential violation; capacity to sue for breach of fiduciary duties by a board of directors; sufficiency of claim of breach of fiduciary duty; legal and factually cognizable claims for breach of duty of care, loyalty, and obedience. (OBrien061319BT) (Posted: June 13, 2019)
- **Commonwealth vs. A.M.W.** (06/12/2019)—Judge Marc F. Lovecchio
Criminal: Competency of elderly defendant; ability of court to dismiss charges where the Commonwealth inexplicably refuses to concede defendant's incompetence, despite the court's finding after three hearings that there was no possibility that defendant would regain his competence; requirement of Mental Health Procedures Act. (AMW061119L) (Posted: June 13, 2019)

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EARLY DEADLINE NOTICE

Please be advised of an early deadline for the *Lycoming Reporter*. All notices must be submitted as follows:

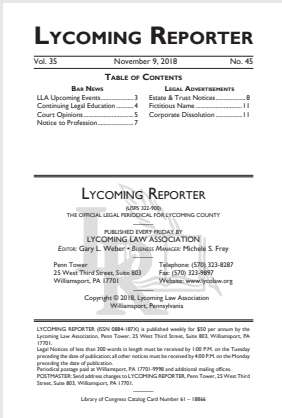
Received by Monday, July 1, 2019 by 1:00 P.M. for publication in the Friday, July 5th edition.

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EMPLOYMENT OPPORTUNITY

Job opening for a Law Clerk to the Honorable Eric R. Linhardt, Judge of the Court of Common Pleas of Lycoming County. Anticipated start date is September 2019. For details, please see the job posting at <https://wwwsecure.pacourts.us/judicial-administration/human-resources/job-openings/>.

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Digital issues are archived back to January, 2017

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

Bottorf, Elnora J., dec'd.

Late of the City of Williamsport.
 Executrix: Cathy J. Younkin, 399 Baker Road, Trout Run, PA 17771.
 Attorneys: Dale A. Tice, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

Kopysciansky, Thomas S., dec'd.

Late of South Williamsport Borough.
 Executrix: Linda R. Kopysciansky c/o Elizabeth A. White, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.
 Attorneys: Elizabeth A. White, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

Kreamer, Teresa S., dec'd.

Late of Williamsport.
 Executor: Terrence E. Clark, 826 2nd Avenue, Williamsport, PA 17701.
 Attorney: None.

Labuski, Mary Ann, dec'd.

Late of Williamsport.

Executrix: Diann Amb, 242 Norwood Drive, Williamsport, PA 17701.
 Attorneys: Scott T. Williams, Esquire, Law Offices of Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.

Welshans, Janice I., dec'd.

Late of the Borough of Jersey Shore.
 Administratrix: Connie L. Welshans.
 Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

SECOND PUBLICATION

Anderson, Clifford C., dec'd.

Late of the Borough of Montoursville.
 Executrix: Beverly E. Anderson.
 Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

Brown, Rose F., dec'd.

Late of Jersey Shore Borough.
 Executrix: Sherrie R. Brown.
 Attorney: Christopher H. Kenyon, Esquire, 835 West Fourth Street, Williamsport, PA 17701.

Gilhart, Raymond E., dec'd.

Late of Loyalsock Township.
 Executor: Woodlands Bank, Trust Department, 2450 East Third Street, Williamsport, PA 17701.
 Attorneys: Dale A. Tice, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

Gottshall, Harold E., Jr., dec'd.

Late of Williamsport.
 Executor: Jennifer L. Gavitt c/o J.C. Wilkinson, III, Esquire, Wilkinson Law LLP, P.O. Box 2, Eagles Mere, PA 17731.
 Attorneys: J.C. Wilkinson, III, Esquire, Wilkinson Law LLP, P.O. Box 2, Eagles Mere, PA 17731.

Hall, Helen L., dec'd.

Late of Hughesville.

Executrix: Elaine H. Duckworth, 400 Keehn Lane, P.O. Box 162, Muncy Valley, PA 17758.

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

King, Beulah C., dec'd.

Late of Montoursville.

Executrix: Sheila J. Myers, 1981 Inverness Rd., Montoursville, PA 17754.

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

Meyer, Brenda, dec'd.

Late of Pine Township.

Executrix: Edna M. Seitz c/o Richard W. McCoy, L.L.C., Attorney at Law, 29 Waln Street, Wellsboro, PA 16901.

Attorneys: Richard W. McCoy, L.L.C., Attorney at Law, 29 Waln Street, Wellsboro, PA 16901, (570) 724-1045.

Myers, Elena A., dec'd.

Late of Williamsport.

Executrix: Roseanne Horn, 319 New Britain Road, Unit 220, Berlin, CT 06037.

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

Nau, Michael J., dec'd.

Late of the City of Williamsport.

Administratrices: Amy L. Nau, 1501 W. Fourth Street, Apt. 2E, Williamsport, PA 17701 and Renee Nau, 1607 Wharton St., Philadelphia, PA 19146.

Attorneys: Paul A. Roman, Esquire, Law Offices Joseph L. Rider, 1700 Four Mile Drive, Williamsport, PA 17701.

Schelb, J. Bernard a/k/a Joseph Bernard Schelb, dec'd.

Late of South Williamsport.

Executors: Mr. Michael C. Schelb, 2211 Mahaffey Lane, Williamsport, PA 17701 and Mr. Timothy P. Bower, 3218 Quenshukeny Road, Linden, PA 17744.

Attorney: Tiffani M. Kase, Esquire, 800 W. 4th Street, Suite 108, Williamsport, PA 17701.

THIRD PUBLICATION**Brown, Donna W.,** dec'd.

Late of the City of Williamsport.

Executor: Marland B. Brown, Jr., 1511 High Street, Williamsport, PA 17701.

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

Brown, Donna W., dec'd.

Late of the City of Williamsport.

Donna W. Brown Irrevocable Trust Dated June 25, 2010.

Settlor: Donna W. Brown.

Trustee: Crystal Harman, P.O. Box 100, Linden, PA 17744.

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

Brown, Laura B. a/k/a Laura Bugbee Brown, dec'd.

Late of Loyalsock Township.

Executor: Paul Brown, 1767 Cote St. Gabriel Ouest, St. Sauveur, Quebec, Canada J0R1R1.

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

Buck, Carl A., Sr., dec'd.

Late of Montgomery.

Executor: Carl A. Buck, Jr.

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

Day, Michael L., dec'd.

Late of the Borough of Williamsport.
Executor: Rose Marie Day.

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

Eck, Idabelle C., dec'd.

Late of Williamsport.
Executor: Michael Nau.

Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

Gordner, Raymond L., dec'd.

Late of Jordan Township.
Administrator: Teresa M. Gordner 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.

Houseknecht, Ellis B., Jr., dec'd.

Late of the Township of Wolf.
Executor: Phillip K. Houseknecht.

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

Probst, Margaret A., dec'd.

Late of the City of Williamsport.
Executrix: Shelby A. Wilson, 1566 Smokey Corners Road, Williamsport, PA 17701.

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

**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 August 6, 2019 unless exceptions are filed before 5:00 P.M. on that date.

1. Whitmoyer, Roy A., Estate—Donna E. Watts and Darla M. Watts, Executrices.

2. Snyder, Earl J., Jr., Estate—Earl Jay Snyder, Administrator D.B.N.C.T.A. Kathy Rinehart
Register of Wills

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**FILING ARTICLES OF
INCORPORATION**

**MONTANA'S
DISTRIBUTION CORP.**

hereby gives notice that articles of incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, under the provisions of the Pennsylvania Business Corporation Law of 1988, approved December 21, 1988, P.L. 1444, No. 177, effective October 1, 1989, as amended.

J-21

**REGISTRATION OF
FICTITIOUS NAME**

An application for registration of the fictitious name:

VALLEY LEARNING COMMUNITY
1114 Elizabeth St., Williamsport, PA 17701 has been filed in the Department

of State at Harrisburg, PA, file date May 5, 2019 pursuant to the Fictitious Names Act, Act 1982-295. The names and address of the person and entity that are parties to the registration are Carolyn McKeon and Maranthana Mission Home Network, Inc., 1114 Elizabeth St., Williamsport, PA 17701.

J-21

**INTENTION TO
CHANGE NAME**

In the Court of Common Pleas of
Lycoming County, Pennsylvania

No. 19-0645

In re: Name change of
Stephanie Kay Bickel

NOTICE IS HEREBY GIVEN that on May 10, 2019, a petition was filed in the aboved-named Court, praying for a decree changing the name of Stephanie Kay Bickel to Seth Kaylob Bickel.

The court has fixed June 26, 2019 at 2:30 p.m. in courtroom number 2 of the Lycoming County Courthouse, 48 West Third Street, Williamsport, Pennsylvania 17701 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.

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PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, June 24, 2019**