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TABLE OF CONTENTS

BAR NEWS	LEGAL ADVERTISEMENTS
LLA Upcoming Events..... 3	Estate & Trust Notices..... 9
Court Opinions..... 4	Confirmation of Account..... 11
Notice to Profession..... 5	Name Change Notice 11
	Service by Publication 11

LYCOMING REPORTER

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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.

- 9/21/2021 – Family Law Committee Meeting.** *Family Law “brown bag” lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 9/27/2021 – Executive Committee Meeting.** *Monthly meeting of the LLA’s Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 10/13/2021 – Civil Brown Bag Lunch Meeting.** *Brown bag lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 10/13/2021 – Community Activities and Outreach Committee.** *Quarterly meeting of Community Activities and Outreach Committee. Time: 12:00 PM to 1:00 PM.*

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

- ▶ **Commonwealth vs. Bower** (08/31/2021)—Judge Marc F. Lovecchio
Criminal: Habeas corpus petition; sufficiency of evidence of aggravated assault by vehicle; satisfaction of serious bodily injury element where foot fractures occurred and surgery was required; suppression motion; custodial interrogation without *Miranda* warnings; totality of circumstances; propriety of police conduct prior to issuance of warrant for blood; entitlement to information about right to refuse blood draw when blood is drawn for medical reasons. (bower083121L) (Posted: September 8, 2021)
- ▶ **Commonwealth vs. White** (08/16/2021)—Judge Nancy L. Butts
Criminal: Habeas corpus petition; prima facie case of possession with the intent to manufacture or deliver a controlled substance; testimony of confidential informant. (White081621bt) (Posted: September 2, 2021)



LYCOMING LAW ASSOCIATION FOUNDATION

The Lycoming Law Association Foundation expresses its great appreciation for the following contributions to the Henry W. Mitchell Memorial Fund:

Contribution by Hon. William I. Arbuckle, III

Contribution by John E. Person, III, Esquire

Contribution by Hon. Dudley N. Anderson

Contribution by Ryan C. Gardner, Esquire

Contribution by the Lycoming Law Association

These contributions assist the LLA Foundation in furthering its purpose of providing access to justice for civil legal services needed by low-income people in Lycoming County and supporting law-related community events.

The LLA Foundation is funded almost entirely through the support of the LLA Members. Thank you.

—The Lycoming Law Association Foundation

**IN THE COURT OF COMMON PLEAS OF LYCOMING
COUNTY, PENNSYLVANIA****IN RE: LLA BAR HISTORY
MEMORIAL RESOLUTION
HENRY W. "HANK" MITCHELL, ESQUIRE****NO. 21-0004****REPORT AND RESOLUTIONS OF COMMITTEE****TO THE HONORABLE JUDGES OF THE ABOVE-
NAMED COURT:**

The Honorable Judge Nancy L. Butts, President Judge of the Court of Common Pleas of Lycoming County, 29th Judicial District, by Order dated May 28, 2021, appointed the undersigned Committee to draft Resolutions memorializing the life of Henry W. Mitchell, Esquire and to submit same to this Honorable Court at a session of Court scheduled August 30, 2021. The Report and Resolutions of this Committee will now be submitted to the Court as follows:

1. Henry W. Mitchell, commonly referred to as Hank by his family, friends and colleagues, was born on February 21, 1946 in Williamsport to Percy David "P.O." Mitchell, Sr. and Amelia (Ellison) Mitchell.
2. Hank has two brothers, Percy D. Mitchell, Jr., of Dayton, Ohio; and George Mitchell of Williamsport; and a sister, Brenda Mitchell of Williamsport.
3. Hank married the love of his life, Rebekah J. (Ward) Mitchell, with whom he celebrated nearly 43 years of marriage.
4. Hank is survived by his siblings and his wife; a son, Tai B. Mitchell of Milton; a daughter, Shannon L. Sprague of Tennessee; and four grandchildren, Evan, Armani, Devante, and Nola.
5. Hank is also survived by beloved nieces and nephews, including Percy Mitchell, III, Nathan Mitchell, Nancy Mitchell, Tiffany Fordyce, Amber Mitchell, Brenda Mitchell, and Toni Mitchell.
6. Hank graduated from Williamsport High School in 1964, where he, along with his brother, played football.

7. He graduated from Lycoming College in 1968, and matriculated to the University of Toledo College of Law, where he earned his law degree in 1972.
8. Hank practiced law with Pierce County Legal Services in Tacoma, Washington from 1972 to 1973; he then moved to Harrisburg where he worked for the Pennsylvania Human Relations Commission until 1974; thereafter, he worked as an Assistant Attorney General for three years; from 1977 he practiced law at Stone, Mitchell and Mitchell in Harrisburg until 1985 when he returned to Williamsport.
9. Upon returning to Williamsport, Hank privately practiced law and accepted a position as a conflict attorney for the Lycoming County Public Defender's Office; he also served as law clerk to the Honorable Judge Thomas C. Raup.
10. Hank represented the Commonwealth in Juvenile Court in Lycoming County from 1998 until 2002, at which time he accepted a position as a full-time Assistant District Attorney; he served in that capacity until 2010, leaving for the private practice of law.
11. During his years practicing law in Lycoming County, Hank frequently gave up his lunch hours to engage with the local judges and attorneys in basketball games; those participants did not "play;" they were serious competitors. His love of sports originated with his father, who played professional baseball and football in the Negro Leagues.
12. After leaving the District Attorney's Office, Hank was the Executive Director of the Board of Directors for The Center, originally known as the Bethune-Douglass Recreational Center ("BD"). His father served as Director at "BD" for 33 years after moving from North Carolina in 1943. Hank was proud of his heritage and included in a resume that his father and mother were teachers in North Carolina but were forced from their home by the Ku Klux Klan because his father permitted white and black children to play together at school.
13. As the Center's Director, Hank provided leadership over an ever-open food bank and after-school programs for youth encouraging both education and recreation, and he inspired general community involvement and safety. Hank had grown up in "BD" and considered it a "safe house" for all races where

- he learned compassion and respect. Prior to his Directorship, Hank spent many years on its Board of Directors.
14. In 1958, Hank's family hosted the Reverend Dr. Martin Luther King when he visited Williamsport.
 15. Hank was a Deacon at Revival Tabernacle Church and enjoyed a close friendship with his Pastor.
 16. In his final days, Hank's body failed him, but his mind remained committed and strong; he enjoyed luncheons with former judges and colleagues and his family and church.
 17. Hank was raised by parents dedicated to service to and concern for community. Hank carried on his father's quest for racial equality and fairness with finesse.
 18. Since Hank's death, in admiration for his father's path, Hank's son Tai has expressed a desire to pursue law as a career.
 19. Henry Mitchell was a gentleman, a kind soul dedicated to justice, who never held a grudge.

AND NOW, THEREFORE, BE IT RESOLVED that as a result of the passing of Henry W. Mitchell, the Bar of Lycoming County has lost a member who exemplified the traditions that the legal profession should emulate; his pursuit of fairness, equity, and inclusivity will be greatly missed.

BE IT FURTHER RESOLVED that we, the undersigned, joined by the Lycoming County Bar, do recognize and mourn the passing of Henry W. Mitchell, Esquire.

BE IT FURTHER RESOLVED that these resolutions be spread upon the Minutes of the Court of Common Pleas of Lycoming County and be published in the *Lycoming Reporter*.

FINALLY, BE IT RESOLVED that this Court and Committee and the entirety of the Lycoming County Bar extend to his family our deepest and heartfelt expressions of sympathy.

Respectfully Submitted,
Nicole J. Spring, Esquire, Chairperson
Ryan C. Gardner, Esquire
Judge Kenneth D. Brown
Judge Dudley N. Anderson
Michael Collins, Esquire
Michael Dinges, Esquire

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**Allen, Rex P.,** dec'd.

Late of Williamsport.
 Executor: Rex B. Allen, 2390 Deep Hollow Rd., Dover, PA 17315.
 Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

Bartley, Bertha M., dec'd.

Late of Williamsport.
 Administrators: Barbara A. Reed and Tanya L. Dodge c/o Scott T. Williams, Esquire, Law Offices of Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.
 Attorneys: Scott T. Williams, Esquire, Law Offices of Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.

Hulsizer, Kathy C., dec'd.

Late of the Township of Loyalsock.
 Executor: Wayne Paul, 980 Lamont Drive, Cogan Station, PA 17728.
 Attorney: Paul A. Roman, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Lowe, Mac D., Jr. a/k/a Mac Dean Lowe, Jr., dec'd.

Late of Muncy.
 Executors: Jill A. Laforme, 463 Willow Road, Watsontown, PA 17777 and Olivia N. Lowe, 571 Bower Drive, Montgomery, PA 17752.
 Attorneys: Layne R. Oden, Esquire, Layne R. Oden, Attorney and Counselor at Law, P.C., Nine South Main Street, Muncy, PA 17756.

Verbeck, William Charles a/k/a William C. Verbeck a/k/a William Verbeck, dec'd.

Late of Muncy.
 Administrator: Ralph W. Verbeck, 8497 Sevilla Court, Naples, FL 34114.
 Attorneys: Layne R. Oden, Esquire, Layne R. Oden, Attorney and Counselor at Law, P.C., Nine South Main Street, Muncy, PA 17756.

Washburn, Byron R., dec'd.

Late of Williamsport.
 Executrix: Martha J. Washburn.
 Attorneys: Brittany O.L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

SECOND PUBLICATION**Bartlow, Arlene L. a/k/a Arlene Lucille Bartlow,** dec'd.

Late of 7151 Armstrong Road, Muncy.
 Co-Executrices: Nancy Sue Newman, 515 Elm Drive, Hughesville, PA 17737 and Dena Kay White, 154 Shull Road, Muncy, PA 17756.
 Attorney: J. Howard Langdon, Esquire, 3 South Main Street, Muncy, PA 17756.

Cline, Jane C. a/k/a Jane Charmay Cline, dec'd.

Late of Williamsport.
 Administratrix: Brenda Jane Rich, 1301 Elliott Street, Williamsport, PA 17701.

Attorney: Scott A. Williams, Esquire,
57 East Fourth Street, Williamsport,
PA 17701.

**Dieterich, Frank Albert a/k/a Frank
A. Dieterich, dec'd.**

Late of 598 Tallman Hollow Road,
Montoursville.

Executor: Henry L. Hett, 1030 Echo
Drive, NE, Leland, NC 28451.

Attorney: John P. Pietrovito, Es-
quire, 3 South Main Street, Muncy,
PA 17756.

Hess, Richard C., dec'd.

Late of Williamsport.

Executor: Rex B. Allen, 2390 Deep
Hollow Rd., Dover, PA 17315.

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

Hoffman, Robert D., dec'd.

Late of Williamsport.

Executor: Trudy Ottenmiller c/o
Patricia A. Shipman, Esquire, Susque-
hanna Law Group, Inc., 25 W. Third
St., #300, Williamsport, PA 17701.

Attorneys: Patricia A. Shipman, Es-
quire, Susquehanna Law Group, Inc.,
25 W. Third St., #300, Williamsport,
PA 17701, (570) 601-6636.

Leta, Jeffrey V., dec'd.

Late of Williamsport.

Co-Executrices: Stephanie E. Leta,
1255 California Street, Unit 203, San
Francisco, CA 94109 and Cynthia
A. Friedman, P.O. Box 5891, San
Clemente, CA 92674.

Attorneys: Anthony J. Grieco,
Esquire, Elion, Grieco, Carlucci &
Shipman, P.C., 125 East Third Street,
Williamsport, PA 17701.

Schaefer, Kathryn L., dec'd.

Late of Loyalsock Township.

Executor: Thomas B. Burkholder,
P.O. Box 65, Eagles Mere, PA 17731.

Attorney: None.

Steinbacher, James Joseph, dec'd.

Late of the Township of Loyalsock.

Executor: Silvia P. Steinbacher.

Attorneys: Julieanne E. Steinbacher,
Esquire, Steinbacher, Goodall & Yur-
chak, 413 Washington Boulevard,
Williamsport, PA 17701.

THIRD PUBLICATION

Brague, Connie L., dec'd.

Late of Hughesville.

Executrix: Cindy L. Rutherford, 121
Cottage Street, Hughesville, PA
17737.

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

Harlan, Charles O., dec'd.

Late of Gamble Township.

Executor: Woodlands Bank Trust
Department, 2450 East Third Street,
Williamsport, PA 17701.

Attorneys: Fred A. Holland, Esquire,
Murphy Butterfield & Holland, PC,
442 William Street, Williamsport,
PA 17701.

Lynch, Michael P., Jr., dec'd.

Late of Montgomery.

Administratrix: Kaitlin Lynch, 43
Melvina Street, Floor 1, Montgom-
ery, PA 17752.

Attorney: Scott A. Williams, Esquire,
57 East Fourth Street, Williamsport,
PA 17701.

O'Shea, Edward J., dec'd.

Late of Mifflin Township.

Administrator: Kevin O'Shea c/o
Elizabeth A. White, Esquire, McCor-
mick Law Firm, 835 West Fourth
Street, Williamsport, PA 17701.

Attorneys: Elizabeth A. White,
Esquire, McCormick Law Firm, 835
West Fourth Street, Williamsport,
PA 17701.

Strieby, Ralph W., 41-21-0541, dec'd.
Late of the City of Williamsport.
Administratrix: Melissa K. Strieby
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.

Strieby, Susan Elaine, 41-21-0542,
dec'd.
Late of the City of Williamsport.
Administratrix: Jocelyn S. Hively 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
ACCOUNT**

NOTICE IS HEREBY GIVEN to all parties interested that the following Account together with 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 October 5, 2021, unless exceptions are filed before 5:00 P.M. on that date.

Frick, William F., Estate—Polly A. Reynolds, Executrix.
David A. Huffman
Register of Wills

S-3, 10, 17, 24

**INTENTION TO
CHANGE NAME**

In the Court of Common Pleas of
Lycoming County, Pennsylvania
Civil Action—Law

No. 21-00852

IN RE: CHANGE OF NAME OF
MARY GLORIA MAGAGNA

NOTICE

Notice is given that on August 30, 2021 a Petition was filed by MARY GLORIA MAGAGNA in the above-named Court requesting an Order to change her name from Mary Gloria Magagna to Maggie Magagna.

The Court has fixed the day of September 13, 2021 at 9:30 a.m. in Courtroom #2 of the Lycoming County Courthouse, 48 West Third Street, Williamsport, Pennsylvania, as the time and place for hearing on said Petition, when and where all interested parties may appear and show cause, if any, why the request of the Petitioner should not be granted.

PAUL A. ROMAN, ESQUIRE
Attorney for Petitioner
1700 Four Mile Drive
Williamsport, PA 17701

S-10

SERVICE BY PUBLICATION

TO: Meghan Borgess

You are hereby notified that Ashley Cowan and Matthew Cowan, Individually and as Administrators of the Estate of Remington Jo Cowan have commend an action against you in the Lycoming County Court of Common Pleas at No.: CV-21-509. If you wish to defend, you must enter a written appearance personally or by an attorney. You are warned that if you fail to do so, the case may proceed without you and a judgment may be entered against you without further notice for the relief requested by Plaintiffs. You may lose money or property or other rights important to you. You should take this notice 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.

Mid Penn Legal Services, Inc.
Penn Towers
25 W. Third Street
Suite 400
Williamsport, PA 17701
(570) 323-8287

MICHAEL J. ZICOLELLO, ESQUIRE
ID No. 65522
Attorney for Plaintiffs
333 Market Street
Williamsport, PA 17701
(570) 321-7554

S-10

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TABLE OF CONTENTS	
Brief News	Legal Advertisements
LLA Upcoming Events..... 3	Estates & Trust Notices..... 8
Continuing Legal Education..... 4	Professions Matter..... 11
Court Opinions..... 5	Corporates Dissolution..... 11
Notice to Profession..... 7	

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