

# LYCOMING REPORTER

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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

Telephone: (570) 323-8287  
Fax: (570) 323-9897  
Website: [www.lycolaw.org](http://www.lycolaw.org)

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Williamsport, Pennsylvania

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# LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

[www.lycolaw.org](http://www.lycolaw.org)

## EXECUTIVE COMMITTEE

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Gary L. Weber

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Michele S. Frey

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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](http://www.lycolaw.org)

**SCHEDULED EVENTS**

Additional information about any of these events is available on the Lycoming Law Association website at [www.lycolaw.org](http://www.lycolaw.org).

- 9/24/2018 – Executive Committee Meeting. Time:** 12:00 PM to 1:00 PM.  
**9/24/2018 – Family Law Committee Meeting. Time:** 12:00 PM to 1:00 PM.  
**10/3/2018 – Civil Bar Meeting. Time:** 12:00 PM to 1:30 PM.  
**10/22/2018 – Executive Committee Meeting. Time:** 12:00 PM to 1:00 PM.  
**10/30/2018 – Criminal Law Committee Meeting. Time:** 12:00 PM to 1:00 PM.  
**11/5/2018 – Bench Bar Committee Meeting. Time:** 12:00 PM to 1:00 PM.  
**11/20/2018 – Family Law Committee Meeting. Time:** 12:00 PM to 1:00 PM.  
**11/26/2018 – Executive Committee Meeting. Time:** 12:00 PM to 1:00 PM.  
**12/6/2018 – New Attorney Admission Ceremony & Reception. Time:** 4:00 PM to 5:00 PM.



Client Meeting   Mediation   Deposition   Arbitration

*Whatever the Situation*  
**WE'VE GOT A CONFERENCE ROOM FOR THAT**

**MONROE COUNTY BAR CENTER**

913 Main Street   Stroudsburg  
Reserve a Spot   570.424.7288

Member Rate:     \$25 Half Day\*  
                             \$50 Full Day

Non-Member Rate: \$100 Half Day\*  
                             \$150 Full Day

\*Up to 4 Hours - Subject to Availability

**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

**9/18/2018 – 2018 Succession Planning for Lawyers. Time: 9:00 AM to 12:00 PM.**

**9/26/2018 – Medical Malpractice: Current Issues and a View From the Bench. Time: 9:00 AM to 1:00 PM.**

**10/3/2018 – Legal Issues Surrounding the President. Time: 9:00 AM to 12:00 PM.**

**10/16/2018 – Family Law Update. Time: 9:00 AM to 12:15 PM.**

**10/17/2018 – Eat and Earn Series: An Overview of Lycoming County Domestic Violence Fatalities From 1996 to Present As Reviewed by the Lycoming County Domestic Violence Fatality Review Team. Time: 12:00 PM to 1:00 PM.**

**10/24/2018 – A Lawyer's Guide to Appraisals & Appraisers. Time: 9:00 AM to 1:00 PM.**

**10/25/2018 – Eat and Earn Series: TOPIC TBA. Time: 12:00 PM to 1:00 PM.**

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

**Confidential Lawyers Helpline**

Alcohol, Drugs, Gambling  
Stress, Depression, Anxiety

**1-888-999-1941**

7 days a week – 24 hours a day – Holidays  
[www.lclpa.org](http://www.lclpa.org)

The full text of the following Lycoming County Court opinions is reported at [www.lycolaw.org/cases/search.asp](http://www.lycolaw.org/cases/search.asp)

- ▶ **Commonwealth vs. Clay** (08/31/2018)—Judge Nancy L. Butts  
Criminal: Post-sentence motion; competency to plead guilty; knowing, intelligent, voluntary plea; observations by the court during plea process. (Clay083118bt) (Posted: September 4, 2018)
- ▶ **Commonwealth vs. Partney** (08/30/2018)—Judge Nancy L. Butts  
Criminal: Post Conviction Relief Act petition; timeliness; retroactive application of *Muniz* case to SORNA convictions. (Partney083018BT) (Posted: August 30, 2018)
- ▶ **Commonwealth vs. Hoyt** (08/30/2018)—Judge Nancy L. Butts  
Criminal: Post Conviction Relief Act petition; timeliness; after-discovered evidence argument based on the holding in *Alleyne* and information in an article; waiver. (Hoyt083018BT) (Posted: August 30, 2018)
- ▶ **Commonwealth vs. Frierson** (08/30/2018)—Judge Nancy L. Butts  
Criminal: Appeal. (Frierson083018bt) (Posted: August 30, 2018)
- ▶ **Commonwealth vs. Stone** (08/29/2018)—Judge Nancy L. Butts  
Criminal: Post Conviction Relief Act petition; timeliness of challenge to SORNA; claim of interference of government officials by failing to provide notification of cases decided nearly 2 decades after sentence; new cases not constituting newly discovered evidence; retroactive application of new case to completed sentences. (Stone082918) (Posted: August 29, 2018)

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.

- **Commonwealth vs. Miller (08/29/2018)**—Judge Nancy L. Butts  
Criminal: Objections to court’s notice of intention to dismiss Post Conviction Relief Act petition; timeliness; petition filed within 60 days of the Superior Court’s decision in *Commonwealth v. Rivera-Figueroa*; statutory exceptions; retroactive application. (Miller082918) (Posted: August 29, 2018)
- **Richardson vs. Susquehanna Health Center, Hess, Frailey, Young, Kontz, Doe & Ross (08/28/2018)**—Judge Nancy L. Butts  
Civil: Preliminary objections; intentional infliction of emotional distress; contemporaneous observation of events; intentional or reckless conduct; doctor’s duty to notify police about state of body; discretion of coroner to conduct an investigation; duty of police to investigate death; negligent infliction of emotional distress; contractual or fiduciary relationship with plaintiff; physical impact or in the zone of danger; high public official immunity of police chief and deputy chief coroner; actions or inactions within official duties; governmental immunity; affirmative defenses; willful misconduct; statute creating a private remedy; captioning issues. (Richardson082818bt) (Posted: August 29, 2018)

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](mailto:mfrey@lycolaw.org).

**NOTICE OF SUSPENSION**

NOTICE IS HEREBY GIVEN that by Order of the Supreme Court of Pennsylvania dated August 30, 2018, Michael J. Casale, Jr. (#23820), of Montoursville, PA, is Suspended on Consent from the Bar of this Commonwealth for a period of one year retroactive to January 4, 2018.

Marcee D. Sloan  
Board Prothonotary  
The Disciplinary Board of the  
Supreme Court of Pennsylvania  
S-7


**STAFF POSITION AVAILABLE**

CARPENTER, HARRIS & FLAYHART is seeking a legal assistant with familiarity in family law and criminal law. Send resume to law firm at 128 S. Main Street, Jersey Shore, PA 17740.

Au-24, 31; S-7

In search of details on injury case and annuity for CHARLES J. RUSSO. Motorcycle accident circa 1984-1985 in Williamsport. Contact nephew Russ Watkins, (610) 348-4158.

Au-31; S-7, 14, 21



The LLA's 150<sup>th</sup> Anniversary Committee is very pleased to announce that the Superior Court will be hearing arguments in Williamsport on May 7 and 8, 2019.

The approximate times of the sessions will be 9:30-12PM and 1PM-3PM (both days).

If you would like to attend one of the argument sessions, please contact Michele Frey at 570.323.8287 or at [MFrey@lycolaw.org](mailto: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

#### **Buhl, Jane M.,** dec'd.

Late of Montoursville.

Executrix: Cindy L. Buhl, 319 Chestnut Street, Montoursville, PA 17754.

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

#### **Crouse, James E.,** dec'd.

Late of Pennsdale.

Executrix: Elaine Mary Crouse, 2381 State Route 405 Highway, Lot 33, Muncy, PA 17756.

Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

#### **Horn, John D.,** dec'd.

Late of Jersey Shore.

Executrix: Jennifer S. Ingraham, 144 Fawn Ridge Road, Jersey Shore, PA 17740.

Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

#### **Kiehl-Koch, Linda W.,** dec'd.

Late of South Williamsport.

Executor: Gerald Weinfurter, 1556 Pine Crest Drive, South Williamsport, PA 17702.

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

#### **Myers, Raymond E.,** dec'd.

Late of Williamsport.

Executors: Joseph E. Myers, 81 Stewart Street, Linden, PA 17744 and Linda Delong, 71 Bair Drive, Cogan Station, PA 17728.

Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

#### **Phillips, Beverly J.,** dec'd.

Late of Williamsport.

Executrix: Kathleen A. Lowe c/o Patricia L. Bowman, Esquire, 1530 Sherman Street, Williamsport, PA 17701.

Attorney: Patricia L. Bowman, Esquire, 1530 Sherman Street, Williamsport, PA 17701.

#### **Reeder, Elsie,** dec'd.

Late of 5933 Warrensville Road, Williamsport.

Co-Executrices: Becky Fish, 17 Caesar Road, Harpers Ferry, WV 25425 and Barbara Easton, 284 Easton Road, Trout Run, PA 17771.

Attorneys: Lester L. Greevy, Jr., Esquire, Greevy & Shoemaker, 5741 State Route 87, Williamsport, PA 17701.

### SECOND PUBLICATION

#### **Acocella, Bonnie P.,** dec'd.

Late of Montoursville.

Executor: Brett W. Smith, 525 N. Montour Street, Montoursville, PA 17754.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.



**Duke, Carol A.,** dec'd.

Late of Williamsport.  
Executrix: Wendy Benjamin, 2023 Carlton Terrace, Lot 5, Williamsport, PA 17701.  
Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

**Getgen, Dorothy G.,** dec'd.

Late of Antes Fort (Nippenose Township).  
Executor: Timothy L. Getgen, P.O. Box 203, Antes Fort, PA 17720.  
Attorneys: Dale A. Tice, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

**Gross, Charles R.,** dec'd.

Late of the City of Williamsport.  
Executor: David Rex Nelson, 72 Heilman Road, Montoursville, PA 17754.  
Attorneys: Jessica L. Harlow, Esquire, Mitchell Gallagher, 10 West Third Street, Williamsport, PA 17701, (570) 323-8404.

**Kauffeld, Robert H.,** dec'd.

Late of the Borough of Duboistown.  
Executor: Robert C. Kauffeld, 8640 Ivy Mint Court, Springfield, VA 22153.  
Attorneys: Charles F. Greevy, III, Esquire, Greevy & Taylor Law Offices, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

**Reardon, Eleanor R.,** dec'd.

Late of Williamsport.  
Executor: Braden I. Reardon, G/23 Floor 38, Western Street, Kings Hill, Hong Kong.  
Attorneys: James D. Casale, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

**Reeder, Lois A.,** dec'd.

Late of Montoursville.  
Executor: Jack Fessler, 303 Route 118 Highway, Hughesville, PA 17737.  
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

**Springman, Holly A.,** dec'd.

Late of Williamsport.  
Executor: Stephen E. Springman, 1480 South 1000 East, Apt. 611, Clearfield, UT 84015.  
Attorneys: Mc Nerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

**Wenrick, Albert M., Jr.,** dec'd.

Late of the Township of Lycoming.  
Executor: Lee A. Viard, 1005 Washington Blvd., Williamsport, PA 17701.  
Attorney: Andrea B. Bower, Esquire, 426 Broad Street, Montoursville, PA 17754.

**THIRD PUBLICATION****Collins, Evelyn L.,** dec'd.

Late of the Township of Watson.  
Executrix: Leslie C. Yeagle 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.

**Douglass, Marjorie M. a/k/a Marjorie L. Douglass,** dec'd.

Late of Williamsport City.  
Co-Executors: Charles D. Douglass and Judith D. Rabold c/o Craig S. Sharnetzka, Esquire, CGA Law Firm, PC, 135 North George Street, York, PA 17401.  
Attorneys: Craig S. Sharnetzka, Esquire, CGA Law Firm, PC.

**Fetzer, James A.,** dec'd.

Late of the Township of Loyalsock.  
 Executor: Lee M. Ciccarelli, 1809  
 Campbell St., Williamsport, PA  
 17701.

Attorneys: Paul A. Roman, Esquire,  
 Law Office of Joseph L. Rider,  
 Esquire, 1700 Four Mile Drive, Wil-  
 liamsport, PA 17701.

**Frantz, Warren L.,** dec'd.

Late of Nisbet.  
 Executor: Warren H. Frantz, 435  
 Rivendell Road, Williamsport, PA  
 17701.

Attorneys: McNerney, Page, Vander-  
 lin & Hall, 433 Market Street, Wil-  
 liamsport, PA 17701.

**Fultz, Mary A.,** dec'd.

Late of Williamsport.  
 The Mary A. Fultz Protector Trust.  
 Settlor: Mary A. Fultz.  
 Executrix/Trustee: Susan E. Weaver,  
 140 Casale Road, Cogans Station, PA  
 17728.

Attorneys: McNerney, Page, Vander-  
 lin & Hall, 433 Market Street, Wil-  
 liamsport, PA 17701.

**Keeler, Bertram L.,** dec'd.

Late of the Township of Loyalsock.  
 Executrices: Sharon J. Green, 179 Mad-  
 don Road, Montoursville, PA 17754  
 and Terry E. Lambert, 2205 Sheridan  
 Street, Williamsport, PA 17701.

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

**Ott, Francis C.,** dec'd.

Late of Williamsport.  
 Executor: William C. Ott, 2946  
 North Old Trail Road, Shamokin  
 Dam, PA 17876.

Attorneys: Greevy & Shoemaker,  
 5741 State Route 87, Williamsport,  
 PA 17701, (570) 435-2233.

**Weigle, Gary A.,** dec'd.

Late of Williamsport.  
 Executor: Matthew W. Weigle, 101  
 Paige Ln., Williamsport, PA 17701.  
 Attorney: None.

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**REGISTER OF WILLS  
 CONFIRMATION OF  
 ACCOUNTS**

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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 October 2, 2018 unless exceptions are filed before 5:00 P.M. on that date.

Carson, Eulodia B. Estate—Warren  
 W. Carson, Executor.  
 Kathy Rinehart  
 Register of Wills

S-7, 14, 21, 28

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**SERVICE BY PUBLICATION**

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

No. 18-0402

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**NOTICE OF ACTION IN  
 MORTGAGE FORECLOSURE**

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WELLS FARGO BANK, NA  
 Plaintiff

vs.

SHIRLEY M. KAUFMAN  
 SHIRLEY B. HOFMANN  
 Defendants

NOTICE

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To: SHIRLEY B. HOFMANN

You are hereby notified that on March 26, 2018, Plaintiff, WELLS FARGO BANK, NA, filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of LYCOMING County, Pennsylvania, docketed to No. 18-0402. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 46 MARVIN CIRCLE, WILLIAMSPORT, PA 17701-1304 whereupon your property would be sold by the Sheriff of LYCOMING County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

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If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing with the court. 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 re-

lief requested by the plaintiff. 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, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.**

**IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.**

Notice to Defend:  
North Penn Legal Services  
Penn Tower Bldg.  
25 W. Third St.  
Ste. 400  
Williamsport, PA 17701  
Telephone (570) 323-8741

- or -

Lawyer Referral Service:  
Pennsylvania Lawyer Referral Service  
Pennsylvania Bar Association  
100 South Street  
P.O. Box 186  
Harrisburg, PA 17108  
Telephone (800) 692-7375



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**PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, September 10, 2018**