

LYCOMING REPORTER

Vol. 38

November 5, 2021

No. 46

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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

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Williamsport, PA 17701

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Website: www.lycolaw.org

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Williamsport, Pennsylvania

LYCOMING REPORTER (ISSN 0884-187X) is published weekly for \$75 per annum by the Lycoming Law Association, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Legal Notices must be received by 1:00 p.m. on the Tuesday preceding the date of publication. The *Lycoming Reporter* reserves the right to require earlier deadlines for lengthy or multi-part advertisements due to publication requirements. Deadlines are subject to change because of holidays. Deadline modifications are posted in the Reporter.

Periodical postage paid at Williamsport, PA 17701-9998 and additional mailing offices.

POSTMASTER: Send address changes to LYCOMING REPORTER, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Library of Congress Catalog Card Number 61 – 18866

LYCOMING LAW ASSOCIATION

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.

- 11/16/2021 – Family Law Committee Meeting.** *Family Law “brown bag” lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 11/17/2021 – Estate, Probate & Elder Law Committee Meeting.** *Committee meeting with Register of Wills and Judge Linhardt. Zoom link: <https://us02web.zoom.us/j/88683042101>. Time: 12:00 PM to 1:00 PM.*
- 11/22/2021 – Executive Committee Meeting.** *Monthly meeting of the LLA’s Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 12/2/2021 – New Attorney Admission Ceremony.** *Motions for admission during the Annual New Attorney Admission Ceremony must be filed with Court Administration by November 19, 2021. Time: 4:00 PM to 5:00 PM.*
- 12/13/2021 – Executive Committee Meeting.** *Monthly meeting of the LLA’s Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 12/21/2021 – Criminal Law Committee Meeting.** *Criminal Law “brown bag” lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 1/10/2022 – Executive Committee Meeting.** *Monthly meeting of the LLA’s Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 1/10/2022 – Annual Meeting.** *Mark your calendar—the LLA’s Annual Meeting will be held from 4-5 PM on January 10th. Details forthcoming. Time: 4:00 PM to 5:00 PM.*

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

- ▶ **Commonwealth vs. Sanders** (10/28/2021)—Judge Marc F. Lovecchio
Criminal: Appeal; Rule 600 motion; timeliness of *Franks* suppression motion filed on eve of trial; burden on defendant to provide allegations of deliberate falsehood or reckless disregard for truth in affidavit of probable cause; reasonable expectation of privacy in place searched. (Sanders102821L) (Posted: October 28, 2021)
- ▶ **Commonwealth vs. Applegate** (10/28/2021)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; viability of case-stated nonjury trial in criminal case. (Applegate102821L) (Posted: October 28, 2021)
- ▶ **Commonwealth vs. Williams** (10/27/2021)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; ineffective counsel; failure of defense to file Rule 404(b)(3) motion where only the Commonwealth is required to do so; failure to call witness where there is fair probability that testimony would not change outcome of proceedings; reasonable basis for not calling witness; claimed misadvice about plea offer; hindsight regret for decision not to accept plea deal. (Williams102721L) (Posted: October 27, 2021)
- ▶ **Commonwealth vs. Baney** (10/27/2021)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; knowing, intelligent and voluntary guilty plea; claimed new evidence that was in existence prior to guilty plea. (Baney102721L) (Posted: October 27, 2021)
- ▶ **Hartung vs. Hartung** (10/27/2021)—Judge Ryan M. Tira
Divorce: Petition for special relief; interpretation of property settlement agreement; claimed mutual mistake; reformation of agreement. (Hartung102721t) (Posted: October 27, 2021)
- ▶ **Commonwealth vs. Costello** (10/26/2021)—Judge Marc F. Lovecchio
Criminal: Suppression motion; reasonable suspicion to detain defendant; specific and articulable facts and rational inferences from those facts that warrant a belief that individual is involved in criminal activity; probable cause; habeas corpus petition; sufficiency of evidence of attempted escape and disorderly conduct; attempting to drive away from investigative stop. (Costello102621L) (Posted: October 27, 2021)

LEGAL AID ATTORNEY—WILLIAMSPORT

North Penn Legal Services has an immediate opening for a full-time staff attorney in its Williamsport office.

Contact HR@northpennlegal.org for a review of the benefits and loan repayment programs available to staff attorneys. For more job details go to www.northpennlegal.org/about/careers. EOE.

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LYCOMING REPORTER

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Fax: (570) 323-9874
Website: www.lycolaw.org

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Williamsport, Pennsylvania

LYCOMING REPORTER (ISSN 0884-1872) is published weekly for \$22 per annum by the Lycoming Law Association, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701. Legal notices of less than 500 words in length must be received by 1:00 P.M. on the Tuesday preceding the date of publication; all other notices must be received by 5:00 P.M. on the Monday preceding the date of publication.
POSTMASTER: Send address changes to LYCOMING REPORTER, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Library of Congress Catalog Card Number 67-18866

You can read the digital version of the Lycoming Reporter on any device at Lycolaw.org

Digital issues are archived back to January, 2017



**NEW ATTORNEY
ADMISSION
CEREMONY**

December 2, 2021
4PM, Courtroom #1

LYCOMING
LAW ASSOCIATION

Please be advised that the New Attorney Admission Ceremony will be held on Thursday, December 2, 2021, at 4:00 p.m., in Courtroom #1 at the Lycoming County Courthouse. All newly admitted attorneys, as well as attorneys new to the area, are invited to apply for admission.

There is a Motion for Admission form which must be completed and returned to the Court Administrator's Office at the Lycoming County Courthouse by November 19, 2021. The motion is available on the Lycoming Law Association website at:

<https://www.lycolaw.org/join>

Please forward this notice to new attorneys in your office or to attorneys you know are new to Lycoming County and would like to participate.

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**Campbell, Margaret Ann, dec'd.**

Late of Hughesville.

Executrix: Connie L. Sawyer, P.O. Box 160, Thomaston, ME 04861.

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

Caravaggio, Grazietta a/k/a Grace Caravaggio, dec'd.

Late of the Township of Loyalsock.

Settlor: Grazietta Caravaggio a/k/a Grace Caravaggio.

Trustees: Steven Caravaggio and Rosanna Caravaggio.

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

Durkee, Mary E., dec'd.

Late of Williamsport.

Executor: Scott A. Williams, 668 Lake Road, Laporte, PA 18626.

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

Embick, Daniel L., dec'd.

Late of Linden.

Executrices: Brandy Parker Lopez, 26 East Darby Circle, Dover, DE 19904 and Suzzane Suehr, 205 Schoolhouse 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.

Erb, Scott J., Sr., dec'd.

Late of South Williamsport.

Administratrix: Mitzi Davis, 828 4th Avenue, Williamsport, PA 17701.

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

Farley, Barbara J., dec'd.

Late of Williamsport.

Executrix: Linda A. Hayton.

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

Fink, Joanne L., dec'd.

Late of Williamsport.

Settlor: Joanne L. Fink.

Trustees: Ronald J. Shaffer, Jr. and Richard J. Shaffer.

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

Phlegar, Margaret M., dec'd.

Late of the City of Williamsport.

Executor: James W. Phlegar, Jr.

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

Reeder, Don E., dec'd.

Late of Williamsport.

Settlor: Don E. Reeder.

Trustee: Kay E. Wolfe.

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

Wagner, Jack C., dec'd.

Late of Jersey Shore.

Executors: Gail M. Brown and Timothy A. Wagner.

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

SECOND PUBLICATION

Cillo, Donald P., 41-21-0667, dec'd.

Late of the Borough of South Williamsport.

Executor: Steve A. Cillo 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.

DeRemer, Doris A., dec'd.

Late of Lycoming County.

Co-Executors: Larry W. DeRemer, Jerry L. DeRemer and Ernest L. DeRemer 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.

Foresman, Todd M., dec'd.

Late of the City of Williamsport.

Administrator: Scott D. Foresman, 5774 Warrensville Road, Williamsport, PA 17701.

Attorney: Paul A. Roman, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Greenaway, Jane E., dec'd.

Late of the Township of Lewis.

Executor: Brian W. Harkness, 1033 N. 17th Street, Allentown, PA 18104.

Attorney: Paul A. Roman, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Hudkins, Donna M. Noah, dec'd.

Late of Washington Township.

Executors: Kenneth L. Frey, Jr. and Karen E. Frey, 1791 Tombs Run Road, Jersey Shore, PA 17740.

Attorneys: Alvin L. Snowiss, J.D., Esquire, Snowiss, Steinberg & Faulkner, LLP, Attorneys at Law, 333 North Vesper Street, Lock Haven, PA 17745.

Kowalski, Judith A., dec'd.

Late of Loyalsock Township.

Executor: Stosh Kowalski 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.

Schmouder, Thomas C., dec'd.

Late of Trout Run.

Executor: David Schmouder, 982 State Route 284, Trout Run, PA 17771.

Attorneys: Bret S. Southard, Esquire, Casale & Bonner, P.C., 331 Elmira Street, Williamsport, PA 17701, (570) 326-7044.

Short, Glenda A., dec'd.

Late of Williamsport.

Administrators: Kevin Short, Annette Short and Margery Short c/o 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.

Trautner, David A., Sr., dec'd.

Late of the Township of Hepburn.
 Executor: David A. Trautner, Jr., 111
 Elizabeth Street, Cogan Station, PA
 17728.

Attorney: Paul A. Roman, Esquire,
 1700 Four Mile Drive, Williamsport,
 PA 17701.

**Wertman, Robert L. a/k/a Robert
Louis Wertman a/k/a Robert
Lewis Wertman**, dec'd.

Late of Wolf Township.
 Executrix: Leslie C. Berger, 37 Air-
 port Road, Millville, PA 17846.

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

White, Lori A., dec'd.

Late of the City of Williamsport.
 Executors: Derek A. Frantz, 343
 Jerome Avenue, Williamsport, PA
 17701, Brittany L. Colombo, 505
 Eden Street, Jersey Shore, PA 17740
 and Caleb A. White, 85 Round Hill
 Road, Williamsport, PA 17701.

Attorney: Paul A. Roman, Esquire,
 1700 Four Mile Drive, Williamsport,
 PA 17701.

Wilson, Connie, dec'd.

Late of Lycoming County.
 Executor: Robert Roethermel, 67
 Watson Road, Allenwood, PA
 17810.

Attorney: Michael D. Suders, Es-
 quire, Attorney at Law, 3 West First
 Street, Watsonstown, PA 17777,
 (570) 538-3360.

THIRD PUBLICATION**Clark, Robert L.**, dec'd.

Late of Williamsport.
 Executors: Jane M. Moore and Gayle
 R. Willits c/o Perciballi & Williams,
 LLC, 429 Market Street, Williams-
 port, PA 17701.

Attorneys: Scott T. Williams, Es-
 quire, Law Offices of Perciballi &
 Williams, LLC, 429 Market Street,
 Williamsport, PA 17701.

Deuel, George V., Jr., dec'd.

Late of Williamsport.
 Executrix: Michelle L. Deuel c/o
 Perciballi & Williams, LLC, 429 Mar-
 ket Street, Williamsport, PA 17701.
 Attorneys: Scott T. Williams, Es-
 quire, Law Offices of Perciballi &
 Williams, LLC, 429 Market Street,
 Williamsport, PA 17701.

Kowalchik, Susan M., dec'd.

Late of the Township of Nisbet.
 Executors: Katie M. Kilmer and Kelly
 L. Rios.
 Attorneys: Christopher S. Bradley,
 Esquire, Steinbacher, Goodall & Yur-
 chak, 413 Washington Boulevard,
 Williamsport, PA 17701.

**REGISTRATION OF
FICTITIOUS NAMES**

NOTICE IS HEREBY GIVEN that an
 Application for Registration of Fictitious
 Name was filed in the Department of
 State of the Commonwealth of Pennsyl-
 vania on September 17, 2021 for:

HUNTERS CATERING
 at: 1 Texas Creek Rd., Waterville, PA
 17776. The name and address of the
 individual interested in the business are
 Hunter David Duffield at 1 Texas Creek
 Rd., Waterville, PA 17776. This was filed
 in accordance with 54 Pa. C.S. 311.417.
 N-5

NOTICE IS HEREBY GIVEN that an
 Application for Registration of Fictitious
 Name was filed in the Department of
 State of the Commonwealth of Pennsyl-
 vania on August 25, 2021 for:

SS GIFT SHOP
 at: 2485 Warrensville Rd., Montours-
 ville, PA 17754. The name and address

of the individual interested in the business are Sylvia Diaz at 2485 Warrensville Rd., Montoursville, PA 17754. This was filed in accordance with 54 Pa. C.S. 311.417.

N-5

INTENTION TO CHANGE NAME

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

NO.: 21-01027

IN THE MATTER OF PETITION FOR CHANGE OF NAME OF LULDER GUZMAN

NOTICE IS HEREBY GIVEN that on October 7, 2021, the Petition of Lulder Guzman was filed in the above-named court, requesting an order to change the name of Lulder Guzman to Lourdes Guzman.

The court has scheduled the hearing on said Petition for December 21, 2021 at 11:00 a.m. in Courtroom No. 2 of the Lycoming County Courthouse, Pennsylvania, when and where all interested parties may appear and show cause, if any, why the request of the Petitioner should not be granted.

MARK L. TAYLOR, ESQUIRE
ID #70341
Attorney for Petitioner
330 Pine Street
Suite 403
Williamsport, PA 17701
(570) 320-7100

N-5

In the Court of Common Pleas of
Lycoming County, Pennsylvania

No.: 21-1033

IN RE: Name Change of
Kinsley Linn Saltsman

NOTICE IS HEREBY GIVEN that a Petition for Change of Name was filed praying for a decree to change her name from Kinsley Linn Saltsman to Kinsley Linn Wright.

The Court has fixed December 21, 2021 at 11:30 a.m. in Courtroom No. 2 of the Lycoming County Courthouse, 48 West Third Street, Williamsport, Pennsylvania, 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.

MICHAEL C. MORRONE, ESQUIRE
CAMPANA, HOFFA &
MORRONE, P.C.
602 Pine Street
Williamsport, PA 17701
(570) 326-2401

N-5

SERVICE BY PUBLICATION

In the Court of Common Pleas of
Lycoming County, Pennsylvania

NO. CV21-01026
Civil Action

ACTION TO QUIET TITLE

JOHN R. EMERSON and
CHRISTINE M. EMERSON
PLAINTIFFS

vs.

CLINTON L. MENGES
and RICHARD A. COLESTOCK,
their heirs, executors,
administrators, successors, assigns,
and unknown persons, claiming any
right, lien, title or interest by, through
or under them, or any of them

DEFENDANTS

NOTICE

TO: CLINTON L. MENGES and RICHARD A. COLESTOCK, and their heirs, executors, administrators, successors, assigns, and unknown persons claiming any right, lien, title or interest by, through or under them, or any of them

You are hereby notified that the Plaintiffs have commenced an Action to Quiet Title against you which you are required to defend.

You are required to plead to the Complaint within twenty (20) days after the appearance of this Notice.

If you fail to answer the Complaint within the said twenty (20) days, a preliminary judgment may be entered against you, and final judgment may be entered against you ten (10) days thereafter. This action concerns the following land, located in the Township of Muncy Creek, County of Lycoming and Commonwealth of Pennsylvania, hereinafter described:

ALL those certain pieces, parcels and lots of land situate in the Township of Muncy Creek, County of Lycoming and Commonwealth of Pennsylvania, being known and designated as Lots 1A, 2A, 3A, 4, 5, 6, 7A and 7B on a subdivision map prepared by Vassallo Engineering & Surveying, Inc., dated February 19, 2019, approved by the Muncy Creek Township Planning Commission on March 25, 2019, and recorded in Lycoming County Record Book 9186, Page 644 and Map Book 64, Page 160, on May 10, 2019, and more particularly bounded and described in accordance with a survey prepared by Vassallo Engineering & Surveying, Inc., as follows, to wit:

BEGINNING at a point, on the Low Water mark, on the Southern Bank of the West Branch Susquehanna River, at the intersection of the northwestern corner of the land now or formerly of Verland L. and Nancy L. Springman,

known as Tax Parcel No. 40-393-209, and the northwestern corner of the Parcel herein described, said beginning being North 16 degrees 34 minutes West 407.00 feet, from an existing Iron Pipe, at the intersection of the southwestern corner of the land of said Springman, the northern line of the land now or formerly of David C. Tule and Martha A. Bryden, known as Tax Parcel No. 40-393-207.A, and the Southeastern corner of the Parcel herein described, said beginning also being North 16 degrees 34 minutes West 79.09 feet, from a point in the center of River Road, also known as Township Road No. 431, on the common line of said Springman and the Parcel herein described.

Thence from the said place of beginning, and along the eastern line of the land of said Springman, South 16 degrees 34 minutes East, passing through an existing Iron Pipe at a distance of 48.42 feet, also passing through an Iron Pin at a distance of 99.35 feet, for a total distance of 407.00 feet, to an existing Iron Pipe, at the intersection of the southwestern corner of the land of said Springman, the northwestern corner of the land of said Tule & Bryden, the northwestern corner of combined Parcel Nos. 1B, 2B and 3B of the subdivision, on land of Robert B. Tule, Et Al, and the southeastern corner of the Parcel herein described.

Thence along said above combined Parcels, also being the northern side of an existing log road, by the two (2) following courses and distances. First: South 69 degrees 06 minutes West, 325.37 feet, to an iron pin. Second: South 62 degrees 03 minutes West, 79.31 feet, to an Iron Pin, at the intersection of the northwestern corner of the said above combined Parcels, the eastern line of the land now or formerly of Gary E. and Patricia A. Oechler, known as Tax Parcel No. 40-413-122, and the southwestern corner of the Parcel herein described.

Thence along the eastern line of the land of said Oechler, North 33 degrees 45 minutes West, passing through an Iron Pin at a distance of 222.49 feet, for a total distance of 250.40 feet, to a point, on the Lowe Water Mark, on the southern bank of the aforesaid West Branch Susquehanna River, at the intersection of the northeastern corner of the land of said Oechler, and the northwestern corner of the parcel herein described.

Thence along the southern line of said West Branch Susquehanna River, by the two (2) following courses and distances. First: North 50 degrees 46 minutes East, 264.81 feet, to a point. Second: North 48 degrees 52 minutes East, 254.88 feet, to a point, the place of beginning.

Containing 3.3010 acres.

FOR IDENTIFICATION PURPOSES ONLY, THE ABOVE DESCRIBED PARCEL IS KNOWN AS TAX PARCEL NO. 40-393-210 IN THE OFFICE OF THE LYCOMING COUNTY TAX ASSESSOR.

Plaintiffs bring this Action to Quiet Title against Defendants, their heirs, administrators and assigns or any unknown persons claiming by, through or under them to compel them to commence an action in ejectment to establish any title they or any of them may have in the premises set forth above or be forever barred from asserting any right, title or interest in said land inconsistent with the interest or claim of Plaintiffs as set forth in the Complaint.

If you wish to defend, you must enter a written appearance personally or by your 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 judgment may be entered against you without any further notice for the relief requested by Plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER CONTACT:

Pennsylvania Bar Association
Lawyer Referral Service
100 South Street
P.O. Box 186
Harrisburg, PA 17108-0186
Telephone (800) 692-7375

IF YOU CANNOT AFFORD A LAWYER, YOU MAY BE ELIGIBLE FOR LEGAL AID THROUGH:

North Penn Legal Services
329 Market Street
Williamsport, PA 17701
Telephone (570) 323-8741

LAYNE R. ODEN, ESQUIRE
I.D. #75913

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search statewide to determine
whether a specific legal notice
has been published.



Do you know what your



has done to improve the delivery of legal services in our community, facilitate learning about the legal system, and enhance the image of the organized Bar?

**From 2003 to Present,
the LLA Foundation gave more than \$197,630 to worthy causes:**

\$138,749 to provide free legal services to the residents of Lycoming County;

\$23,241 to preserve and provide access to legal materials for the public;

\$17,000 to train attorneys and other service providers in different areas of the law;

\$11,400 to fund legal education and Mock Trial Teams for high school students;

\$7,237.04 to provide funding for court-appointed child advocates.

Request for Grant Funding should be directed to the LLA Community Activities and Outreach Committee. Information is available on the LLA website at <http://www.lycolaw.org/lla-foundation>.

Please consider the Lycoming Law Association Foundation when making planned gifts.

Donations to the Lycoming Law Association Foundation are tax deductible.

The Lycoming Law Association Foundation is a tax-exempt, not-for-profit, 501(c)(3) corporation. Its mission is to cultivate the science of jurisprudence, improve the legal and judicial system, and facilitate the administration of justice for residents of Lycoming County.

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PERIODICAL PUBLICATION

* Dated Material. Do Not Delay. Please Deliver Before Monday, November 8, 2021