

LYCOMING REPORTER

Vol. 38

February 5, 2021

No. 6

TABLE OF CONTENTS

BAR NEWS	LEGAL ADVERTISEMENTS
LLA Upcoming Events..... 3	Estate & Trust Notices..... 8
Court Opinions..... 4	Incorporation Notice..... 10
Notice to Profession..... 6	Name Change Notice 10

LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
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Penn Tower
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Telephone: (570) 323-8287
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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.

2/10/2021 – Civil Brown Bag Lunch Meeting. *Brown Bag Lunch Meeting.* **Time:** 12:00 PM to 1:00 PM.

2/15/2021 – Executive Committee Retreat. *Annual board retreat for bar leaders.* **Time:** 12:00 PM to 2:00 PM.

2/23/2021 – Criminal Law Committee Meeting. *Criminal “Brown Bag” Lunch Meeting.* **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. Washington** (02/02/2021)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; ineffective counsel; stipulation of serious bodily injury in attempted murder case, without consent of defendant and for no strategic reason; stipulation to application of deadly weapon enhancement without consent of defendant; enhancements within discretion of court; failure to appeal mistrial denial where juror made potentially prejudicial statements during voir dire; suggestive photo identification; refusal to allow argument that the shooting was done by another; prejudice; claimed ineffectiveness due to inability of counsel to find expert to testify on DNA evidence. (Washington020221bt) (Posted: February 3, 2021)
- ▶ **Commonwealth vs. Proctor** (02/02/2021)—Judge Marc F. Lovecchio
Criminal: Appeal; sentencing discretion; oral motion to withdraw guilty plea at sentencing hearing based on claimed promise of time-served sentence; consideration of extended period without criminal activity; seriousness of crime foreclosing time-served sentence; waiver of consideration of electronic monitoring or house arrest for failure to request at time of sentencing; consideration of statutory sentencing factors; eligibility for a Recidivism Risk Reduction Incentive. (proctor020221L) (Posted: February 2, 2021)
- ▶ **McCarty vs. McCarty** (01/29/2021)—Judge Ryan M. Tira
Divorce: Contempt petition; dispute concerning QDRO preparation and language. (McCarty012921t) (Posted: February 2, 2021)
- ▶ **Commonwealth vs. Alexander** (01/28/2021)—Judge Marc F. Lovecchio
Criminal: Appeal; waiver of issues not raised in the lower court; definition of obscene materials to include direct electronic communications; obscene materials sent as private, consensual communication; constitutional protection afforded to obscene materials. (alexander012821L) (Posted: February 1, 2021)

- ▶ **Commonwealth vs. Mosteller (12/31/2020)**—Judge Nancy L. Butts
Criminal: Appeal; probation revocation; jurisdiction of the court; reasonable time for revocation of probation after expiration of probationary period; prejudice; excessiveness of sentence. (Mosteller123120bt) (Posted: January 29, 2021)
- ▶ **Commonwealth vs. Strickland (01/26/2021)**—Judge Marc F. Lovocchio
Criminal: Commonwealth motion to reconsider Rule 600 calculation; timeliness of motion; waiver of procedural irregularity; due diligence with respect for obtaining evidence for hearing; defense counsel’s approval or acceptance of request for delay. (strickland012621L) (Posted: January 29, 2021)

LYCOMING REPORTER

Vol. 35 November 9, 2018 No. 45

TABLE OF CONTENTS

Bar News	Legal Advertisements
LLA Upcoming Events.....3	Estate & Trust Notices.....8
Continuing Legal Education.....4	Probation News.....11
Court Opinions.....5	Corporate Dissolution.....11
Notice to Profession.....7	

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Digital issues are archived back to January, 2017

NOTICE OF PROPOSAL

The City of Williamsport is requesting sealed proposals for **Zoning Hearing Board Solicitor Services**. Bids are due by **Friday, February 12 at 5:00 P.M. EST**. Proposals will be opened on **Thursday, February 18, 2021 at 10:00 A.M. EST** on the third floor of the Trade & Transit II Building.

Proposals shall be mailed or delivered to the Bureau of Codes Department attn. Zoning Administrator, 245 W. Fourth Street, Williamsport, PA 17701. Proposals must be enclosed in a sealed envelope and marked **“RFP for Zoning Hearing Board Solicitor Services.”**

Questions regarding this request for proposal shall be directed to Zoning Administrator, Gary Knarr, at: zoning@cityofwilliamsport.org.

Bidders may download the proposal by going to cityofwilliamsport.org and clicking on ZHB Proposal Link, Request for Bids/Proposals.

The Zoning Hearing Board reserves the right to accept or reject any or all proposals, or to accept any part of a proposal without accepting the whole thereof, or to accept such proposal as they deem to be in the best interest of the County.

Zoning Hearing Board
Mary Lou Baldys, Chairwoman
William Miele, Vice Chairman

Attest:
Zoning Administrator
Gary Knarr

J-29; F-5

WILLIAMSPORT SUN-GAZETTE

THURSDAY, JANUARY 28, 2021

Talk of the Town

Judicial portrait



KAREN VIBERT-KENNEDY/Sun-Gazette

Judge Ryan Tira unveils his official portrait as his family looks on during a recent ceremony in front of the Lycoming County Courthouse. The Lycoming Law Association has been the moving force in creating or preserving judicial portraits of every judge who has sat on the bench in the 29th Judicial District. The older judicial portraits adorn the walls of the LLA office and the more recent portraits are displayed in the Jury Lounge on the second floor of the county courthouse. The LLA commissioned Whitney Hart Photography to produce Judge Tira's portrait and a sitting was held shortly after Judge Tira took the bench. However, because of the pandemic, the LLA was not able to unveil the portrait until now.

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**Caruso, Claudia A.,** dec'd.

Late of Loyalsock Township.
 Executor: John P. Caruso 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.

Funk, John C., Jr., dec'd.

Late of Williamsport.
 Executrix: Karen A. Glas, 2449 FM 1563, Wolfe City, TX 75496.
 Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Gregar, Joyce C. a/k/a Joyce Gregar, dec'd.

Late of 1733 Route 220 Highway, Pennsdale.
 Executrix: Kathleen M. Sauerwein, 1709 Route 220 Highway, Pennsdale, PA 17756.
 Attorney: John P. Pietrovito, Esquire, 3 South Main Street, Muncy, PA 17756.

Hanna, David A., dec'd.

Late of Cogan Station.
 Executrix: Stephanie J. Hanna, 1035 Beach Drive, Cogan Station, PA 17728.
 Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

Johnson, Bruce, dec'd.

Late of 8144 Pleasant Valley Rd., Cogan Station.
 Executrix: Eileen Johnson, P.O. Box 552, Montoursville, PA 17754.
 Attorney: None.

Metzger, Florence E., dec'd.

Late of Loyalsock Township.
 Executrix: Lyneah M. Hudock, 450 Reade Drive, Cogan Station, PA 17728.
 Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

Minkin, Rona L., dec'd.

Late of Williamsport Borough.
 Executor: Joshua M. Bercu.
 Attorneys: Andrew S. Rusniak, Esquire, McNees Wallace & Nurick, LLC, 570 Lausch Lane, Suite 200, Lancaster, PA 17601-3057.

Shaner, Viola M., dec'd.

Late of Franklin Township.
 Executrix: Cindy L. Hall, 794 Edkin Hill Road, Muncy Valley, PA 17758.
 Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Spuler, Elizabeth J., dec'd.

Late of Montoursville.
 Executor: Citizens & Northern Bank Trust & Financial Management Group 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.

Strouble, Edna R., dec'd.

Late of the Borough of Montoursville.

Executrix: Deanna L. Strouble, 113 Laubacher Road, Montoursville, PA 17754.

Attorney: Andrea B. Bower, Esquire, 426 Broad Street, Montoursville, PA 17754.

SECOND PUBLICATION

Caringi, Ralph G., Sr., dec'd.

Late of Williamsport.

Executor: Anthony R. Caringi, 615 Laverock Road, Glenside, PA 19038.

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

Dieffenbacher, H.L. a/k/a Harry Luther Dieffenbacher a/k/a H. Luther Dieffenbacher, dec'd.

Late of Montoursville.

Executor: Rodnie W. Dieffenbacher, 1298 Mulberry Street, Montoursville, PA 17754.

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

Hammond, Sarajane, dec'd.

Late of Williamsport.

Executor: John Hammond, 212 Johnson Drive, Williamsport, PA 17702.

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

Holder, Emma E., dec'd.

Late of Montoursville.

The Holder Family Irrevocable Trust, dated October 8, 2020.

Settlor: Emma E. Holder.

Executor/Trustee: Robert W. Jones, 335 Mulberry St., Montoursville, PA 17754.

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

Ott, Virginia L., dec'd.

Late of Muncy.

Executor: David L. Ott, 1434 Pinecrest Drive, S. Williamsport, PA 17702.

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

Sinibaldi, Lillian M., dec'd.

Late of South Williamsport.

Executors: Peter L. Sinibaldi, 2077 W. Southern Avenue, Williamsport, PA 17702 and Kurt J. Wertz, Sr., 2100 Harvard Avenue, Williamsport, PA 17702.

Attorney: None.

Smith, John D., III, dec'd.

Late of Upper Fairfield Township.

Executrix: Kimberly L. Winter, 6671 Northway Road, Cogan Station, PA 17728.

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

Stevens, Phyllis S., dec'd.

Late of Muncy.

The Stevens Family Irrevocable Trust, dated August 10, 2017.

Settlor: Phyllis S. Stevens.

Executor/Trustee: Donald M. Stevens, 5126 Jefferson Pike, Frederick, MD 21703.

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

THIRD PUBLICATION**Feaster, Esther E.,** dec'd.

Late of 200 West Houston Avenue,
Montgomery.

Executor: Kenneth S. Feaster, 200
West Houston Avenue, Montgom-
ery, PA 17752.

Attorney: J. Howard Langdon, Es-
quire, 3 South Main Street, Muncy,
PA 17756.

Johnson, Bruce, dec'd.

Late of 8144 Pleasant Valley Rd.,
Cogan Station.

Executrix: Eileen Johnson, P.O. Box
552, Montoursville, PA 17754.

Attorney: None.

Johnston, Connie I., dec'd.

Late of Williamsport.

Executor: Graffus Johnston, Jr. c/o
Denise L. Dieter, Esquire, 227 Alle-
gheny Street, Jersey Shore, PA 17740.

Attorney: Denise L. Dieter, Esquire,
227 Allegheny Street, Jersey Shore,
PA 17740.

Lowe, Dennis Eugene a/k/a Dennis E. Lowe, dec'd.

Late of 241 Phillips Hill Drive, Wil-
liamsport.

Executrix: Brenda A. Seewald, 241
Phillips Hill Drive, Williamsport, PA
17701.

Attorney: G. Scott Gardner, Esquire,
Attorney at Law, 1000 Commerce
Park Drive, Suite 310-B, Williams-
port, PA 17701, (570) 971-0090.

McGee, Mary C., dec'd.

Late of Montoursville.

Executors: Rose M. Hoff, 569 Muncy
St., P.O. Box V, Laporte, PA 18626
and John P. McGee, 2875 Lycoming
Mall Drive, Muncy, PA 17756.

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

Ribarchik, Dolores E., dec'd.

Late of Limestone Township.

Executrix: Judith L. Miller c/o Denise
L. Dieter, Esquire, 227 Allegheny
Street, Jersey Shore, PA 17740.

Attorney: Denise L. Dieter, Esquire,
227 Allegheny Street, Jersey Shore,
PA 17740.

**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 January 12, 2021 for the purpose of
forming a business corporation under
the Business Corporation Law of 1988
of the Commonwealth of Pennsylvania,
15 Pa. C.S. §1101 et seq.

The name of the corporation is:

OBGYN EXPERT, PC

Fred A. Holland, Esquire

Murphy, Butterfield & Holland, P.C.

442 William Street

Williamsport, PA 17701

F-5

**INTENTION TO
CHANGE NAME**

In the Court of Common Pleas of
Clinton County, Pennsylvania

NO. 1040-2020

In re: Change of Name
of Eli Zan Hurlbutt

NOTICE

NOTICE IS HEREBY GIVEN that
on November 3, 2020 the petition of
Randi Daugherty, was filed requesting a
decree to change the name of the minor
child from Eli Zan Hurlbutt to Eli Zan
Raudabaugh.

The Court has fixed May 18, 2021 at 2:30 P.M. in Courtroom No. 2 of the Clinton County Courthouse, 230 E. Water Street, Lock Haven, Pennsylvania, as the time and place for a hearing on the said petition when and where all persons interested may appear and show cause, if any they have, why the request of the petitioner should not be granted.

ANDREA PULIZZI, ESQUIRE
CARPENTER, HARRIS & FLAYHART
Attorneys for Petitioner

F-5

**INTENTION TO
CHANGE NAME**

In the Court of Common Pleas of
Clinton County, Pennsylvania

NO. 1039-2020

In re: Change of Name
of Ella Jean Hurlbutt

NOTICE

NOTICE IS HEREBY GIVEN that on November 3, 2020 the petition of Randi Daugherty, was filed requesting a decree to change the name of the minor child from Ella Jean Hurlbutt to Ella Jean Raudabaugh.

The Court has fixed May 18, 2021 at 2:30 P.M. in Courtroom No. 2 of the Clinton County Courthouse, 230 E. Water Street, Lock Haven, Pennsylvania, as the time and place for a hearing on the said petition when and where all persons interested may appear and show cause, if any they have, why the request of the petitioner should not be granted.

ANDREA PULIZZI, ESQUIRE
CARPENTER, HARRIS & FLAYHART
Attorneys for Petitioner

F-5



PERIODICAL PUBLICATION

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