

LYCOMING REPORTER

Vol. 35

May 4, 2018

No. 18

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LYCOMING REPORTER

(USPS 322-900)

THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

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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 \$50 per annum by the Lycoming Law Association, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Legal Notices of less than 300 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 4:00 P.M. on the Monday preceding the date of publication.

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

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Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

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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

SCHEDULED EVENTS

Additional information about any of these events is available on the Lycoming Law Association website at www.lycolaw.org.

- 5/11/2018 – Memorial Service for Ron Travis:** *Memorial Service—Donations in memory of Ron Travis are being accepted by the LLA Foundation. Time: 3:30 PM to 5:00 PM. Location: Courtroom #1*
- 5/15/2018 – Family Law Committee Meeting:** *Regularly scheduled meeting of the Family Law Committee. Time: 12:00 PM to 1:00 PM. Location: Courtroom #5*
- 5/17/2018 – Civil Bar Meeting:** *Pizza will be provided. RSVP to Paula Simpler at psimpler@lyco.org by May 14th. Time: 12:00 PM to 1:00 PM. Location: Courtroom #2*
- 5/21/2018 – Executive Committee Meeting:** *Regular meeting of the LLA Executive Committee. Time: 12:00 PM to 1:00 PM. Location: Lycoming Law Association Office*
- 6/25/2018 – Executive Committee Meeting:** *Regular meeting of the LLA Executive Committee. Time: 12:00 PM to 1:00 PM. Location: Lycoming Law Association Office*
- 6/26/2018 – Criminal Law Committee Meeting:** *Criminal Law Committee Meeting. Time: 12:00 PM to 1:00 PM. Location: Courtroom #1*

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(ISSN 1551-9001)
THE OFFICIAL LEGAL PUBLICATION FOR LYCOMING COUNTY

PUBLISHED EVERY TWO YEARS BY

LYCOMING LAW ASSOCIATION

Editor: Gary L. Weber • Business Manager: Michelle S. Frey

Print: Toner Telephone: (570) 323-6287
25 West Third Street, Suite 303 Fax: (570) 323-0897
Williamsport, PA 17701 Website: www.lycolaw.org

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Digital issues are archived back to April, 2010

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

5/14/2018 – Understanding the Dependency Case: From the Report to C&Y to Conclusion: *Eat & Earn CLE. Presented by: John Pietrovito, Esq.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office

5/23/2018 – Handling the Workers' Compensation Case: *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 3:30 PM. **Location:** Lycoming Law Association Office

5/24/2018 – The Basics and Nuances of Disciplining Public Employees: *Eat & Earn CLE. Presented by: Ryan Tira, Esq.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office

6/7/2018 – Powers of Appointment: A Useful Estate Planning Tool: *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:00 PM. **Location:** Lycoming Law Association Office

6/12/2018 – Post Conviction Relief Act Practice and Procedural Tips: *Eat and Earn CLE. Presented by: Donald F. Martino, Esq.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office

6/14/2018 – Dealing With Financial Institutions in Estates & Elder Law: *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office

6/18/2018 – Sheriff's Sales in PA: *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office

6/28/2018 – Social Security Disability: The Basics: *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office

7/31/2018 – Private Eyes Are Watching You: Privacy in the Workplace: *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office

*PBI Seminar. For tuition, registration, and all other information, please contact PBI Customer Service at (800) 247-4724, or online at www.pbi.org. Unless otherwise noted, this seminar is being held at the Lycoming Law Association Offices at 25 West Third Street, Suite 803, Williamsport, PA. Additional fees may be assessed for registration at the door.

**LLA Seminar. For tuition, registration, location, and all other information, please contact Michele Frey at the LLA Office at (570) 323-8287, by email at mfrey@lycolaw.org, or online at www.lycolaw.org.

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

- ▶ **Commonwealth vs. Moore** (04/30/2018)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; ineffective assistance of counsel; advising of appeal rights; factual determination. (Moore043018bt)
- ▶ **Commonwealth vs. Mitchell** (04/27/2018)—Judge Marc F. Lovecchio
Criminal: Motion to preclude testimony at sentencing; voluntary manslaughter conviction; proof of other causes for accident; consideration of nature and circumstances of offense at sentencing; weight of evidence. (Mitchell042718L)
- ▶ **Commonwealth vs. Gardner** (04/27/2018)—Judge Nancy L. Butts
Criminal: Post Conviction Relief Act petition; ineffective counsel; failing to request a cautionary instruction for the use of visual aid during closing argument; issue litigated on direct appeal; cautionary instruction resulting in different outcome; prejudice. (Gardner42718bt)
- ▶ **KWT Adoption** (04/24/2018)—Judge Joy Reynolds McCoy
Adoption: Petition for involuntary termination of parental rights; non-appearance of defendant; settled purpose of relinquishing parental claim; failure to perform parental duties for at least the six months preceding the filing of the petition; no existing bond. (AdoptionofKWT42418m)

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**Carson, Ann L.,** dec'd.

Late of Williamsport.

Executor: William S. Carson c/o Marc S. Drier, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.
Attorney: Marc S. Drier, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.

Cooney, Margaret J., dec'd.

Late of Williamsport.

Executrix: Linda Cooney Wasser, 24 Roosevelt Street, Corning, NY 14830.

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

Dixon, Steven J., dec'd.

Late of Williamsport.

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

Gleyze, Ronald David, dec'd.

Late of 2658 Hass Lane, Montoursville.

Executors: Robert D. Gleyze et al., 5002 Willow Creek Court, Gibsonia, PA 15044.

Attorney: Rosalie P. Wisotzki, Esquire, 310 Grant Street, Suite 1109, Pittsburgh, PA 15219, (412) 697-4499.

Harrow, Lawrence E., dec'd.

Late of Jersey Shore.

Executrix: Betty J. Harrow, 256 Hidden Springs Circle, Kissimmee, FL 34743.

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

Meckley, Judith A. a/k/a Judith Anne Kolb, dec'd.

Late of the Township of Loyalsock. Administrator c.t.a.: Thad S. Meckley, 817 Baldwin Street, Williamsport, PA 17701.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

SECOND PUBLICATION**Bowen, Jeffrey,** dec'd.

Late of Muncy.

Executor: James W. Bowen, 730 Jefferson Blvd., Lake Ariel, PA 18436.

Attorneys: Kristine L. Waltz, Esquire, Dinges, Dinges & Waltz, LLC, 1307 Sheridan Street, Williamsport, PA 17701.

Dietz, George R., dec'd.

Late of the Borough of Muncy.

Executor: David A. Dietz, 3070 S. Prospector Circle, Gold Canyon, AZ 85118.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Feinauer, Jeannette D., dec'd.

Late of 324 Bayard Street, South Williamsport.

Executor: Brian Mitchell, 240 Windy Hill Lane, Montoursville, PA 17754.
Attorneys: Lester L. Greevy, Jr., Esquire, Greevy and Shoemaker, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

Ferguson, Robert Charles, dec'd.
Late of Millville, Pine Township, Columbia County.
Executor: Jaime Lynn Smith, 1142 Smith Rd., Muncy, PA 17756, (570) 337-0954.
Attorney: None.

Rooker, Harold J., Jr., dec'd.
Late of Montoursville.
Administratrix: Kathy A. Rooker, 608 W. Mountain Avenue, South Williamsport, PA 17702.
Attorneys: Kristine L. Waltz, Esquire, Dinges, Dinges & Waltz, LLC, 1307 Sheridan Street, Williamsport, PA 17701.

Rundio, John L., dec'd.
Late of 8 W. Central Avenue, S. Williamsport.
Executor: Vincent Rundio c/o Derr, Pursel, Luschas & Naparsteck, 120 W. Main Street, Bloomsburg, PA 17815.
Attorneys: Christine M. Luschas, Esquire, Law Offices of Derr, Pursel, Luschas & Naparsteck, LLP, 120 West Main Street, Bloomsburg, PA 17815.

Titus, Carol A., dec'd.
Late of Williamsport.
Co-Executors: Rhonda L. Harris, 1254 Park Avenue, Williamsport, PA 17701 and Brian L. Harris, 816 Wilson Street, Williamsport, PA 17701.
Attorneys: Joseph F. Orso, III, Esquire, Rudinski, Orso & Lynch, 339 Market Street, Williamsport, PA 17701, (570) 321-8090.

Wilton, John H., Sr., dec'd.
Late of Williamsport.
Executor: John H. Wilton, Jr.
Attorneys: Charles F. Greevy, III, Esquire, Greevy & Taylor Law Offices, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

THIRD PUBLICATION

Barreto, Margaret L., dec'd.
Late of the City of South Williamsport.
Administrator: Miron San Miguel, 1577 Piedmont Dr., Deltona, FL 32725.
Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Haney, William L., Jr., dec'd.
Late of Penn Township.
Executor: Matthew Schmeltz, 204 Grimesville Road, Williamsport, PA 17701.
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Klusmeyer, Vincent C., dec'd.
Late of Jordan Township.
Co-Executrices: Christine E. Cowne, 715 Gardner Road, Unityville, PA 17774 and Patricia M. Sanguedolce, 486 J. Snyder Road, Muncy, PA 17756.
Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

Marino, Vivian M. a/k/a Vivian Marino, dec'd.
Late of Williamsport.
Executor: Thomas Marino c/o Jessica Feese, Esquire, 140 East Third Street, Williamsport, PA 17701.
Attorneys: Jessica Feese, Esquire, Lepley, Engelman & Yaw, 140 East Third Street, Williamsport, PA 17701.

Pentz, LaMarr G., dec'd.

Late of Montoursville.

Executor: Kenneth E. Pentz c/o Jessica Feese, Esquire, 140 East Third Street, Williamsport, PA 17701.

Attorneys: Jessica Feese, Esquire, Lepley, Engelman & Yaw, 140 East Third Street, Williamsport, PA 17701.

Sacks, Cora E., dec'd.

Late of Franklin Township.

Co-Executrices: Jo Marie Shaffer, 9424 State Route 118 Highway, Unityville, PA 17774 and Bette Ann Bleam, 127 Badman Road, Green Lane, PA 18054.

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

Seesselberg, Jane F., dec'd.

Late of Montoursville.

Executrix: Kathleen S. Moser, 15456 Rt. 44, Allenwood, PA 17810.

Attorneys: Kristine L. Waltz, Esquire, Dinges, Dinges & Waltz, LLC, 1307 Sheridan Street, Williamsport, PA 17701.

Walters, Max L., Sr., dec'd.

Late of Hughesville.

Executors: Max L. Walters, Jr., 48 South Fourth Street, Hughesville, PA 17737 and Dale A. Walters, 115 Mohawk Drive, Hughesville, PA 17737.

Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, P.O. Box 3, Williamsport, PA 17703.

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

1. Young, Margaret V., Estate—Daniel R. Young, Sr., Executor.

2. Kirkner, Donna G., Estate—Garreth W. Kirkner, Executor.

Kathy Rinehart

Register of Wills

M-4, 11, 18, 25

**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 Pennsylvania March 22, 2018 for:

HALL'S REPAIR

at: 1363 Cemetery Hill Rd., Montgomery, PA 17752. The name and address of the individual interested in the business are Joshua L. Hall at 1363 Cemetery Hill Rd., Montgomery, PA 17752. This was filed in accordance with 54 Pa. C.S. 311.

M-4

NOTICE IS HEREBY GIVEN that Williamsport Properties, Inc., 1500 Sycamore Road, Montoursville, Pennsylvania, has filed with the Secretary of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania 17105, on April 16, 2018, an Application for Registration of Fictitious Name under the Fictitious Name Act to conduct business under the name of:

**WILLIAMSPORT
PROPERTIES PARKING**

with their principal place of business at: 1500 Sycamore Road, Montoursville, Pennsylvania, it being the only entity interested in it or owning said business; all in accordance with 54 Pa. C.S. §311(g), as amended.

MARC R. DEMSHOCK, ESQUIRE
1500 Sycamore Road
Suite 120
Montoursville, PA 17754
(570) 327-0111

M-4

INTENTION TO CHANGE NAME

I, Garrett Randall Hawkins am changing my name to Zoey Fae Hawkins. Hearing will be May 9, 2018 at 48 W. 3rd St., Williamsport at 2:30 p.m., Room 2.

M-4

SHERIFF'S SALE

Court of Common Pleas
Lycoming County
Civil Action Law

Number 17-1232

Lakeview Loan Servicing, LLC
v.
Mark A. Dauberman

NOTICE OF SHERIFF'S SALE OF REAL PROPERTY

TO: Mark A. Dauberman

Your house (real estate) at 433 Main Street, Salladasburg, Pennsylvania 17740 is scheduled to be sold at Sheriff's Sale on August 3, 2018 at 10:30 a.m. at Executive Plaza, 1st Floor Commissioners Board Room, 330 Pine Street, Williamsport, Pennsylvania 17701 to enforce the court judgment of \$154,434.70 obtained by Lakeview Loan Servicing, LLC against the above premises.

NOTICE OF OWNER'S RIGHTS YOU MAY BE ABLE TO PREVENT THIS SHERIFF'S SALE

To prevent this Sheriff's Sale you must take immediate action:

The sale will be canceled if you pay to Lakeview Loan Servicing, LLC the back payments, late charges, costs, and reasonable attorney's fees due. To find out how much you must pay, you may call McCabe, Weisberg and Conway, LLC, Esquire at (215) 790-1010.

You may be able to stop the sale by filing a petition asking the Court to strike or open the judgment, if the judgment was improperly entered. You may also ask the Court to postpone the sale for good cause.

You may also be able to stop the sale through other legal proceedings.

You may need an attorney to assert your rights. The sooner you contact one, the more chance you will have of stopping the sale. (See the following notice on how to obtain an attorney.)

YOU MAY STILL BE ABLE TO SAVE YOUR PROPERTY AND YOU HAVE OTHER RIGHTS EVEN IF THE SHERIFF'S SALE DOES TAKE PLACE

If the Sheriff's Sale is not stopped, your property will be sold to the highest bidder. You may find out the price bid by calling McCabe, Weisberg and Conway, LLC, Esquire at (215) 790-1010.

You may be able to petition the Court to set aside the sale if the bid price was grossly inadequate compared to the value of your property.

The sale will go through only if the buyer pays the Sheriff the full amount due on the sale. To find out if this has happened, you may call McCabe, Weisberg and Conway, LLC at (215) 790-1010.

If the amount due from the buyer is not paid to the Sheriff, you will remain the owner of the property as if the sale never happened.

You have a right to remain in the property until the full amount due is paid to the Sheriff and the Sheriff gives a deed to the buyer. At that time, the buyer may bring legal proceedings to evict you.

You may be entitled to a share of the money which was paid for your real estate. A schedule of distribution of the money bid for your real estate will be filed by the Sheriff within thirty (30) days of the sale. This schedule will state who will be receiving that money. The money will be paid out in accordance with this schedule unless exceptions (reasons why the proposed schedule of distribution is wrong) are filed with the Sheriff within ten (10) days after the posting of the schedule of distribution.

You may also have other rights and defenses, or ways of getting your real estate back, if you act immediately after the sale.

YOU SHOULD TAKE THIS PAPER 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.

**LAWYER REFERRAL SERVICE
ASSOCIATION DE
LICENCIADOS
Susquehanna Legal Services
329 Market Street
Williamsport, PA 17701
(570) 323-8741**

**McCABE, WEISBERG & CONWAY,
LLC
Attorneys for Plaintiff
123 S. Broad St.
Ste. 1400
Philadelphia, PA 19109
(215) 790-1010**

M-4

SERVICE BY PUBLICATION

In the Court of Common Pleas of
Lycoming County, Pennsylvania
Orphans' Court Division

NO. 6596

**IN RE: ADOPTION OF
COURTNEY ELIZABETH MAINES**

NOTICE IS HEREBY GIVEN that on March 26, 2018, COURTNEY ELIZABETH MAINES filed a Petition for Adoption with the Lycoming County Court requesting an Order for adoption and to change her maiden name to "COURTNEY ELIZABETH TEBBS." The Court has scheduled the hearing on said Petition for July 6, 2018 at 9:00 a.m. in Courtroom Number 5 of the Lycoming County Courthouse, Williamsport, Pennsylvania, when and where all interested parties may appear and show cause, if any, why the request of the Petitioner should not be granted. **DENISE L. DIETER, ESQUIRE
ID NO. 70679
DRIER & DIETER LAW OFFICES
Attorneys for Petitioner
227 Allegheny Street
Jersey Shore, PA 17740
(570) 398-2020**

M-4

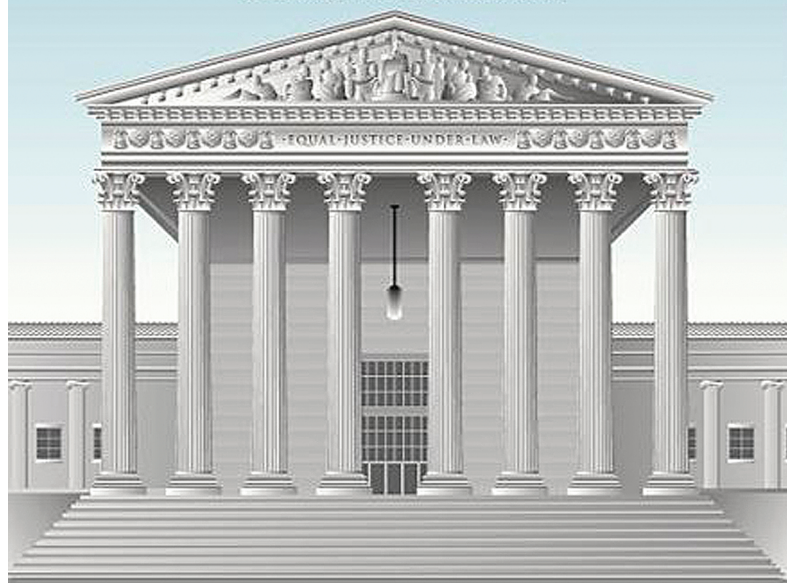
SAVE THE DATE

US Supreme Court Admission November 18, 2019

As part of the upcoming 150th Anniversary Celebration,
the LLA is planning an admission to the US Supreme Court.

Registration for LLA Members:
July 1, 2018 – December 31, 2018

Details: To Be Announced





PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, May 7, 2018**