

# LYCOMING REPORTER

Vol. 36

September 27, 2019

No. 39

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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

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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)

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## EXECUTIVE COMMITTEE

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Elizabeth A. White  
Jessica L. Harlow  
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Gary L. Weber

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## EXECUTIVE DIRECTOR

Michele S. Frey

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## COMMITTEE CHAIRS

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Outreach: *Tammy Weber*  
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**LYCOMING**  
LAW ASSOCIATION

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- Court Calendar • Continuing Legal Education
- Conference Room Facilities • Legal Assistance
- Recent Court Decisions • Upcoming LLA & Public Events

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

- 10/15/2019 – Estate, Probate and Elder Law Committee Meeting.** *Brown bag lunch meeting of the Estate, Probate and Elder Law Committee. Time: 12:00 PM to 1:00 PM.*
- 10/29/2019 – Criminal Brown Bag Lunch.** *Regular meeting of the Criminal Bar. Time: 12:00 PM to 1:00 PM.*
- 10/30/2019 – Lycoming Law Association Foundation Meeting.** *Regularly scheduled meeting of the LLA Foundation. Time: 12:00 PM to 1:00 PM.*
- 11/4/2019 – Bench Bar Committee Meeting.** *Regularly scheduled meeting of the Bench Bar Committee. Time: 12:00 PM to 1:00 PM.*
- 11/12/2019 – Family Law Brown Bag Lunch Meeting.** *Regular meeting of the family law attorneys. Time: 12:00 PM to 1:00 PM.*
- 11/21/2019 – LLA Quizzo.** *Mark your calendars—specific details TBA. Time: 5:30 PM to 7:00 PM.*
- 12/5/2019 – New Attorney Admission.** *The New Attorney Admission Ceremony will be held at 4 PM in Ctrm. #1. After the ceremony there will be a reception held at the Old Corner. Time: 4:00 PM to 5:00 PM.*
- 12/12/19 – Memorial Service for Yvonne Campbell.** *The memorial service for Yvonne Campbell will be held on December 12th at 4 PM in Ctrm. #1. Time: 4:00 PM to 5:00 PM.*
- 12/17/2019 – Criminal Brown Bag Lunch.** *Regular meeting of the Criminal Bar. Time: 12:00 PM to 1:00 PM*

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**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

- 10/7/2019 – Family Law Update 2019.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).*  
**CLE Credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM.
- 10/9/2019 – Nuts & Bolts of Pennsylvania’s Ignition Interlock Program.**  
*Eat and Earn Series. Presented by: Kathleen Riley, Judicial Services Liasion for Smart Start. Download the flyer.* **CLE Credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM.
- 10/10/2019 – Advanced Storytelling and Persuasion Skills for Lawyers.**  
*PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).* **CLE Credits:** 6 Substantive.  
**Time:** 9:00 AM to 4:00 PM.
- 10/15/2019 – Guardianship Practice and Procedure: The Rules Have Changed.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).* **CLE Credits:** 2 Substantive / 1 Ethics **Time:** 12:00 PM to 3:15 PM.
- 10/24/2019 – Auto Law Update 2019.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).*  
**CLE Credits:** 4 Substantive **Time:** 12:30 PM to 4:45 PM.
- 11/1/2019 – Elder Law Update 2019.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).* **CLE Credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM.
- 11/7/2019 – Polygraph 101 for the Criminal Practioner.** *Eat and Earn Series. Speaker: Ken Davis, KLDavis Polygraphs, LLC.* **CLE Credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM.
- 12/12/2019 – Criminal Law Update 2019.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).*  
**CLE Credits:** 3 Substantive **Time:** 12:00 PM to 4:15 PM.
- 12/18/2019 – The Year in Review for the General Practitioner 2019.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).* **CLE Credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:45 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.

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)

- ▶ **Koch vs. T. A. Musser, Inc., Miller & Allensville Planing Mill, Inc.** (09/24/2019)—Judge Eric R. Linhardt  
Civil: Motion in limine; evidence of use of marijuana prior to accident; relevance of chronic marijuana use as a factor to determine future earning capacity where plaintiff admitted to losing a job and to difficulty maintaining work due to use of marijuana; evidence of use of marijuana on question of life expectancy, without expert opinion. (koch092419L) (Posted: September 25, 2019)
- ▶ **Commonwealth vs. Brown** (09/24/2019)—Judge Marc F. Lovecchio  
Criminal: Motion to dismiss; Rule 600; Commonwealth burden of due diligence; reasonable efforts are required, not perfection. (brown092419L) (Posted: September 24, 2019)
- ▶ **Commonwealth vs. Saldivar** (09/23/2019)—Judge Marc F. Lovecchio  
Criminal: Motion to dismiss; Rule 600; Commonwealth burden of due diligence; causes of delay. (saldivar092319L) (Posted: September 23, 2019)
- ▶ **Commonwealth vs. Drummond** (09/20/2019)—Judge Marc F. Lovecchio  
Criminal: Suppression motion; legality of entry into home; claimed exigent circumstances; protective sweep inside home. (Drummond092019L) (Posted: September 20, 2019)
- ▶ **Commonwealth vs. Kuhns** (09/19/2019)—Judge Nancy L. Butts  
Criminal: Suppression motion; probable cause for search warrant; reliance on information that is too old or stale; likelihood of an ongoing criminal offense; reliability of information where veracity and basis of witness's knowledge is unknown; presumption of trustworthiness of eyewitness to a crime who voluntarily reports observations to police; over broad warrant. (Kuhns091919BT) (Posted: September 19, 2019)
- ▶ **Commonwealth vs. Sailor** (09/19/2019)—Judge Marc F. Lovecchio  
Criminal: Appeal. (Sailor091919L) (Posted: September 19, 2019)
- ▶ **Commonwealth vs. Rhinehart** (09/19/2019)—Judge Marc F. Lovecchio  
Criminal: Appeal; admissibility of use of marijuana on day before accident. (Rhinehart091919L) (Posted: September 19, 2019)

Marshall, Parker & Weber, LLC, an elder law and estate planning law firm, is seeking a full-time attorney for its Williamsport office. Three or more years' experience is preferred. Candidate must be a community-minded individual. Candidate must have Pennsylvania Bar admission. There are no health care benefits offered with this position. Salary is commensurate with experience. Please submit resume, references and salary requirements by e-mail or mail to: lhillyard@paelderlaw.com, Marshall, Parker & Weber, LLC, Attn.: Lisa M. Hillyard, Business Manager, 49 East 4th Street, Suite 105, Williamsport, PA 17701 (no phone calls please).

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**Digital issues are archived back to January, 2017**

**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****Crooks, Kenneth W.,** dec'd.

Late of Trout Run.

Executrix: Misty L. Spotts, 1925 South Route 44 Highway, Jersey Shore, PA 17740.

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

**Holmes, George M., Sr.,** dec'd.

Late of Loyalsock Township.

Executor: George M. Holmes, Jr., 465 Reynolds Street, S. Williamsport, PA 17702.

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

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

Late of Hughesville.

Executor: Joseph L. Snyder, 3687 Beaver Lake Road, Hughesville, PA 17737.

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

**Maxwell, Dale J.,** dec'd.

Late of Montoursville.

Executrix: Mary Lou Maxwell, 755 Heilman Road, Montoursville, PA 17754.

Attorney: None.

**Metz, Diane M.,** dec'd.

Late of Woodward Township.

Executor: Richard A. Metz c/o James T. Baldwin, Esquire, Baldwin & Baldwin, LLC, 42 South Front Street, Milton, PA 17847.

Attorneys: James T. Baldwin, Esquire, Baldwin & Baldwin, LLC, 42 South Front Street, Milton, PA 17847.

**Page, Grace H.,** dec'd.

Late of Williamsport.

Executor: Allen P. Page, III, 1209 Walnut Street, Williamsport, PA 17701.

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

**Winder, Keith A.,** dec'd.

Late of the Township of Clinton.

Administrator C.T.A.: Rodney K. Gohl, 1139 State Route 54, Montgomery, PA 17752.

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

**Woolever, Brad R.,** dec'd.

Late of South Williamsport.

Administratrix: Debra S. Woolever.

Attorneys: Tammy W. Weber, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

**Yartz, Frank C., M.D.,** dec'd.

Late of Montoursville.

Executor: Robert Bartoletti, P.O. Box 683, Cranbury, NJ 08512.

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

## SECOND PUBLICATION

### **Aderhold, Wayne T.,** dec'd.

Late of the Township of Wolf.  
Executrix: Tina M. Daniels.  
Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

### **Bower, Connie Rose,** dec'd.

Late of the Township of Washington.  
Executor: Joseph B. Bower, Jr., 4042 Zion Road, Olanta, PA 16863.  
Attorney: Andrea B. Bower, Esquire, 426 Broad Street, Montoursville, PA 17754.

### **Danneker, Raymond L.,** dec'd.

Late of the Borough of Williamsport.  
Executor: Raymond W. Danneker.  
Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

### **DeLullo, Ralph J.,** dec'd.

Late of the Township of Old Lycoming.  
Executors: Michael T. DeLullo, Teresa M. Finkel, Ralph P. DeLullo and Dianne M. DeLullo.  
Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

### **Lewis, Barry L.,** dec'd.

Late of Williamsport.  
Executor: Joseph F. Orso, III, 1804 Campbell Street, Williamsport, PA 17701.  
Attorneys: Michael J. Rudinski, Esquire, Rudinski, Orso & Lynch, P.C., 339 Market Street, Williamsport, PA 17701, (570) 326-7044.

### **MacPhail, Greta P.,** dec'd.

Late of Williamsport.  
The Guilford R. and Greta P. MacPhail Income Only Protector Trust, dated February 9, 2015 and The Guilford R. and Greta P. Primary Residence Protector Trust, dated February 9, 2015.  
Settlor: Greta P. MacPhail.  
Co-Executors: Robin S. Webb and Stephen D. MacPhail.  
Co-Trustees: Robin S. Webb, Stephen D. MacPhail and Thomas R. MacPhail.  
Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

### **Pierce, William A. a/k/a William Pierce,** dec'd.

Late of S. Williamsport.  
Executors: Rosanne M. Mount and James F. Carney, 610 W. Germantown Pike, Suite 400, Plymouth Meeting, PA 19462.  
Attorney: James F. Carney, Esquire, 610 W. Germantown Pike, Suite 400, Plymouth Meeting, PA 19462.

### **Sheldon, Jean L.,** dec'd.

Late of the Township of Loyalsock.  
Executrix: Cynthia S. Patton.  
Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

### **Sheldon, Roger W.,** dec'd.

Late of Williamsport.  
The Roger W. and Jean L. Sheldon Income Only Protector Trust, dated June 5, 2008.  
Settlor: Roger W. Sheldon.  
Trustee: Cynthia S. Patton.  
Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.



**Smith, Gerald L.,** dec'd.  
Late of Williamsport.  
The Gerald L. Smith Protector Trust, dated January 15, 2008.  
Settlor: Gerald L. Smith.  
Executrix: Elizabeth A. Haldeman.  
Co-Trustees: Gerald D. Smith and Elizabeth A. Haldeman.  
Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Smith, Joan Irene Hawaka a/k/a Joan Irene Hawaka a/k/a Joan I. Hawaka,** dec'd.  
Late of Muncy.  
Executor: Joseph M. Hawaka, 2928 E. Palm Street, Mesa, AZ 85213.  
Attorneys: Layne R. Oden, Esquire, Layne R. Oden, Attorney and Counselor at Law, P.C., Nine South Main Street, Muncy, PA 17756.

**Stiger, Arlene M.,** dec'd.  
Late of Muncy.  
The Arlene M. Stiger Protector Trust, dated July 9, 2009, The Arlene M. Stiger Real Estate Protector Trust, dated July 9, 2009 and The Stiger Family Protector Trust, dated January 3, 2017.  
Settlor: Arlene M. Stiger.  
Trustees: Nancy Arlene Peters and Donna J. O'Connor.  
Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Waltz, Russell D., Sr.,** dec'd.  
Late of Williamsport.  
The Waltz Family Protector Trust, Dated July 7, 2011 and The Russell D. Waltz, Sr. and Margaret A. Waltz Protector Trust.  
Settlor: Russell D. Waltz, Sr.  
Trustees: Katherine A. Heltman and Mary M. Lepley.

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

### THIRD PUBLICATION

**Eck, James H.,** dec'd.  
Late of Williamsport.  
Co-Executors: Larry Eck and Diana Person.  
Attorney: Richard G. Scheib, Esquire, 11 Reitz Blvd., Suite 102, Lewisburg, PA 17837-9293.

**Maggs, John K.,** dec'd.  
Late of South Williamsport.  
The Maggs Family Irrevocable Trust, dated November 14, 2014.  
Settlor: John K. Maggs.  
Executrix/Trustee: Lisa M. Getz, 348 Hillside Drive, South Williamsport, PA 17702.  
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

**Swartwood, Kenneth A.,** dec'd.  
Late of the Township of Loyalsock.  
Administratrix: Edith L. Swartwood, 1411 Grampian Boulevard, Williamsport, PA 17701.  
Attorneys: Kristine L. Waltz, Esquire, Dinges, Dinges & Waltz, LLC, 1307 Sheridan Street, Williamsport, PA 17701.

### 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 October 1, 2019 unless exceptions are filed before 5:00 P.M. on that date.

Bartlett, Jack L. a/k/a Jack Lavern Bartlett, Estate—Lonnie Singer, Executor.

Kathy Rinehart  
Register of Wills

S-6, 13, 20, 27

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**REGISTRATION OF  
FICTITIOUS NAMES**

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NOTICE IS HEREBY GIVEN, pursuant to the provisions of Fictitious Name Act, 1982-295 (54 Pa. C.S.A. Section 301 et seq.), that an application for Registration of Fictitious Name was filed in the Office of the Secretary of the Commonwealth of Pennsylvania on August 1, 2019. The fictitious name under which the business will be conducted is:

**A+ PLUMBING AND HEATING**

The principal place of business is: 14 Wentzel Lane, Montgomery, PA 17752.

The names and addresses of all parties interested in the business are: Dennis Lowell, 14 Wentzel Lane, Montgomery, PA 17752 and Kim Amaral, 72 Princeton St., New Bedford, Mass. 02745.

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NOTICE IS HEREBY GIVEN that pursuant to the provisions of the 54 Pa. C.S. Section 311(g), as amended, of the filing in the Office of the Secretary of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, on or before August 31, 2019, Certificate for the conduct of a business in Lycoming County, Pennsylvania, under the assumed or fictitious name, style or designation of:

**ONE FOCUS PROPERTY  
MANAGEMENT**

with its principal place of business at: 948 West Third Street, Williamsport, PA 17701. The name and address of the entity owning and interested in said business are Fish Property Management, LLC, 1868 East Third Street, Williamsport, PA 17701.

**MICHAEL J. CASALE, JR., ESQUIRE**  
1500 Sycamore Road  
Suite 120  
Montoursville, PA 17754

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**So far in 2019, the LLA Foundation  
has provided funding in the  
amount of \$17,920 for:**

- **LLA's Wills for Heroes event**
- **Jersey Shore Schools Education Foundation**
- **LLA's 150<sup>th</sup> Anniversary celebrations**
- **Lycoming County Court of Common Pleas**
- **Montoursville High School Mock Trial Team**
- **North Penn Legal Services**

Any worthy law-related programs  
or activities can apply for a grant at:  
<https://www.lycolaw.org/lla-foundation>.

*Your arbitration fee donations  
provided \$9,200 to the Foundation in 2018!*

**Thank you to all the LLA members who have  
supported the Foundation's efforts!**



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**PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, September 30, 2019**