

LYCOMING REPORTER

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LYCOMING REPORTER

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THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

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Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

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LYCOMING
LAW ASSOCIATION

Your online connection for:

- Court Calendar • Continuing Legal Education
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- 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.

- 11/11/2019 – Project Linus.** *Project Linus provides homemade blankets to seriously ill or traumatized children. “No sew blanket kits” can be purchased for those less crafty. Donations accepted until Nov. 11th. Time: 12:00 PM to .*
- 11/19/2019 – Family Law Brown Bag Lunch Meeting.** *Please be advised that the Family Law Brown Bag Lunch scheduled for November 12 has been RESCHEDULED to November 19, 2019 at Noon in CR #5.*
- 11/20/2019 – Lycoming Law Association Foundation.** *Monthly meeting of the LLA Foundation. Time: 12:00 PM to 1:00 PM.*
- 11/21/2019 – LLA Quizzo.** *Play Quizzo with Jon Mackey from 5:30 PM-7:30 PM. Pizza, beer and soda provided. Guest cost \$5—members free. RSVP by November 11th. Time: 5:30 PM to 7:30 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.*
- 12/12/2019 – 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.*
- 12/18/2019 – Lycoming Law Association Foundation.** *Monthly meeting of the LLA Foundation. Time: 12:00 PM to 1:00 PM.*

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UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 11/7/2019 – Polygraph 101 for the Criminal Practitioner.** *Eat and Earn Series.*
Speaker: Ken Davis, KLDavis Polygraphs, LLC. Download the brochure. **CLE Credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM.
- 11/26/2019 – Video Replay: Ethics Credits.** *Video Replay: Navigating Around Ethical Landmines, presented by: Victoria White, Esq., PBA Ethics Counsel and Everything You Ever Wanted to Know About Impaired Lawyers ... , presented by: Brian S. Quinn, Esq., Lawyers Concerned for Lawyers. (Coffee, soda and cookies will be served.) Download the flyer. CLE Credits: 2 Ethics Time: 1:00 PM to 3:00 PM.*
- 12/12/2019 – Criminal Law Update 2019.** *PBI Groupcast. Register at 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. 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 or contact Michele Frey at the LLA Office at (570) 323-8287.

LYCOMING
LAW ASSOCIATION

November 21st
5:30PM – 7:30PM
At the LLA Office



**LLA MEMBERS TO
COME OUT AND PLAY**

Contact MFrey@lycolaw.org by November 11th for details.

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

- ▶ **DW Adoption** (10/30/2019)—Judge Joy Reynolds McCoy
Adoption: Petition for involuntary termination of parental rights; issues concerning conflicts involving the guardians ad litem; waiver of conflict; repeated and continued incapacity of the parent due to extended incarceration; conviction of sexual offenses requiring registration under Megan’s Law; evidence of extensive efforts to retain relationship despite incarceration; expert testimony on bonding; consideration of the child’s views on continued relationship with father; no necessary and beneficial bond between child and father. (AdoptionofDW103019m) (Posted: October 30, 2019)
- ▶ **Commonwealth vs. Strickland** (10/23/2019)—Judge Marc F. Lovecchio
Criminal: Appeal; sentencing discretion; claimed unduly harsh and excessive sentence; factors considered by the court; availability of programs and services with Department of Corrections. (Strickland102319L) (Posted: October 29, 2019)
- ▶ **Commonwealth vs. Eck** (10/18/2019)—Judge Marc F. Lovecchio
Criminal: Motion to modify sentence; Recidivism Risk Reduction Incentive program eligibility; discretion of court to impose RRR1 sentence with approval of the district attorney; request for credit for time served; entitlement to duplicate credit; claimed unduly harsh sentence. (Eck101819L) (Posted: October 29, 2019)
- ▶ **Bower vs. Bower, Bower Container, LLC and Bower Container & Services, Inc.** (10/22/2019)—Judge Joy Reynolds McCoy
Civil: Appeal; timeliness of appeal of dismissal of suit for failure to file complaint as ordered by the court. (Bower102219m) (Posted: October 29, 2019)
- ▶ **Commonwealth vs. Jackson** (10/24/2019)—Judge Nancy L. Butts
Criminal: Motion to dismiss; Rule 600; Commonwealth due diligence in bringing case to trial; calculation of excludable time. (Jackson102419BT) (Posted: October 27, 2019)
- ▶ **Commonwealth vs. Coleman** (10/24/2019)—Judge Nancy L. Butts
Criminal: New trial motion; *Brady* violation for suppression of evidence by prosecution; materiality; prejudice. (Coleman102419BT) (Posted: October 27, 2019)

- ▶ **Milhouse vs. Rajjoub** (10/25/2019)—Judge Eric R. Linhardt
Civil: motion to appoint counsel and for extension to file certificate of merit; extreme circumstances that implicate fourteenth amendment due process rights; ability to obtain attorney on a contingency fee basis; discretionary authority to extend certificate of merit deadline for good cause shown. (Milhouse102519Li) (Posted: October 27, 2019)
- ▶ **Commonwealth vs. Moore** (10/25/2019)—Judge Eric R. Linhardt
Criminal: Post-sentence motion; sentencing discretion; factors supporting aggravated range sentence; merger of offenses; separate criminal acts; recusal of judge who previously served as district attorney. (moore102519Li) (Posted: October 27, 2019)
- ▶ **Fink Estate** (10/24/2019)—Judge Eric R. Linhardt
Wills and Estates: Petition for reimbursement of attorney fees; claimed bad faith in will contest; unsuccessful appeal; issue of standing raised sue sponte by the court; arguable merit of argument distinguishing cases; procedural mistake rather than deliberate dilatory conduct; non-frivolous basis for appeal. (fink102419Li) (Posted: October 24, 2019)
- ▶ **Commonwealth vs. Mitchell** (10/23/2019)—Judge Marc F. Lovecchio
Criminal: Post Conviction Relief Act petition; authority to modify negotiated sentence. (Mitchell102319L) (Posted: October 23, 2019)
- ▶ **Commonwealth vs. McLaurin** (10/22/2019)—Judge Marc F. Lovecchio
Criminal: Appeal. (McLaurin102219L) (Posted: October 23, 2019)

MENTAL HEALTH REVIEW OFFICERS

On behalf of President Judge Nancy L. Butts from the Courts of Lycoming County, the Lycoming-Clinton Mental Health/Intellectual Disability Program is seeking applications for the appointment of two Mental Health Review Officers for the purpose of conducting hearings under Sections 303-306, and inclusive, of the Mental Health Procedures Act of 1976, as amended.

Applicants must be members of the Bar of the Supreme Court of Pennsylvania and should, where possible, be familiar with the field of Mental Health. Such Officers will be expected to, on occasion, work outside of normal business hours and be able to travel to sites within and outside of Lycoming County for the purpose of conducting hearings. This is a part-time position and the Officer will be an independent contractor.

Inquiries and further details may be directed to Rae Weber, Program Manager, Lycoming-Clinton MH/ID Program at (570) 326-7895. Applicants should send a letter of interest, with resume or curriculum vitae, by no later than Friday, November 22, 2019 to Rae Weber, Program Manager, Lycoming-Clinton MH/ID Program, 200 East Street, Sharwell Building, Williamsport, PA 17701.

N-I

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

Hager, Gary H., dec'd.

Late of Linden.

Executrix: Lori A. Hager, 399 Prospect Avenue, Avenel, NJ 07001.

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

Park, John H., dec'd.

Late of South Williamsport.

Executrix: Virginia A. Mahaffey, 700 Sylvan Drive, South Williamsport, PA 17702.

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

Sheets, Ruth G., dec'd.

Late of Cogan Station.

Executrix: Lynne M. Becker, 96 Kinley Road, Cogan Station, PA 17728.

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

Stiber, Ronald W., dec'd.

Late of Duboistown.

Executrix: Nicole C. Morris.

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

SECOND PUBLICATION

Eiswerth, Carl Edward a/k/a Carl E. Eiswerth, dec'd.

Late of Trout Run.

Executor: Kenneth P. Eiswerth, 171 Rock Road, Trout Run, PA 17771.

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

Finck, Lois B., dec'd.

Late of Washington Township.

Executors: Delmar L. Finck and Elaine K. Finck, 982 Pikes Peak Road, Allenwood, PA 17810.

Attorneys: Ronald L. Finck, Esquire, Mette, Evans and Woodside, 3401 N. Front Street, Harrisburg, PA 17110, (717) 232-5000.

Hammond, Jennifer Leann, dec'd.

Late of Williamsport.

Administrator: John Mark Hammond, 212 Johnson Drive, Williamsport, PA 17702.

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

Hill, Kellie L., dec'd.

Late of Trout Run.

Executor: Walter L. Frey, Jr.

Attorneys: Douglas N. Engelman, Esquire, Lepley, Engelman, Yaw & Wilk, LLC, 140 East Third Street, Williamsport, PA 17701.

Huss, Mildred B., dec'd.

Late of South Williamsport.

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

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

Magargel, Doris P., dec'd.
Late of Montoursville.
The Doris P. Magargel Protector
Trust.
Settlor: Doris P. Magargel.
Trustee: Tammy L. Hans.
Attorney: J. Howard Langdon, Es-
quire, 3 South Main Street, Muncy,
PA 17756.

McClain, Shirley J., dec'd.
Late of Cogan Station.
Co-Executrices: Wendi J. O'Connor,
2070 Furnace Run Road, Jersey
Shore, PA 17740 and Diane M.
McClain, 478 Paulhamus Hill Road,
Cogan Station, PA 17728.
Attorneys: McNerney, Page, Vander-
lin & Hall, 433 Market Street, Wil-
liamsport, PA 17701.

Robison, Robert G., dec'd.
Late of Jersey Shore.
Executor: Tobey M. Robison.
Attorneys: Matthew J. Parker, Es-
quire, Marshall, Parker & Weber,
LLC, 49 E. Fourth Street, Suite 105,
Williamsport, PA 17701.

Woodley, Irvin M., dec'd.
Late of Loyalsock.
Executor: Steven W. O'Connor, 127
Tri City Road, Summersworth, NH
03878.
Attorneys: Thomas D. Hess, Esquire,
Hess and Hess, P.C., 30 South Main
Street, Hughesville, PA 17737.

THIRD PUBLICATION

Applegate, James R., dec'd.
Late of 366 South Second Street,
Hughesville.
Executor: Thomas J. Applegate, 248
Broadway Street, Turbotville, PA
17772.
Attorney: J. Howard Langdon, Es-
quire, 3 South Main Street, Muncy,
PA 17756.

Burd, Dorothy E., dec'd.
Late of the City of Williamsport.
Executrices: Kymberly A. Dunlap,
385 East 5th Ave., S. Williamsport,
PA 17702 and Susie M. Hill, 9 South
Archer Ave., Mundelein, IL 60060.
Attorney: Joseph L. Rider, Esquire,
1700 Four Mile Drive, Williamsport,
PA 17701.

Dusman, Virginia W., dec'd.
Late of the City of Williamsport.
Executor: Karl W. Dusman c/o Matt-
hew J. Parker, Esquire, Marshall,
Parker & Weber, LLC, 49 E. Fourth
Street, Suite 105, Williamsport, PA
17701.
Attorneys: Matthew J. Parker, Es-
quire, Marshall, Parker & Weber,
LLC, 49 E. Fourth Street, Suite 105,
Williamsport, PA 17701.

Ring, Eugene L., dec'd.
Late of the Borough of South Wil-
liamsport.
Executor: Daniel E. Ring, 170 Pine-
crest Drive, Lot #80, Williamsport,
PA 17701.
Attorney: Andrea B. Bower, Esquire,
426 Broad Street, Montoursville,
PA 17754.

Sarno, Barry E. a/k/a Barry Sarno,
dec'd.
Late of the Borough of Jersey Shore.
Executrix: Jennifer J. Bowers c/o
Christopher H. Kenyon, Esquire,
835 West Fourth Street, Williams-
port, PA 17701.
Attorneys: Christopher H. Kenyon,
Esquire, McCormick Law Firm, 835
West Fourth Street, Williamsport,
PA 17701.

White, Paul W., dec'd.
Late of Williamsport.
Executrix: Brandi Lillian Maria Kane-
Williamson, 2836 Cochran Avenue,
S. Williamsport, PA 17702.

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

**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 November 5, 2019 unless exceptions are filed before 5:00 P.M. on that date.

1. Gatz, Mary A., Estate Trust—Wells Fargo Bank N.A. and Tammy Avery Weber, Trustees.

2. Brown, John A., Estate—William T. Welter, II, Executor.
Kathy Rinehart
Register of Wills

O-11, 18, 25; N-1

**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 December 3, 2019 unless exceptions are filed before 5:00 P.M. on that date.

1. Andrews, Selma L., Estate—Michael J. Andrews, Executor.

2. Bowersox, Mary L., Estate—Diane L. Havrilla and Jennifer L. White, Executrices.

3. Dugan, Brian M., Estate—David A. Merrick, Jr., Executor.

4. Foust, Stanley, Sr., Estate—Kathy Foust and Steven J. Foust, Administrators.

5. Snyder, Alice M., Estate—Traci L. Helmrich, Executrix.
Kathy Rinehart
Register of Wills

N-1, 8, 15, 22

LOOKING FOR ESTATE NOTICES

OR OTHER LEGAL NOTICES
REQUIRING PUBLICATION
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PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, November 4, 2019**