

# LYCOMING REPORTER

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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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# LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

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

## LYCOMING LAW ASSOCIATION

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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).

- 6/11/2024 – Bar History Committee Meeting:** *Bar History Committee Meeting. Tammy Taylor, Chair. Time: 12:00 PM to 1:00 PM.*
- 6/12/2024 – Civil Bar Brown Bag Meeting:** *All interested members are invited to attend. Time: 12:00 PM to 1:00 PM.*
- 6/12/2024 – LLA Annual Picnic:** *LLA Annual Picnic—held on the patio at The James! Time: 4:30 PM to 7:00 PM.*
- 6/14/2024 – Project Linus Blanket Collection:** *Homemade blankets provide comfort to children experiencing trauma. Donations are earmarked for children receiving services from Lycoming County’s CYS and/or Susquehanna Valley CASA (Court Appointed Special Advocates).*
- 6/24/2024 – Executive Committee Meeting:** *Monthly Executive Committee Meeting Time: 12:00 PM to 1:00 PM.*
- 6/25/2024 – Criminal Brown Bag Lunch Meeting:** *Regularly scheduled Criminal Committee meeting. All interested members are invited to attend. Time: 12:00 PM to 1:00 PM.*

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)

- ▶ **Commonwealth vs. Creighton** (04/30/2024)—Judge Nancy L. Butts  
Criminal: Motion to dismiss for violation of Rule 600; calculation of excludable time. (Creighton043024bt) (Posted: June 5, 2024)
- ▶ **Commonwealth vs. Ruhl** (04/30/2024)—Judge Ryan M. Tira  
Criminal: Competency determination of rape defendant; conflicting testimony of experts on whether defendant has the requisite capacity to understand the factual nature of his criminal proceedings and his ability to assist in his defense; burden of proof. (Rulh043024t) (Posted: June 5, 2024)
- ▶ **Commonwealth vs. Strayer** (06/03/2024)—Judge Ryan M. Tira  
Criminal: Defendant’s motion to enforce plea agreement; cooperation with prosecution of co-defendant in return for “a plea agreement which would consider all the help and cooperation defendant was providing,” authority of court to direct district attorney to negotiate in good faith; no meeting of minds on terms of agreement. (Strayer060324t) (Posted: June 5, 2024)
- ▶ **Commonwealth vs. Nicholas** (06/04/2024)—Judge Nancy L. Butts  
Criminal: Habeas corpus petition; prima facie case of robbery and kidnapping where victim is forced by defendant to travel with him to an ATM to withdraw money to which defendant was not entitled. (Nicholas060424bt) (Posted: June 5, 2024)
- ▶ **Commonwealth vs. Edwards** (06/04/2024)—Judge Nancy L. Butts  
Criminal: Habeas corpus petition; sufficiency of circumstantial evidence to prove drug delivery resulting in death; suppression motion; probable cause for warrant to search cell phone based on evidence that phones were involved in commission of a crime. (edwards060424bt) (Posted: June 5, 2024)
- ▶ **Commonwealth vs. Salazar** (05/21/2024)—Judge Eric R. Linhardt  
Criminal: Post-sentence motion; admissibility of prior bad acts evidence including voicemails that show motive, intent and hostility toward victim and became part of the history of the case and form part of the natural development of facts; sufficiency of evidence of risking a catastrophe where defendant crashes a vehicle into an occupied museum entranceway on a busy weekend; crashing a vehicle through the front doors of a museum constitutes criminal trespass; threatening statements made by defendant upon crashing the vehicle into the lobby of a museum sufficiently prove elements of terroristic

threats; weight of the evidence; convictions not to shock one's sense of justice; sentencing discretion; consideration of untreated alcohol problem along with other factors in sentencing (salazar052124Li.pdf) (Posted: June 5th 2024)

► **AS Adoption (05/24/2024)**—Judge Ryan M. Tira

Adoption: Agency petition for involuntary termination of parental rights; settled purpose to relinquish parental claim; parent failing to perform parental duties for at least six months; parental incapacity that cannot be remedied; minimal or no compliance with the permanency plan; existence of bond between child and parent that is worth saving. (AdoptionAS052424t) (Posted: June 4, 2024)

► **KR Adoption (05/24/2024)**—Judge Ryan M. Tira

Adoption: Agency petition for involuntary termination of parental rights; settled purpose to relinquish parental claim; parent failing to perform parental duties for at least six months; parental incapacity that cannot be remedied; minimal or no compliance with the permanency plan; existence of bond between child and parent that is worth saving. (AdoptionKR052424t) (Posted: June 4, 2024)

► **Denny vs. Williamsport and Glenn O. Hawbaker, Inc. (05/30/2024)**—Judge Eric R. Linhardt

Civil: Sanctions motion related to prejudicial questioning of witness that resulted in a mistrial of an ongoing civil trial; claimed vexatious and obdurate conduct; no finding of intentional or bad faith conduct. (denny053024Li) (Posted: June 3, 2024)

► **Montgomery Area School District vs. Clinton Township Supervisors (06/03/2024)**—Judge William P. Carlucci

Administrative Appeal: Land use appeal; standard and scope of review; legality of conditions imposed on grant of permit; off-site transportation or road improvements; conditions that fail to be supported by substantial evidence in the record. (Montgomery060324C) (Posted: June 3, 2024)

► **Nottingham vs. Lycoming County (05/31/2024)**—Judge William P. Carlucci

Administrative Appeal: Appeal from determination of the Pennsylvania Office of Open Records; duty of district attorney to produce criminal investigation material or to perform legal research under The Right to Know Law. (Nottingham053124C.pdf) (Posted: June 3, 2024)

# COMMUNITY CORNER



Elias Rodriguez, a student at Montoursville High School, was selected to receive the 2024 Law Day Grand Prize for his essay on the electoral college. He has been accepted to next year's Montoursville High School Mock Team, coached by teacher Susan Wise. The \$1,000 award was sponsored by the District Attorney's Office. Shown here (left to right): Judge Christian Frey, Law Day Chairman; Elias Rodriguez, Grand Prize Winner; Joy Reynolds McCoy, LLA President; and Tom Marino, District Attorney.

## 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

#### **Dincher, Eugene, dec'd.**

Late of Williamsport.  
Executrix: Rosemary Dincher c/o Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701.  
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701, (570) 321-0709.

#### **Leta, Marguerite E. a/k/a Peggy Leta, dec'd.**

Late of Old Lycoming Township.  
Administrator: Todd J. Leta c/o McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.  
Attorneys: Elizabeth A. White, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

#### **Millward, Marlene B. a/k/a Marlene Millward, dec'd.**

Late of the Township of Loyalsock.  
Administratrix C.T.A.: Donna M. Mackin.

Attorneys: Landon R. Hodges, Esquire, Steinbacher, Goodall & Yurchak, 243 Second Street, P.O. Box 114, Wyalusing, PA 18853.

#### **Paul, Pamela M., dec'd.**

Late of the Township of Loyalsock.  
Executor: Julie A. Bennett.  
Attorneys: Julieanne E. Steinbacher, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

#### **Rechel, John Joseph, dec'd.**

Late of 601 Clarkstown Road, Muncy.  
Administratrix: Carol A. Rechel, 601 Clarkstown Road, Muncy, PA 17756.  
Attorney: J. Howard Langdon, Esquire, 3 South Main Street, Muncy, PA 17756.

#### **Reitz, Alma S. a/k/a Alma Louise Reitz, dec'd.**

Late of 3750 Route 220 Highway, Hughesville.  
Co-Executrices: Patricia A. Grant, 17 East Water Street, Apt. C, Muncy, PA 17756 and Peggy S. Martin-Buck, P.O. Box 76, Picture Rocks, PA 17762.

Attorney: J. Howard Langdon, Esquire, 3 South Main Street, Muncy, PA 17756.

#### **Wertman, Dale J., Sr., dec'd.**

Late of 75 Heatherbrooke Est., Muncy.  
Executors: Mechelle R. Marks and Dale J. Wertman, Jr., 760 Dr. Poust Rd., Hughesville, PA 17737.  
Attorney: None.

### SECOND PUBLICATION

#### **Bennett, Elizabeth J. a/k/a Liz Bennett, dec'd.**

Late of Brady Township.

Executors: Deborah L. Smith and Max L. Bennett c/o McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

Attorneys: Elizabeth A. White, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

**Gardner, Gary O.,** dec'd.

Late of Eldred Township.

Personal Representatives: Roxanne E. Haynes, 162 Queen Street, Northumberland, PA 17857 and Harold R. Haynes, 45 Back Street, Lot 32, Montoursville, PA 17754.

Attorney: Douglas C. Loviscky, Esquire, 1500 West College Avenue, State College, PA 16801.

**Miller, Donald L.,** dec'd.

Late of Muncy.

Executor: Mark C. Miller c/o Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701.

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

**Moriarity, Mary L.,** dec'd.

Late of Jersey Shore.

Executrix: Veronica Chappell, 1118 E. Route 973, Cogan Station, PA 17728.

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

**Roupp, Michael D.,** dec'd.

Late of Montgomery.

Executrix: Kelly L. Roupp, 3003 Elmsport Rd., Montgomery, PA 17752.

Attorneys: John A. Smay, Esquire, Williams and Smay, 39 S. Main St., P.O. Box 35, Muncy, PA 17756.

**Zinn, Mary Jane,** dec'd.

Late of Piatt Township.

Co-Executrices: Kendra Gallagher, 3855 Nichols Run Road, Jersey Shore, PA 17740 and Jean Ann Flook, 4001 Route 287 Hwy., Saladasburg, PA 17740.

Attorneys: Andrea P. Pulizzi, Esquire, Carpenter, Harris & Flayhart, 128 South Main Street, Jersey Shore, PA 17740.

**THIRD PUBLICATION**

**Harvey, Barbara H. a/k/a Barbara H. Kressly,** dec'd.

Late of Loyalsock Township.

Executor: Robert E. Harvey, 1349 Pennsylvania Avenue, Williamsport, PA 17701.

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

**Martin, Mary V. a/k/a Mary Vera Geraldine Martin,** dec'd.

Late of the Borough of South Williamsport.

Executor: Carl M. Loudenslager, 334 Stanton Street, S. Williamsport, PA 17702.

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

**McDonald, Wende,** dec'd.

Late of Williamsport.

Executrix: Christine Kennedy, 123 W. 2nd Ave., South Williamsport, PA 17702.

Attorney: None.

**Mundy, Carl, Jr.,** dec'd.

Late of Linden.

Executor: William Mundy c/o Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 445 Elmira Street, Williamsport, PA 17701.

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



**Poust, Gregory K. a/k/a Gregory Keith Poust**, dec'd.

Late of Muncy.

Administrator C.T.A.: Bradley K. Poust, 80 Doris Drive, Millville, PA 17846.

Attorneys: Layne R. Oden, Esquire, Layne R. Oden, Attorney and Counselor at Law, P.C., Nine South Main Street, Muncy, PA 17756.

**Schon, Arthur a/k/a John A. Schon**, dec'd.

Late of Cogan Station.

Executor: Michael W. Schon 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.

**Ward, Wilber C.**, dec'd.

Late of Montoursville.

Executrix: Sandra J. Crist, 1205 Cedar Street, Montoursville, PA 17754.

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

**Zarr, Carol J.**, dec'd.

Late of Montgomery.

Executrix: Sandra L. Lancaster, 47 Golf View Court, Homosassa, FL 34446.

Attorneys: Layne R. Oden, Esquire, Layne R. Oden, Attorney and Counselor at Law, P.C., Nine South Main Street, Muncy, PA 17756.

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 July 2, 2024 unless exceptions are filed before 5:00 P.M. on that date.

Palmatier, Linda L., Estate—Corey Palmatier, Administrator.

David A. Huffman

Register of Wills

J-7, 14, 21, 28

**TERMINATION OF PARENTAL RIGHTS**

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

No. 41-22-0582

IN RE: J.C.H., a Minor

**ORDER**

AND NOW, this 13th day of May, 2024, upon Petition by Achieva Family Trust, as Trustee of the J.H. Self-Settled Special Needs Trust, it is hereby ORDERED and DECREED that a citation is awarded, directed to the father of James Hammond (having a date of birth of 11/24/14), to provide proof of paternity, and to show cause why his share of the assets of the J.H. Self-Settled Special Needs Trust should not be forfeited pursuant to 20 Pa. C.S. §2106(b). A Written Answer to the Petition shall be filed within twenty (20) days of the date of publication. A copy of the Citation shall be published for two consecutive weeks in a newspaper of general circulation in Lycoming County and in the Lycoming Reporter. This Citation

**REGISTER OF WILLS  
CONFIRMATION OF  
ACCOUNTS**

NOTICE IS HEREBY GIVEN to all parties interested that the following Accounts together with all Statements

is returnable 20 days after service by publication is complete. Dated 5/13/24, /s/ William P. Carlucci, Judge. CC: Sarah Gremminger, Esquire, 457 Haddonfield Rd., Cherry Hill, NJ 08002.

KRISTEN L. BEHRENS, ESQUIRE  
1500 Market St.  
#3500E  
Philadelphia, PA 19102


M-31; J-7

**Wildwood Cemetery and Crematories**  
 1151 Cemetery St., Williamsport, PA 17701  
 570-323-8421

*One of the greatest tragedies is the untimely death of a loved one.  
 Important decisions are difficult when you're at your most vulnerable.  
 Preplanning is a necessary part of your life.*


*When speaking to your clients about their estate planning, please let them know that the Wildwood Cemetery is the place they should consider when making such plans.*


*Wildwood Cemetery's staff will guide your clients into making the right decisions in regard to their final destination, with burial packages starting at \$299.00 with many options to accommodate anybody's needs.*


 Fred Erikson  
General Manager

**Wildwood Cemetery Co.**

1151 Cemetery St.  
Williamsport, PA 17701  
Phone - 570-323-8421  
Fax - 570-323-5653  
www.wildwoodcemeterypa.com  
Email - wildwood@verizon.net


  
CNA  
Cremation Association of North America




 Caleb Hipple  
Assistant General Manager

**Wildwood Cemetery Co.**

1151 Cemetery St.  
Williamsport, PA 17701  
Phone - 570-323-8421  
Fax - 570-323-5653  
www.wildwoodcemeterypa.com  
Email - wildwoodcemetery@hotmail.com

  
CNA  
Cremation Association of North America



**The Lycoming Law Association Foundation** thanks the following LLA members for donating their arbitration fees to the LLAF in 2023. These donations enabled the LLAF to gift \$10,280 to North Penn Legal Services.



**Donating more than \$400, by assigning multiple Arbitration fees to the LLAF:**

Thomas Burkhart	Jonathan DeWald
Elizabeth White	Thomas Waffenschmidt
Fred Holland	Matthew Parker
Timothy Rietz	Robert Elion
Paul Roman	Jonathan Butterfield
Gary Weber	Jon Pietrovito
Sean Gingerich	Norman Lubin
Lisa Glick	

**Donated \$200-\$400, by assigning multiple arbitration fees to the LLAF:**

Robert Hoffa	Christian Lovecchio
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Sharon McLaughlin	Michael Collins
Patricia Shipman	Jennifer Ayers
Gregory Stapp	Corey Mowrey
Michael Morrone	Anthony Grieco
Mark Drier	Stephen Sholder
Christina Dinges	Tammy Weber
Landon Hodges	Richard Schluter

**Donated part of an arbitration fee to the LLAF:**

Levi Woodward	Charles "Skip" Greevy
James Malee	Matthew Golden

**\*If you would like to donate or update your arbitration fee allocation, please contact Michele Frey at: [mfrey@lycolaw.org](mailto:mfrey@lycolaw.org)**



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**PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, June 10, 2024**