

# LYCOMING REPORTER

Vol. 37

February 14, 2020

No. 7

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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  
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Williamsport, PA 17701

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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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Gary L. Weber

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Michele S. Frey

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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).

- 2/25/2020 – Criminal Law Committee Meeting.** *Brown bag lunch meeting.*  
**Time:** 12:00 PM to 1:00 PM.
- 2/26/2020 – Lycoming Law Association Foundation.** *Monthly meeting of the Lycoming Law Association Foundation.* **Time:** 12:00 PM to 1:00 PM.
- 3/19/2020 – Memorial Service for Kristine Waltz.** *Memorial Service for Kristine Waltz, Ctrm. #1, 4 PM.* **Time:** 4:00 PM to 5:00 PM.
- 3/23/2020 – Executive Committee Meeting.** *Monthly meeting of the LLA Executive Committee.* **Time:** 12:00 PM to 1:00 PM.
- 3/25/2020 – Lycoming Law Association Foundation.** *Monthly meeting of the Lycoming Law Association Foundation.* **Time:** 12:00 PM to 1:00 PM.
- 3/31/2020 – Family Law Committee Meeting.** *Brown bag lunch meeting.* **Time:** 12:00 PM to 1:00 PM.
- 4/4/2020 – Wills for Heroes.** *Old Lycoming Township Fire Hall—Specific Details TBA—1 Ethics and 1 Substantive Credit for Attorney Volunteers.* **Time:** 8:00 AM to 4:00 PM.

**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

- 2/19/2020** – **Lincoln & His Leadership.** *PBI Video Replay. Register at [www.pbi.org](http://www.pbi.org).*  
**CLE Credits:** 2 Substantive / 1 Ethics **Time:** 9:00 AM to 12:00 PM.
- 3/4/2020** – **Civil Litigation Update.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).* **CLE Credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 4:15 PM.
- 3/12/2020** – **Depression, Stress and Burnout.** *Eat & Earn. Speaker: Brian S. Quinn, Esq.* **CLE Credits:** 1 Ethics **Time:** 12:00 PM to 1:00 PM.
- 3/23/2020** – **Realty Transfer Tax Update.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).* **CLE Credits:** 3 Substantive **Time:** 12:00 PM to 3:15 PM.
- 3/26/2020** – **Retirement Planning for Lawyers.** *Eat & Earn. Speaker: Alex M. Poirer, First Commonwealth Bank.* **CLE Credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM.
- 3/31/2020** – **Binders on Pennsylvania Evidence.** *PBI Groupcast. Register at [www.pbi.org](http://www.pbi.org).* **CLE Credits:** 3 Substantive **Time:** 1:00 PM to 4:15 PM.
- 4/2/2020** – **Eliminate the “He Said/She Said”—Improve Communication and Keep Parents Accountable.** *Eat & Earn. Speaker: Kevin Dorsey, Our Family Law Wizard.* **CLE Credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM.
- 4/15/2020** – **PFA Practice in Lycoming County—Practical Tips From the Court, Wise Options and North Penn Legal Services.** *Eat and Earn. Speakers: Hon. Joy Reynolds McCoy, Amber Morningstar, Jennifer Heverly, Esq. and Taylor Mullholand, Esq.* **CLE Credits:** 1 Substantive **Time:** 12:00 PM to 1:00 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)

- ▶ **Commonwealth vs. Cobb** (02/10/2020)—Judge Marc F. Lovecchio  
Criminal: Appeal; waiver of issues not addressed by Rule 1925 statement; weight and credibility of evidence concerning photographs not being date stamped. (Cobb021020L) (Posted: February 10, 2020)
- ▶ **Commonwealth vs. Cross** (02/10/2020)—Judge Marc F. Lovecchio  
Criminal: Post Conviction Relief Act petition; credit for time served before county sentence was revoked and state sentence imposed; calculation of time served as relates to split sentences. (Cross021020L) (Posted: February 10, 2020)
- ▶ **Commonwealth vs. Brown** (02/10/2020)—Judge Marc F. Lovecchio  
Criminal: Suppression motion; vehicle stop for registration search result showing “no record found” through J-Net; investigative detention supported by reasonable suspicion; some articulable facts that a violation had or was occurring. (brown021020L) (Posted: February 10, 2020)
- ▶ **JAK vs. SH** (02/03/2020)—Judge Ryan M. Tira  
Wills and Estates: Petition to dispose of remains; determination by next of kin; closeness of relationship to deceased; no clear intent expressed by deceased; authority of estate to determine disposition of remains. (JAK020320t) (Posted: February 7, 2020)
- ▶ **In re: J.P.** (01/03/2020)—Judge Ryan M. Tira  
Administrative Appeal: Petition to vacate and expunge involuntary civil commitment; sufficiency of evidence upon which commitment was based; review of contemporaneously created record; necessity of commitment where petitioner voluntarily agreed to undergo treatment; actions and statements contrary to expressed desire to voluntarily submit to treatment. (inrejp010320t) (Posted: February 7, 2020)
- ▶ **Commonwealth vs. Breeland** (02/06/2020)—Judge Nancy L. Butts  
Criminal: Post Conviction Relief Act petition; knowing, intelligent, and voluntary guilty plea; written guilty plea colloquy. (Breeland-020620BT) (Posted: February 7, 2020)

- ▶ **In the Interest of YJO** (02/05/2020)—Judge Joy Reynolds McCoy  
Criminal: Juvenile court restitution determination; factors for consideration; weighing needs of the victim against the capabilities of a 15-year-old juvenile; community service to reimburse restitution fund; future wage attachment to pay restitution. (InReYJO20520m) (Posted: February 6, 2020)
- ▶ **Baysore vs. Bender** (02/03/2020)—Judge Ryan M. Tira  
Civil: Preliminary objections; material allegation of paragraph of complaint containing multiple facts; failure of complaint to be verified; demurrer; factual issues on ownership and possession of land; specificity of complaint. (baysore020320t) (Posted: February 6, 2020)
- ▶ **VAO vs. CB; CB vs. VAO** (02/06/2020)—Judge Eric R. Linhardt  
Custody: Petition to amend final PFA orders to address custody issues; authority of court to modify PFA order upon petition of either party; consent order; unilateral mistake as to the agreed terms; jurisdiction of family court to revise custody schedule of child protected in PFA order; contravention of PFA order. (VAO020620Li) (Posted: February 6, 2020)
- ▶ **Commonwealth vs. Sweeting; Commonwealth vs. Wright** (02/03/2020)—Judge Nancy L. Butts  
Criminal: Habeas corpus petition; constructive possession of contraband; prima facie case; suppression motion; scope of search warrant; search of safe being actively moved from a home at the time of execution of search warrant; curtilage or an inseparable portion of residence. (Sweetin-Wright020320BT) (Posted: February 5, 2020)
- ▶ **Commonwealth vs. Bonaparte** (02/05/2020)—Judge Nancy L. Butts  
Criminal: Habeas corpus petition; sufficiency of evidence to establish prima facie case of conspiracy with respect to drug offenses; proof of agreement to commit unlawful act; sufficiency of evidence to establish prima facie case of conspiracy to flee from police. (Bonaparte020520BT) (Posted: February 5, 2020)
- ▶ **CDS Adoption** (02/03/2020)—Judge Joy Reynolds McCoy  
Adoption: Petition for involuntary termination of parental rights; settled purpose of relinquishing parental claim; failure to perform parental duties for at least the six months preceding the filing of the petition; non-appearance at hearing; no existing bond. (Adoption-ofCDS020320m) (Posted: February 5, 2020)

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wheresmyapt@yahoo.com for information or to schedule a showing.

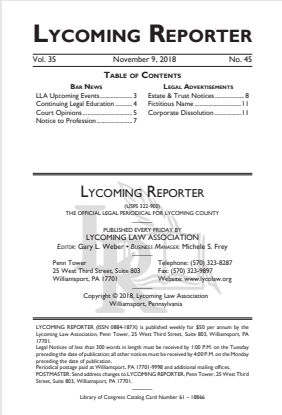
J-24—M-13

**Legal Aid Attorney Opening—Williamsport**

North Penn Legal Services is recruiting to fill a staff attorney vacancy in its Williamsport office. For information on the position and how to apply, visit [www.northpennlegal.org/about/careers](http://www.northpennlegal.org/about/careers).

Please feel free to contact [HR@northpennlegal.org](mailto:HR@northpennlegal.org) for a review of the benefits and loan repayment programs available to staff attorneys.

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

# Talk of the Town

## **PUBLIC SERVICE AWARD**



The Lycoming Law Association recognized a member of the public for service that has had a positive impact in an area related to the legal profession. Earlier this month, Lycoming Law Association executive director, Michele Frey, at center, and president, Angela Campana Lovecchio, left, presented a Public Service Award to Jeri Rook, facility canine handler, at right, for her work with Jedi, the official Courthouse Facility Canine. Rook's work with Jedi focuses on making court proceedings less traumatic for children and crime victims.



**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****Bates, Thomas J.,** dec'd.

Late of Lock Haven.

Administrator: Tyler Bates, 132 West Keller Street, Lock Haven, PA 17745.

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

**Caffrey, Mary Alice a/k/a Mary Alice Ann Caffrey a/k/a Mary Alice A. Caffrey a/k/a Mary A. Caffrey,** dec'd.

Late of Lycoming County.

Co-Executors: Brian C. Caffrey and Michael C. Caffrey.

Attorneys: Melanie Walz Scaringi, Esquire, Scaringi Law, 2000 Linglestown Road, Suite 106, Harrisburg, PA 17110.

**Gardner, Beverly A.,** dec'd.

Late of Muncy.

Executors: Shirley A. Livingston, 219 Baylor Road, Watsontown, PA 17777 and Mervin L. Gardner, 8277 Route 442 Highway, Muncy, PA 17756.

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

**Hume, Joe E., Sr.,** dec'd.

Late of Loyalsock Township.

Co-Executors: Thomas O'Connell and Citizens & Northern Bank Trust and 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.

**Losch, Beverly K.,** dec'd.

Late of South Williamsport.

Administratrix: Renee K. Tomb 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.

**Montgomery, Delores,** dec'd.

Late of Linden.

Administrators: David Laylon, 90 Abby Rd., Linden, PA 17744 and Kathie Hoff, 10790 County Rd. #9, Prattsburg, NY 14873.

Attorney: Michael J. Zicoello, Esquire, 333 Market Street, Williamsport, PA 17701, (570) 321-7554, Fax: (570) 321-7845, mike@sz-law.com.

**Parke, Steven G.,** dec'd.

Late of Upper Fairfield Township.

Administratrix: Nora J. Parke, 1326 Clarence Fry Road, Montoursville, PA 17754.

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

**Reed, Patricia R.,** dec'd.

Late of Hughesville.

Executor: Scott A. Williams, 668 Lake Road, Laporte, PA 18626.  
 Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, Williamsport, PA 17701.

**Remick, Ruth E.,** dec'd.

Late of Cogan Station.  
 Executor: William Evans, 1991 Rte. 973 West, Cogan Station, PA 17728.  
 Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

**Stanzione, Phyllis M.,** dec'd.

Late of the City of Williamsport.  
 Executrix: Josephine M. Latini, 1512 Sherman Street, Williamsport, PA 17701.  
 Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

**VanDine, Bruce L., Jr.,** dec'd.

Late of Muncy.  
 Co-Executors: Kevin B. VanDine, 935 B Vandine Road, Muncy, PA 17756, Gary L. VanDine, 820 Ridge Road, Muncy, PA 17756 and David W. VanDine, 225 Watson Road, Muncy, PA 17756.  
 Attorneys: McNerney, Page, Vanderline & Hall, 433 Market Street, Williamsport, PA 17701.

**Yaros, John C., II,** dec'd.

Late of the City of Williamsport.  
 Executors: Ruth Bothwell, 7 Alegre Drive, Mission Viejo, CA 92692 and Jennifer Sweet, 6953 State Route 654, S. Williamsport, PA 17702.  
 Attorney: Andrea B. Bower, Esquire, 426 Broad Street, Montoursville, PA 17754.

**SECOND PUBLICATION**

**Augustine, Ralph J., Jr.,** dec'd.

Late of 1551 Catherine Street, Williamsport.

Administratrix: Milissa M. Augustine, 1217 Louisa Street, Williamsport, PA 17701.

Attorney: G. Scott Gardner, Esquire, Attorney At Law, 2117 West Fourth Street, Williamsport, PA 17701, (570) 322-7653.

**Fry, Shirley A.,** dec'd.

Late of Loyalsock Township.  
 Executrix/Executor: Michele J. McQuillen and Woodlands Bank, Trust Department, 2450 East Third Street, Williamsport, PA 17701.  
 Attorney: None.

**Haas, Suzanne S.,** dec'd.

Late of Montoursville.  
 Executor: Donald E. Hessert, II, 1305 Pennsylvania Avenue, Williamsport, PA 17701.  
 Attorneys: McNerney, Page, Vanderlin & Hall, 433 Market Street, Williamsport, PA 17701.

**THIRD PUBLICATION**

**Bailey, Charles H.,** dec'd.

Late of South Williamsport.  
 Executor: Eric Bailey, 440 Elm Ave., Pitman, NJ 08071.  
 Attorney: None.

**Horak, Marian F.,** dec'd.

Late of Old Lycoming Township.  
 Executor: Kurt R. Horak c/o Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701.  
 Attorneys: Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701.

**Horak, Marian F.,** dec'd.

Late of the Township of Old Lycoming.  
 The Marian Horak Irrevocable Trust Dated October 12, 2018.  
 Settlor: Marian F. Horak.

Trustee: Kurt R. Horak, 26 Catherine Drive, Williamsport, PA 17701.  
Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

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**Kinney, Shirley M.**, dec'd.

Late of South Williamsport.  
Co-Executors: Susan A. Shay n/k/a Susan A. Kinney, 321 East Second Avenue, South Williamsport, PA 17702 and Stephan A. Kinney, 1007 West Southern Avenue, South Williamsport, PA 17702.

Attorney: John A. Smay, Esquire, 39 South Main Street, P.O. Box 35, Muncy, PA 17756.

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**Leiphart, Beverly**, dec'd.

Late of Cogan Station.  
Executrix: Amber Houser, 3615 Pine Street, Cogan Station, PA 17728.  
Attorney: None.

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**Schramm, Carl W.**, dec'd.

Late of Montoursville.  
Executor: Steven R. Persun 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.

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**Shade, William F. a/k/a William F. Shade, Jr.**, dec'd.

Late of Loyalsock Township.  
Co-Executors: David L. Shade and Susan S. Zeigler.

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

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**Wentzler, Lois P.**, dec'd.

Late of the Township of Muncy.

Administrator: Clarence R. Wentzler 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.

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**REGISTER OF WILLS  
CONFIRMATION OF  
ACCOUNT**

NOTICE IS HEREBY GIVEN to all parties interested that the following Account together with all Statement of Proposed Distribution accompanying the same has been filed in the Office of the Register of Wills and Clerk of Orphans' Court is presented to the Orphans' Court of Lycoming County for Confirmation Absolute March 3, 2020 unless exceptions are filed before 5:00 P.M. on that date.

Kiehl-Koch, Linda, Estate—Gerald Weinfurther, Executor.

David A. Huffman

Register of Wills

F-7, 14, 21, 28

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**INTENTION TO  
CHANGE NAME**

In the Court of Common Pleas of  
Lycoming County, Pennsylvania

NO. 20-0101

In re: Name Change of  
Megan Veronika Hauke

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NOTICE IS HEREBY GIVEN that on  
January 16, 2020, a Petition was filed in

the above-named Court, praying for a decree changing the name of Megan Veronika Hauke to Marie Victoria LeCrone.

The Court has fixed March 10, 2020 at 9:30 a.m. in Courtroom Number 2 of the Lycoming County Courthouse, 48 West Third Street, Williamsport, Pennsylvania 17701 as the time and place for the hearing on said petition, when and where all persons interested may appear and show cause, if any they have, why the prayer of the petitioner should not be granted.

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### **ANNUAL MEETING NOTICE**

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The Annual Meeting of the Members of West Branch Mutual Insurance Company will be held at the Company's Office, 32 South Main Street, Muncy, PA on Tuesday, April 28, 2020 from 10:00 A.M. to 12 o'clock P.M. E.S.T. Meeting is for the election of directors and to transact any other business which may come before the meeting.

Darlene H. Webb  
Secretary/Treasurer

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## LOOKING FOR ESTATE NOTICES

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has done to improve the delivery of legal services in our community, facilitate learning about the legal system, and enhance the image of the organized Bar?

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**From 2003 to 2019,  
the LLAF gave more than \$171,000 to worthy causes:**

**\$122,739** to provide free legal services to the residents of Lycoming County;

**\$23,241** to preserve and provide access to legal materials for the public;

**\$17,000** to train attorneys and other service providers in different areas of the law;

**\$8,100** to fund legal education and Mock Trial Teams for high school students.

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Request for Grant Funding should be directed to the LLA Community Activities and Outreach and Committee. Information is available on the LLA website at <http://www.lycolaw.org/lla-foundation>

Please consider the Lycoming Law Association Foundation when making planned gifts.

Donations to the Lycoming Law Association Foundation are tax deductible.

The Lycoming Law Association Foundation is a tax-exempt, not-for-profit, 501(c)(3) corporation. Its mission is to cultivate the science of jurisprudence, improve the legal and judicial system, and facilitate the administration of justice for residents of Lycoming County.

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**PERIODICAL PUBLICATION**

\* Dated Material. Do Not Delay. Please Deliver Before Tuesday, February 18, 2020