

# 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

EDITOR: Gary L. Weber • BUSINESS MANAGER: Michele S. Frey

Penn Tower  
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# LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

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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).

- 10/22/2018 – Executive Committee Meeting.** *Regular meeting of the LLA Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 10/30/2018 – Criminal Law Committee Meeting.** *Criminal Law Committee Meeting. Time: 12:00 PM to 1:00 PM.*
- 11/5/2018 – Bench Bar Committee Meeting.** *Regular meeting of the Bench Bar Committee. Time: 12:00 PM to 1:00 PM.*
- 11/6/2018 – Real Estate Committee Meeting.** *Regular meeting of the Real Estate Committee. Brown bag lunch meeting. Time: 12:00 PM to 1:00 PM.*
- 11/20/2018 – Family Law Committee Meeting.** *Regularly scheduled meeting of the Family Law Committee. Time: 12:00 PM to 1:00 PM.*
- 11/26/2018 – Executive Committee Meeting.** *Regular meeting of the LLA Executive Committee. Time: 12:00 PM to 1:00 PM.*
- 12/6/2018 – New Attorney Admission Ceremony & Reception.** *There will be an LLA reception after the admission ceremony. Download the motion form. Time: 4:00 PM to 5:00 PM.*

The mission of the Lycoming Law Association is to promote the practice of law using the highest ethical standards and to advance the public image of our profession. We accomplish this by communicating within our profession and throughout our community, providing continuing legal education, encouraging collegiality among attorneys and the Court, providing *pro bono* legal assistance, and through community involvement.

**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

- 10/16/2018 – Family Law Update.** *PBI Groupcast*—3 Substantive. [www.pbi.org](http://www.pbi.org).  
**Time:** 9:00 AM to 12:15 PM.
- 10/17/2018 – E & E Series: Lycoming County Domestic Violence Fatalities.**  
*An overview of Lycoming County Domestic Violence Fatalities from 1996 to present as reviewed by the Lycoming County Domestic Violence Fatality Review Team—Presented by: Hon. Joy Reynolds McCoy with Catherine Mohn and Kelsey Leach, Lock Haven University*—1 Substantive. Lunch provided. Download the flyer. **Time:** 12:00 PM to 1:00 PM.
- 10/24/2018 – A Lawyer’s Guide to Appraisals & Appraisers.** *Video Replay*—4 Substantive / 0 Ethics. More information: [www.pbi.org/](http://www.pbi.org/). **Time:** 9:00 AM to 1:00 PM.
- 10/25/2018 – E & E Series: Lawyers & Social Media.** *Ethical Considerations for Lawyers Using Social Media and Appropriate Methods to Respond to Negative Online Reviews*—Mark Melango, *FindLaw*—1 Ethics. Lunch provided. Download the flyer. **Time:** 12:00 PM to 1:00 PM.
- 10/30/2018 – Auto Law Update.** *PBI Groupcast*—3 Substantive / 1 Ethics. [www.pbi.org](http://www.pbi.org). **Time:** 9:00 AM to 1:15 PM.
- 11/7/2018 – How the New Tax Law Impacts Real Estate.** *Video Replay*—2 Substantive. Register at [www.pbi.org](http://www.pbi.org). **Time:** 9:00 AM to 11:00 AM.
- 11/14/2018 – New E-Filing Requirements & Other Guardianship Rules 2018.** *Video Replay*—3 Substantive. Register at [www.pbi.org](http://www.pbi.org). **Time:** 9:00 AM to 12:00 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)

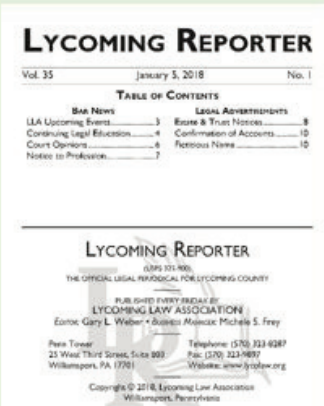
- ▶ **Lutz vs. The Williamsport Hospital** (09/26/2018)—Judge Eric R. Linhardt  
Civil: Preliminary objections; specificity of allegations of complaint as to unnamed employees; claimed boilerplate allegations; blending allegations of corporate negligence into vicarious liability allegations; punitive damages; factual basis for claim. (lutz092618Ln) (Posted: September 26, 2018)
- ▶ **Joiner vs. Logue** (09/26/2018)—Judge Eric R. Linhardt  
Civil: Non-jury verdict in landlord-tenant dispute; implied covenant of quiet enjoyment; implied warranty of habitability; Fair Credit Extension Uniformity Act and Unfair Trade Practices and Consumer Protection Law claims. (joiner092618Ln) (Posted: September 26, 2018)
- ▶ **Commonwealth vs. Redding** (09/25/2018)—Judge Marc F. Lovecchio  
Criminal: Motion to enforce plea agreement; cooperating witness who is not called to testify as agreed; fundamental fairness and the interests of justice. (redding092518L) (Posted: September 25, 2018)
- ▶ **Commonwealth vs. Gamon** (09/25/2018)—Judge Nancy L. Butts  
Criminal: Suppression motion; mere encounter with defendant leading to reasonable suspicion of criminal activity due to odor of marijuana. (Gamon092518bt) (Posted: September 25, 2018)
- ▶ **Commonwealth vs. Beatty** (09/24/2018)—Judge Marc F. Lovecchio  
Criminal: Petition to determine restitution; burden of proof; conflicting testimony; excessive or speculative restitution amount claim. (beatty092418L) (Posted: September 24, 2018)
- ▶ **Commonwealth vs. Brown** (09/24/2018)—Judge Nancy L. Butts  
Criminal: Post Conviction Relief Act petition; claim that sentencing court did not adequately weigh mitigating factors; knowing, voluntary, and intelligent guilty plea; sentence in accordance with guilty plea agreement. (Brown092418BT) (Posted: September 24, 2018)
- ▶ **Commonwealth vs. Longenberger** (09/20/2018)—Judge Nancy L. Butts  
Criminal: Appeal from grant of habeas corpus motion; prima facie case of theft; mere conjecture or surmise as to connection between items sold by defendant and items taken from his workplace. (Longenberger092018BT) (Posted: September 21, 2018)

► **Commonwealth vs. Copenhagen** (09/20/2018)—Judge Nancy L. Butts

Criminal: Post Conviction Relief Act petition; SORNA registration requirement issue; ex post facto law; timeliness; new constitutional right exception; retroactive application waiver. (Copenhagen092018BT) (Posted: September 21, 2018)

► **Commonwealth vs. Girardi** (09/20/2018)—Judge Nancy L. Butts

Criminal: Post Conviction Relief Act petition; SORNA registration requirement issue; ex post facto law; timeliness; new constitutional right exception; retroactive application. (Giardi092018BT) (Posted: September 21, 2018)



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

**COREY J. MOWREY  
PARTNERSHIP ANNOUNCEMENT**

We are pleased to announce that Attorney Corey J. Mowrey has been named a partner at Rieders, Travis, Humphrey, Waters & Dohrmann. Corey is an experienced attorney who has served at the firm as an intern, associate and senior associate. His practice areas include personal injury litigation, motor vehicle accidents, medical/hospital malpractice, slip and fall, commercial law, unemployment compensation and civil litigation. We are excited to welcome Corey as the firm's newest partner, and we look forward to his continued commitment to providing our clients with quality legal representation.

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## 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

#### **Brown, Floyd A.,** dec'd.

Late of 371 South Main Street, Hughesville.

Administrators: Michelle G. Perry, 360 South Second Street, Hughesville, PA 17737, Robert F. Brown, 846 Teaberry Road, Muncy, PA 17756 and Marcia M. Reigle, 344 South Second Street, Hughesville, PA 17737.

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

#### **Daley, Margaret L.,** dec'd.

Late of South Williamsport Borough. Executrix: Deborah Missigman 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.

#### **Drake, Ford G.,** dec'd.

Late of Cogan Station.

The Ford G. and Catherine M. Drake Income Only Protector Trust, dated January 10, 2007.

Settlor: Ford G. Drake.

Executrix/Trustee: Patti A. Drake. Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

#### **Fink, Albert W.,** dec'd.

Late of the Township of Loyalsock. Executor: Albert W. Fink, Jr., 511 Lockcuff Road, Williamsport, PA 17701.

Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

#### **Fink, Albert W.,** dec'd.

Late of the Township of Loyalsock. The Albert Fink Irrevocable Trust, dated March 13, 2015.

Settlor: Albert W. Fink.

Trustee: Albert W. Fink, Jr., 511 Lockcuff Road, Williamsport, PA 17701.

Attorneys: James G. Malee, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

#### **Gardner, Harold L.,** dec'd.

Late of 10603 Route 442 Highway, Millville.

Co-Executors: Cynthia L. Gardner, 4603 Funston Road, Muncy, PA 17756 and David A. Gardner, 707 Route 405 Highway, Hughesville, PA 17737.

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

#### **Gehron, LaVera G.,** dec'd.

Late of Williamsport.

Executor: Barry W. Gehron.

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



**Horn, Eleanor E.,** dec'd.

Late of Williamsport.

Executor: Richard C. Horn, 275 Dauber Road, Cogan Station, PA 17728.

Attorneys: Dale A. Tice, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

**Horn, Frederick E.,** dec'd.

Late of Williamsport.

Administrator: Richard C. Horn, 275 Dauber Road, Cogan Station, PA 17728.

Attorneys: Dale A. Tice, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

**McKernan, Patricia G.,** dec'd.

Late of Williamsport.

Executor: Robert J. McKernan, 1424 Locust Street, Williamsport, PA 17701.

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

**Mondell, Lucy E.,** dec'd.

Late of the Borough of Montoursville.

Executors: David N. Mondell, 1264 North Loyalsock Avenue, Montoursville, PA 17754 and Stephen J. Mondell, 903 Arthur Road, Montoursville, PA 17754.

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

**Montgomery, Ruth A.,** dec'd.

Late of Williamsport.

The Montgomery Family Protector Trust, dated December 1, 2009.

The Montgomery Family Irrevocable Trust, dated June 13, 2005 and re-stated on December 3, 2007.

The Ruth A. Montgomery Protector Trust, dated December 1, 2009.

Settlor: Ruth A. Montgomery.

Executor/Trustee: John W. Montgomery.

Attorneys: Julieanne E. Steinbacher, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

**Welsh, Robert W.,** dec'd.

Late of Jersey Shore Borough.

Executrix: Robyn L. Welsh 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.

**SECOND PUBLICATION****Alouisa, Cynthia C.,** dec'd.

Late of Williamsport.

Executrix: Suzanne A. Finney 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.

**Evans, Judy L.,** dec'd.

Late of Cogan Station.

Administrator: William W. 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.

**Fry, Carl L.,** dec'd.

Late of the Township of Hepburn.

Co-Executors: Craig R. Fry and Mark E. Fry.

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

**Hayes, Anne E.,** dec'd.

Late of the City of Williamsport.

Executor: Brian W. Hayes, 1507 Spruce Street, Hollidaysburg, PA 16648.

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

**O'Donnell, Patrick J., Jr. a/k/a Patrick J. O'Donnell, dec'd.**

Late of the Borough of Williamsport. Executrix: Catherine A. Fry.

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

**Ritter, Martha L., dec'd.**

Late of Muncy.

Executor: Mark Douglas Ritter a/k/a Mark D. Ritter, 5845 Susquehanna Trail, Watsontown, PA 17777.

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

**THIRD PUBLICATION**

**Barker, Daniel J., Sr., dec'd.**

Late of Jersey Shore.

Administratrix: Heather D. Barker, 509 S. Main St., Jersey Shore, PA 17740.

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

**Campana, Elenor M., dec'd.**

Late of Linden.

Executor: Robert A. Moore, 1590 Cricketwood Circle, Reno, NV 89523.

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

**Hill, Georgia S., dec'd.**

Late of Montoursville.

Executrix: Geanna D. Lively c/o R. Michael Kaar, Esquire, Davis, Davis & Kaar, P.O. Box 319, Milton, PA 17847.

Attorneys: R. Michael Kaar, Esquire, Davis, Davis & Kaar, P.O. Box 319, Milton, PA 17847.

**Horton, Betty Jane a/k/a Betty J. Horton, dec'd.**

Late of Williamsport City.

Executors: Bernard M. Horton and Cindy L. Segraves c/o Christopher H. Kenyon, Esquire, 835 West Fourth Street, Williamsport, PA 17701.

Attorney: Christopher H. Kenyon, Esquire, 835 West Fourth Street, Williamsport, PA 17701.

**Kibby, Caroline C. a/k/a Caroline Coral Kibby, dec'd.**

Late of Muncy.

Executor: Kevin P. Kibby, 139 Kepner Hill Road, Muncy, PA 17756.

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

**Manning, Sallie A., dec'd.**

Late of the City of Williamsport.

Executrix: Deborah L. Berrigan c/o Matthew J. Parker, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Suite 105, Williamsport, PA 17701.

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

**FILING ARTICLES OF INCORPORATION**

NOTICE IS HEREBY GIVEN that articles of incorporation were filed with the Department of State of the Commonwealth of Pennsylvania for:

HUGHESVILLE FUNERAL HOME AND CREMATION SERVICES, INC. formed pursuant to the provisions of the Pennsylvania Business Corporation Law of 1988.

CLIFTON R. GUISE, ESQUIRE  
 HALBRUNER, HATCH & GUISE, LLP  
 2109 Market Street  
 Camp Hill, PA 17011

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NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed on September 21, 2018, with the Department of State of the Commonwealth of Pennsylvania, Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation for a domestic non-profit corporation to be organized under the Pennsylvania Non-Profit Corporation Law of 1988, as amended. The name of the corporation is:

**MUNCY MUSIC ASSOCIATION**

The corporation has been organized to promote and support music education, departments and programs for students of the Muncy School District, Lycoming County, Pennsylvania.

LAYNE R. ODEN, ESQUIRE  
 ATTORNEY & COUNSELOR  
 AT LAW, P.C.

Nine South Main Street  
 Muncy, PA 17756  
 (570) 546-5188

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**SERVICE BY PUBLICATION**

Court of Common Pleas  
 Lycoming County, Pennsylvania  
 Civil Action—Law

No. CV-2018-000845-CV

NOTICE OF ACTION IN  
 MORTGAGE FORECLOSURE

CIT Bank, N.A.

Plaintiff

vs.

Unknown Heirs, Successors, Assigns  
 and All Persons, Firms or Associations  
 Claiming Right, Title or Interest from  
 or Under Helen M. Ford, Deceased  
 and William J. Ford, Known heir of  
 Helen M. Ford, Deceased

Defendant(s)

To: the Defendant(s), Unknown Heirs,  
 Successors, Assigns and All Persons,  
 Firms or Associations Claiming Right,  
 Title or Interest from or Under Helen  
 M. Ford, Deceased and William J.  
 Ford, Known heir of Helen M. Ford,  
 Deceased

TAKE NOTICE THAT THE Plaintiff,  
 CIT Bank, N.A., has filed an action Mort-  
 gage Foreclosure, as captioned above.

**NOTICE**

IF YOU WISH TO DEFEND, YOU MUST ENTER A WRITTEN APPEARANCE PERSONALLY OR BY ATTORNEY AND FILE YOUR DEFENSES OR OBJECTIONS WITH THE COURT. YOU ARE WARNED THAT IF YOU FAIL TO DO SO THE CASE MAY PROCEED WITHOUT YOU AND A JUDGMENT MAY BE ENTERED AGAINST YOU WITHOUT FURTHER NOTICE FOR THE RELIEF REQUESTED BY THE PLAINTIFF. YOU MAY LOSE MONEY OR PROPERTY OR OTHER RIGHTS IMPORTANT TO YOU. YOU SHOULD TAKE THIS NOTICE 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.

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LESLIE J. RASE, ESQUIRE  
ALISON H. TULLIO, ESQUIRE  
KATHERINE M. WOLF, ESQUIRE  
SHAPIRO & DeNARDO, LLC  
Attys. for Plaintiff  
3600 Horizon Dr.  
Ste. 150  
King of Prussia, PA 19406  
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**Gary L. Weber**  
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**none**

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 Editor: **Gary L. Weber**  
 Managing Editor: **none**

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 Has Changed During Preceding 12 Months (Publisher must submit explanation of change with this statement)

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a. Total Number of Copies (Net press run)	240	240
b. Paid Circulation (PS Form 3841) (Include paid distribution above nominal rate, advertiser's proof copies, and exchange copies)	211	211
c. Total Paid Distribution (Sum of 1b(1), (2), (3), and (4))	211	211
d. Free or Nominal Rate Distribution (Sum of 1d(1), (2), (3), and (4))		
(1) Free or Nominal Rate In-County Copies Included on PS Form 3841		
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(4) Free or Nominal Rate Distribution Outside the Mail (Carriers or other means)		
e. Total Free or Nominal Rate Distribution (Sum of 1d(1), (2), (3), and (4))		
f. Total Distribution (Sum of 1c and 1e)	211	211
g. Copies not Distributed (See Instructions to Publishers #4 (page #3))	23	29
h. Total (Sum of 1f and 1g)	240	240
i. Percent Paid (Round to nearest whole number)	100%	100%

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a.	Paid Electronic Copies	18	18
b.	Total Paid Print Copies (Line 15c) + Paid Electronic Copies (Line 15a)	229	229
c.	Total Print Distribution (Line 15b) + Paid Electronic Copies (Line 15a)	229	229
d.	Percent Paid (Both Print & Electronic Copies) (15b divided by 15c x 100)	100%	100%

I certify that 80% of all my distributed copies (electronic and print) are paid above a nominal price.

17. Publication of Statement of Ownership  
 If the publication is a general publication, publication of this statement is required. Will be printed in the 10/5/18 issue of this publication.  Publication not required.

18. Signature and Title of Editor, Publisher, Business Manager, or Owner  
For W. Jones Agent Date 9/18/2018

I certify that all information furnished on this form is true and complete. I understand that anyone who furnishes false or misleading information on this form or who omits material or information requested on the form may be subject to criminal sanctions (including fines and imprisonment) and/or civil sanctions (including civil penalties).



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**PERIODICAL PUBLICATION**

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