

# 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: Jessica A. Engel

Penn Tower  
25 West Third Street, Suite 803  
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Telephone: (570) 323-8287  
Fax: (570) 323-9897  
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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Gary L. Weber

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Jessica A. Engel

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Outreach: *Tammy Weber*  
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*Eric Ladley*  
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### Your online connection for:

- 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).

- 3/10/2014 – LLA Executive Committee Meeting:** *Regular Meeting of the LLA Executive Committee* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 3/26/2014 – Charles F. Greevy, Jr., American Inn of Court Meeting:** *Group 5 presentation* **Time:** 5:45 PM to 8:00 PM. **Location:** TBA
- 4/14/2014 – LLA Executive Committee Meeting:** *Regular Meeting of the LLA Executive Committee* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office

**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

- 3/4/2014 – Taking and Defending Depositions:** *PBI Video Replay*. **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 3/6/2014 – Handling the Workers' Comp Case:** *PBI Groupcast*. **CLE credits:** 5 Substantive / 1 Integrated Ethics **Time:** 8:25 AM to 3:45 PM. **Location:** LLA Office
- 3/13/2014 – Spoliation and Preservation of Evidence:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 3/19/2014 – Annual Update of the Law 2014:** *LLA Eat & Earn, Cliff Rieders Presenting*. **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 3/19/2014 – 27th Annual Civil Litigation Update:** *PBI Groupcast*. **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 4:30 PM. **Location:** LLA Office
- 3/25/2014 – Elder Law Update:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 3/26/2014 – Charles F. Greevy, Jr., American Inn of Court Meeting:** *Group 5 presentation*. **CLE credits:** 1 **Time:** 5:45 PM to 8:00 PM. **Location:** TBA
- 3/27/2014 – Guardianship 101:** *PBI Groupcast*. **CLE credits:** 3 Substantive / 1 Integrated Ethics **Time:** 8:30 AM to 12:50 PM. **Location:** LLA Office
- 3/31/2014 – What Every Municipal Solicitor Should Know About Labor and Employment Law:** *PBI Groupcast*. **CLE credits:** 5 Substantive / 1 Integrated Ethics **Time:** 9:00 AM to 4:45 PM. **Location:** LLA Office
- 4/3/2014 – School Law:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 4/8/2014 – Restrictive Covenants and Computer Forensics:** *PBI Video Replay*. **CLE credits:** 2 Substantive / 1 Integrated Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 4/10/2014 – Powerful Witness Preparation:** *PBI Video Replay*. **CLE credits:** 5 Substantive / 1 Integrated Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 4/15/2014 – CLE Ethics Fun with Sean Carter – Legal Marketing Jeopardy/No Laughing Matter/Heal Thyself:** *PBI Video Replay*. **CLE credits:** 3 Ethics **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 4/16/2014 – An Hour on Ethics:** *LLA Eat & Earn, Brian Bluth (and Panel?) Presenting*. **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Holiday Inn, 100 Pine Street, Williamsport

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- 4/17/2014 – Drafting Last Minute Estate Plan for a Sick or Dying Client:**  
*PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Integrated Ethics  
**Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 4/22/2014 – Ethics: Abe Lincoln, Sydney Carton and the Art of Aspiration:**  
*PBI Video Replay.* **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM.  
**Location:** LLA Office
- 4/23/2014 – Fundamentals of Estate Planning:** *PBI Groupcast.* **CLE credits:**  
5 Substantive / 1 Integrated Ethics **Time:** 9:00 AM to 4:30 PM. **Loca-**  
**tion:** LLA Office
- 4/24/2014 – iPad for Legal Professionals:** *PBI Video Replay.* **CLE credits:** 6  
Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 4/28/2014 – 15th Annual Legal Issues in an Age of Aging:** *PBI Groupcast.*  
**CLE credits:** 5 Substantive / 1 Integrated Ethics **Time:** 8:30 AM to  
4:00 PM. **Location:** LLA Office
- 4/30/2014 – The Jury Process in Criminal Cases:** *PBI Groupcast.* **CLE credits:**  
3 Substantive **Time:** 12:30 PM to 3:45 PM. **Location:** LLA Office
- 5/21/2014 – LLA Eat & Earn:** *CLE – Topic TBA.* **CLE credits:** 1 Substantive  
**Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office

\*PBI Seminar. For tuition, registration, and all other information, please contact PBI Customer Service at (800) 247-4724, or online at [www.pbi.org](http://www.pbi.org). Unless otherwise noted, this seminar is being held at the Lycoming Law Association Offices at 25 West Third Street, Suite 803, Williamsport, PA. Additional fees may be assessed for registration at the door.

\*\*LLA Seminar. For tuition, registration, location, and all other information, please contact Jessica Engel at the LLA Office at (570) 323-8287, by e-mail at [jengel@lycolaw.org](mailto:jengel@lycolaw.org), or online at [www.lycolaw.org](http://www.lycolaw.org).

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. Garcia** (02/19/2014)—Judge Nancy L. Butts  
Criminal: Post-sentence motion; sufficiency and weight of evidence; DNA evidence; fleeing as consciousness of guilt; corroborating testimony. (Garcia021914bt)
- ▶ **Commonwealth vs. Long** (02/19/2014)—Judge Nancy L. Butts  
Criminal: Motion for restitution hearing; contested value of stolen items; claimed windfall; burden of proving value of jewelry; credibility of victim; sufficiency of expert testimony of value; failure of Commonwealth to establish the exact value of gold at time of theft; judicial notice of value of gold. (Long021914bt)
- ▶ **Commonwealth vs. Fromille** (02/19/2014)—Judge Marc F. Lovecchio  
Criminal: Commonwealth appeal of return of property order; timeliness of appeal; waiver of issues; timeliness of Rule 1925 statement; propriety of order requiring return of property or the filing of forfeiture petition within 30 days; property seized without process; inclusion of return of property provisions in sentencing order when parties agree; necessity of hearing. (Fromille021914L)
- ▶ **Commonwealth vs. Delaney** (02/19/2014)—Judge Marc F. Lovecchio  
Criminal: Motion for reconsideration of sentence nunc pro tunc treated as Post Conviction Relief Act petition; impact of revocation of “street time” at parole violation hearing on subsequent sentencing hearing; terrible supervision history; defendant not amenable to supervision. (Delaney021914L)
- ▶ **Commonwealth vs. Newman** (02/18/2014)—Judge Marc F. Lovecchio  
Criminal: Post Conviction Relief Act petition; ineffective assistance of counsel; failure to request counsel to file appeal until after appeal period ran; frivolous issues for appeal. (Newman021914L)



## NOTICE

The offices of  
the Lycoming Law Association  
the Lycoming Law Association Foundation  
and  
the *Lycoming Reporter*  
have moved, effective Monday, February 17, 2014.

The new offices are located at:  
25 West Third Street, **Suite 803**  
(same building, up two floors).

No other contact information has changed.

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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

#### **Carpenter, Charles L.,** dec'd.

Late of Jersey Shore.  
 Executrix: Krista Stover, 523 Eden Street, Jersey Shore, PA 17740.  
 Attorneys: Patricia A. Shipman, Esquire, Susquehanna Law Group, Inc., 454 Pine Street, Williamsport, PA 17701.

### SECOND PUBLICATION

#### **Askey, Millard Duane a/k/a Duane Millard Askey a/k/a Millard D. Askey a/k/a M. Duane Askey a/k/a Duane M. Askey,** dec'd.

Late of the City of Williamsport.  
 Executor: L. Craig Harris, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.  
 Attorneys: L. Craig Harris, Esquire, Carpenter, Harris & Flayhart, 128 S. Main St., P.O. Box 505, Jersey Shore, PA 17740.

#### **Day, Helen L.,** dec'd.

Late of the Borough of Jersey Shore.  
 The Helen L. Day Income Only Protector Trust, dated October 24, 2008.

Settlor: Helen L. Day.

Executor/Trustee: James G. Day, 10540 Route 44 North, P.O. Box 165, Waterville, PA 17776.

Attorneys: Elizabeth A. White, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

#### **Gast, Bertha K.,** dec'd.

Late of Williamsport.

Executor: Mark E. Gast, 212 Hostetter Lane, Lancaster, PA 17602.

Attorney: Melissa R. Clark, Esquire, 333 Market Street, Williamsport, PA 17701, (570) 321-7554, FAX (570) 321-7845, melissa@sz-law.com.

#### **Kremser, Paul L.,** dec'd.

Late of Montoursville.

Executors: Craig W. Kremser, 934 Rakestraw Road, Montoursville, PA 17754 and Paul H. Kremser, 932 Cherry Street, Montoursville, PA 17754.

Attorneys: Henry P. Perciballi, Esquire, Law Offices of Perciballi & Williams, LLC, 429 Market Street, Williamsport, PA 17701.

#### **Thaler, Marjorie A.,** dec'd.

Late of the Township of Loyalsock.  
 The Thaler Family Irrevocable Trust, dated January 31, 2006 and modified and restated on May 22, 2007.

Settlor: Marjorie A. Thaler.

Executor/Trustee: Stephen W. Thaler, 2540 Four Mile Drive, Montoursville, PA 17754.

Attorneys: Elizabeth A. White, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

#### **Yorks, Mary Lou,** dec'd.

Late of Jersey Shore.

Executrix: Jodi Heck, 1312 Locust Street, Jersey Shore, PA 17740.

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



**THIRD PUBLICATION****Clabaugh, John R.,** dec'd.

Late of the Township of Loyalsock.  
The John R. Clabaugh Income Only  
Protector Trust, dated September  
27, 2010.

The John R. Clabaugh Real Estate  
Protector Trust, dated September  
27, 2010.

The John R. Clabaugh Grandchild-  
ren's Trust, dated September 14,  
2010.

The John R. Clabaugh Protector  
Trust, dated September 27, 2010.

Settlor: John R. Clabaugh.

Trustees: Lisa M. Hauser, 372  
Northway Road Extension, Linden,  
PA 17744, John E. Clabaugh, 81 Joce-  
lyn Path, Montgomery, PA 17752  
and James A. Clabaugh, 2073 Wells  
Road, Williamsport, PA 17702.

Attorneys: Elizabeth A. White,  
Esquire, Steinbacher & Stahl, 413  
Washington Boulevard, Williams-  
port, PA 17701.

**Hause, Gladys E.,** dec'd.

Late of Williamsport.

Executors: Linda A. Seewald, 1052  
Louisa Street, Williamsport, PA  
17701 and David L. Miller, 1480  
Pleasant Hill Road, Cogan Station,  
PA 17728.

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

**Mitchell, Albert R. a/k/a Albert  
Mitchell,** dec'd.

Late of Loyalsock.

Executrix: Sharon L. Stout, 19 Hem-  
lock Road, Williamsport, PA 17701.

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

**Monoski, William,** dec'd.

Late of Williamsport.

Executor: Ronald L. Monoski, 209  
Elm Street, South Williamsport, PA  
17702.

Attorneys: McNerney, Page, Vander-  
lin & Hall, 433 Market Street, Wil-  
liamsport, PA 17703.

**Nichols, Jack Lewis,** dec'd.

Late of Loyalsock Township.

Executor: Jay Lewis Nichols c/o  
Denise L. Dieter, Esquire, 227 Alle-  
gheny Street, Jersey Shore, PA 17740.

Attorney: Denise L. Dieter, Esquire,  
227 Allegheny Street, Jersey Shore,  
PA 17740.

**Rager, Charles W., II a/k/a Charles  
Walter Rager, Jr.,** dec'd.

Late of 303 South Market Street,  
Muncy.

Co-Executors: Charles W. Rager,  
III, 512 Dutchtown Road, Muncy,  
PA 17756 and Marlae M. Adams,  
179 Old Cement Road, Lot A42,  
Montoursville, PA 17754.

Attorney: J. Howard Langdon, Es-  
quire, 3 South Main Street, Muncy,  
PA 17756.

**Rhinehart, Lois R.,** dec'd.

Late of Porter Township, Jersey  
Shore.

Executor: Russell L. Rhinehart.

Attorneys: Matthew J. Parker, Es-  
quire, Marshall, Parker & Weber,  
LLC, 303 Allegheny Street, Jersey  
Shore, PA 17740.

**Schon, Martha J.,** dec'd.

Late of Cogan Station.

Co-Executors: Oscar L. Schon, Jane  
P. Blaker and Sherry A. Lowmiller  
c/o Murphy, Butterfield & Holland,  
P.C., 442 William Street, Williams-  
port, PA 17701.

Attorneys: Fred A. Holland, Esquire,  
Murphy, Butterfield & Holland, P.C.,  
442 William Street, Williamsport,  
PA 17701.

**Snyder, Earl J., Jr. a/k/a Earl Snyder, dec'd.**

Late of Washington Township.  
 Executrix: Karen Jacobs 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.

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**REGISTER OF WILLS  
 CONFIRMATION OF  
 ACCOUNTS**


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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 March 4, 2014 unless exceptions are filed before 5:00 P.M. on that date.

I. Coyle, Betty M.—Christian D. Frey, Esquire.  
 Annabel Miller  
 Register of Wills

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**FILING ARTICLES OF  
 INCORPORATION**


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Articles of Incorporation were filed with the Department of State, on August 19, 2013 for the:

**LYCOMING COUNTY SANDLOT  
 SPORTS ASSOCIATION**

pursuant to the provisions of the Pennsylvania Nonprofit Corporation Law of 1988. The purpose of the corporation is: to engage in activities which foster neighborhood unity by bringing together those of different ages and socioeconomic backgrounds through group activity and to otherwise support Williamsport area community recreation in a charitable fashion.

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**SERVICE BY PUBLICATION**

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

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 No. 12-01985
 

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SUSQUEHANNA BANK, successor  
 to FIRST SUSQUEHANNA  
 BANK & TRUST

Plaintiff

vs.

BARBARA A. FREEMAN

Defendant

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**IMPORTANT NOTICE**


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To: Barbara A. Freeman

You are in default because you have failed to enter a written appearance personally or by attorney and file in writing with the court your defenses or objections to the claims set forth against you. Unless you act within ten (10) days from the date of this notice, a judgment may be entered against you without a hearing and you may lose your property or other important rights.

**YOU SHOULD TAKE THIS NOTICE TO A LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE FOLLOWING OFFICE TO FIND OUT WHERE YOU CAN GET LEGAL HELP.**

Pennsylvania Bar Association  
 Lawyer Referral Service  
 100 South Street  
 P.O. Box 186  
 Harrisburg, PA 17108-0186  
 Telephone: (800) 692-7375  
 North Penn Legal Services  
 329 N. Market Street  
 Williamsport, PA 17701  
 Telephone: (570) 323-8741

ROBIN A. READ, ESQUIRE  
I.D. #47629  
McNERNEY, PAGE, VANDERLIN & HALL  
Attorneys for Plaintiffs  
433 Market Street  
Williamsport, PA 17701  
Telephone: (570) 326-6555

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**PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, March 3, 2014**