

LYCOMING REPORTER

Vol. 31

March 7, 2014

No. 10

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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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Williamsport, Pennsylvania

LYCOMING REPORTER (ISSN 0884-187X) is published weekly for \$50 per annum by the Lycoming Law Association, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Legal Notices of less than 300 words in length must be received by 1:00 P.M. on the Tuesday preceding the date of publication; all other notices must be received by 4:00 P.M. on the Monday preceding the date of publication.

Periodical postage paid at Williamsport, PA 17701-9998 and additional mailing offices.

POSTMASTER: Send address changes to LYCOMING REPORTER, Penn Tower, 25 West Third Street, Suite 803, Williamsport, PA 17701.

Library of Congress Catalog Card Number 61—18866

LYCOMING LAW ASSOCIATION

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Williamsport, PA 17701

www.lycolaw.org

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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

SCHEDULED EVENTS

Additional information about any of these events is available on the Lycoming Law Association website at www.lycolaw.org.

- 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
- 4/30/2014** – **Charles F. Greevy, Jr., American Inn of Court Meeting:** *US District Judge Malcolm Muir Lunch* **Time:** 12:00 PM to 1:00 PM. **Location:** TBA
- 5/2/2014** – **Law Day:** *Annual Law Day Event* **Time:** 4:00 PM to 5:30 PM. **Location:** Courtroom #1, Lycoming County Courthouse

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 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
- 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

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- 4/23/2014 – Fundamentals of Estate Planning:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Integrated Ethics **Time:** 9:00 AM to 4:30 PM. **Location:** 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
- 5/30/2014 – Working Through the Layers of Shale: Issues for the General Practitioner:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:15 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. 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, or online at www.lycolaw.org.

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

- ▶ **Commonwealth vs. Blackman** (03/03/2014)—Judge Nancy L. Butts
Criminal: Suppression motion; vehicle stop due to mistaken identity; reasonable suspicion of criminal activity by another person; mistake of fact; observation of marijuana during mere encounter; plain view doctrine; custodial interrogation without *Miranda* rights being given; inevitable discovery doctrine. (Blackman030314bt)
- ▶ **Commonwealth vs. Ruley** (03/03/2014)—Judge Nancy L. Butts
Criminal: Suppression motion; probable cause for vehicle stop; reasonable suspicion for investigatory detention; jurisdiction of police department; waiver of issue not raised in motion; roving DUI patrols. (Ruley030314bt)
- ▶ **Commonwealth vs. English** (02/28/2014)—Judge Marc F. Lovecchio
Criminal: Habeas corpus petition; prima facie case for charge of accidents involving damage to attended vehicle; dismissal due to typographical errors in the information; suppression motion; investigatory detention; reasonable suspicion; suggestive identification; deceptive and inaccurate affidavit of probable cause for vehicle search; variations of witness descriptions; totality of the circumstances; request for order to disclose other crimes, wrongs or acts admissible at trial; prima facie evidence of school zone for mandatory minimum sentence. (English022814L)
- ▶ **Beamer vs. Lycoming Tax Claim Bureau** (02/24/2014)—Judge Richard A. Gray
Administrative Appeal: Complaint to set aside a tax sale; compliance with notice requirements; credibility; unilateral mistake by homeowner. (Beamer 022414g)
- ▶ **Buch vs. Baker** (02/25/2014)—Judge Dudley N. Anderson
Civil: Non-jury trial; final order in partition. (buch022514a)

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**Allison, Lawrence S.,** dec'd.

Late of Loyalsock Township.

Executor: Lawrence S. Allison, Jr., 1706 Liberty Drive, Williamsport, PA 17701.

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

Brelsford, Kathie J., dec'd.

Late of Montoursville.

Co-Executors: Deborah A. Page and Peter Burchanowski c/o Peter Burchanowski, Esquire, 4 West Fourth St., Williamsport, PA 17701.

Attorney: Peter Burchanowski, Esquire, 4 West Fourth St., Williamsport, PA 17701.

Frank, Mary G., dec'd.

Late of the Borough of South Williamsport.

Executor: James E. Frank, Jr., 6077 Sulphur Springs Road, Montgomery, PA 17752.

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

Morris, Winifred S. a/k/a Daisy Winifred Morris a/k/a Winifred Morris, dec'd.

Late of Wolf Township.

Executor: C. Sherman Focht c/o Mullaney Law Offices, 598 Main Street, P.O. Box 24, Red Hill, PA 18076-0024.

Attorneys: Christopher P. Mullaney, Esquire, Mullaney Law Offices, 598 Main Street, P.O. Box 24, Red Hill, PA 18076-0024.

Pantano, Nicholas J., dec'd.

Late of Loyalsock Township.

Executrix: Kathy J. Mauro, 1000 Packer Street, Williamsport, PA 17701.

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

Ressler, Jean I., dec'd.

Late of Linden.

Executrix: Jeannie M. Ressler, 1955 Spook Hollow Road, Linden, PA 17744.

Attorney: Charles F. Greevy, III, Esquire, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

Wenzel, Gordon R. a/k/a Gordon Rudolph Wenzel, dec'd.

Late of Williamsport.

Executrix: Lorraine F. Snyder, 10 Florence Street, Williamsport, PA 17701.

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

Zechman, Mary Ann, dec'd.

Late of Jersey Shore.

Executor: Philip M. Zechman, 91 Old Schoolhouse Road, Jersey Shore, PA 17740.

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

SECOND 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.

THIRD 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.

FILING ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania at Harrisburg, Pennsylvania, on January 21, 2014, for the purpose of obtaining a Certificate of Incorporation of a business corporation to be organized under the Business Corporation Law of 1988 of the Commonwealth of Pennsylvania, approved December 21, 1988 (P.L. 1444, No. 177) and its amendments

and supplements. The name of the corporation is:

TIMBER POWER YOGA, INC.

The registered office of said corporation is: 201 Basin Street, Unit #7, Williamsport, Pennsylvania 17701. The purposes for which it is organized are: To have unlimited power to engage in and do any lawful act concerning any or all lawful business for which corporations may be incorporated under the Pennsylvania Business Corporation Law of 1988 as amended.

JAMES D. CASALE, ESQUIRE
CASALE & BONNER, P.C.

33 West Third Street
Suite 202
Williamsport, PA 17701

M-7

**REGISTRATION OF
FICTITIOUS NAMES**

NOTICE IS HEREBY GIVEN pursuant to Section 311 of Act 1982-295 (54 Pa. C.S. §311), there was filed in the Office of the Secretary of the Commonwealth of Pennsylvania, on February 4, 2014, a Certificate for the conduct of a business in Lycoming County, Pennsylvania, under the assumed or fictitious name, style or designation of:

JNNJ DELUXE STORAGE

with its principal place of business at: 711 Washington Blvd., Williamsport, PA 17701.

The name and address of the entity owning and interested in said business is: JNNJ, Inc., 711 Washington Blvd., Williamsport, PA 17701.

MALCOLM S. MUSSINA, ESQUIRE
426 Broad Street
Montoursville, PA 17754

M-7

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious

Name was filed in the Commonwealth of Pennsylvania on January 30, 2014 for:

JSW AND ASSOCIATES

located at: 2305 C Lycoming Creek Rd., Williamsport, PA 17701. The name and address of the individual interested in the business is: Justin Wheeler, 2305 C Lycoming Creek Rd., Williamsport, PA 17701. This was filed in accordance with 54 Pa. C.S. 311.

M-7

**FILING OF CERTIFICATE OF
ORGANIZATION OF LLC**

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed on or about February 6, 2014, with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania, for the purpose of obtaining a Certification of Organization for a domestic limited liability company, organized under the Business Corporation Law of 1988; December 21, 1988 (P.L. 1444, No. 177), as amended. The name of the limited liability company is:

JERSEY SHORE BLOCK, LLC

1430 Route 880, Jersey Shore, PA 17740.

The purpose for which the limited liability company was organized is: To engage in and do all lawful business for which a limited liability company may be organized under the Limited Liability Company Law of 1994.

SCOTT T. WILLIAMS, ESQUIRE
LAW OFFICES
PERCIBALLI & WILLIAMS, LLC
429 Market Street
Williamsport, PA 17701

M-7

ANNUAL MEETING NOTICE

The Annual Meeting of the Members of the West Branch Mutual Insurance Company will be held at the Company's Office, 32 South Main Street, Muncy, PA

on Tuesday, April 22, 2014 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

M-7

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

The Foundation provides funding for worthwhile law-related community projects and activities, in addition to supporting the Williamsport Office of North Penn Legal Services, which has provided civil legal services on a wide range of high priority legal problems to poor people in Lycoming County since 1974.

The Foundation is funded through the support of the members of the Lycoming Law Association. This support comes in various forms: from member dues, income from the *Lycoming Reporter*; donations by individual lawyer members of the Lycoming County Bar; donations by other individuals, lawyer family members, and estates.

The Lycoming Law Association's Community Activities and Outreach Committee is responsible to advise and assist the Foundation in administering funds for community projects of merit. The Committee is actively involved in reviewing grant applications and in making recommendations to the Foundation and the Association's Executive Committee concerning the funding of worthwhile projects and activities.

For additional information regarding the Foundation and its procedures, contact Jessica Engel, Executive Director, at (570) 323-8287 or jengel@lycolaw.org.



PERIODICAL PUBLICATION

* Dated Material. Do Not Delay. Please Deliver Before Monday, March 10, 2014