

LYCOMING REPORTER

Vol. 31

August 29, 2014

No. 35

TABLE OF CONTENTS

BAR NEWS	LEGAL ADVERTISEMENTS
LLA Upcoming Events..... 3	Estate & Trust Notices..... 7
Continuing Legal Education 4	Confirmation of Accounts 8
Recent Lycoming County Court Opinions 6	Fictitious Names..... 9
	Service by Publication 9

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
Williamsport, PA 17701

Telephone: (570) 323-8287
Fax: (570) 323-9897
Website: www.lycolaw.org

Copyright © 2014, Lycoming Law Association
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

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

EXECUTIVE COMMITTEE

Thomas Waffenschmidt, President
Robert Cronin, President-Elect
Ryan M. Tira, Treasurer
Tammy Avery Weber, Secretary

Julianne E. Steinbacher,
Past President
Jennifer L. Heverly
Christian D. Frey
Clifford A. Rieders
Angela Campana Lovecchio

EDITOR OF LYCOMING REPORTER

Gary L. Weber

EXECUTIVE DIRECTOR

Jessica A. Engel

COMMITTEE CHAIRS

Bench Bar: *C. Edward Mitchell*

Customs and Rules: *Gary Weber*

Community Activities and
Outreach: *Tammy Weber*

Education: *John Pietrovito*

Social:

Young Lawyers Division:
Aaron Biichle and Corey Mowrey

Fee Dispute: *Michael Collins*

Publicity: *Angela Campana Lovecchio*

Legal Services for the Indigent:
John Pietrovito

Bar History: *Charles Greevy, III*
Technology and LLA Web Site:
Gary Weber

Law Day: *Robin Read*

Family Law: *Christina Dinges*

Elder Law: *Jennifer Linn and
Eric Ladley*

Real Estate: *Fred Holland*



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.

- 9/3/2014 – LLA Annual Picnic on the Hiawatha River Boat:** *On the Hiawatha Riverboat. Catered meal catered by the wonderful Chef Hosch & Ann!*
Time: 5:30 PM to 8:30 PM. **Location:** Hiawatha
- 9/8/2014 – LLA Executive Committee Meeting:** *Regular Meeting of the LLA Executive Committee* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 10/13/2014 – 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

- 9/9/2014 – The Fear Factor—How Good Lawyers Get Into Bad Ethical Trouble:** *PBI Video Replay.* **CLE credits:** 3 Ethics **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 9/10/2014 – Negotiating Gas Leases: Wake Up & Earn a Credit!** *LLA & the Lycoming County Paralegal Association Join Together to Offer You More Education Opportunities!* **CLE credits:** 1 Substantive **Time:** 9:00 AM to 10:00 AM. **Location:** LLA Office
- 9/17/2014 – Consumer Law & Ethics:** *LLA Eat & Earn.* **CLE credits:** 1 Substantive / 1 Ethics **Time:** 11:30 AM to 1:30 PM. **Location:** LLA Office
- 9/23/2014 – The Nine Principles of Litigation:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 9/24/2014 – Inns of Court Meeting:** *Regular Inns of Court Meeting.* **CLE credits:** TBD **Time:** 5:45 PM to 8:00 PM. **Location:** TBA
- 10/2/2014 – Claims Made & Professional Liability Insurance Coverage:** *PBI Video Replay.* **CLE credits:** 2 Substantive / 1 Ethics **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 10/7/2014 – Fundamentals of Personal Injury:** *PBI Video Replay.* **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 10/9/2014 – Trying a Case in State Court:** *PBI Video Replay.* **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 10/15/2014 – Changes in POA Laws:** *LLA Eat & Earn.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 10/16/2014 – Practice Before the DVA:** *PBI Groupcast.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 8:30 AM to 12:45 PM. **Location:** LLA Office
- 10/21/2014 – Circular 230 (TITLE Subject to Change):** *PBI Groupcast.* **CLE credits:** 2 Ethics **Time:** 12:30 PM to 2:30 PM. **Location:** LLA Office
- 10/22/2014 – The Medicaid Application Process:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 8:30 AM to 12:45 PM. **Location:** LLA Office
- 10/23/2014 – Fair Credit Reporting Act: A Primer:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 10/27/2014 – The Intersection of Legal and Mental Health Issues in Custody Cases:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 4:30 PM. **Location:** LLA Office
- 10/29/2014 – Inns of Court Meeting:** *Regular Inns of Court Meeting.* **CLE credits:** TBD **Time:** 5:45 PM to 8:00 PM. **Location:** TBA

-
- 1/14/2014 – Common Abuses of Powers of Attorney & How to Deal With Them:** *PBI Video Replay*. **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 1/11/2014 – Attacking Your Adversary’s Expert:** *PBI Groupcast*. **CLE credits:** 6 Substantive **Time:** 8:30 AM to 4:15 PM. **Location:** LLA Office
- 1/13/2014 – Snapshots of Special Education Law:** *PBI Video Replay*. **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 1/17/2014 – Retaining Your Clients/Building Your Practice:** *PBI Groupcast*. **CLE credits:** 6 Ethics **Time:** 9:00 AM to 4:30 PM. **Location:** LLA Office
- 1/19/2014 – Inns of Court Meeting:** *Regular Inns of Court Meeting*. **CLE credits:** TBD **Time:** 5:45 PM to 8:00 PM. **Location:** TBA
- 1/19/2014 – Learning Casemaker:** *LLA Eat & Earn*. **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. 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 email 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. Clay** (08/19/2014)—Judge Nancy L. Butts
Criminal: Suppression motion; instruction to “show your hands” as a seizure; investigative detention; reasonable suspicion; totality of circumstances; coerced abandonment of firearm. (Clay081914bt)
- ▶ **JMH Adoption** (08/18/2014)—Judge Joy Reynolds McCoy
Adoption: Petition for termination of parental rights; lack of any contact of child with father; settled purpose to relinquish a parental claim or failure to perform parental duties for at least 6 months; obstacles preventing contact with child; father demonstrating only passing interest in child; lack of bond with father; existing bond with proposed adoptive father. (AdoptionofJH081814m)
- ▶ **Commonwealth vs. Deprenda** (08/05/2014)—Judge John B. Leete, Specially Presiding
Criminal: Petition for writ of habeas corpus; charges related to death resulting from police chase; admissibility of in-service training course taken by officer on emergency vehicle operation; hearsay objection; conditional privilege of operators of emergency vehicles; due regard for safety; evidence of reckless conduct; foreseeability; contributory negligence of deceased driver as defense to vehicular homicide. (deprenda080514Leete)

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**Belles, Donald,** dec'd.

Late of Duboistown.
 Executor: Justin Belles, 216 Arlington Street, Duboistown, PA 17702.
 Attorneys: Patricia A. Shipman, Esquire, Susquehanna Law Group, Inc., 454 Pine Street, Williamsport, PA 17701.

Masters, Howard C., dec'd.

Late of Williamsport.
 Executor: William H. Masters, 800 Dunkle Road, Bellefonte, PA 16823.
 Attorneys: J. Michael Wiley, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

Masters, Philomena, dec'd.

Late of Williamsport.
 Executor: William H. Masters, 800 Dunkle Road, Bellefonte, PA 16823.
 Attorneys: J. Michael Wiley, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

Wagner, Grace L., dec'd.

Late of Lycoming County.
 Executor: Rodney Wagner, 6120 Forge Drive, Morrisville, PA 19067.

Waldeisen, Kathleen M., dec'd.

Late of Loyalsock Township.
 The Kathleen M. Waldeisen Revocable Trust dated April 24, 1966 as amended.
 Settlor: Kathleen M. Waldeisen.
 Trustee: Woodlands Bank, 2450 E. Third Street, Williamsport, PA 17701.

SECOND PUBLICATION**Aunkst, Thomas A.,** dec'd.

Late of 108 2nd St., Montgomery.
 Executor: Thomas R. Aunkst, 61 Wagner Ave., Montgomery, PA 17752.
 Attorneys: Mary C. Kilgus, Esquire, Kilgus Law Offices, LLC, 185 N. Main St., Hughesville, PA 17737.

Carlucci, Mary A., dec'd.

Late of Williamsport.
 Executors: William P. Carlucci and Philip F. Carlucci c/o Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third Street, Williamsport, PA 17701.
 Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third Street, Williamsport, PA 17701.

Hunsinger, Mary L. a/k/a Mary L. Lilla, dec'd.

Late of Montoursville.
 Administrator: Louis Eugene Hunsinger, Jr., 920 Weaver Street, Montoursville, PA 17754.
 Attorney: David C. Raker, Esquire, 322 Court Street, Williamsport, PA 17701.

Stuempfle, Jeanette J. a/k/a Jeanette E. Stuempfle, dec'd.

Late of the Township of Loyalsock.

Executors: Arthur K. Stuempfle, 2300 Perry Avenue, Edgewood, MD 21040 and David L. Stuempfle, 509 Ellen Street, Hellertown, PA 18055. Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Yoas, Janet Geraldine, dec'd.

Late of Williamsport.
Co-Executors: John S. Yoas, 2100 West Mountain Avenue, South Williamsport, PA 17702 and Robert W. Yoas, 2807 State Route 87, Montoursville, PA 17754.
Attorneys: Bradley S. Hillman, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

THIRD PUBLICATION

Anderson, Pauline E., dec'd.

Late of the Borough of Montoursville.
Executrix: Kathy Williams, 1309 Weldon Street, Montoursville, PA 17754.

Meixel, Evelyn M., dec'd.

Late of Williamsport.
Executrix: Jody L. Meixel-Laubach, 2775 Rauchtown Road, 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.

Mileto, Grace C., dec'd.

Late of the Township of Loyalsock.
Executor: Christopher C. Mileto, 698 Fernfield Circle, Wayne, PA 19087.
Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Reamer, Charles N., dec'd.

Late of Williamsport.

Executrix: Cynthia J. Ott, 1434 Pinecrest Drive, South Williamsport, PA 17702.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701.

Urban, Edith M., dec'd.

Late of Wolfe Township.
The Thomas S. and Edith M. Urban Protector Trust, dated June 3, 2010.
Settlor: Edith M. Urban.
Trustees: Susan M. Springer, 1029 Bonair Drive, Williamsport, PA 17701, Judith A. Belzer, 1952 Kellyburg Road, Trout Run, PA 17771 and Mary E. Stover, 282 Conrad Hill Road, Hughesville, PA 17737.
Attorneys: Adrienne J. Stahl, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

Woolever, Naomi L., dec'd.

Late of Montoursville.
Co-Executrices: Holly S. Saunders, 65 East India Row, Boston, MA 02110 and Katherine R. Shimer, 321 Pine Street, Suite 210, Williamsport, PA 17701.
Attorney: Katherine R. Shimer, Esquire, 321 Pine Street, Suite 210, Williamsport, PA 17701.

**REGISTER OF WILLS
CONFIRMATION OF
ACCOUNTS**

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 September 2, 2014 unless exceptions are filed before 5:00 P.M. on that date.

1. Eiswerth, Paul G.—Kenneth P. Eiswerth, Executor.

2. Fischer, Marion L.—Doris L. Smith, Executrix.

3. Holmes, Lucy C.—Daniel E. Holmes and Susan J. Smith, Executors.

4. Rothrock, E. Lorraine a/k/a Rothrock, Ethel Lorraine—Gregory Starr, Executor.

5. Stuart, Nancy C., Sr., Real Estate Trust—Byron D. Stuart, III, Trustee.
Annabel Miller
Register of Wills

Au-22, 29

REGISTRATION OF FICTITIOUS NAMES

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed in the Commonwealth of Pennsylvania on July 7, 2014 for:

KD OPERATING

located at: 117 Myers Road, Trout Run, PA 17771. The name and address of the individual interested in the business is: Kenny Denike, 117 Myers Road, Trout Run, PA 17771. This was filed in accordance with 54 Pa. C.S. 311.

Au-29

NOTICE IS HEREBY GIVEN that an Application for Registration of Fictitious Name was filed on or about August 12, 2014 with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, PA for the purpose of allowing a nonprofit corporation, The Lycoming Foundation, to operate under the following name:

**LYCOMING ECONOMIC
DEVELOPMENT FOUNDATION**
143 West Fourth Street, Williamsport, PA 17701.

The purpose of which the nonprofit corporation is: to promote the economic, commercial and industrial

welfare and employment of Lycoming County, PA.

ROBERT B. WAYNE, ESQUIRE
ELION, WAYNE, GRIECO,
CARLUCCI & SHIPMAN, P.C.
125 East Third Street
Williamsport, PA 17701

Au-29

SERVICE BY PUBLICATION

NOTICE OF ACTION IN MORTGAGE FORECLOSURE

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

No. 14-00343

FULTON BANK, N.A.

Plaintiff

vs.

CHARLES H. KANTZ, JR.

Defendant

NOTICE

To: CHARLES H. KANTZ, JR.

You are hereby notified that on February 18, 2014, Plaintiff, FULTON BANK, N.A., filed a Mortgage Foreclosure Complaint endorsed with a Notice to Defend, against you in the Court of Common Pleas of LYCOMING County, Pennsylvania, docketed to No. 14-00343. Wherein Plaintiff seeks to foreclose on the mortgage secured on your property located at 135 EAST WATER STREET, MUNCY, PA 17756-1119 whereupon your property would be sold by the Sheriff of LYCOMING County.

You are hereby notified to plead to the above referenced Complaint on or before 20 days from the date of this publication or a Judgment will be entered against you.

NOTICE

If you wish to defend, you must enter a written appearance personally or by attorney and file your defenses or objections in writing 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.

Notice to Defend:

North Penn Legal Services
329 Market Street
Williamsport, PA 17701
(570) 323-8741

Lawyer Referral Service:

Pennsylvania Lawyer Referral Service
Pennsylvania Bar Association
100 South Street
P.O. Box 186
Harrisburg, PA 17108
(800) 692-7375

Au-29

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, September 1, 2014**