

LYCOMING REPORTER

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LYCOMING REPORTER

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THE OFFICIAL LEGAL PERIODICAL FOR LYCOMING COUNTY

PUBLISHED EVERY FRIDAY BY
LYCOMING LAW ASSOCIATION

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LYCOMING LAW ASSOCIATION

Penn Tower, 25 West Third Street, Suite 803

Williamsport, PA 17701

www.lycolaw.org

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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.

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

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- 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 – Learning Casemaker:** *LLA Eat & Earn*. **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 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
- 12/2/2014 – Distracted Driving:** *PBI Video Replay*. **CLE credits:** 3.5 Substantive/.5 Ethics **Time:** 9:00 AM to 1:30 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.

- ▶ **Gorsline & Batkowski vs. Fairfield Township vs. Inflection Energy, LLC & Shaheen** (08/29/2014)—Judge Marc F. Lovecchio
Administrative Appeal: Appeal of conditional use approval, installation of gas well pad; waiver by failure to raise before the board; burden of proof to show compliance with requirements of zoning ordinance; statutory interpretation; deference to municipality’s interpretation; interpretation of ambiguous language; substantial evidence that proposed use is similar to other uses permitted in zone; abuse of discretion; sufficiency of evidence; consideration of general purpose of particular zone; burden to prove detriment to public health, safety and welfare of the neighborhood. (Gorsline082914L)
- ▶ **Commonwealth vs. Riggle** (08/29/2014)—Judge Nancy L. Butts
Criminal: Appeal; mandatory minimum sentence for sex crime with a minor; failure to submit to jury; violation of 6th Amendment; jury determination of element essential to imposition of mandatory sentence; due process concerns in fixing the date of offenses which involve continuous course of criminal conduct. (Riggle082214bt)
- ▶ **Commonwealth vs. Turner** (08/27/2014)—Judge Marc F. Lovecchio
Criminal: Commonwealth’s motion in limine; renunciation defense; retail theft; inchoate crimes; taking possession of property with the intention of depriving merchant of property as allegation of “attempt”; voluntariness of renunciation. (Turner082714L)

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

Edwards, Beverly T., dec'd.

Late of Montgomery.
 Executor: Kenneth W. McClintock, 180 W. Houston Avenue, Montgomery, PA 17752-9096.
 Attorney: Charles F. Greevy, III, Esquire, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

Shatley, Shirlee Y., dec'd.

Late of Montoursville.
 Co-Administratrices: Ashley N. Morris, 1634 Catherine Street, Williamsport, PA 17701 and Shara D. Shatley, 104 South Main Street, Muncy, PA 17756.
 Attorneys: Thomas D. Hess, Esquire, Hess and Hess, P.C., 30 South Main Street, Hughesville, PA 17737.

SECOND 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.

THIRD 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.

Lycoming Law Association Members are kindly asked to consider a donation to the Lycoming Law Association Foundation in memory of a deceased Member. The Foundation will notify the family of such Member that a gift was made by you.

Members of the Lycoming Law Association are reminded and urged to consider placing in your Wills a bequest to the Lycoming Law Association Foundation. As you probably know, your gift is tax deductible as the Foundation is a 501(c)(3) Organization.

Do you know what your

LYCOMING LAW ASSOCIATION FOUNDATION

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?

Assigned over \$47,500.00 in Arbitration Fees to North Penn Legal Services to promote and facilitate the delivery of legal services to indigent persons in Lycoming County over the last six years

Granted \$500.00 to the Changing Lives Through Literature Program to assist in the purchase of books

Granted \$3,000.00 to West Branch School to assist in funding a trip for students to travel to Washington, DC and visit the Supreme Court and the Houses of Congress

Granted \$6,000.00 to North Penn Legal Services to assist in funding an AmeriCorp position

Granted \$2,000.00 to CASA to assist in developing the CCAP curriculum and train program staff and volunteers

Granted \$1,245.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Fair Debt Collection Act Boot Camp Seminar in San Francisco

Granted \$1,489.00 to North Penn Legal Services so that one of their Staff Attorneys could attend a Consumer Rights Litigation Conference in Philadelphia

Granted \$2,952.00 to the Law Library at the JV Brown Library for the initial digitization of its current collection of 140 local ordinances

Granted \$1,000.00 to the Curtin PTO toward their Ben Carson Reading Room Project

Granted \$2,945.00 to CASA of Lycoming County, so that the CASA Director and the CASA Coordinator of Early Education could attend at a three day national conference on Children and the Law held at Harvard Law School

Granted \$2,625.00 to North Penn Legal Services to fund the costs of a law student's employment at NPLS for ten weeks during a summer

Granted \$250.00 to Susquehanna Home Care & Hospice for the Nurse Family Partnership to purchase reference books for nurses to use with low income families

Granted \$1,250.00 to CASA for the purchase of a computer system and necessary software

Granted \$2,200.00 to North Penn Legal Services for the development of a customized Lycoming County Child Custody Video

Granted \$1,500.00 to Wise Options (on behalf of the Domestic Violence Task Force) for the preparation, printing and distribution of a county protocol for domestic violence calls

Granted \$1,000.00 to North Penn Legal Services to assist in funding a Medicare Part D Provider Education Training

Established a Pro Bono Litigation Costs Reimbursement Fund

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/Committees/LLAfoundation.htm>

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.



PERIODICAL PUBLICATION

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