

# 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

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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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## EDITOR OF LYCOMING REPORTER

Gary L. Weber

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## EXECUTIVE DIRECTOR

Jessica A. Engel

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## 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](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).

- 10/17/2014 – Community Activities and Outreach Committee Meeting:** *Regular meeting of the committee to consider grant proposals. Time: 12:00 PM to 1:00 PM. Location: LLA Office*
- 10/20/2014 – Judge Malcolm Muir Movie Premiere:** *The Lycoming Law Association will premiere the documentary “Malcolm Muir: A Pioneer in the Efficient Administration of Justice” on Judge Muir’s 100th birthday, to be followed by a reception. Time: 5:00 PM to 7:00 PM. Location: LLA Office*
- 10/29/2014 – Inns of Court Meeting:** *Regular Meeting of the Charles F. Greevy, Jr. American Inn of Court Time: 5:45 PM to 8:30 PM. Location: TBA*
- 11/3/2014 – Bench Bar Committee Meeting:** *Regular Meeting of the Bench Bar Committee Time: 12:00 PM to 1:00 PM. Location: LLA Office*
- 11/19/2014 – Inns of Court Meeting:** *Regular Meeting of the Charles F. Greevy, Jr. American Inn of Court Time: 5:45 PM to 8:30 PM. Location: TBA*
- 12/5/2014 – New Attorney Admission Ceremony 2014:** *Annual Attorney Admission Ceremony to the various Courts of Lycoming County; Reception for the Bar to follow Time: 4:00 PM to 5:00 PM. Location: Courtroom 1, Lycoming County Courthouse*

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**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

- 10/15/2014** – **Changes in POA Laws:** *Attorney Julie Steinbacher presents an hour on Changes to the POA Laws.* **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:** 9:00 AM to 12:45 PM. **Location:** LLA Office
- 10/21/2014** – **Ethical Issues in Federal Tax Representation: Serving Your Clients While Protecting Yourself:** *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 Meeting of the Charles F. Greevy, Jr. American Inn of Court.* **CLE credits:** 1 **Time:** 5:45 PM to 8:30 PM. **Location:** TBA
- 10/29/2014** – **18th Annual Family Law Update:** *PBI Groupcast.* **CLE credits:** 3 Substantive, 1 of which may be applied to Ethics **Time:** 8:45 AM to 12:00 PM. **Location:** LLA Office
- 11/4/2014** – **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
- 11/11/2014** – **Attacking Your Adversary's Expert:** *PBI Groupcast.* **CLE credits:** 6 Substantive **Time:** 8:30 AM to 4:15 PM. **Location:** LLA Office
- 11/13/2014** – **Snapshots of Special Education Law:** *PBI Video Replay.* **CLE credits:** 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Office
- 11/17/2014** – **Retaining Your Clients/Building Your Practice:** *PBI Groupcast.* **CLE credits:** 6 Ethics **Time:** 9:00 AM to 4:30 PM. **Location:** LLA Office
- 11/19/2014** – **Learning Casemaker:** *LLA Eat & Earn.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 11/19/2014** – **Inns of Court Meeting:** *Regular Meeting of the Charles F. Greevy, Jr. American Inn of Court.* **CLE credits:** 1 **Time:** 5:45 PM to 8:30 PM. **Location:** TBA

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- 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
- 12/3/2014 – Trial Evidence:** *PBI Groupcast.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 8:30 AM to 3:30 PM. **Location:** LLA Office
- 12/4/2014 – Social Media: Do Employers “Like” What Their Employees Are Doing Online?:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 12/9/2014 – Retirement Planning for Attorneys:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 12/10/2014 – Criminal Law Update 2014:** *PBI Groupcast.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 12:00 PM to 4:15 PM. **Location:** LLA Office
- 12/11/2014 – The Impact of the Affordable Care Act on Medicare:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Office
- 12/15/2014 – UM/UIM – Limited Tort: How to Handle or Defend a Limited Tort Case:** *PBI Groupcast.* **CLE credits:** 6 Substantive **Time:** 9:00 AM to 4:15 PM. **Location:** LLA Office
- 12/16/2014 – Financial Aspects of Divorce: Maximizing Settlements and Trial Outcomes:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Office
- 12/18/2014 – A Primer on Collecting & Enforcing Judgments:** *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](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 email 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. Tilburg** (10/02/2104)—Judge Nancy L. Butts  
Criminal: Omnibus pretrial motion; vehicle stop; reasonable suspicion that a turn-signal violation had occurred; accounting for physical ailments in administering field sobriety tests; admissibility of audio of DUI processing center proceedings; valid waiver of *Miranda* rights; volunteered or spontaneous utterances; background questions; suppression of comments reasonably likely to elicit incriminating information. (Tilburg100214bt)
- ▶ **Commonwealth vs. Tanner** (10/02/2014)—Judge Nancy L. Butts  
Criminal: Post Conviction Relief Act petition; waiver of preemptory challenge issue by failing to raise before trial; ineffective assistance of counsel issues waived by failing to raise in previous petition; timeliness of claim of illegal sentence; jurisdiction. (Tanner100214bt)
- ▶ **JM vs. SF** (10/02/2014)—Judge Joy Reynolds McCoy  
Custody: Petition to modify custody; visitation during incarceration; best interests of the children; lack of parental threat in prison setting; safety in presence of other inmates; behavioral issues of child after visit in prison. (jm100214m)
- ▶ **Commonwealth vs. Willis, Martin, Forsythe** (10/01/2014)—Judge Marc F. Lovecchio  
Criminal: Motions to sever; assault case; use of bad acts evidence against 1 defendant; guilt by association; specific prejudice; speculation about conflicting or antagonistic defenses; judicial economy. (MartinWillsForsythe100114L)
- ▶ **Keta Gas & Oil Company vs. Proctor, Rice, Mandell, Thacher, Joslin, Massachusetts General Hospital, and Brinker Hunting Club** (10/02/2014)—Judge Dudley N. Anderson  
Civil: Petition to strike default judgment entered in 1951; service by publication; defect on the face of the record; consideration of matters outside of the record. (ketagas100214a)

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- ▶ **Commonwealth vs. Wiley** (10/01/2014)—Judge Dudley N. Anderson  
Criminal: Motion to dismiss; Rule 600; due diligence to bring case to trial; computation of time; reliance on the District Judge's compliance with rules of criminal procedure. (Wiley100114a)
  - ▶ **Commonwealth vs. Cobb** (09/30/2014)—Judge Richard A. Gray  
Criminal: Petition to set aside or remit the bail forfeiture; setting aside forfeiture if justice does not require the full enforcement of forfeiture order; exoneration of sureties; consideration of factors including willfulness of the defendant's breach of the bond, cost, inconvenience and prejudice suffered by the government, and any explanation or mitigating factors; partial remittitur; vindication of injury to the public. (Cobb093014g)

**ASSOCIATE POSITION**

Three-attorney law firm with offices in Jersey Shore and Williamsport having a general practice (civil and criminal) looking for an Associate. Partnership potential. Send resume to Carpenter, Harris & Flayhart, 128 South Main Street, Jersey Shore, PA 17740.

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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****Bryan, Evelyn I., dec'd.**

Late of Picture Rocks.

Co-Executrices: Jan E. Bryan-Young, 359 Drinker Street, Bloomsburg, PA 17815 and Judith A. Gordner, 500 Broadway, Muncy, PA 17756.

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

**Gross, Donald A., dec'd.**

Late of the Township of Loyalsock. Executor: Douglas A. Gross, 106 Winters Road, Orangeville, PA 17859.

Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

**Sechler, David, dec'd.**

Late of Williamsport.

Executrix: Ginny L. Forestal, 5049 Warrensville Road, Montoursville, PA 17754.

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

**Spaarr, Patricia T., dec'd.**

Late of the Township of Loyalsock. Executor: Christopher J. Spaar, 499 Hidden Hollow Road, Trout Run, PA 17771.

Attorney: Andrea B. Bower, Esquire, 426 Broad Street, Montoursville, PA 17754.

**SECOND PUBLICATION****Hamm, Mary Louise, dec'd.**

Late of 2140 Warrensville Road, Montoursville.

Co-Executors: Joseph G. Hamm, 445 S. Woodland Ave., S. Williamsport, PA 17702 and David W. Hamm, 1137 Jordan Ave., Montoursville, PA 17754.

Attorney: Malcolm S. Mussina, Esquire, 426 Broad Street, Montoursville, PA 17754.

**Hurlbutt, Joseph P., Jr., dec'd.**

Late of Williamsport.

Co-Executors: Rochelle M. Hurlbutt and Sidney F. Litzelman, P.O. Box 135, Jersey Shore, PA 17740.

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

**King, Waltraud, dec'd.**

Late of Williamsport.

King Irrevocable Grantor Trust.

Executrix/Trustee: Linda M. Hill c/o Elizabeth A. White, Esquire, Marshall, Parker & Weber, 303 Allegheny Street, Jersey Shore, PA 17740.

Attorneys: Elizabeth A. White, Esquire, Marshall, Parker & Weber, 303 Allegheny Street, Jersey Shore, PA 17740.

**Kuhns, Gladys M., dec'd.**

Late of Montoursville.

Executors: T. Donald Kuhns, 183 Back Street, Montoursville, PA 17754 and Rolan J. Kuhns, 402 Kaiser Hollow Road, Montoursville, PA 17754.

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

**LaForme, Kathryn C.,** dec'd.

Late of Montgomery.

Executors: Ray A. LaForme, 3635 Elimsport Road, Montgomery, PA 17752 and Jay R. LaForme, 932 Petersburg Road, Allenwood, PA 17810.

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

**Lorson, Maxine B.,** dec'd.

Late of Muncy.

Executrix: Christine M. Dannemann, 608 Shuttle Hill Road, Muncy, PA 17756.

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

**Miller, Harry S.,** dec'd.

Late of the Township of Fairfield.

Executor: Paul E. Miller, 129 Reeder Road, Cogan Station, PA 17728.

Attorney: Andrea B. Bower, Esquire, 426 Broad Street, Montoursville, PA 17754.

**Straub, Shane Michael a/k/a Shane M. Straub a/k/a Shane Straub,** dec'd.

Late of Jersey Shore.

Administratrix: Susan E. Straub, P.O. Box 6, 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**

**Heincelman, Jean L.,** dec'd.

Late of 235 South Second Street, Hughesville.

Executor: Jeffrey L. Houseknecht, 73 Boak Avenue, Hughesville, PA 17737.

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

**Scampone, Mary Jane,** dec'd.

Late of Williamsport.

Executor: James D. Casale, 33 West Third Street, Suite 202, Williamsport, PA 17701.

Attorneys: John R. Bonner, Esquire, Casale & Bonner, P.C., 33 West Third Street, Suite 202, Williamsport, PA 17701, (570) 326-7044.

**Swisher, William D., Jr.,** dec'd.

Late of Old Lycoming Township.

Executrix: Charlotte R. Swisher, 21 Ridgedale Avenue, Williamsport, PA 17701.

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

**Walters, Kathleen I.,** dec'd.

Late of Picture Rocks Borough.

Executors: Ronald H. Walters and Marian K. Moore c/o J. Chad Moore, Esquire, 91 N. Main St., Ste. 100, Hughesville, PA 17737.

Attorney: J. Chad Moore, Esquire, 91 N. Main St., Ste. 100, Hughesville, PA 17737.

**FILING ARTICLES OF INCORPORATION**

NOTICE IS HEREBY GIVEN that Articles of Incorporation have been filed with the Department of State of the Commonwealth of Pennsylvania on August 27, 2014 for the purpose of forming a non-profit corporation under the Non-Profit Corporation Law of 1988 of the Commonwealth of Pennsylvania, 15 Pa. C.S. §1101 et seq.

The name of the corporation is:  
A SOLDIER'S WINGS  
Fred A. Holland, Esquire  
Murphy, Butterfield & Holland, P.C.  
442 William Street  
Williamsport, PA 17701

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**REGISTRATION OF  
FICTITIOUS NAME**

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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 June 25, 2014, a Certificate for the conduct of a

business in Lycoming County, Pennsylvania, under the assumed or fictitious name, style or designation of:

MiD-Valley Farm

With its principal place of business at: 1020 Alvira Road, Allenwood, PA 17810.

The names and address of the individuals owning an interest in said business are: Brenton E. Miller and Marilyn S. Miller, MiD-Valley Farm, 1020 Alvira Road, Allenwood, PA 17810.

PAUL A. ROMAN, ESQUIRE  
LAW OFFICE OF JOSEPH L. RIDER  
143 West Fourth Street  
Williamsport, PA 17701

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**PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, October 13, 2014**