

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

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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.

- 12/12/2014 – Last Day of Angel Tree Toy Drive:** *The Annual Angel Tree Toy Drive is ending.* **Time:** to . **Location:**
- 1/12/2015 – LLA Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 1/12/2015 – LLA & LLA Foundation Annual Meeting:** *Membership meeting to elect officers, consider reports and vote on by-laws changes.* **Time:** 4:00 PM to 5:00 PM. **Location:** Jury Assembly Room, Lycoming County Courthouse
- 1/12/2015 – LLA Annual Banquet:** *The annual banquet and awards ceremony.* **Time:** 5:00 PM to 8:00 PM. **Location:** Le Jeune Chef, Williamsport, PA
- 1/28/2015 – 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

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 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
- 12/12/2014 – Tools and Tips for Pro Bono Attorneys: The PFA Case:** *The course provides CLE at a discounted rate to encourage attorneys to take pro bono Protection From Abuse cases in Lycoming County. Judge McCoy will introduce the topic and provide the judicial perspective on PFA matters.* **CLE credits:** 3 **Time:** 9:00 AM to 12:00 PM. **Location:** The Elder & Special Needs Resource Center, 401 Washington Blvd., Williamsport
- 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:** Lycoming Law Association Conference Center
- 12/15/2014 – Child Protection Legislation Update:** *Training will be on the Child Protective Services Law 23 Pa. C.S. §63 as amended in response to the recommendations of the Task Force on Child Protections. Lunch provided. One CLE credit at the cost of \$2.00.* **CLE credits:** 1 **Time:** 11:45 AM to 1:00 PM. **Location:** Juror's Lounge of the Lycoming County Courthouse
- 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
- 1/20/2015 – Advanced Medicaid Planning for Long-Term Care:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 8:30 AM to 12:45 PM. **Location:** LLA Office
- 1/21/2015 – The New POA Law – Drafting, Forms and Best Practices:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Conference Center
- 1/27/2015 – Trial Evidence:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center

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- 1/28/2015 – 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
- 1/29/2015 – Hot Topics in Capital Cases – Part I:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** LLA Office
- 2/3/2015 – How to Prepare a Fiduciary Income and Decedent’s Final Lifetime Income Tax Returns:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Conference Center
- 2/5/2015 – Act 95 – New Power of Attorney Law:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** LLA Conference Center
- 2/10/2015 – Probate & Trust Law – We Are Living (and Dying) in a Digital World: Estate Planning for Digital Assets and Accounts:** *PBI Video Replay.* **CLE credits:** 2 Substantive **Time:** 9:00 AM to 11:00 AM. **Location:** LLA Conference Center
- 2/13/2015 – The Emerging Retiree – Strategies for Maximizing Social Security Benefits and Retirement Plans:** *PBI Groupcast.* **CLE credits:** 3 Substantive **Time:** 12:00 PM to 3:15 PM. **Location:** LLA Office
- 2/19/2015 – 21st Annual Auto Law Update:** *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** LLA Conference Center
- 2/24/2015 – Basics of Handling a Divorce in Pennsylvania:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 8:30 AM to 12:45 PM. **Location:** LLA Office
- 2/25/2015 – 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
- 3/3/2015 – 2014 Public Interest Law Day:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** LLA Conference Center
- *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 Michele Frey at the LLA Office at (570) 323-8287, by email at mfrey@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. Graham** (12/01/2014)—Judge Marc F. Lovecchio
Criminal: Amended petition; Post Conviction Relief Act; ineffective counsel; no request for *Frye* hearing regarding expert testimony in fingerprinting; lack of attack on methodology; issue previously litigated in the Superior Court; claimed abandonment by trial counsel on appeal when new public defender entered an appearance; *Alleyne* issue relating to use of prior record score to impose sentence; narrow exception requiring jury determination of facts that increase the penalty for a crime. (Graham120114L)

LLA Annual Banquet 2015 Honors Veterans

At this year's Annual Banquet on January 12, 2015, we would like to honor the members of the Lycoming Law Association who are Veterans. If you are a Veteran, would you please share the following information:

1. Branch(es) of Service
2. Dates of Service
3. Rank
4. A fact that most people do not know about you regarding your time serving your country.

Please e-mail this information to the LLA Executive Director, Michele Frey, at mfrey@lycolaw.org by December 12, 2014.

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**IN THE COURT OF COMMON PLEAS
OF LYCOMING COUNTY, PENNSYLVANIA**

IN RE: Approval of "2015" :
 Fee Bill for Prothonotary :
 and Clerk of Courts : No. 14-00007
 :

ADMINISTRATIVE ORDER

AND NOW this 21st day of October, 2014, as both **Act 164 of 1998** (Prothonotary) and **Act 36 of 2000** (Clerk of Court) provides for an increase in the filing fees every (3) three years with the approval of the President Judge, and the amount of the increase is not to be greater than the aggregate of the consumer price index from the month in which the fee was last established through June of 1998, it is **ORDERED AND DIRECTED** that the attached "2015" proposed Fee Bill for the Lycoming County Prothonotary and Clerk of Courts Office is hereby **APPROVED**.

Changes in fees are effective January 5, 2015.

BY THE COURT:

/s/ Nancy L. Butts

Honorable Nancy L. Butts, P.J.

N-7; D-5

“2015” FEE BILL**ACKNOWLEDGEMENTS**

Sheriff, Treasurer or Tax Claim Bureau deeds..... 14.00

APPEALS

Commonwealth, Superior or Supreme –Prothonotary..... 72.50

–State..... 85.50

District Justice Judgment..... 134.50

Summary Criminal Conviction..... 66.50

APPOINTMENTS

Petition for appointment of Accountant,

Auditor, Supervisor, School Police, etc. 134.50

ASSIGNMENT OF LIEN 14.00

AUDIT REPORTS 14.00

BUILDING AGREEMENTS

Lien Waivers and Stipulations..... 24.50

CERTIFICATIONS (First Page)8.50

(Each Additional Page)2.00

COMMENCEMENT OF ACTIONS

Any action at law or equity, regardless

of procedure (including Abuse) 134.50

Divorce Actions 147.00

Each count in excess of count one 35.50

Notice of Election to Resume Maiden/Prior Name..... 14.00

Count for Custody (Whether in an original divorce
complaint, amended complaint or counterclaim)7.50

Final Decree Packet.....7.50

Motion for Final Decree..... 95.00

Custody Actions..... 142.00

Contempt Petition..... 24.50

Modification Petition 24.50

COPIES.....50

DEFAULT JUDGMENT, NON PROS..... 24.50

DETECTIVE LICENSE

Application or Renewal –Individual 325.00

–Partnership Assoc. or Corp. 475.00

ENTRY OF APPEARANCE3.00

(Excludes ProSe, Conflicts, DA & PD counsel)

EXEMPLIFICATION OF RECORDS 24.50

EXPUNGEMENT PETITIONS	60.00
FAX DOCUMENTS(Long Distance).....Per Page	50
FINANCIAL STATEMENT (Insurance companies).....	14.00
FOREIGN DECREES/ORDERS	24.50
FOREIGN SUBPOENA	43.00
JUDGMENTS	
District Justice Judgments	24.50
Petition to Open or Strike.....	121.50
LETTER OF ATTORNEY (Up to three names).....	24.50
Revocation (Up to three names).....	14.00
Additional names, each.....	1.00
LIENS Municipal, Mechanics, Federal, Commonwealth.....	24.50
LIS PENDENS	24.50
NOTARY PUBLIC (Notarization of signature with Identification)	2.00
NOTARY PUBLIC	
Registration of signature	4.50
PASSPORT PHOTOS	11.00
POSTPONEMENT OF LIEN	14.00
PRAECIPE TO DISCONTINUE, WITHDRAW, SETTLE, DISMISS et al.	14.00
PRO HAC VICE MOTION	134.50
REINSTATEMENT OF COMPLAINTS	14.00
REISSUANCE OF WRITS	14.00
RELEASE OF LIENS	14.00
REVIVALS	
Amicable Agreement.....	24.40
Suggestion of Non Payment	24.50
ROAD PAPERS	24.50
SATISFACTIONS	
Notes, District Justice Judgments, Municipal and Mechanics Liens.....	14.00
Federal and Commonwealth Liens	14.50
SEARCHES	
Criminal ... 7 years	11.50
Change of Name Petition (5 years)	8.50
Each reference found	1.00
SUBORDINATION OF LIEN	14.00

SUBPOENAS	5.00
TRANSFERS TO ANOTHER JURISDICTION	
(By Order only)	25.00
WRITS	
Executions	43.00
Garnishees, each50
Possession.....	43.00
Revival.....	43.00
Scire Facias	43.00

PROPOSED "2015" CLERK OF COURTS FEE INCREASE

CLERK OF COURTS FEE (Misdemeanor/Felony)	
.....	\$125.00 to \$142.00
CLERK OF COURTS FEE (Summary)	25.00 to 28.00
AUTOMATION FUND FEE (Per Transcript)	5.00
EXPUNGEMENT FILING FEE	60.00
FINAL BILL JUDGMENTS to Prothonotary.....	25.00 to 38.50
(Now the Administrative Bail Fee)	
SUMMARY APPEALS.....	60.00 to 65.00
POUNDAGE ON STRAIGHT CASH BAIL:	
3% on the first \$1000.00	
1% on balance	

**Malcolm Muir: A Pioneer in the
Efficient Administration of Justice**

Narrated by John M. Humphrey

**Available for purchase from the
Lycoming Law Association**

Malcolm Muir: A Pioneer in the Efficient Administration of Justice documents the inspiring and impressive life of Malcolm Muir, who served for over forty years as a United States District Judge in the Middle District of Pennsylvania. Through extensive recollections and comments by Judge Muir, as well as comments and observations by numerous lawyers, staff, friends and family members, Judge Muir's groundbreaking reforms in civil and criminal procedure are chronicled, as are his achievements as a lawyer in private practice and a leader in the Lycoming Law Association and the Pennsylvania Bar Association. The film looks at the qualities of this respected man, his roles as patriot and father, and his unusual talents and personal traits.

With funding from the Lycoming Law Association and the Lycoming Law Association Foundation, and with generous contributions from numerous former law clerks of Judge Muir, this approximately one-hour film was produced from interviews and research conducted over a five-year period both before and after Judge Muir's death in July 2011. The documentary was written and is narrated by John M. Humphrey, Esq., a former law clerk and friend of Judge Muir, and was filmed and edited by Bryon Carey & Associates Production.

Cost: \$20.00, plus \$5.00 shipping.

Contact: Lycoming Law Association
lla@lycolaw.org or (570) 323-8287
to make arrangements for purchase.

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**Bittner, Lois H. a/k/a Lois A. Bittner, dec'd.**

Late of Williamsport.

Executor: Charles Atwood Bittner, 21 Roseville Road, Williamsport, PA 17701.

Attorneys: Ann S. Pepperman, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

Simmons, Charles L. a/k/a Charles Louis Simmons a/k/a Charles Simmons a/k/a Charles L. Simmons, Jr., dec'd.

Late of the Township of Loyalsock. Executrix: Thelma L. Walters, 1323 Island Road, Lock Haven, PA 17745.

Attorneys: Adrienne J. Stahl, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

SECOND PUBLICATION**Adams, John A., dec'd.**

Late of Elmcroft of Loyalsock, 2985 Four Mile Drive, Montoursville.

Executor: Randy B. Sorrenty, 16 Windham Dr., Concord, NH 03301.

Attorneys: John A. Smay, Esquire, Williams and Smay, 39 South Main Street, P.O. Box 35, Muncy, PA 17756.

Arthur, Jean Frances a/k/a Jean F. Arthur, dec'd.

Late of Muncy.

Administratrix: Pamela K. Arthur, 31 North Main Street, Suite 9, Muncy, PA 17756.

Attorney: Layne R. Oden, Esquire, Nine South Main Street, Muncy, PA 17756-1306.

Beach, Glenn M., dec'd.

Late of Williamsport.

Executor: Don L. Getgen, 2846 Bottle Run Road, Williamsport, PA 17701.

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

Fitzsimmons, John F., dec'd.

Late of Williamsport.

Administrator: Thomas S. Fitzsimmons, 1500 Aero Dr., Ste. 225, Linthicum, MD 21090.

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

Kline, William, dec'd.

Late of Williamsport.

Executrix: Laura Kline Ryan, 1065 Route 45, Pilesgrove, NJ 08098.

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

Leonard, Ethel H., dec'd.

Late of South Williamsport.

Executor: Dennis J. Leonard, 80 Mountain View Drive, Jersey Shore, PA 17740.

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

Renner, Claire a/k/a Clara Renner, dec'd.
Late of Williamsport.
Executrix: Rebecca Renner, 809 Logue St., Williamsport, PA 17701.

Simcox, Janet M. a/k/a Janet Simcox, dec'd.
Late of 3093 Woodward Avenue, Avis.
Executrix: Diane M. Cioffi.
Attorney: G. Scott Gardner, Esquire, Attorney At Law, 2117 West Fourth Street, Williamsport, PA 17701.

Stewart, Charles J., Jr., dec'd.
Late of 347 Smokey Corners Road, Cogan Station.
Executor: Susquehanna Trust & Investment Co., John J. Gallo, Jr., 48 Orchard Drive, Shamokin Dam, PA 17876.
Attorney: John P. Pietrovito, Esquire, 3 South Main Street, Muncy, PA 17756.

THIRD PUBLICATION

Gault, John C., Jr., dec'd.
Late of the City of Williamsport.
Executor: Woodlands Bank, 2450 E. Third Street, Williamsport, PA 17701.
Attorney: Joseph L. Rider, Esquire, 143 West Fourth Street, Williamsport, PA 17701.

Knarr, Laura B. a/k/a Laura Knarr, dec'd.
Late of the Township of Old Lycoming.
The Laura B. Knarr Revocable Living Trust, dated June 14, 2001, and any amendments thereto.
Settlor: Laura B. Knarr.
Executors/Trustees: Michael L. Buckingham, 976 East New Road, Linden, PA 17744 and Shirley Day, 1183 East Lime Bluff Road, Muncy, PA 17756.

Attorneys: Adrienne J. Stahl, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

Lajeunesse, Raymond J., Sr., dec'd.
Late of Williamsport.
Co-Executors: Pamela L. Shipman, 1514 Faxon Pkwy., Williamsport, PA 17701 and Raymond J. Lajeunesse, Jr., 3709 N. Glebe Rd., Arlington, VA 22207.
Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

Moyer, L. Myrel, dec'd.
Late of the City of Montgomery.
Executrices: Charity M. Powell, 414 Elm Street, Jersey Shore, PA 17740 and Roberta L. Bergman, 2812 Prestwick Drive, Uniontown, OH 44685.
Attorneys: Paul A. Roman, Esquire, Law Offices of Joseph L. Rider, 143 West Fourth Street, Williamsport, PA 17701.

Remsnyder, Terry L., dec'd.
Late of 4756 E. Rte. 973 Hwy., Williamsport.
Administratrix: Katie L. Leidhecker c/o Patricia L. Bowman, Esquire, Bowman Law Office, 353 Pine Street, Williamsport, PA 17701.
Attorneys: Patricia L. Bowman, Esquire, Bowman Law Office, 353 Pine Street, Williamsport, PA 17701.

FILING ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed in the Department of State of the Commonwealth of Pennsylvania for:

BRIARSTONE INC.

on October 29, 2014 under the provisions of the Pennsylvania Business Corporation Law of 1988, as amended.

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**REGISTRATION OF
FICTITIOUS NAME**

NOTICE IS HEREBY GIVEN that on or about November 5, 2014, Gloria J. Miele and Robert B. Elion, Trustee of the Dante Ernesto Miele Elion Trust of Williamsport, Pennsylvania, filed in the Office of the Secretary of the Commonwealth, an application for a certificate to do business under the assumed or fictitious name of:

PETER HERDIC HOUSE

said principal place of business to be at: 407 West Fourth Street, Williamsport, Pennsylvania 17701, all under and pursuant to the Act of Assembly of May 25, 1945, P.L. 967, as amended.

PERCIBALLI & WILLIAMS, LLC

429 Market Street
Williamsport, PA 17701

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**FILING OF CERTIFICATE OF
ORGANIZATION OF LLC**

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed

on or about November 10, 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 business corporation, 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:

**WOOD'S GARAGE TOWING &
AUTOBODY REPAIR, LLC**

The purpose of which the corporation was organized is: to provide auto repair and towing services and any other lawful business for which limited liability companies can be formed in the Commonwealth of Pennsylvania.

**ROBERT A. HOFFA, ESQUIRE
CAMPANA, HOFFA, MORRONE
& LOVECCHIO, P.C.**

602 Pine Street
Williamsport, PA 17701
(570) 326-2401

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PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, December 8, 2014**