

# 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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Williamsport, Pennsylvania

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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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## EDITOR OF LYCOMING REPORTER

Gary L. Weber

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## COMMITTEE CHAIRS

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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](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).

- 2/25/2015 – 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
- 3/9/2015 – LLA Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 3/25/2015 – 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

The Lycoming Law Association office conference room is available for rental by both members and non-members. The office has a large conference table, and additional area for chairs. Coffee and food services are available.

The space is ideal for depositions or small presentations. Equipment, including a projector and screen, DVD and VHS players and television, is available for use.

The cost for non-LLA members is \$100 for 4 hours or less; \$150 for more than 4 hours. Members may use the conference room at no cost.

Scheduling arrangements may be made with Michele Frey, (570) 323-8287 or [mfrey@lycolaw.org](mailto:mfrey@lycolaw.org).

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**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

- 2/18/2015 – Residential Mortgage Foreclosure: Litigation and Settlement:** *Host: Attorney Jen Heverly. This CLE will cover common defenses in mortgage foreclosure and the various settlement options and programs available to the owners of residential real estate. CLE credits: 1 Substantive Time: 12:00 PM to 1:00 PM. Location: LLA Conference Center*
- 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*
- 3/5/2015 – The Medicaid Application Process:** *PBI Video Replay. CLE credits: 4 Substantive Time: 9:00 AM to 1:30 PM. Location: LLA Conference Center*
- 3/10/2015 – Preparing a Witness to Testify:** *PBI Groupcast. CLE credits: 3 Substantive / 1 Ethics Time: 9:00 AM to 5:00 PM. Location: LLA Conference Center*
- 3/11/2015 – The Intersection of Legal and Mental Health Issues in Custody Cases:** *PBI Video Replay. CLE credits: 5 Substantive / 1 Ethics Time: 9:00 AM to 5:00 PM. Location: LLA Conference Center*
- 3/18/2015 – Defending Oil and Gas Enforcement Actions:** *Host: Attorney Glenn Parno. CLE credits: 1 Substantive Time: 12:00 PM to 1:00 PM. Location: LLA Conference Center*
- 3/19/2015 – 28th Annual Civil Litigation Update:** *PBI Groupcast. CLE credits: 5 Substantive / 1 Ethics Time: 9:00 AM to 4:15 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](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 Michele Frey at the LLA Office at (570) 323-8287, by email at [mfrey@lycolaw.org](mailto:mfrey@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. Knott** (02/10/2015)—Judge Marc F. Lovecchio  
Criminal: Suppression motion; DUI; reasonable suspicion to stop vehicle; specific and articulable facts that led officer to believe that criminal activity is afoot; erratic driving. (Knott201015L)
- ▶ **Commonwealth vs. Hopson** (02/04/2015)—Judge Nancy L. Butts  
Criminal: Post-sentence motion; sufficiency of evidence; marijuana found by intake officer at prison; previous police search failing to discover all drugs in possession of defendant; knowing possession by new prisoner. (Hopson020415bt)
- ▶ **Downs and Transcontinental Gas Pipeline Company, LLC. vs. Flynn** (02/15/2015)—Judge Dudley N. Anderson  
Civil: Motions for post-trial relief; reformation of deeds based on claimed mutual mistake; unilateral mistake; reforming deeds on grounds of mistake by one party with knowledge of the other; clear intention of the parties; speculative nature of damage claims. (downs021015a)
- ▶ **Commonwealth vs. Schon** (02/10/2015)—Judge Dudley N. Anderson  
Criminal: Suppression motion; probable cause to stop vehicle; vehicle touching or crossing center and fog lines where no safety hazards were created; slow speed where vehicle was not driven with careless disregard for safety; reasonable suspicion that driver might have been impaired; combination of circumstances to show reasonable suspicion. (Schon021015L)
- ▶ **Ritter vs. Van Campen Motors, Inc., Banks and Van Campen & Sons, Inc.** (02/09/2015)—Judge Dudley N. Anderson  
Civil: Motions in limine; blood alcohol evidence; proof of intoxication; evidence from forensic pathologist; timeliness of report. (ritter020915a)
- ▶ **Commonwealth vs. Sears** (02/09/2015)—Judge Marc F. Lovecchio  
Criminal: Motion to suppress; inmate effort to secure incriminating information to try to use to obtain lesser sentence; agent of Commonwealth. (Sears020915L)

- ▶ **Drum vs. Dental Care Real Estate Partnership** (02/06/2015)—  
Judge Dudley N. Anderson  
Civil: Motion in limine; admissibility of photographs depicting standing water where weather conditions on the day of the slip and fall accident were different; applicability of provisions of International Property Maintenance Code relating to drainage; admissibility of expert testimony on general negligence standards found in the International Property Maintenance Code. (drum020615a)
- ▶ **Commonwealth vs. Nottingham** (02/05/2015)—Judge Richard A. Gray  
Criminal: Appeal; sufficiency of evidence to support non-jury guilty verdict for access device fraud. (Nottingham020515g)
- ▶ **ET vs. MT** (02/03/2015)—Judge Joy Reynolds McCoy  
Custody, Support, Divorce: Petition to enforce prenuptial agreement; handwritten changes to typed agreement; references to attachments in typed agreement; clear and unambiguous; claims for attorney fees. (Thomas020315m)
- ▶ **Commonwealth vs. Wright; Commonwealth vs. Sears** (02/04/2015)—Judge Marc F. Lovecchio  
Criminal: Defendant's request for discovery; entitlement to the full transcripts, police reports and videotapes of the meetings with an informer; potential bias; hopes for leniency in sentencing. (Sears020415L)

## 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

#### **Mitchell, June E.,** dec'd.

Late of Montoursville.

Executor: Lynne D. Mitchell, 2 S. Market St., Duncannon, PA 17020.

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

#### **Nancarrow, Brooks E.,** dec'd.

Late of the Township of Loyalsock. The Brooks E. and Lucille C. Nancarrow Living Trust, dated July 2, 2013. Settlor: Brooks E. Nancarrow.

Trustee: Lucille C. Nancarrow, 1931 Konkle Road, Montoursville, PA 17754.

Attorneys: Jonathan L. DeWald, Esquire, Steinbacher & Stahl, 413 Washington Boulevard, Williamsport, PA 17701.

#### **Ricci, Eugene A., Sr.,** dec'd.

Late of South Williamsport.

Co-Executors: Eugene A. Ricci, Jr. and Linda M. Kopschansky c/o Robert B. Wayne, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

Attorneys: Robert B. Wayne, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

#### **Robbins, Donald L.,** dec'd.

Late of the Borough of Montoursville.

Executrix: Connie J. Turner, 30 N. Montour Street, Montoursville, PA 17754.

Attorneys: Kristine L. Waltz, Esquire, Dinges, Dinges & Waltz, LLC, 1307 Sheridan Street, Williamsport, PA 17701.

### SECOND PUBLICATION

#### **Benoit, Patricia,** dec'd.

Late of 875 Beaver Lake Road, Hughesville.

Executrix: Paula Biichle, 52 Willow St., Hughesville, PA 17737.

Attorneys: Mary C. Kilgus, Esquire, Kilgus Law Offices, LLC, 185 N. Main St., Hughesville, PA 17737.

#### **Boscola, Dolores H.,** dec'd.

Late of Williamsport.

Administratrix: Gloria B. O'Connell, 1621 Oakmont Drive, Williamsport, PA 17701.

Attorneys: Christopher H. Kenyon, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

#### **Cook, Alvin R. a/k/a Alvin Robert Cook a/k/a Alvin Cook,** dec'd.

Late of the Township of Loyalsock. Executrix: Donita J. Rodarmel, 1221 Windfield, Williamsport, PA 17701.

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

#### **Dietzel, Marguerite A.,** dec'd.

Late of Jersey Shore.

Executor: Karl Robert Dietzel c/o Denise L. Dieter, Esquire, 227 Allegheny Street, Jersey Shore, PA 17740.

Attorney: Denise L. Dieter, Esquire,  
227 Allegheny Street, Jersey Shore,  
PA 17740.

**English, Louis C.,** dec'd.

Late of the City of Williamsport.  
Executor: Donald M. English, 961  
Hepburn Street, Williamsport, PA  
17701.

Attorney: Joseph L. Rider, Esquire,  
143 West Fourth Street, Williams-  
port, PA 17701.

**Griggs, Stephen M.,** dec'd.

Late of the Township of Eldred.  
Co-Personal Representatives: Rob-  
ert P. Hager and Kathie L. Hunter,  
2814 Lycoming Mall Drive, Muncy,  
PA 17756.

Attorneys: Douglas C. Loviscky,  
Esquire c/o Anthony J. Grieco, II,  
Esquire, Elion, Wayne, Grieco, Car-  
lucci & Shipman, P.C., 125 E. Third  
Street, Williamsport, PA 17701.

**Hensler, Kathryn T.,** dec'd.

Late of the Township of Loyalsock.  
The Kathryn T. Hensler Real Estate  
Income Only Protector Trust, dated  
August 22, 2011.

Hensler Family Trust, dated Novem-  
ber 23, 2005.

Settlor: Kathryn T. Hensler.

Executor/Trustee: Stephen A. Hens-  
ler, 2720 Beauty's Run Road, Cogan  
Station, PA 17728.

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

**Myers, Richard A. a/k/a Richard A.  
Myers, Sr. a/k/a Richard Myers,  
Sr.,** dec'd.

Late of Limestone Township.  
Executrix: Michelle L. Parsons, 35  
Van Burren Road, Jersey Shore, PA  
17740.

Attorneys: Martin A. Flayhart, Es-  
quire, Carpenter, Harris & Flayhart,  
128 S. Main St., P.O. Box 505, Jersey  
Shore, PA 17740.

**Pagana, Joseph A.,** dec'd.

Late of Loyalsock.

Executor: James M. Pagana, 129 Hen-  
ry Drive, Montoursville, PA 17754.

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

**Rainey, Henry A.,** dec'd.

Late of Piatt Township.

Co-Administrators: Howard N.  
Rainey and Gina Champion c/o De-  
nise L. Dieter, Esquire, 227 Alleghen-  
y Street, Jersey Shore, PA 17740.

Attorney: Denise L. Dieter, Esquire,  
227 Allegheny Street, Jersey Shore,  
PA 17740.

**Snyder, Ruth Ann,** dec'd.

Late of Muncy Creek.

The Ruth Ann Snyder Protector  
Trust, dated August 27, 2007.

Settlor: Ruth Ann Snyder.

Trustees: Gordon L. Snyder, 243  
Meadow View Drive, Montoursville,  
PA 17754 and Shane H. Snyder, 2532  
Ashbrook Drive, Ellicott City, MD  
21042.

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

**Wehler, Margaret L. a/k/a Marga-  
ret Louise Wehler,** dec'd.

Late of the City of Williamsport.

Executor: Richard M. Wehler, 624  
Third Avenue, Williamsport, PA  
17701.

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

**Yeagle, Mary E.,** dec'd.

Late of the Township of Eldred.

Executor: Elwood H. Yeagle, 876  
Yeagle Road, Montoursville, PA  
17754.

Attorney: Joseph L. Rider, Esquire,  
143 West Fourth Street, Williams-  
port, PA 17701.



**Young, Mildred L.,** dec'd.  
Late of South Williamsport.  
Executor: H. Kent Young.  
Attorneys: Tammy A. Weber, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

### THIRD PUBLICATION

**Campana, Rose A.,** dec'd.  
Late of the City of Williamsport.  
Executors: Kathleen Hutchinson, Gabriel Campana and Gemma Bragalone c/o Daniel K. Mathers, Esquire, Mathers & Stapp PC, 416 Pine St., Ste. 308, Williamsport, PA 17701.  
Attorneys: Daniel K. Mathers, Esquire, Mathers & Stapp PC, 416 Pine St., Ste. 308, Williamsport, PA 17701.

**Henry, Betty R.,** 41-15-0016, dec'd.  
Late of Avis.  
Administratrix: Lenny C. Draper, 271 Creek Road, Mill Hall, PA 17751.  
Attorneys: Lee H. Roberts, Esquire, Roberts, Miceli & Boileau, LLP, 146 East Water Street, Lock Haven, PA 17745.

**Lower, Kitty R.,** dec'd.  
Late of Jersey Shore.  
Administrator: John D. Bierly, 324 Cottage Place, Lewistown, PA 17044.  
Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

**McGill, Russell J.,** dec'd.  
Late of Williamsport.  
Administrator: Donald L. Speck, 383 S. Pine Run Rd., Linden, PA 17744.  
Attorneys: Christopher H. Kenyon, Esquire, McCormick Law Firm, 835 West Fourth Street, Williamsport, PA 17701.

### FILING OF CERTIFICATE OF ORGANIZATION OF LLC

NOTICE IS HEREBY GIVEN that a Certificate of Organization was filed on or about February 16, 2015, 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:  
441 DEVELOPMENT, LLC  
800 West 4th Street, Ste. 201, Williamsport, PA 17701.

The purpose for which the limited liability company was organized is: Real Estate Development.

HENRY P. PERCIBALLI, ESQUIRE  
PERCIBALLI & WILLIAMS, LLC  
429 Market Street  
Williamsport, PA 17701

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### INTENTION TO CHANGE NAME

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

CASE NO. 15-00165

IN THE MATTER OF PETITION  
FOR CHANGE OF NAME OF  
ALYSSA JANE WAGNER I

NOTICE

NOTICE IS HEREBY GIVEN that on January 29, 2015 the Petition for Change of Name was filed in Lycoming County in the above referenced matter. The Court of Common Pleas of Lycoming

County, Pennsylvania has scheduled a hearing for April 6, 2015 at 2:00 p.m. in Courtroom No. 3 of the Lycoming County Courthouse, Williamsport, Pennsylvania as the time and place for a hearing, when and where all persons may show cause, if any they have, why the name of Alyssa Jane Wagner I should

not be changed to Alyssa Jane Straub.  
LEROY H. KEILER, ESQUIRE  
Attorney for Petitioner  
110 Oliver St.  
Ste. 2  
Jersey Shore, PA 17740  
(570) 398-2750

F-13

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.

**T**he 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 Michele Frey, Executive Director, at (570) 323-8287 or [mfrey@lycolaw.org](mailto:mfrey@lycolaw.org).



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**PERIODICAL PUBLICATION**

**\* Dated Material. Do Not Delay. Please Deliver Before Monday, February 16, 2015**