

LYCOMING REPORTER

Vol. 32

September 4, 2015

No. 36

TABLE OF CONTENTS

BAR NEWS	LEGAL ADVERTISEMENTS
LLA Upcoming Events..... 3	Estate & Trust Notices..... 7
Continuing Legal Education 4	Incorporation Notice..... 8
Recent Lycoming County Court Opinions 6	Service by Publication 8
	Office Space for Rent..... 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:* Michele S. Frey

Penn Tower
25 West Third Street, Suite 803
Williamsport, PA 17701

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

Copyright © 2015, 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

Tammy Avery Weber, President
Robert Cronin, President-Elect
Ryan M. Tira, Treasurer
Jennifer L. Heverly, Secretary

Thomas Waffenschmidt,
Past President
Christian D. Frey
Angela Campana Lovecchio
Donald F. Martino
Corey Mowrey

EDITOR OF LYCOMING REPORTER

Gary L. Weber

EXECUTIVE DIRECTOR

Michele S. Frey

COMMITTEE CHAIRS

Bench Bar: *C. Edward Mitchell*

Customs and Rules: *Gary Weber*

Community Activities and
Outreach: *Tammy Weber*

Criminal Law: *Aaron Biichle*

Education: *John Pietrovito*

Social: *Schawanne K. Kilgus*

Young Lawyers Division:
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: *Christian D. Frey*

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.

- 9/14/2015 – LLA Executive Committee Meeting:** *Regular monthly meeting.*
Time: 12:00 PM to 1:00 PM. **Location:** LLA Office
- 9/26/2015 – Knoebel's Grove:** *FREE rides, games, food – sponsored by the LLA and YLD.* **Time:** 1:00 PM to 5:00 PM. **Location:** Knoebel's Grove
- 10/2/2015 – Bench Bar Committee Meeting:** *Quarterly meeting of the committee.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 10/12/2015 – LLA Executive Committee Meeting:** *Regular monthly meeting.*
Time: 12:00 PM to 1:00 PM. **Location:** LLA Office
- 10/17/2015 – Wills for Heroes:** *The Wills for Heroes program, sponsored by the Young Lawyers' Division of the PBA, provides basic estate planning documents for first responders, at no cost. The session will be operated by LLA lawyer volunteers.* **Time:** 8:45 AM to 5:00 PM. **Location:** Old Lycoming Township Volunteer Fire Company

The mission of the Lycoming Law Association is to promote the practice of law using the highest ethical standards and to advance the public image of our profession. We accomplish this by communicating within our profession and throughout our community, providing continuing legal education, encouraging collegiality among attorneys and the Court, providing *pro bono* legal assistance, and through community involvement.

UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES

- 9/16/2015 – Navigating SORNA: The Romeo Problem and Other Insights:** *Eat & Earn. CLE credits:* 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 9/25/2015 – From File to Trial – 8 Keys to Success in Court and Beyond:** *PBI Video Replay. CLE credits:* 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 10/1/2015 – Fundamentals of Oil and Gas Law:** *PBI Video Replay. CLE credits:* 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 10/6/2015 – Probate & Trust Law – Guardianship of Incapacitated Persons:** *PBI Groupcast. CLE credits:* 1 Substantive / 1 Ethics **Time:** 12:30 PM to 2:30 PM. **Location:** Lycoming Law Association Office
- 10/7/2015 – 20 Hot Tips in Family Law:** *PBI Video Replay. CLE credits:* 2 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 10/8/2015 – Dead Man’s Rule:** *PBI Video Replay. CLE credits:* 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 10/14/2015 – The Changing Landscape: Issues Beyond Marriage for the LGBT Pennsylvanian:** *PBI Groupcast. CLE credits:* 2 Substantive / 1 Ethics **Time:** 8:30 AM to 11:45 AM. **Location:** Lycoming Law Association Office
- 10/15/2015 – Lights, Camera, Evidence!:** *PBI Video Replay. CLE credits:* 6 Substantive **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 10/22/2015 – Premarital Agreements:** *PBI Video Replay. CLE credits:* 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 10/27/2015 – Nuts & Bolts of Medicaid Planning:** *PBI Groupcast. CLE credits:* 3 Substantive **Time:** 12:00 PM to 3:15 PM. **Location:** Lycoming Law Association Office
- 10/28/2015 – Lincoln and His Leadership:** *PBI Video Replay. CLE credits:* 2 Substantive / 1 Ethics **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office

-
- 1/14/2015 – Estate Planning for Younger Couples:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 1/15/2015 – Hot Topics in Oil and Gas Law:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 1/10/2015 – Family Law 101:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 1/17/2015 – Representing a Client With Diminished Capacity in Estate & Elder Law:** *PBI Video Replay.* **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association Office
- 1/19/2015 – Fire at Will in Pennsylvania:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:30 PM. **Location:** Lycoming Law Association Office
- 1/23/2015 – School Law:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:15 PM. **Location:** Lycoming Law Association Office
- 12/1/2015 – Hot Topics in Capital Cases – Part II:** *PBI Video Replay.* **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:30 PM. **Location:** Lycoming Law Association 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 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.

- ▶ **LWH vs. JLF** (08/25/2015)—Judge Joy Reynolds McCoy
Divorce: Petition to enforce settlement agreement and for contempt; interpretation of property settlement agreement; clear and unambiguous language; wrongful intent; attorney’s fees. (lwh082815m)
- ▶ **Commonwealth vs. Benefield** (08/31/2015)—Judge Marc F. Lovecchio
Criminal: Motion to dismiss; Rule 600; police due diligence in trying to locate defendant, who did not appear for scheduled appointments. (benefield083115L)
- ▶ **Discover Bank vs. Wade** (08/27/2015)—Judge Dudley N. Anderson
Civil: Petition to open judgment; credit card collection case; defendant’s burden to open judgment; timeliness; failure to set forth proper defense or attach proposed answer; validity of service on sister. (DiscoverBank082715a)
- ▶ **Commonwealth vs. Baldwin** (08/24/2015)—Judge Nancy L. Butts
Criminal: Habeas corpus petition; failure to comply with sexual offender registration requirements; requirement of Pennsylvania registration for offender who is working and living in Ohio; prima facie case; applicability of Megan’s Law I where offender not under Pennsylvania supervision; applicability of Megan’s Law II or Megan’s Law III where defendant not in the custody of correctional authorities; registration requirements of SORNA. (Baldwin082415bt)
- ▶ **Scott vs. Ferguson vs. Susquehanna Township** (08/25/2015)—
Judge Dudley N. Anderson
Civil: Preliminary objections; claim against township for negligent failure to install catch basins for run-off water; law of surface waters; attacking municipality discretion in providing drainage; incremental increase in rate of water flow caused by macadam’s lack of porosity. (scott082515a)
- ▶ **Lycoming County vs. Salvatoi and The Williamsport Sun-Gazette** (08/17/2015)—Judge John B. Leete, Specially Presiding
Administrative Appeal: Petition for review of Office of Open Records determination; request to Lycoming County under Right-to-Know Law for County Commissioner appointment candidate list; Court of Common Pleas appointment; obligation of county to provide judicial agency record. (LycomingCounty081315Leete)

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**Balum, Ruby Mary a/k/a Ruby M.****Balum a/k/a Ruby Balum**, dec'd.

Late of Wolf Township.

Administratrix C.T.A.: Lori R. Hayhurst, 208 Rabbittown Road, Pennsdale, PA 17756.

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

Grove, Lois H., dec'd.

Late of the City of Williamsport.

Administratrix c.t.a.: John Paul Grove, 1821 Ravine Road, Williamsport, PA 17701.

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

Maneval, Raymond A., dec'd.

Late of Williamsport.

Executrix: Karen C. Fischer, One Ridge Street, Williamsport, PA 17701.

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

Wurster, Amanda L., dec'd.

Late of Williamsport.

Executrix: Abigail A. Walker, 1132 Meade Street, Williamsport, PA 17701.

Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

SECOND PUBLICATION**Cramm, Marion D.**, 41-15-0421, dec'd.

Late of the City of Williamsport.

Administrator: John R. Cramm, 45 School Street, Linden, PA 17744.

Attorney: William W. Acker, Esquire, 1355 Fairfield Road, Gettysburg, PA 17325.

Moon, Carol A., dec'd.

Late of the City of Williamsport.

Executors: James E. Moon and Lauri A. Moon, 2210 Division Road, Williamsport, PA 17701.

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

Sharrow, Dale M., dec'd.

Late of 1980 Route 405 Highway, Muncy Creek Township.

Administratrix: Rosalind E. Sharrow, 1980 Route 405 Highway, Muncy, PA 17756.

Attorneys: Lester L. Greevy, Jr., Esquire, Greevy & Associates, 5741 State Route 87, Williamsport, PA 17701, (570) 435-2233.

THIRD PUBLICATION**Alford, Dorothy S.**, dec'd.

Late of Hughesville.

Executrix: Christine E. Elliot, 13 Breeze Hill Road, Wilmington, DE 19807.

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

Eschbach, Doris M., dec'd.
 Late of Montoursville.
 Executor: Jeffrey C. Eschbach, 912 E. Pleasant Place, St. Johns, FL 32259.
 Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

Russell, Robert B. a/k/a Robert Bailey Russell a/k/a Robert Russell, dec'd.
 Late of the Township of Loyalsock.
 Executor: John H. Russell c/o Elizabeth A. White, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.
 Attorneys: Elizabeth A. White, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

Shank, Evelyn M., dec'd.
 Late of South Williamsport.
 Executor: Joseph B. Shank, 784 Antlers Lane, Williamsport, PA 17701.
 Attorneys: Anthony J. Grieco, Esquire, Elion, Wayne, Grieco, Carlucci & Shipman, P.C., 125 East Third St., Williamsport, PA 17701.

Watkins, Jason W., dec'd.
 Late of Williamsport.
 Administratrix: Yvonne M. Watkins, 837 Wilson Street, Williamsport, PA 17701.
 Attorney: Leroy H. Keiler, III, Esquire, 110 Oliver Street, Ste. 2, P.O. Box 263, Jersey Shore, PA 17740, (570) 398-2750.

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 at Harrisburg, Pennsylvania, for the purpose of obtaining a Certificate of Incorporation pursuant to the provisions of the Business Law of 1988, as amended. The name of the corporation is:

JLD SERVICES, INC.

S-4

SERVICE BY PUBLICATION

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

NOTICE OF ACTION IN MORTGAGE FORECLOSURE

No. 2014-CV-10784-MF

LSF8 Master Participation Trust,
 Plaintiff

vs.

Ann M. Fry and Scott D. Fry,
 Defendants Any/All Tenants/Occupants

NOTICE

To: Ann M. Fry and Scott D. Fry/and Any/ All Tenants/Occupants

You are hereby notified that on April 15, 2015, Plaintiff, LSF8 Master Participation Trust, filed a Mortgage Foreclosure Complaint against you with a Notice to Defend (which was subsequently reinstated on August 24, 2015 in the Court of Common Pleas of Lycoming County, Pennsylvania docketed to No. 15-01047. Wherein Plaintiff seeks the foreclosure and sale of the property located at 214 Gordon Street, Duboistown, PA 17702. You are hereby notified to plead to the above referenced Complaint within 20 days after the date of this publication or a Judgment will be entered against you.

NOTICE

Notice to Defend: YOU HAVE BEEN SUED IN COURT. If you wish to defend against the claims set forth in the following pages, you must take

action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim of relief requested by the plaintiff. You may lose money or property or other rights important to you.

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.

Lawyer Referral Service
Pennsylvania Lawyer Referral Service
Susquehanna Legal Service
329 Market Street
Williamsport, PA 17101
(570) 323-8741
Lycoming Law Association
Penn Tower
25 West Third Street
Suite 803
Williamsport, PA 17101
(570) 323-8287

S-4

OFFICE SPACE FOR RENT

Two office suites, one 369 sq. ft. and the other 300 sq. ft., for lease on West 4th Street. Each suite includes attorney's office with adjacent support staff office. Shared conference room, reception area and restrooms are included. Monthly rental charge for each suite is \$500.00, plus share in cost of utilities. Reply to Joe Musto (570) 326-3060 or jrmusto@comcast.net.

Au-28; S-4

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.

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 Michele Frey, Executive Director, at (570) 323-8287 or mfrey@lycolaw.org.



PERIODICAL PUBLICATION

*** Dated Material. Do Not Delay. Please Deliver Before Monday, September 7, 2015**