

# LYCOMING REPORTER

Vol. 33

December 30, 2016

No. 53

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## 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

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Williamsport, PA 17701

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Williamsport, Pennsylvania

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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.

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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](http://www.lycolaw.org)

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## EXECUTIVE COMMITTEE

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Jennifer L. Heverly, Secretary

Tammy Avery Weber,  
Past President  
Angela Campana Lovecchio  
Donald F. Martino  
Corey Mowrey  
Yvonne H. Campbell

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## EDITOR OF LYCOMING REPORTER

Gary L. Weber

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## EXECUTIVE DIRECTOR

Michele S. Frey

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## COMMITTEE CHAIRS

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Outreach: *Tammy Weber*

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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).

- 1/9/2017 – Executive Committee Meeting:** *Regular monthly meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office
- 1/9/2017 – LLA Annual Meeting:** *Annual meeting and elections of the LLA and LLA Foundation.* **Time:** 4:00 PM to 5:00 PM. **Location:** LLA Office
- 1/9/2017 – LLA Annual Banquet:** *Annual gathering of the Bar and award ceremony. Details to be announced.* **Time:** 5:30 PM to 8:30 PM. **Location:** TBA
- 1/11/2017 – Bar History Committee Meeting:** *Bar History Committee Meeting.* **Time:** 12:00 PM to 1:00 PM. **Location:** LLA Office

**NOTICE OF HOLIDAY PUBLICATION DEADLINE**

Please be advised of the following early deadline for legal advertising:

The deadline for publication in the January 6, 2017 issue of the *Lycoming Reporter* is 10:00 A.M., Friday, December 30, 2016.

D-9, 16, 23, 30

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**UPCOMING LYCOMING COUNTY CLE OPPORTUNITIES**

- 1/13/2017** – **A Guide to Choosing the Best Business Entity:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 1/18/2017** – **An Introduction to Federal Practice in the Williamsport Division of the United States District Court for the Middle District of Pennsylvania:** *Speaker: Hon. Matthew W. Brann.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 1/20/2017** – **Hot Topics in Capital Cases:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 1/25/2017** – **Succession Planning for Family and Closely Held Businesses:** *PBI Video Replay.* **CLE credits:** 5 Substantive / 1 Ethics **Time:** 9:00 AM to 5:00 PM. **Location:** Lycoming Law Association Office
- 2/1/2017** – **PA Civil Procedure:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 2/2/2017** – **Ethics Potpourri: Ethics Considerations in Depositions:** *PBI Video Replay.* **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **Location:** Lycoming Law Association Office
- 2/3/2017** – **Buying and Selling a Business:** *PBI Groupcast.* **CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 2/7/2017** – **20th Annual Family Law Update:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office
- 2/9/2017** – **Bridge the Gap:** *Bridge the Gap.* **CLE credits:** 4 Ethics **Time:** 1:00 PM to 5:00 PM. **Location:** Lycoming Law Association Office
- 2/15/2017** – **Special Needs Planning/Trusts/ABLE Accounts:** *Eat & Earn—Host: Elizabeth White, Esquire.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 2/22/2017** – **Speaker: Corey Mowrey, Esquire—Topic TBA:** *Eat & Earn CLE—Speaker: Corey Mowrey.* **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 2/28/2017** – **Unwinding or Defending Couples’ Estate Planning Structure in Divorce:** *PBI Video Replay.* **CLE credits:** 3 Substantive **Time:** 9:00 AM to 12:15 PM. **Location:** Lycoming Law Association Office

**3/8/2017 – Is It or Is It Not Hearsay?: Eat & Earn CLE**—*Speaker: Hon. Marc Lovecchio. CLE credits: 1 Substantive Time: 12:00 PM to 1:00 PM. Location: Lycoming Law Association Office*

**3/15/2017 – Speaker: Melody Protasio, Esq.—Topic TBA: Eat & Earn CLE**—*Speaker: Melody Protasio, Esquire. CLE credits: 1 Substantive Time: 12:00 PM to 1:00 PM. Location: Lycoming Law Association Office*

**3/23/2017 – Selecting and Influencing Your Jury: PBI Groupcast CLE credits: 6 Substantive Time: 8:30 AM to 3:30 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](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).

### **NOTICE OF ANNUAL MEETING**

The Lycoming Law Association and the Lycoming Law Association Foundation will hold its annual meeting on Monday, January 9, 2017 at 4:00 P.M. at its office. Please plan to attend.

### **NOTICE OF ANNUAL DINNER**

The Lycoming Law Association will hold its Annual Dinner on Monday, January 9, 2017, 5:30 P.M. to 8:30 P.M. Details are forthcoming. Please plan to attend.

D-23, 30; J-6

The full text of the following Lycoming County Court opinions is reported at <http://www.lycolaw.org/Cases/postings.asp>

- ▶ **Commonwealth vs. Handy** (12/22/2016)—Judge Nancy L. Butts  
Criminal: Habeas corpus petition; establishing a prima facie case through hearsay evidence alone; suppression motion; probable cause to support issuance of search warrant of home for suspected drug dealing. (Handy122216bt)
- ▶ **Commonwealth vs. Barto** (12/21/2016)—Judge Marc F. Lovecchio  
Criminal: Post Conviction Relief Act petition; ineffectiveness of counsel for failure to request nunc pro tunc reinstatement to file interlocutory appeal; merit of underlying issue; claim that prosecution was barred prior prosecution; duplication of legal issues due to similarity of charges where legal issues clearly relate to different factual scenarios; bald assertions of a *Brady* violation; prejudice. (Barto122116L)
- ▶ **NW Adoption** (12/19/2016)—Judge Joy Reynolds McCoy  
Adoption: Petition for involuntary termination of parental rights; parent evidencing settled purpose of relinquishing parental claim to a child or refusing or failing to perform parental duties; failure to appear at hearing; bond existing between child and parent. (AdoptionofNW121916m)
- ▶ **JH and SM Adoption** (12/20/2016)—Judge Joy Reynolds McCoy  
Adoption: Petition for involuntary termination of parental rights; parent evidencing settled purpose of relinquishing parental claim to a child or refusing or failing to perform parental duties; failure to appear at hearing; using every resource available to overcome obstacles that child's custodian put in place; parent's vow to cooperate, after long period of uncooperativeness; bond existing between child and parent. (AdoptionJHandSM122016m)
- ▶ **Commonwealth vs. Burrell** (12/12/2016)—Judge Marc F. Lovecchio  
Criminal: Appeal; conviction in absentia; defendant's presence deemed waived when he is given notice of trial and fails to appear; notice of trial date given in open court; forfeiture of right to file post-sentence motions; sentencing discretion; manifestly excessive or unreasonable sentence; protection of the community; sentence within statutory maximum. (Burrell121216L)

**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****Burkey, Lyndon L.,** dec'd.

Late of Muncy.

Executrix: Tina Burkey, 1410 Washington Boulevard, Williamsport, PA 17701.

Attorney: Scott A. Williams, Esquire, 57 East Fourth Street, P.O. Box 3, Williamsport, PA 17703.

**Robey, Barbara J.,** dec'd.

Late of South Williamsport.

Co-Administrators: Wesley L. Robey, 2209 Riverside Drive, South Williamsport, PA 17702 and Jeffery M. Powers, 1069 Pond Road, Pennsdale, PA 17756.

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

**SECOND PUBLICATION****Bogart, Eric S.,** dec'd.

Late of the City of Williamsport.

Administratrix: Holly Bogart, 200 Walnut Street, Montoursville, PA 17754.

Attorney: None.

**Bohart, Howard H.,** dec'd.

Late of Ralston.

Executrix: Delores Barlow, 307 1/2 Valley St., S. Williamsport, PA 17702.  
Attorneys: Stephen C. Sholder, Esquire, Raup & Sholder, P.C., 270 West Third Street, Williamsport, PA 17701, (570) 321-0709.

**Campana, Anthony, Sr. a/k/a Anthony J. Campana a/k/a Anthony Campana,** dec'd.

Late of Cammal.

Executrix: Yvonne Campana 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.

**Egli, Sylvia M. a/k/a Sue M. Egli,** dec'd.

Late of Montoursville.

Administratrix: Cathi S. Egli, 1426 Keller Ave., Williamsport, PA 17701.

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

**Hawkins, Bryan M.,** dec'd.

Late of Montoursville.

Administratrix: Susan M. Hawkins, 694 Butternut Grove Road, Montoursville, PA 17754.

Attorneys: Anthony J. Grieco, Esquire, Elion, Grieco, Carlucci & Shipman, P.C., 125 East Third Street, Williamsport, PA 17701.

**Sanner, Diane L.,** dec'd.

Late of Hughesville.

Administrator: Wilbur E. Shaner, Jr.  
Attorneys: Mark L. Taylor, Esquire, Greevy & Taylor Law Offices, Lyching Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

**Sholder, Charles L.,** dec'd.

Late of Williamsport.

Executrix: Lori Jo Sholder, 170 Pinecrest Drive, Williamsport, PA 17701.

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

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### THIRD PUBLICATION

**Hart, Beatrice L.,** dec'd.

Late of Montoursville.

Executor: Richard W. Luse.

Attorneys: Matthew J. Parker, Esquire, Marshall, Parker & Weber, LLC, 49 E. Fourth Street, Williamsport, PA 17701.

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**Hunter, Richard A.,** dec'd.

Late of Williamsport.

Executor: William O. Hargenrader, 43288 Burke Dale St., South Riding, VA 20152.

Attorneys: Charles F. Greevy, III, Esquire, Greevy & Taylor Law Offices, Lycoming Executive Plaza, 330 Pine Street, Suite 403, Williamsport, PA 17701, (570) 320-7100.

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**Konjevoda, Margaret P.,** dec'd.

Late of the Township of Loyalsock.

Executor: Woodlands Bank c/o Thomas Burkholder.

Attorneys: Eric Ladley, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

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**Motyka, Samaria Kay,** dec'd.

Late of the City of Williamsport.

Administrator: James G. Malee, 310 East Third Street, Williamsport, PA 17701.

Attorneys: Timothy A. B. Reitz, Esquire, Malee Law Firm, P.C., 310 East Third Street, Williamsport, PA 17701, (570) 321-6112.

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**Sauers, James A., Sr. a/k/a James A. Sauers,** dec'd.

Late of Montoursville.

Executrix: Yvonne Bower, 116 Blessing Road, Watsontown, PA 17777.

Attorney: Tiffani M. Kase, Esquire, 800 W. 4th Street, Suite 108, Williamsport, PA 17701.

**Smith, Shirley A.,** dec'd.

Late of Loyalsock Township.

Administrator: William Henry Kieiser, 821 Diamond Street, Williamsport, PA 17701.

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

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### FILING ARTICLES OF INCORPORATION

NOTICE IS HEREBY GIVEN that Articles of Incorporation were filed with the Department of State of the Commonwealth of Pennsylvania, at Harrisburg, Pennsylvania on December 7, 2016, for the purpose of incorporating a nonprofit corporation to organize under the Nonprofit Corporation Law of the Commonwealth of Pennsylvania of 1988, as amended (15 P.S. 5101-6145). The name of the corporation is:

**THE HARRIS VORTEX**

with its registered office being situate at: 210 White Birch Lane, Montoursville, PA 17754.

The primary purpose of the corporation is owning family real estate. MALCOLM S. MUSSINA, ESQUIRE  
426 Broad Street  
Montoursville, PA 17754

D-30

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### FILING OF CERTIFICATE OF ORGANIZATION OF LLC

NOTICE IS HEREBY GIVEN that Articles of Incorporation will be filed with the Department of State of Commonwealth of Pennsylvania, at Harrisburg, PA. The name of the proposed corporation is:

WELLSPRING COUNSELING, LLC.  
with its principal office located in: Lycoming County, PA. The corporation is



to be incorporated under the Pennsylvania Business Corporation Law of 1988. ELLIOTT B. WEISS AND ASSOC.  
416 Pine St.  
Ste. 203  
Williamsport, PA 17701

D-30

**SERVICE BY PUBLICATION**

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

NO. 16-1370

**MORTGAGE FORECLOSURE**

JERSEY SHORE STATE BANK,  
Plaintiff  
vs.  
UNITY CHRISTIAN FELLOWSHIP,  
Defendant

**NOTICE**

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 PAPER 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.

Pennsylvania Bar Association  
Lawyer Referral Service  
100 South Street  
P.O. Box 186  
Harrisburg, PA 17108-0186  
Telephone (800) 692-7375

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.

Legal Services Office  
329 Market Street  
Williamsport, PA 17701  
Telephone (570) 323-8741

D-30

**NOTICE**

**FEDERAL PUBLIC DEFENDER  
VACANCY MIDDLE DISTRICT  
OF PENNSYLVANIA**

Refer to: [www.ca3.uscourts.gov](http://www.ca3.uscourts.gov) for detailed announcement.

Due date: Noon, January 11, 2017.  
D-16, 23, 30; J-6

**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 \$59,000.00** 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 eight 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

**Granted \$9,000.00** to the Lycoming County Historical Society for the interpretation, archiving and digitalization of historical legal documents owned by the Taber Museum

**Granted \$2,750.00** to Lycoming County for training necessary to establish a Domestic Fatality Review Team

**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.



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**PERIODICAL PUBLICATION**

\* Dated Material. Do Not Delay. Please Deliver Before Tuesday, January 3, 2017