

LYCOMING REPORTER

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LYCOMING REPORTER

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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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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.

- 5/16/2017 – Bar History Committee Meeting:** *Meeting of the Bar History Committee* **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 5/23/2017 – Family Law Committee Meeting:** **Time:** 12:00 PM to 1:00 PM. **Location:** Courtroom #5
- 6/27/2017 – Criminal Law Committee Meeting:** **Time:** 12:00 PM to 1:00 PM. **Location:** Courtroom #1

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

- 5/17/2017 – Introduction to Intellectual Property: Eat & Earn CLE**—Presented by: *Austin White, Esquire*. **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 5/18/2017 – Family Law Institute 2017: PBI Video Replay**. **CLE credits:** 4.5 Substantive / 1.5 Ethics **Time:** 9:00 AM to 3:30 PM. **Location:** Lycoming Law Association Office
- 5/25/2017 – Foreclosure Proceedings: A Guide to Navigating the Legal Landscape of Home Foreclosure: PBI Video Replay**. **CLE credits:** 4 Substantive **Time:** 9:00 AM to 1:00 PM. **Location:** Lycoming Law Association Office
- 6/8/2017 – Wills of the Rich and Famous: PBI Groupcast**. **CLE credits:** 3 Substantive / 1 Ethics **Time:** 9:00 AM to 1:15 PM. **Location:** Lycoming Law Association Office
- 6/13/2017 – Nuts and Bolts of Adoption Practice in Pennsylvania: PBI Groupcast**. **CLE credits:** 4 Substantive / 2 Ethics **Time:** 8:30 AM to 3:40 PM. **Location:** Lycoming Law Association Office
- 6/14/2017 – UPI Requirements: Obtaining a UPI Number in Lycoming County: A Discussion About the Expansion of the UPI Requirements: Eat & Earn CLE**—Presented by: *Fran McJunkin, Deputy Director Rich Murphy, Cartographer Amy Fry, GIS Supervisor*. **CLE credits:** 1 Substantive **Time:** 12:00 PM to 1:00 PM. **Location:** Lycoming Law Association Office
- 6/15/2017 – Handling the Dog Bite Case: PBI Groupcast**. **CLE credits:** 4 Substantive **Time:** 12:00 PM to 4:15 PM. **Location:** Lycoming Law Association Office
- 6/20/2017 – Ethics Potpourri—Friend or Foe: The Ethical Impact of Technology on a Lawyer’s Practice: PBI Video Replay**. **CLE credits:** 1 Ethics **Time:** 9:00 AM to 10:00 AM. **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 <http://www.lycolaw.org/cases/postings.asp>

- ▶ **Commonwealth vs. Ruffin** (05/09/2017)—Judge Nancy L. Butts
Criminal: Motion for release on nominal bail; Rule 600; delay attributable to defense. (Ruffin050917bt)
- ▶ **Commonwealth vs. Johnson** (05/09/2017)—Judge Nancy L. Butts
Criminal: Habeas corpus petition; nunc pro tunc designation for late filing due to recantation of Commonwealth witness; hearsay statements of witnesses; prima facie case. (Johnson050917bt)
- ▶ **Commonwealth vs. Ruffin** (05/05/2017)—Judge Nancy L. Butts
Civil: Motion to dismiss; prima facie case of drug delivery; constructive possession; prima facie showing of drug possession, criminal use of communication facility and conspiracy. (Ruffin050517bt)
- ▶ **Branch Banking and Trust Company vs. Dibble, Black Bear Holdings, LLC, McCague, Hill, Rosdev Capital Funding, LP, Barry Isett & Associates, Inc., Phillips, Voneida and Linde Corporation** (05/05/2017)—Judge Dudley N. Anderson
Civil: Summary judgment motion; action to quiet title; declaration as to priority of mortgage; unrecorded deed; impeachment of mechanic's lien; standing to challenge court's prior holding on validity of deeds; priority of mechanic's liens; issue of fact as to when work completed; statutory construction of mechanic's lien statute; perfection of lien. (Banch_Banking0505107a)
- ▶ **Wetlaufer vs. Jones and Bass** (04/25/2017)—Judge Richard A. Gray
Civil: Preliminary objections; replevin action; potential equitable claim to title; no allegation of wrongful taking or possession by defendant. (Wetlaufer042517g)
- ▶ **In Re: S.P.** (05/04/2017)—Judge Richard A. Gray
Administrative Appeal: Appeal of involuntary mental health commitment; patient acting in such manner as to evidence that he would be unable, without care, supervision and the continued assistance of others, to satisfy his need for nourishment, personal or medical care, shelter, or self-protection and safety; noncompliance with medication requirements. (SP050417g)

- ▶ **Smith vs. Montoursville** (04/27/2017)—Judge Richard A. Gray
Civil: Preliminary objections; claimed water damage due to leaking borough pipes; duty; governmental immunity; utility service facilities exception; dangerous condition of borough's water system; notice; unjust enrichment; unconstitutional application of municipal ordinance where it is unequally applied. (smith042717g)
- ▶ **Commonwealth vs. Parker** (05/04/2017)—Judge Nancy L. Butts
Criminal: Appealability of denial of defense motions in limine; interlocutory order appealable as collateral order. (Parker050417bt)

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.

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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

Chestnut, Diane L., dec'd.

Late of Upper Fairfield Township.
Executrices: Sally Pinches, 3406
Bal Harbor Blvd., Punta Gorda, FL
33920 and Cathy Peddie, P.O. Box
26, Woolrich, PA 17779.

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

Harman, Margaret R., dec'd.

Late of Muncy.
Co-Executors: Ellen M. Harman,
172 East Water Street, Muncy, PA
17756 and Allen W. Harman, 541
Mill Street, Catawissa, PA 17820.

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

Harris, Mae E., dec'd.

Late of Cogan Station.
Co-Executors: Daniel E. Harris,
1356 Route 973 East, Cogan Station,
PA 17728, Roger A. Harris, 1286
Route 973 East, Cogan Station, PA
17728, Barbara A. Temple, 8 Aspen
Court, Lock Haven, PA 17745 and
Carol L. Splain, 139 Anderson Road,
Linden, PA 17744.

Attorneys: McNerney, Page, Vander-
lin & Hall, 433 Market Street, Wil-
liamsport, PA 17701.

**Harrison, Sylvia M. a/k/a Sylvia Mae
Harrison, dec'd.**

Late of Williamsport.
Co-Executors: Terri Lynn O'Connor
and Charles LaRue Harrison, Jr. c/o
Fred A. Holland, Esquire, 442 Wil-
liam Street, Williamsport, PA 17701.
Attorneys: Fred A. Holland, Esquire,
Murphy, Butterfield & Holland, P.C.,
442 William Street, Williamsport,
PA 17701.

Kleese, Donald R., Jr., dec'd.

Late of Cogan Station.

Co-Executrices: Brenda L. Feesler, 419 Highland Lake Rd., Hughesville, PA 17737 and Margaret S. Bower, 21 Young Lane, Montoursville, PA 17754.

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

Miller, Clinton T., dec'd.

Late of 2607 Euclid Ave., South Williamsport.

Executrix: Linda L. McKee, 463 Main Street, South Williamsport, PA 17702.

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

Sipe, Terry L., dec'd.

Late of Muncy.

Administrator: Brett W. Sipe, 66 South Second Street, Hughesville, PA 17737.

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

Sobala, Betty J., dec'd.

Late of Hughesville.

Betty J. Sobala Revocable Living Trust, dated November 2, 2015.

Executor/Trustee: Scott A. Williams, 668 Lake Road, P.O. Box 160, Laporte, PA 18626.

Attorneys: Williams & Smay, 57 East Fourth Street, P.O. Box 3, Williamsport, PA 17703.

Springman, Dorothy I., dec'd.

Late of Montoursville.

Executrix: Judy A. Deacon, 431 Cherry Street, Montoursville, PA 17754.

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

Whipple, Harold Donald, dec'd.

Late of Williamsport.

Administratrix: Julia Whipple, 1832 Homewood Ave., Williamsport, PA 17701.

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

SECOND PUBLICATION

Bonanni, Marie Bernadette a/k/a Marie McDonald Bonanni, dec'd.

Late of Dushore Borough.

The Marie McDonald Bonanni Revocable Living Trust, dated September 19, 2002.

Settlor: Marie Bernadette Bonanni a/k/a Marie McDonald Bonanni.

Co-Executors/Trustees: Michael J. McDonald and Richard L. McDonald, 23 Waterloo Road, Carlisle, PA 17015.

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

Hahn, Shirley I., dec'd.

Late of Williamsport.

Executor: Richard M. Born, 2608 Haas Lane, Montoursville, PA 17754.

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

McElrath, Eric, dec'd.

Late of 193 Franklin Dr., Montgomery.

Administrator: Robert McElrath, 193 Franklin Dr., Montgomery, PA 17752.

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

Thomas, Orvilla B., dec'd.

Late of the Township of Loyalsock.

Administrators: Debra Fox and Frank M. Thomas.

Attorneys: Brittany O. L. Smith, Esquire, Steinbacher, Goodall & Yurchak, 413 Washington Boulevard, Williamsport, PA 17701.

THIRD PUBLICATION

Bossert, Shirley L., dec'd.

Late of Montoursville.

Executor: George J. Bossert, 1842 Warrensville Road, Montoursville, PA 17754.

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

Brumley, Lillian R. a/k/a Lillian Brumley, dec'd.

Late of Porter Township.

Executrices: Leslie A. Charles, 100 View Lane, Jersey Shore, PA 17740 and Lynn M. Terrebonne, 1600 Arch St., Apt. #1406, Philadelphia, PA 19103.

Attorneys: Larry E. Coploff, Esquire, Coploff, Ryan & Welch, 136 East Water Street, Lock Haven, PA 17745.

DeWeerd, Erma L., dec'd.

Late of the Township of Loyalsock. Co-Executrices: Heather R. Reed, 1165 Canterbury Road, Williamsport, PA 17701 and Janet L. DeWeerd, 2113 Reed Street, Williamsport, PA 17701.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Dieffenbach, Shirley L., dec'd.

Late of Williamsport City.

Executor: John C. Lundy c/o Ann S. Pepperman, Esquire, 835 West Fourth

Street, P.O. Box 577, Williamsport, PA 17701.

Attorney: Ann S. Pepperman, Esquire, 835 West Fourth Street, P.O. Box 577, Williamsport, PA 17701.

Eckley, Carolyn C., dec'd.

Late of Muncy.

Executor: David L. Eckley, 754 Fogelman Road, Muncy, PA 17756.

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

Finkbiner, J. Harry, Sr. a/k/a J. Harry Finkbiner a/k/a Jacob Harry Finkbiner, dec'd.

Late of Slate Run, Brown Township. Administrator: J. Harry Finkbiner, Jr., 116 Motter Lane, New Berlin, PA 17855.

Attorneys: L. Craig Harris, Esquire, Carpenter, Harris & Flayhart, 128 S. Main Street, Jersey Shore, PA 17740.

Martin, Marie F. a/k/a F. Marie Martin, dec'd.

Late of the City of Williamsport.

Executrix: Jane L. Bixler, 2490 Blair St., Williamsport, PA 17701.

Attorney: Joseph L. Rider, Esquire, 1700 Four Mile Drive, Williamsport, PA 17701.

Sundin, Amy Curtis a/k/a Amy Simcox a/k/a Amy Curtis Bulgin, dec'd.

Late of Riverside County, CA.

Co-Administrators: Chanda Vega, 3020 Westridge Road, Riverside, CA 92506, Dirk Spaulding, P.O. Box 612, Crestline, CA 92325 and Amy Spaulding, 4610 Seamount Ct. E., Port Orchard, WA 98366.

Attorneys: C. Edward S. Mitchell, Esquire, Mitchell Gallagher, 10 West Third Street, Williamsport, PA 17701, (570) 323-8404.

**REGISTER OF WILLS
CONFIRMATION OF
ACCOUNTS**

NOTICE IS HEREBY GIVEN to all parties interested that the following Accounts together with all Statement of Proposed Distribution accompanying the same have been filed in the Office of the Register of Wills and Clerk of Orphans' Court are presented to the Orphans' Court of Lycoming County for Confirmation Absolute June 6, 2017 unless exceptions are filed before 5:00 P.M. on that date.

1. Hall, Carlene M.—Sara Boudman and Sevilla Smith, Executrices.

2. Kuntz, Kay A.—Patricia Hull and Richard Hull, Executors.

3. Shangraw, Robert L.—Mark A. Gibbon and Nancy DeSanto, Co-Executors.

Kathy Rinehart
Register of Wills

M-12, 19, 26; J-2

SERVICE BY PUBLICATION

In the Court of Common Pleas of
Lycoming County
Orphans' Court Division

NO. 6538 ADOPTION

IN RE: M.B.
DOB: 2/15/2016
MINOR CHILD

NOTICE

To: UNKNOWN FATHER

A Petition has been filed asking the Court to put an end to all rights you have to your child, M.B. born to Melinda Boings on February 15, 2016.

The Court has set a hearing to consider ending your rights to your child. That hearing will be held in the Lycoming County Courthouse, in Courtroom No. 5, 48 West Third Street, Williamsport, Pennsylvania on May 31, 2017 at 1:45 P.M. If you do not appear at this hearing the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child.

You are warned that even if you fail to appear at the scheduled hearing, the hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have an important option that may be available to you under Pennsylvania Law. Act 101 of 2010 permits the adoptive parents, child, birth parents and/or relatives to enter into a voluntary Post-Adoption Contact Agreement for continuing contact or communication following a child's adoption. Contact Lycoming Children and Youth, 200 East Street, Williamsport, Pennsylvania 17701 or phone (800) 525-7938 or (570) 326-7895.

YOU HAVE A RIGHT TO BE REPRESENTED AT THAT HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PUBLIC DEFENDER'S OFFICE
Lycoming County Courthouse
48 West Third Street
Williamsport, PA 17701
(570) 327-2367

M-12

SERVICE BY PUBLICATION

—————
 In the Court of Common Pleas of
 Lycoming County
 Orphans' Court Division
 —————

NO. 6539 ADOPTION
 —————

IN RE: J.D.
 MINOR CHILD
 —————

NOTICE
 —————

To: Unknown Father

A Petition has been filed asking the Court to put an end to all rights you have to your child, J.D. born to Courtney Rivera on May 1, 2016. The Court has set a hearing to consider ending your rights to your child. That hearing will be held in the Lycoming County Courthouse, in Courtroom No. 5, 48 West Third Street, Williamsport, Pennsylvania on June 13, 2017 at 10:45 A.M. If you do not appear at this hearing the Court may decide that you are not interested in retaining your rights to your child and your failure to appear may affect the Court's decision on whether to end your rights to your child.

You are warned that even if you fail to appear at the scheduled hearing, the

hearing will go on without you and your rights to your child may be ended by the Court without your being present. You have an important option that may be available to you under Pennsylvania Law. Act 101 of 2010 permits the adoptive parents, child, birth parents and/or relatives to enter into a voluntary Post-Adoption Contact Agreement for continuing contact or communication following a child's adoption. Contact Lycoming Children and Youth, 200 East Street, Williamsport, Pennsylvania 17701 or phone (800) 525-7938 or (570) 326-7895.

YOU HAVE A RIGHT TO BE REPRESENTED AT THAT HEARING BY A LAWYER. YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

PUBLIC DEFENDER'S OFFICE
 Lycoming County Courthouse
 48 West Third Street
 Williamsport, PA 17701
 (570) 327-2367

M-12



PERIODICAL PUBLICATION

* Dated Material. Do Not Delay. Please Deliver Before Monday, May 15, 2017