

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	MISC. ACTION NO.
v.	)	2:14mc3668-MHT
	)	(WO)
GENERAL ELECTRIC CORPORATE,	)	
Ft. Myers, FL,	)	
	)	
Garnishee,	)	
	)	
XAVIER M. PHILLIPS,	)	
	)	
Defendant.	)	

DISPOSITION ORDER

In 2014, at the request of plaintiff United States of America, a writ of continuing garnishment was issued and served upon garnishee General Electric Corporate. Pursuant to the writ, the garnishee filed an answer, in the name of General Electric Company, stating that it employs defendant Xavier M. Phillips and will withhold from defendant's wages or salary the amount required by law on a weekly basis. Defendant was notified of his right to a hearing and did not request one or otherwise

object to the writ, and his wages apparently have been garnished since 2014 in the amount of 25 % of disposable earnings.

This matter is now before the court on the plaintiff's motion for and consent to entry of an order reducing the wage withholding amount under the writ of garnishment from 25 % of disposable earnings to \$ 100 per week due to defendant's financial circumstances. The reduction will be granted.

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Accordingly, it is ORDERED that the motion (doc. no. 6) is granted, as follows:

(1) Garnishee General Electric Corporate, or General Electric Company, shall withhold \$ 100 per week (rather than 25 % of disposable earnings) from defendant's net weekly pay and shall promptly remit the identified nonexempt funds every pay period to the clerk of the court, One Church Street, Suite B-110, Montgomery, Alabama 36104;

(2) The clerk of court shall apply these funds to the restitution balance owed by defendant in case 2:07-cr-00241-MHT (M.D. Ala.).

(3) This garnishment order shall remain in effect until satisfaction of the debt owed to plaintiff, defendant ceases employment with the garnishee (unless the garnishee reinstates or reemploys the defendant within 90 days after the defendant's dismissal or resignation), or by an order of this court quashing the writ of continuing garnishment.

(4) The plaintiff may request an increase in the amount of garnishment should defendant's financial situation improve.

(5) The plaintiff shall promptly notify the court and the garnishee upon satisfaction of the debt.

This case remains administratively closed.

DONE, this the 16th day of January, 2018.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE