

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	MISC. ACTION NO.
v.)	3:10mc3492-MHT
)	(WO)
MELISSA WARD,)	
)	
Defendant.)	

OPINION AND ORDER

By final judgment entered on March 30, 2007, plaintiff United States of America is to have and recover from defendant Melissa Ward the sum of \$ 10,942.52, plus costs. On February 16, 2010, the United States filed an application for a writ of garnishment, claiming a balance due of \$ 10,842.52. The United States stated that garnishee Castle Venture, Inc., 3930 Highway 80 W., Phenix City, AL 36870, "is believed to owe or will owe money to [Ward], or is in possession of property of [Ward], in which [Ward] has a substantial non-exempt interest." Application for Writ at 2 (Doc. No. 1).

On March 15, 2010, the United States Marshal served Ward with notice of the application for writ of garnishment. The notice of garnishment informed Ward, among other things, that "unless within twenty (20) days from the receipt of the Answer of the Garnishee, you file a written Objection to explain why you think these funds are exempt from execution under state or federal law and request a hearing, a Court Order will be entered attaching the funds or property and the funds or property will be applied against the Judgment owed the United States of America." Notice of Garnishment at 1 (Doc. No. 1-3). The notice also informed Ward: "YOU MAY WISH TO CONSULT A LAWYER FOR ADVICE AS TO THE MEANING OF THIS NOTICE." Id. at 2.

On March 11, 2010, Castle Venture filed an answer to the writ of garnishment stating: "Ms. Ward is an employee of Castle Venture, Inc. Paychecks are issued weekly. We will withhold 25 % of her disposable income, in accordance with the writ, beginning Friday March 12,

2010." Answer (Doc. No. 3). Although more than 20 days have passed since Castle Venture filed its answer, Ward has made no objection to the writ of garnishment.

Accordingly, it is the ORDER, JUDGMENT and DECREE of the court that judgment is entered against garnishee Castle Venture, Inc. and that garnishee Castle Venture, Inc. shall remit to the United States Attorney's Office for the Middle District of Alabama, sufficient sums, as indicated in the instructions to the garnishee, from the income of defendant Melissa Ward.

DONE, this the 7th day of April, 2010.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE