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4 **UNITED STATES DISTRICT COURT**
5 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

6
7 **UNITED STATES OF AMERICA,**

8 **Plaintiff,**

9 **v.**

10 **JOSEPH CUELLAR,**

11 **Defendant.**

1:15-mc-00021 LJO

**ORDER ON DEFENDANT'S
AMENDED MOTION TO STAY
COLLECTION OF RESTITUTION
(Docs. 12 & 13)**

12
13 The Court has received and reviewed the Defendant's motion and the Government's opposition.
14 The attempted contest by the Defendant of the bank's garnishment is untimely, and therefore waived,
15 pursuant to the Federal Debt Collection Procedure Act, 28 U.S.C. sections 3202(d) and 3205(c)(5).
16

17 The Government's request to order Citibank to pay the Clerk of the U.S. District Court is not
18 before this Court pursuant to the pending motion. Citibank must perform its duty pursuant to law in
19 light of this Court's denial of the Defendant's motion.
20

21 **IT IS SO ORDERED.**

22 Dated: **July 20, 2015**

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE