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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
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11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 MAHENDRA PRASAD,  
15 Defendant and Judgment Debtor.  
16  
17 WELLS FARGO BANK,  
(and its Successors and Assignees)  
18 Garnishee.

Case No.: 1:18-mc-0013-LJO-SAB  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND GRANTING  
REQUEST FOR FINAL ORDER OF  
GARNISHMENT  
(ECF No. 16, 18, 19)

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20 On March 19, 2018, the United States filed an application pursuant to section 3205(c)(7) of the  
21 Federal Debt Collection Procedure Act (“FDCPA”) 28 U.S.C. §§ 3001, et seq., for a final order garnishing  
22 the property and accounts Mahendra Prasad (“Defendant”) maintains at garnishee Wells Fargo Bank. On  
23 October 29, 2019, the United States filed a request for a findings and recommendations recommending  
24 granting a request for a final order of garnishment. The matter was referred to a United States magistrate  
25 judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302(c)(7).

26 On November 13, 2019, the magistrate judge filed a findings and recommendations recommending  
27 that the final order of garnishment be granted. The findings and recommendations was served on the  
28 parties and contained notice that any objections to the findings and recommendations were to be filed

1 within twenty-one days from the date of service.<sup>1</sup> The period for filing objections has passed and no  
2 objections have been filed.

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo*  
4 review of this case. Having carefully reviewed the entire file, the court finds the findings and  
5 recommendations to be supported by the record and by proper analysis.

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations, filed November 13, 2019, is ADOPTED IN FULL;
- 8 2. The United States' Request for Findings and Recommendations for Final Order of  
9 Garnishment is GRANTED;
- 10 3. Garnishee Wells Fargo Bank is directed to pay the Clerk of the United States District Court  
11 the contents of Prasad's shared account numbers XXXXXX -7641 (\$480.08 plus any  
12 money deposited after 4-3-2018), XXXXXX -0104 (\$2,415.59 plus any money deposited  
13 after 4-3-2018), and XXXXXX -7926 (\$490.59 plus any money deposited after 4-3-2018)  
14 within fifteen (15) days of the filing of the Final Order;
- 15 4. Payment shall be made in the form of a cashier's check, money order or company draft,  
16 made payable to the Clerk of the Court and delivered to the United States District Court,  
17 Eastern District of California, 501 I Street, Room 4-200, Sacramento, California 95814.  
18 The criminal docket number (1:15-CR-00045-LJO-BAM) shall be stated on the payment  
19 instrument;
- 20 5. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the  
21 case, if necessary;
- 22 6. This garnishment shall terminate when the payment is deposited with the Clerk of the  
23 Court;
- 24 7. The Government shall serve a copy of this order on Defendant Prasad, Sarita Prasad, and  
25 Anand Prasad and file notice of service within **three (3) days** from the date of entry of this  
26 order on the docket; and

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28 <sup>1</sup> The United States served a copy of the findings and recommendation on counsel Nicholas Capozzi, Mahendra Prasad,  
Sarita Prasad, and Anand Prasad on November 14, 2019. (ECF No. 20.)

1           8.       The Clerk of the Court is directed to close this matter.

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3       IT IS SO ORDERED.

4       Dated:    December 13, 2019

/s/ Lawrence J. O’Neill  
                    UNITED STATES CHIEF DISTRICT JUDGE

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