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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 JASON WILSON,
15 Defendant and Judgment Debtor.

Case No.: 1:21-MC-00040-AWI-SKO

**[PROPOSED] ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS AND FINAL
ORDER OF GARNISHMENT**

Criminal Case No.: 1:14-CR-00187-DAD-BAM

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17 THE CARLSTAR GROUP LLC,
(and its Successors and Assignees)
18 GARNISHEE.
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20 On April 20, 2021, the United States filed an Application for Writ of Continuing Garnishment
21 (wages) against Defendant and Judgment Debtor, Jason Wilson's, non-exempt disposable wages,
22 earnings, commissions, and bonuses and it requested to receive the statutorily authorized litigation
23 surcharge. ECF 1. The Clerk of the Court issued the Writ and Clerk's Notice of Instructions to the
24 Judgment Debtor. ECFs 4, 5. The United States served the Writ and related documents on The Carlstar
25 Group LLC. ("Garnishee") and Wilson. ECFs 6, 7.

26 On May 17, 2021, the Garnishee filed its Acknowledgment of Service and Answer of Garnishee
27 stating that Wilson is an employee of the Garnishee. See ECF 10. Wilson did not file a claim of
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1 exemption to the proposed garnishment, did not object to the Garnishee's answer, did not request a
2 hearing, and did not otherwise object to the United States' garnishment action.

3 Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 302, on June 9, 2021, the Magistrate Judge
4 issued findings and recommendations that recommended that the United States' request for final order
5 of garnishment be granted and ordered that any objections were due within fourteen days after service.
6 ECF 13. The United States served the findings and recommendations on Wilson that same day. ECF
7 14. Wilson did not object and the time to do so has passed. See Docket.

8 In accordance with 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the
9 case. Having carefully reviewed the entire file, the Court concludes that the Magistrate Judge's findings
10 and recommendations are supported by the record and by proper analysis.

11 Accordingly, IT IS HEREBY ORDERED that:

- 12 1. The June 9, 2021 Findings and Recommendation (Doc. No. 11) is GRANTED;
- 13 2. The United States' Request for Findings and Recommendations for Final Order of
14 Garnishment (Doc. No. 13) is GRANTED;
- 15 3. Garnishee The Carlstar Group, LLC is directed to pay the Clerk of the United States
16 District Court 25% of Defendant Jason Wilson's ongoing and non-exempt disposable
17 wages, earnings, commissions, and bonuses;
- 18 4. Garnishee The Carlstar Group, LLC, is directed to pay the Clerk of the United States
19 District Court the amount of non-exempt disposable wages, earnings, commissions, and
20 bonuses already withheld as a result of the writ, within fifteen (15) days of the filing of
21 the Final Order;
- 22 5. Payment shall be made in the form of a cashier's check, money order or company draft,
23 made payable to the Clerk of the Court and delivered to the United States District Court,
24 Eastern District of California, 501 I Street, Room 4-200, Sacramento, California 95814.
25 The criminal docket number (1:14-CR-00187-DAD-BAM) shall be stated on the payment
26 instrument;
- 27 6. Garnishee The Carlstar Group, LLC, shall garnish \$7,591.51 of Judgment Debtor's
28 wages, representing the litigation surcharge, once the judgment balance of \$62,904.46 is

1 satisfied. Garnishee shall pay the litigation surcharge to the United States Department of
2 Justice via a single payment within twenty (20) days of the garnished wages
3 accumulating to the \$7,591.51 surcharge amount.

4 7 To make its payment to the Department of Justice, Garnishee The Carlstar Group, LLC,
5 shall deliver a cashier's check, money order or company draft in the sum of \$7,591.51
6 made payable to the "United States Department of Justice" and mailed overnight to the
7 U.S. Bank Government Lockbox, Attn: DOJ Production Manager/Box 790363, 1005
8 convention Plaza, SL-MO-C2G1, St. Louis, MO 93101. The check shall state, "CDCS
9 Number 2015A73324" on the face of the check.

10 8. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the
11 case, if necessary; and

12 9. This garnishment shall be terminated when (1) the United States seeks to terminate the
13 writ or (2) when the judgment and litigation surcharge are fully satisfied.

14 IT IS SO ORDERED.

15 Dated: July 27, 2021

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17 SENIOR DISTRICT JUDGE