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7
 8 IN THE UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA
 10

11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 JOHN MARCUS DESENBERG,
 15 Defendant and Debtor.
 16
 17 TD AMERITRADE CLEARING, INC.,
 18 Garnishee.
 19

Case No. 1:22-MC-00012-BAM
~~PROPOSED~~ STIPULATED FINAL
 ORDER OF GARNISHMENT
 Criminal Case No. 1:11-CR-00406-LJO-SKO

20
 21 The United States of America (“United States”) and defendant/judgment debtor John Marcus
 22 Desenberg (“Debtor”) hereby request that the Court enter this Stipulated Final Order of Garnishment
 23 based on the following:

24 **RECITALS**

25 1. On or about April 8, 2013, the Court sentenced Debtor in criminal case 1:11-CR-00406
 26 LJO SKO, and ordered him to pay a \$200 statutory assessment and \$300,000 of restitution. As of
 27 January 12, 2023, debtor still owes restitution of \$214,195.68.

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1 C. The Court should grant the Writ of Garnishment against the TD Ameritrade account
2 ending in 9195, and Garnishee should disburse all funds held in the account ending in 9195 to the Clerk
3 of Court to be applied towards Debtor’s restitution obligation by approving the proposed Order set forth
4 below.

5 Respectfully submitted,

6 Dated: 01/13/2023

PHILLIP A. TALBERT
United States Attorney

8 By: /s/ Lynn Trinka Ernce
9 LYNN TRINKA ERNCE
Assistant United States Attorney

11 Dated: 01/13/2023

/s/ John Marcus Desenberg
JOHN MARCUS DESENBURG

13 * * *

14 **~~PROPOSED~~ FINAL ORDER OF GARNISHMENT**

15 Based on the foregoing stipulation between the United States of America and John Marcus
16 Desenberg, and good cause appearing therefore,

17 IT IS HEREBY ORDERED that:

18 1. The foregoing Stipulation is APPROVED in its entirety, and the parties’ request for a
19 final order of garnishment IS GRANTED;

20 2. TD Ameritrade Clearing, Inc. is directed to pay the Clerk of the United States District
21 Court all the funds held by Garnishee within fifteen (15) days of the filing of this Final Order of
22 Garnishment. 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:

24 Office of the Clerk of Court
25 U.S. District Court, Eastern District of California
26 501 I St., Rm. 4-200
Sacramento, CA 95814

27 The criminal docket number (1:11-cr-00406-LJO-SKO) shall be stated on the payment instrument;

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1 3. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the
2 case, if necessary; and

3 4. The garnishment shall terminate, and the Clerk of Court is directed to close this case,
4 when the payment is deposited with the Clerk.

5
6 IT IS SO ORDERED.

7 Dated: January 17, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE