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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	
Plaintiff,	
v.	
DAKILA A. CABRERA,	
Defendant and Judgment Debtor.	
CALIFORNIA DEPARTMENT OF TRANSPORTATION,	
Garnishee.	

No. 2:11-mc-0059-JAM-DAD  
**FINAL ORDER OF WRIT OF CONTINUING  
GARNISHMENT (WAGES)**

The Court has considered Plaintiff’s Application for Entry of a Final Order of Garnishment against the non-exempt earnings of the defendant and judgment debtor, Dakila A. Cabrera (“Cabrera”). Plaintiff filed its Application pursuant to Section 3205(c)(7) of the Federal Debt Collections Procedures Act, 28 U.S.C. §§ 3001, *et seq.* Having considered the Application and case file, the Court finds as follows:

1. The Clerk entered Judgment in Plaintiff’s favor and against Cabrera in the amount of \$13,386.72 on June 23, 2011. Docket Entry (DE) 1.
2. Plaintiff filed an Application for Writ of Continuing Garnishment (Wages) on April 21, 2014. DE 2.
3. The Clerk issued a Writ of Garnishment as to among others, garnishee California Department

1 of Transportation (“Caltrans”), the same day. DE 4. Plaintiff served Caltrans with the Writ and its  
2 attachments.

3 4. On May 27, 2014, Caltrans filed its answer as garnishee. DE 7. The Answer identifies  
4 Cabrera as a wage earning employee of California Department of Transportation.

5 5. Plaintiff served Cabrera with a copy of the Writ of Garnishment and notified him of his right  
6 to a hearing to object to the Answer and/or claim exemptions on the earnings subject to the garnishment  
7 proceeding.

8 6. Cabrera has not requested a hearing to determine exempt property.

9 WHEREFORE, the Court, having considered the case file, the Application for a Writ of  
10 Garnishment against Cabrera’s earnings, Caltrans’ Answer as garnishee, and noting Cabrera has not  
11 exercised his right to request a hearing, hereby finds that entry of a final order of garnishment is proper.

12 IT IS THEREFORE ORDERED THAT:

13 1. Garnishee, California Department of Transportation (“Caltrans”), pay at least monthly, to  
14 plaintiff the United States twenty-five percent (25%) of Cabrera’s, disposable wages until: the judgment  
15 is paid in full; further order of this Court; or garnishee Caltrans no longer has custody, possession or  
16 control of any property belonging to Cabrera. Caltrans shall also provide Plaintiff with written notice if  
17 the amount or form of compensation to Cabrera changes while this order is in effect or if Caltrans no  
18 longer has custody, possession or control of Cabrera’s property.

19 2. All amounts previously withheld by Caltrans pursuant to the Writ of Garnishment shall be  
20 paid immediately to Plaintiff. Caltrans shall also provide to Plaintiff a written accounting, by pay  
21 period, of the amounts withheld from Cabrera’s wages during the period from service of the Writ to  
22 entry of this final order.

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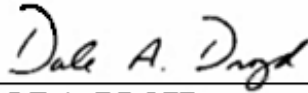
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1 3. Unless Plaintiff directs otherwise, all payments shall be made payable to the “United States  
2 Department of Justice” and mailed to the United States Attorney’s Office, Attention Financial Litigation  
3 Unit, 501 I Street, Sacramento, California 95814.

4 IT IS SO ORDERED.

5 Dated: July 2, 2014

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8 DALE A. DROZD  
9 UNITED STATES MAGISTRATE JUDGE

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