## EASTERN DISTRICT OF CALIFORNIA

MISC. NO.: 2:15-MC-00009-WBS-CKD

[Proposed]

FINAL ORDER OF WRIT OF CONTINUING GARNISHMENT (WAGES)

CASE NO. 2:02-CR-00325-WBS

The Court has considered the United States' Application for Entry of Final Order of Garnishment against the non-exempt earnings of the defendant and judgment debtor, Sheila Joleen George. The United States filed its Application pursuant to Section 3205(c)(7) of the Federal Debt Collection Procedures Act, 28 U.S.C. §§ 3001, et seq. Defendant has neither requested a hearing to the proceeding nor filed any opposition to the garnishment action. Having considered the Application and case file, the Court finds as follows:

- 1. The Clerk entered Judgment against Defendant in Criminal Case No.: 2:02-CR-00325-WBS on October 29, 2003 (CR ECF No. 80). The judgment orders Defendant to pay an assessment of \$100 and restitution in the amount of \$622,545.32.
  - 2. The United States filed an Application for Writ of Continuing Garnishment (Wages) on

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February 18, 2015 (ECF No. 3).

- 3. On the same day, the Clerk issued a Writ of Garnishment as to garnishee NetRelevance, LLC (ECF No. 5). The United States duly served NetRelevance with the Writ and its attachments.
- 4. On March 30, 2015, NetRelevance filed its Acknowledgment of Service and Answer of Garnishee (ECF NO. 8). The Answer identifies Defendant as a wage earning employee of NetRelevance.
- 5. The United States served Defendant with a copy of the Writ of Garnishment and notified her of her right to a hearing to object to the Answer and/or to claim exemptions on the earnings sought by the wage garnishment. Defendant has neither requested a hearing for, claimed an exemption to, nor otherwise filed an opposition to, this garnishment proceeding. Defendant's time for doing so has expired.
  - 6. As of June 2, 2015, Defendant owes \$579,787.43 in unpaid restitution.
- 7. All conditions to the issuance of a final order of garnishment against Defendant's nonexempt earnings are satisfied.

WHEREFORE, the Court, having considered the case files, the Application for a Writ of Garnishment against Defendant's earnings, and finding good cause therefrom, hereby finds that entry of a final order of garnishment is proper.

## IT IS THEREFORE ORDERED THAT:

- 1. Garnishee, NetRelevance, LLC, its successors, transferees and assigns (NetRelevance), pay at least monthly, to the Clerk of the United States District Court, twenty-five percent (25%) of Defendant's disposable wages, earnings and compensation until: the judgment is paid in full; further order of this Court; or garnishee NetRelevance no longer has custody, possession or control of any property belonging to Defendant. NetRelevance shall also provide the United States with written notice if the amount or form of compensation to NetRelevance changes while this order is in effect or if NetRelevance no longer has custody, possession or control of Defendant's property.
- 2. All amounts previously withheld by NetRelevance pursuant to the Writ of Garnishment shall be paid to the Clerk of Court within fifteen (15) days of the date this order is filed. NetRelevance shall

also provide the United States a written accounting, by pay period, of the amounts withheld from Defendant's wages during the period from service of the Writ to entry of this final order. 3. All payments shall be made payable to the "Clerk of the Court" at the Office of the Clerk, United States District Court, Eastern District of California, 501 I Street, Suite 4-200, Sacramento, California 95814. NetRelevance shall also state the docket number (Case No.: 2:02-CR-00325-WBS) on the payment instrument and, if it desires a payment receipt, shall include a self-addressed, stamped envelope with the payment. Carop U. Delan Dated: June 4, 2015 CAROLYN K. DELANEY UNITED STATES MAGISTRATE JUDGE