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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. VALERI MYSIN, Defendant and Judgment Debtor. <hr/> BANK OF AMERICA, N.A., (and its Successors and Assignees) Garnishee.
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Case No. 2:19-mc-00121-TLN-AC

**[PROPOSED] FINDINGS AND
RECOMMENDATIONS FOR FINAL ORDER
OF GARNISHMENT (BANK, STOCKS OR
BROKERAGE ACCOUNTS)**

Criminal Case No. 2:12-cr-00051-TLN

The Court, having reviewed its files and United States of America’s Request for Findings and Recommendations for Final Order of Garnishment (Bank, Stocks, or Brokerage Accounts), and good cause appearing therefor, hereby recommends a final order of garnishment be granted.

Accordingly, IT IS RECOMMENDED that:

1. The United States’ Request for Findings and Recommendations for Final Order of Garnishment be GRANTED;
2. Garnishee Bank of America, N.A. be directed to liquidate and pay to the Clerk of the Court the entire balance in the bank Account Number ***1386, within fifteen (15) days of the filing of the Final Order;

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1 3. Payment shall be made in the form of a cashier's check, money order or company draft,
2 made payable to the Clerk of the Court and delivered to the United States District Court, Eastern District
3 of California, 501 I Street, Room 4-200, Sacramento, California 95814. The criminal docket number
4 (2:12-cr-00051-TLN) shall be stated on the payment instrument.

5 4. The United States is entitled to recover a \$107,549.41 litigation surcharge after
6 satisfaction of the judgment in the criminal case denominated as *United States v. Valeri Mysin et al.*,
7 Case No. 2:12-cr-00051-TLN (ECF 164);

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

10 6. This garnishment shall be terminated once the Garnishee makes its payment to the Clerk
11 of the Court.

12 These findings and recommendations are submitted to the United States District Judge assigned
13 to the case pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served
14 with these findings and recommendations, any party may file written objections with the court and serve
15 a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's Findings
16 and Recommendations." Failure to file objections within the specified time may waive the right to
17 appeal the District Court's order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*,
18 951 F.2d 1153, 1156-57 (9th Cir. 1991).

19 Dated: September 16, 2019

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21 ALLISON CLAIRE
22 UNITED STATES MAGISTRATE JUDGE
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