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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 JEFFREY S. GRADY,
15 Defendant and Debtor.

Case No. 2:21-MC-00241-TLN-AC

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND FINAL ORDER
OF CONTINUING GARNISHMENT**

Criminal Case No. 2:15-CR-00204-TLN

16
17 KEY AIR CONDITIONING
18 CONTRACTORS, INC.,
(and its Successors and Assignees)
19 Garnishee.
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21 On September 29, 2021, the United States filed an Application for Writ of Continuing
22 Garnishment against twenty-five percent (25%) of Jeffrey S. Grady's ("Debtor") non-exempt disposable
23 earnings. ECF 1. The Clerk of the Court issued the Writ and Clerk's Notice to Debtor. (ECF Nos. 4,
24 5.) The United States served the Writ and related documents on Key Air Conditioning Contractors, Inc.,
25 ("Garnishee") and Debtor. (ECF Nos. 6, 7.)

26 On October 14, 2021, Garnishee served its Acknowledgment of Service and Answer of
27 Garnishee on Debtor and the United States ("Answer"). (ECF 11.) In its Answer, Garnishee stated that
28 Debtor is an employee/independent contractor of Garnishee and pays earnings to Debtor. (Id.) Debtor

1 did not file a claim of exemption to the proposed garnishment or request a hearing, did not object to
2 Garnishee's Answer, 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 November 29, 2021, the Magistrate
4 Judge issued findings and recommendations that recommended that the United States' request for final
5 order of garnishment be granted and ordered that any objections were due within 14 days after service.
6 (ECF 13.) The United States served the findings and recommendations on Debtor on November 29,
7 2021. (ECF 14.) Debtor did not object and the time to do so has passed.

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 file, the Court concludes that the Magistrate Judge's findings and
10 recommendations are supported by the record and by proper analysis.

11 Accordingly:

12 1. The United States' Request for Findings and Recommendations for Final Order of
13 Continuing Garnishment is GRANTED;

14 2. Key Air Conditioning Contractors, Inc., is directed to pay the Clerk of the United States
15 District Court twenty-five percent (25%) of Jeffrey S. Grady's ongoing and non-exempt disposable
16 earnings, including, but not limited to wages, earnings, commissions, and bonuses;

17 3. Key Air Conditioning Contractors, Inc., is directed to pay the Clerk of the United States
18 District Court the amount of non-exempt disposable earnings, including, but not limited to wages,
19 earnings, commissions, and bonuses, already withheld as a result of the writ, within fifteen (15) days of
20 the filing of the Final Order. Payment shall be made in the form of a cashier's check, money order, or
21 company draft, made payable to the "Clerk of the Court" and delivered to:

22 Office of the Clerk
23 501 I St., Rm. 4-200
Sacramento, CA 95814

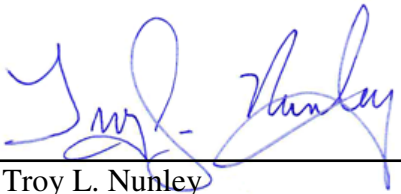
24 The criminal docket number (2:15-CR-00204-TLN) shall be stated on the payment instrument;

25 4. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the
26 case, if necessary; and

27 5. The garnishment shall terminate when (1) the United States seeks to terminate the writ or
28 (2) when the judgment amount is fully satisfied.

1 IT IS SO ORDERED.

2 **DATED: January 10, 2022**

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Troy L. Nunley
United States District Judge