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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
JOHN A. CROSBY,
Debtor.

Case No. 2:22-MC-00179-JAM-KJN
FINAL ORDER OF GARNISHMENT
Criminal Case No. 2:17-CR-00006-JAM

WELLS FARGO BANK, N.A.,
Garnishee.

On June 3, 2022, the United States filed an Application for Writ of Garnishment against John A. Crosby’s (“Debtor”) interest in property. ECF 1. The Clerk of the Court issued the Writ and Clerk’s Notice to Debtor. ECF 3, 4. The United States served the Writ and related documents on Wells Fargo Bank, N.A. (“Garnishee”), Debtor, and Debtor’s spouse. ECF 2, 5 and 6.

On June 10, 2022, Garnishee served its Acknowledgment of Service and Answer of Garnishee on Debtor, Debtor’s spouse, and the United States (“Answer”). ECF 11. In its Answer, Garnishee stated that it has possession of the following accounts in which Debtor and/or his spouse, Jeni S. Crosby, has an interest:

1 Checking Account *****9637 \$32,442.26
2 Checking Account *****0110 \$10,000.00
3 Checking Account *****5902 \$642.43

4 *Id.*

5 Debtor’s spouse, Jeni Crosby, objected only to the garnishment of the checking account ending
6 in 5902 on grounds that the funds in that checking account belong to their minor son. ECF 12. She
7 requested a hearing and asked that it be heard in the District of Utah, where she resides. *Id.* At the
8 United States’ request, the Court terminated the garnishment as to that account ending in 5902 and
9 denied as moot Jeni Crosby’s objection and request for hearing. ECF 13, 16. Accordingly, this
10 garnishment action proceeded only as to the accounts ending in 9637 and 0110. As to those two
11 accounts, neither Debtor nor his spouse claimed an exemption, requested a hearing, or objected to the
12 Answer.

13 Pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 302, on August 9, 2022, the Magistrate Judge
14 issued findings and recommendations that recommended that the United States’ request for final order of
15 garnishment be granted and ordered that any objections were due within fourteen (14) days after service.
16 ECF 18. The United States served the findings and recommendations on Debtor and Debtor’s spouse on
17 August 9, 2022, and August 25, 2022, respectively. ECF 19, 20. Neither Debtor nor his spouse
18 objected and the time to do so has passed.

19 In accordance with 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of the
20 case. Having carefully reviewed the file, the Court concludes that the Magistrate Judge’s findings and
21 recommendations are supported by the record and by proper analysis.

22 Accordingly, IT IS HEREBY ORDERED THAT:

- 23 1. The Findings and Recommendations for Final Order of Garnishment (ECF 18) are
24 ADOPTED IN FULL;
- 25 2. Wells Fargo Bank, N.A. (“Garnishee”) is directed to pay to the Clerk of the United States
26 District Court all of the funds held by Garnishee in the checking accounts ending in 9637 and 0110
27 within fifteen (15) days of the filing of this Final Order of Garnishment. Payment shall be made in the
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1 form of a cashier's check, money order, or company draft, made payable to the "Clerk of the Court", and
2 delivered to:

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

6 The criminal docket number (2:17-CR-00006-JAM) shall be stated on the payment instrument;

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

9 4. The garnishment shall terminate when the payment is deposited with the Clerk of the
10 Court.

11 **IT IS SO ORDERED.**

12 DATED: September 9, 2022

13 /s/ John A. Mendez

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15 THE HONORABLE JOHN A. MENDEZ
16 SENIOR UNITED STATES DISTRICT JUDGE
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