

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
CHRISTOPHER R. BATES,
Debtor.

Case No. 2:22-MC-00259-KJM-CKD

FINDINGS AND RECOMMENDATIONS FOR FINAL ORDER OF CONTINUING GARNISHMENT

Criminal Case No. 2:00-CR-00229-MCE

DASAMI INC. DBA CAPITOL CITY
AUTOMOTIVE,

The Court, having reviewed its files and the United States' Request for Findings and Recommendations for Final Order of Continuing Garnishment, and good cause appearing, hereby recommends a Final Order of Continuing Garnishment be granted.

Accordingly, IT IS RECOMMENDED that:

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

2. Dasami Inc. DBA Capitol City Automotive be directed to pay the Clerk of the United States District Court twenty-five percent (25%) of Debtor Christopher R. Bates ongoing and non-exempt disposable earnings, including, but not limited to wages, earnings, commissions, and bonuses;

3. Dasami Inc. DBA Capitol City Automotive be directed to pay the Clerk of the United States District Court the amount of non-exempt disposable earnings, including, but not limited to wages, earnings, commissions, and bonuses, already withheld as a result of the writ, within fifteen (15) days of the filing of the Final Order. Payment shall be made in the form of a check, money order, or company draft, made payable to the "Clerk of the Court" and delivered to:

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

The criminal docket number (2:00-CR-00229-MCE) shall be stated on the payment instrument;

4. The United States be entitled to recover a \$172,313.14 litigation surcharge after satisfaction of the judgment amount owed by Christopher R. Bates. Garnishee shall pay the litigation surcharge to the United States Department of Justice, who will provide payment instructions to the Garnishee concurrently with service of the final order;

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

6. The garnishment shall terminate when (1) the United States seeks to terminate the writ or (2) when the judgment amount and litigation surcharge are fully satisfied.

These findings and recommendations are submitted to the United States District Judge assigned to the case pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen (14) days, after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned "Objections to Magistrate Judge's

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1 Findings and Recommendations.” Failure to file objections within the specified time may waive the
2 right to appeal the District Court’s order. *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez*
3 *v. Ylst*, 951 F.2d 1153, 1156-57 (9th Cir. 1991).

4 DATED: NOVEMBER 28, 2022


5 CAROLYN K. DELANEY
6 UNITED STATES MAGISTRATE JUDGE

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