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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
ROMMEL ANTOLIN,
Debtor.

Case No. 2:23-MC-00031-WBS-KJN

**FINAL ORDER OF CONTINUING
GARNISHMENT**

Criminal Case No. 2:08-CR-00318-MCE

DEXCOM, INC.,
Garnishee.

On April 20, 2023 the magistrate judge filed findings and recommendations (ECF No. 12), which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen (14) days. No objections were filed. Accordingly, the court presumes that any findings of fact are correct. See Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the findings and recommendations in full. Accordingly,

1 IT IS HEREBY ORDERED that:

- 2 1. The findings and recommendations (ECF No. 12) are ADOPTED IN FULL;
- 3 2. Dexcom, Inc., is directed to pay the Clerk of the United States District Court twenty-five
- 4 percent (25%) of Debtor Rommel Antolin's ongoing and non-exempt disposable earnings,
- 5 including, but not limited to wages, earnings, commissions, and bonuses;
- 6 3. Dexcom, Inc., is directed to pay the Clerk of the United States District Court the amount
- 7 of non-exempt disposable earnings, including, but not limited to wages, earnings,
- 8 commissions, and bonuses, already withheld as a result of the writ, within fifteen (15)
- 9 days of the filing of the Final Order. Payment shall be made in the form of a check,
- 10 money order, or company draft, made payable to the "Clerk of the Court" and delivered
- 11 to:

12 Office of the Clerk

13 501 I St., Rm. 4-200

14 Sacramento, CA 95814

15 The criminal docket number (2:08-CR-00318-MCE) shall be stated on the payment instrument;

- 16 4. The United States is entitled to recover a \$31,353.76 litigation surcharge after satisfaction
- 17 of the judgment amount owed by Rommel Antolin. Garnishee shall pay the litigation
- 18 surcharge to the United States Department of Justice, who will provide payment
- 19 instructions to the Garnishee concurrently with service of the final order;
- 20 5. The Court shall retain jurisdiction to resolve matters through ancillary proceedings in the
- 21 case, if necessary; and
- 22 6. The garnishment shall terminate when (1) the United States seeks to terminate the writ or
- 23 (2) when the judgment amount and litigation surcharge are fully satisfied.

24

25 Dated: May 12, 2023

/s/ John A. Mendez for

26 THE HONORABLE WILLIAM B. SHUBB
27 UNITED STATES DISTRICT JUDGE