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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BRENT LEE NEWBOLD,

Debtor.

TOMS SIERRA COMPANY, INC.,

Garnishee.

Case No. 2:23-MC-00426-DJC-JDP

**[PROPOSED] FINDINGS AND
RECOMMENDATIONS FOR FINAL
ORDER OF CONTINUING GARNISHMENT**

Criminal Case No. 2:14-CR-00223-JAM

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;

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1 2. Toms Sierra Company, Inc., be directed to pay the Clerk of the United States District
2 Court all of the funds in the accounts held by Garnishee in which Debtor has an interest within fifteen
3 (15) days of the filing of the Final Order. Payment shall be made in the form of a check, money order,
4 or company draft, made payable to the “Clerk of the Court” and delivered to:

5 Office of the Clerk
6 501 I St., Rm. 4-200
7 Sacramento, CA 95814

7 The criminal docket number (2:14-CR-00223-JAM) shall be stated on the payment instrument;

8 3. The United States be entitled to recover a \$275,699.60 litigation surcharge after
9 satisfaction of the judgment amount owed by Brent Lee Newbold;

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

12 5. The garnishment shall terminate when the payment is deposited with the Clerk of the
13 Court.

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

21
22 IT IS SO ORDERED.

23 Dated: October 24, 2024

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25 _____
26 JEREMY D. PETERSON
27 UNITED STATES MAGISTRATE JUDGE
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