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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 ROBERT KIRBY WELLS,

15 Debtor.

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17 ROBINHOOD FINANCIAL, LLC &
18 ROBINHOOD SECURITIES, LLC,

19 Garnishee.
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Case No. 2:24-mc-00353-WBS-SCR

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

Criminal Case No. 2:21-CR-00164-WBS

21 On September 12, 2024, the United States filed an application for a writ of continuing
22 garnishment concerning property owned by Robert Kirby Wells in the possession, custody, or control of
23 Garnishee Robinhood Financial, LLC & Robinhood Securities, LLC. (ECF No. 1). The writ of
24 garnishment was issued on September 18, 2024. (ECF No. 3). Garnishee filed an answer indicating it
25 has possession, custody, or control of property in which Debtor maintains an interest. (ECF No. 6).
26 Robert Kirby Wells, filed objections and a request for hearing, claiming that the property was subject to
27 three enumerated exemptions and alleged that the United States' application suffered fatal procedural
28 deficiencies. (ECF No. 9). After full briefing and a hearing conducted on November 19, 2024, and

1 having reviewed the arguments of the parties, the undersigned finds that no exemption applies to the
2 funds at issue and that the government followed the procedures required by statute, for reasons
3 explained on the record. The undersigned accordingly recommends that Debtor’s objections be
4 overruled, and the application be granted.

5 Accordingly, IT IS RECOMMENDED that:

6 1. Garnishee Robinhood Financial, LLC & Robinhood Securities, LLC, be directed to pay
7 the Clerk of the United States District Court all funds held by Garnishee within fifteen (15) days of the
8 filing of the Final Order. Payment shall be made in the form of a check, money order, or company draft,
9 made payable to the “Clerk of the Court” and delivered to:

10 Office of the Clerk
11 501 I St., Rm. 4-200
Sacramento, CA 95814

12 The criminal docket number (**2:21-CR-00164-WBS**) shall be stated on the payment instrument;

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

15 3. The garnishment shall terminate when the payment is deposited with the Clerk of the
16 Court.

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

24 Dated: March 10, 2025

25 
26 SEAN C. RIORDAN
27 UNITED STATES MAGISTRATE JUDGE
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