

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
LEO PELLOM,
Defendant.

Case No. 99-cv-00402-MAG (JSC)

**ORDER DEEMING APPLICATION
FOR WRIT OF CONTINUING
GARNISHMENT WITHDRAWN**

Re: Dkt. No. 8

In 1999, Plaintiff the United States of America brought an action to collect a student loan debt from Defendant Leo Pellom. Mr. Pellom did not respond and default judgment was entered against him on May 11, 1999 in the amount of \$7,092.46. Nearly 16 years later, the United States filed the now pending Ex Parte Motion for Writ of Continuing Garnishment seeking an order authorizing garnishment of Mr. Pellom's earnings from the Pacific Maritime Association. (Dkt. No. 8.) On February 13, 2015, the Court issued an Order requesting supplemental briefing regarding the application. (Dkt. No. 12.) The United States has filed its response. (Dkt. No. 13.)

Because the government's response indicates that the application should be withdrawn as it failed to properly serve Mr. Pellom at an accurate address, the application is hereby deemed WITHDRAWN, or alternatively, DENIED for failure to properly identify Mr. Pellom's last known address. If the United States refiles the application, its renewed application should address the issues raised in the February 13, 2015 Order and ensure proper service at Mr. Pellom's last known address.

The Order disposes of Docket No. 8.

IT IS SO ORDERED.

Dated: March 6, 2015


Jacqueline Scott Corley
United States Magistrate Judge