

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**PRODUCE EXCHANGE CO., INC., a
Florida Corporation,**

Plaintiff,

v.

Case No.: 8:17-cv-1946-T-17AAS

**COLLINS PRODUCE, INC., a Florida
Corporation, and LISA A. COLLINS, an
individual,**

Defendants.

_____ /

ORDER

Produce Exchange seeks a writ of garnishment against Garnishee PNC Bank, N.A., for accounts held by Collins Produce. (Doc. 26).

Rule 69 of the Federal Rules of Civil Procedure provides that a money judgment is enforced by a writ of garnishment. Fed. R. Civ. P. 69(a)(1). “The procedure on execution . . . must accord with the procedure of the state where the court is located, but a federal statute governs to the extent it applies.” *Id.* Florida law provides a right to a writ of garnishment to judgment creditors to help satisfy a money judgment. Fla. Stat. § 77.01. To obtain a writ of garnishment, the judgment creditor must file a motion stating the amount of the judgment. Fla. Stat. § 77.03. The writ must direct the garnishee to answer the writ within twenty days and state the amount named in the judgment creditor’s motion. Fla. Stat. § 77.04.

On January 18, 2018, the Court entered judgment against Collins Produce and Ms. Collins, jointly and severally, in the amount of \$18,053.92, plus \$54.90 in pre-judgment interest, and plus post-judgment interest. (Doc. 25).

Attaching the proposed writ that directs PNC Bank to respond within twenty days and that states the amount named in the judgment creditor's motion as required by statute, Produce Exchange moves for writ of garnishment against Garnishee PNC Bank. (Docs. 26, 28).

Produce Exchange's original proposed writ failed to include PNC Bank's address. (Doc. 26-1). Therefore, I ordered Produce Exchange to submit a revised proposed writ including PNC Bank's address. (Doc. 27). Produce Exchange complied. (Doc. 28).

Accordingly, it is **ORDERED** that:

- (1) Produce Exchange's Motion for Writ of Garnishment (Doc. 26) is **GRANTED**.
- (2) The Clerk of Court must issue a writ of garnishment against Garnishee PNC Bank using Produce Exchange's proposed writ and PNC Bank's address contained in that writ. (Doc. 28, pp. 1-2). The writ must include copies of the following:
 - a. Produce Exchange's Motion for Writ of Garnishment (Doc. 26);
 - b. this Order;
 - c. the judgment (Doc. 25); and
 - d. the Notice to Defendant of Right Against Garnishment of Wages, Money, and Other Property attached to Produce Exchange's writ (Doc. 28, pp. 3-5).

ORDERED in Tampa, Florida on this 8th day of February, 2018.



AMANDA ARNOLD SANSONE
United States Magistrate Judge