

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

MATTHEW ORSO IN HIS CAPACITY
COURT-APPOINTED SUCCESSOR
RECEIVER FOR REX VENTURE
GROUP, LLC, d/b/a
ZEEKREWARDS.COM

Case No. 8:21-mc-113-SDM-AEP

Plaintiff,

v.

STEVEN HELMUTH,

Defendant.

ORDER

This matter comes before the Court on Plaintiff's Motion for Writ of Garnishment (Doc. 3). A judgment in the amount of \$2,973.24 was entered in the action between the parties on August 14, 2017 in the District Court for the Western District of North Carolina, Charlotte Division, which was subsequently registered in the District Court for the Middle District of Florida on September 17, 2021 (Doc. 1). *See* 28 U.S.C. § 1963. According to Plaintiff, the judgment, plus post-judgment interest, remains unsatisfied. Plaintiff believes that Defendant may have tangible assets in the possession or control of the Garnishee Sunrise Bank, and, by the instant motion, now requests that the Court issue a writ of garnishment directed to Garnishee Sunrise Bank to recover on the outstanding judgment.

Pursuant to Rule 69, Federal Rules of Civil Procedure, the Court must follow state law regarding execution of a judgment unless a federal statute governs. Fed.

R. Civ. P. 69(a)(1). Florida Statutes § 77.01 allows recovery of a money judgment via a writ of garnishment. The Court therefore may enforce the judgment through a writ of garnishment pursuant to Florida law. Upon consideration, the Court finds good cause to grant the motion. Accordingly, it is hereby

ORDERED:

1. Plaintiff's Motion for Writ of Garnishment (Doc. 3) is GRANTED.
2. The Clerk is hereby directed to issue a Writ of Garnishment upon Garnishee Sunrise Bank.
3. As Defendant Steven Helmuth is an individual, the Clerk is hereby directed to attach the required notice to Defendant Steven Helmuth pursuant to Florida Statutes § 77.041(1) to the writ of garnishment.

DONE AND ORDERED in Tampa, Florida, on this 17th day of November, 2021.



ANTHONY E. PORCELLI
United States Magistrate Judge

cc: Counsel of Record