

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

KENDRA ROSS,

Plaintiff,

v.

ROYALL JENKINS, et al.,

Defendants.

Case No. 17-2547-DDC-TJJ

MEMORANDUM AND ORDER

This matter is before the court on plaintiff Kendra Ross's Motion for Disbursement of Funds (Doc. 163). For reasons explained below, the court grants plaintiff's Motion.

On May 23, 2018, the court entered default judgment in the amount of about \$7.9 million against defendants Royall Jenkins, The Value Creators, Inc. f/k/a The United Nation of Islam, Inc., The Value Creators LLC, and The Value Creators, Inc. *See* Doc. 41. In an effort to collect her judgment, plaintiff applied for several Writs of Garnishment to various banks; some of those banks have deposited funds with the court into a non-income-earning and non-interest-bearing account. Docs. 48, 49, 50, 51, 54, 56, 58, 59, 72, 73, 79, & 82 (Applications for Writs of Garnishment, Orders issuing Writs of Garnishment, and Orders granting plaintiff's Motions to Deposit Funds under Federal Rule of Civil Procedure 67). Specifically, garnishee Bank of America, N.A. ("Bank of America") has deposited \$5,359.12 with the court.

Now, plaintiff asks the court to disburse to her \$3,013.68 of the funds that Bank of America has deposited into the court's registry. Plaintiff reports that seven of the nine accounts at Bank of America—where the deposited funds had originated—have the same four terminal digits in their account numbers as the accounts maintained by judgment debtor The Value

Creators, Inc. (“Value Creators”). Plaintiff also asserts that the seven accounts have no joint tenant. Bank of America deposited \$3,013.68 from these seven accounts with the court. Plaintiff represents she will confirm with Bank of America that the other two accounts from which funds were deposited likewise have no joint tenants. Then, she reports, she intends to seek disbursement of the remaining funds. Plaintiff also represents that she has notified The Value Creators of the garnishment action she initiated, but the Value Creators have failed to respond.

Federal Rule of Civil Procedure 67(b), D. Kan. Rule 67.1(d)(1) and 28 U.S.C. §§ 2041 and 2042 authorize the court to distribute funds that have been deposited with the court. Here, plaintiff’s judgment remains unsatisfied, and no judgment debtor has responded to plaintiff’s notice of garnishment from the accounts she has identified as containing the judgment debtors’ funds. The court thus grants plaintiff’s Motion for Disbursement of Funds (Doc. 163).

IT IS THEREFORE ORDERED BY THE COURT THAT plaintiff’s Motion for Disbursement of Funds (Doc. 163) is granted.

IT IS SO ORDERED.

Dated this 27th day of February, 2019, at Kansas City, Kansas.

s/ Daniel D. Crabtree
Daniel D. Crabtree
United States District Judge