

UNITED STATES DISTRICT COURT
 MIDDLE DISTRICT OF LOUISIANA
 FILED
 U.S. DISTRICT COURT
 2009 JUL 14 P 2:18

UNITED STATES OF AMERICA
 VERSUS
 BETTY JEAN HOLIDAY JENKINS
 Popeye's
 Garnishee

MISCELLANEOUS NO. 09-29 *JJB-LN*
 CRIMINAL NO. 3:05CR00162-001

AGREED FINAL ORDER IN GARNISHMENT

The parties, the United States of America, the judgment debtor, Betty Jean Holiday Jenkins, and the garnishee, Popeye's, agree and stipulate as follows:

1. The judgment debtor's name is Betty Jean Holiday Jenkins, Social Security Number XXX-XX-1070, and her last known address is [REDACTED]
2. A Judgment was entered against the judgment debtor, Betty Jean Holiday Jenkins, in this action in the amount of \$15,343.73 plus penalties. The total balance due on the Judgment is \$18,007.16, as of May 27, 2009.
3. The garnishee, Popeye's, has in its possession, custody or control, property of the judgment debtor in the form of wages paid to the judgment debtor, Betty Jean Holiday Jenkins.

4. The judgment debtor, Betty Jean Holiday Jenkins, waives service of an application for a writ of continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act of 1990, 28 U.S.C. § 3205, and further waives her right to a hearing under the § 3205 and any other process to which the judgment debtor may be entitled under the Federal Debt Collection Procedures Act of 1990.

5. The garnishee, Popeye's, waives service of an application for a writ of continuing garnishment pursuant to Section 3205 of the Federal Debt Collection Procedures Act of 1990, 28 U.S.C. § 3205 and further waives its rights to answer and be heard in this matter and any other process to which the garnishee defendant may be entitled under the Federal Debt Collection Procedures Act of 1990.

6. The judgment debtor, Betty Jean Holiday Jenkins, agrees and stipulates that her wages are subject to garnishment under § 3205 of the Federal Debt Collection Procedures Act, 28 U.S.C. § 3205 and expressly agrees and stipulates that the entry of a Final Order in Garnishment is proper.

7. The parties therefore agree and stipulate to the entry of a final order in garnishment against the non-exempt wages of the judgment debtor, Betty Jean Holiday Jenkins. It is expressly agreed and stipulated to by the parties that the garnishee, Popeye's, shall pay into the hands of the United States, each pay period, the **lesser** of:

1. Six percent (6%) of judgment debtor's disposable earnings; or
3. All amounts of judgment debtor's disposable earnings in excess of thirty times the federal minimum hourly wage.

See, 15 U.S.C. § 1673(a).

To calculate disposable earnings, subtract the following from wages, commissions, and income:

1. Federal Income Tax;
2. Federal Social Security Tax; and
3. Louisiana Adjusted Gross Income Tax.

8. The parties further agree and stipulate that these sums are to be applied upon the judgment rendered in this cause in the sum of \$15,343.73, upon which there is an unpaid balance of \$18,007.16, as of May 27, 2009. These deductions are to continue until the unpaid balance is fully paid and satisfied.

Checks should be made payable to:

U.S. DISTRICT COURT

and remitted to:

Russell B. Long Federal Building and Courthouse
777 Florida Street, Suite 139
Baton Rouge, LA 70801-1712

9. This order shall take effect after all prior orders in garnishment have been satisfied.

UNITED STATES OF AMERICA, by

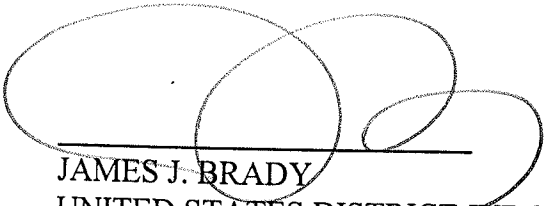
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Betty Jean Holiday Jenkins
Betty Jean Holiday Jenkins
Judgment Debtor

Shirley Hunt, ofc. pop
Popeye's
Garnishee

APPROVED AND SO ORDERED THIS 14th day of July, 2009.


JAMES J. BRADY
UNITED STATES DISTRICT JUDGE