

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
vs.	)	CASE NO. DNCW1:13CV88
	)	(Financial Litigation Unit)
	)	
KELLY MCCUNE PEARSON,	)	
Defendant,	)	
and	)	
	)	
WAL-MART ASSOCIATES, INC.,	)	
Garnishee.	)	

**ORDER OF CONTINUING GARNISHMENT**

The United States obtained a judgment against Defendant, Kelly Mccune Pearson, on May 14, 2013 (Docket No. 9), in the amount of \$55,251.50. Subsequently, the United States sought to garnish Pearson's wages. On June 5, 2014, the Court entered a Writ of Continuing Garnishment ("Writ") (Docket No. 14), to Garnishee, Wal-Mart Associates, Inc. ("Garnishee"). The United States is entitled to a wage garnishment of up to twenty-five percent of Pearson's net income and has satisfied the prerequisites set forth in 15 U.S.C. §1673.

Garnishee filed an Answer on June 8, 2014 (Docket No. 18) stating that at the time of the service of the Writ Garnishee had in their custody, control or possession property or funds owned by Defendant, including non-exempt, disposable earnings.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$55,655.78 computed through June 4, 2014. Garnishee will pay the United States up to twenty-five percent of Pearson's net earnings which remain after all deductions required by law have been withheld and one hundred percent of all 1099 payments, and Garnishee will continue said payments until the debt to Plaintiff is paid in full or until

Garnishee no longer has custody, possession or control of any property belonging to Thomas or until further Order of this Court.

Payments should be made payable to the United States Department of Justice and mailed to:

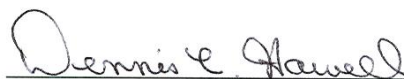
U. S. Department of Justice  
Nationwide Central Intake Facility  
Post Office Box 790363  
St. Louis, Missouri 63179-0363

In order to ensure that each payment is credited properly, the following should be included on each check: DNCW1:13CV88.

IT IS FURTHER ORDERED that Garnishee will advise this Court if Defendant's employment is terminated at any time by Garnishee or Defendant.

Plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

Signed: August 4, 2014



Dennis L. Howell  
United States Magistrate Judge

