

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

: CASE NO: 2:12-MC-036

: MAGISTRATE JUDGE KING

**John Smilo,
SSN: ***-**-2861**

Defendant.

and

Coshocton County Auditor

Garnishee.

WRIT OF CONTINUING GARNISHMENT

TO THE ATTENTION OF: Coshocton County Auditor
Attn: Human Resources/Payroll
349 Main St - Rm 101
Coshocton, OH 43812

An application for a Writ of Continuing Garnishment against the property of Defendant John Smilo (“Defendant”) has been filed with this Court.

A judgment was entered against John Smilo in Case No. 2:12-MC-036 on October 2, 2012 in the amount of \$81,787.13. The amount of the debt that remains unpaid and due and owing is: \$50,085.22 (\$50,063.53 principal and \$21.69 interest) as of January 3, 2024, with additional interest accruing thereafter at the rate of 0.17 percent per annum.

The United States is represented by Joseph M. McCandlish, Assistant United States Attorney.

You are required by law to answer in writing, under oath, within 10 days, whether or not you have in your custody, control or possession, any property owned by Defendant.

You must file the original written answer to this Writ within 10 days of your receipt of this Writ with the United States District Clerk at:

Clerk U.S. District Court
85 Marconi Blvd.
Columbus, OH 43215

Additionally, you are required by law to serve a copy of this answer upon Defendant at:

John Smilo
636 Ridgewood Dr.
Coshocton, OH 43812

You must also serve a copy of this answer on the United States at:

Joseph M. McCandlish, Assistant United States Attorney
U.S. Attorney's Office for the Southern District of Ohio
303 Marconi Boulevard, Suite 200
Columbus, Ohio 43215-2401
(614) 469-5715

NOW THEREFORE, YOU ARE HEREBY COMMANDED to withhold and retain any property and/or monies in which Defendant has a substantial nonexempt interest and for which you are or may become further indebted to Defendant pending further order of the Court.

If you fail to answer this Writ or to withhold property in accordance with this Writ, the United States of America may petition the Court for an order requiring you to appear before the Court. If you fail to appear or do appear and fail to show good cause why you failed to comply with this Writ, the Court may enter a judgment against you for the value of Defendant's non-exempt property. It is

unlawful to pay or deliver to Defendant any item attached by this Writ. Additionally, you may be held liable for reasonable attorney's fees to the United States of America.

The garnishment shall terminate only by one of the following:

1. A court order quashing the Writ of Continuing Garnishment; or
2. Exhaustion of property in the possession, custody or control of the garnishee in which Defendant has a substantial nonexempt interest (including nonexempt disposable earnings) unless the garnishee reinstates or re-employs Defendant within 90 days after Defendant's dismissal or resignation; or
3. Satisfaction of the debt with respect to which the Writ is issued.

Questions are to be directed to:

Joseph M. McCandlish, Assistant United States Attorney
U.S. Attorney's Office for the Southern District of Ohio
303 Marconi Boulevard, Suite 200
Columbus, Ohio 43215-2401
(614) 469-5715

3/6/2024
Date

s/Edmund A. Sargus, Jr.
EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE