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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 JOHN YIN,

14 Defendant,

15 T. ROWE PRICE,

16 Garnishee.

CASE NO. C17-1284JLR

ORDER DENYING MOTION TO
REINSTATE OBJECTIONS

17 Before the court is Defendant John Yin's motion to reinstate his objections to the
18 United States's motion to issue a continuing garnishee order to Garnishee T. Rowe Price
19 (Mot. (Dkt. # 24)). Mr. Yin had previously filed *pro se* objections on September 22,
20 2017, when Mr. Yin was still represented by counsel. (*See* Resp. (Dkt. # 14).) Because a
21 party who is represented by counsel cannot file *pro se* motions, the court struck the
22 objections. (10/2/17 Order (Dkt. # 17) at 1-2.) Mr. Yin's counsel subsequently withdrew

1 from representation (10/5/2017 Order (Dkt. # 21)), and Mr. Yin now moves to reinstate
2 his objections (*see* Mot.).

3 Meanwhile, the court denied Mr. Yin's request for a hearing and granted the
4 United States's motion to issue a continuing garnishee order. (10/16/2017 Order (Dkt.
5 # 22) at 1-2.) The court found that Mr. Yin's request for a hearing was untimely, as it
6 was filed more than 20 days after the United States mailed notice of the garnishment
7 proceedings and T. Rowe Price had filed its answer. (*Id.* at 3-5.) Accordingly, on
8 October 16, 2017, the court issued a continuing garnishee order. (*See* Continuing
9 Garnishee Order (Dkt. # 23).)

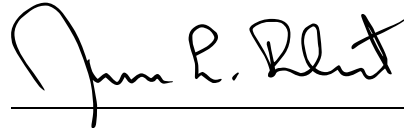
10 The court denies Mr. Yin's motion to reinstate his objections for the same reason
11 that it denied his request for a hearing: untimeliness. Mr. Yin had 20 days after being
12 served with the writ of garnishment to object. *See* 28 U.S.C. § 3202(d). He was served
13 with all required notices on June 21, 2017. (Cert. of Service (Dkt. # 5).) Thus, the 20-
14 day period to object expired on July 14, 2017.¹ Mr. Yin's objections, filed on September
15 22, 2017, are untimely. The same is true even if Mr. Yin's objections are construed as
16 objections to T. Rowe Price's answer. Mr. Yin likewise had 20 days after receiving T.
17 Rowe Price's answer to lodge objections. *See* 28 U.S.C. § 3205(c)(5). T. Rowe Price
18 filed its answer on June 30, 2017. (Ans. (Dkt. # 6).) Thus, the 20-day period to object
19 expired on July 24, 2017.

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22 ¹ This period accounts for the three days for service by mail pursuant to Federal Rule of
Civil Procedure 6(d). *See* Fed. R. Civ. P. 6(d).

1 Because Mr. Yin's objections are untimely, the court DENIES Mr. Yin's motion
2 to reinstate his objections (Dkt. # 24).

3 Dated this 20th day of October, 2017.

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6 JAMES L. ROBART
7 United States District Judge
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