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**The Honorable Benjamin H. Settle**

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

JEFFREY S. OGBURN,  
Defendant/Judgment Debtor,  
and  
LARSON AUTOMOTIVE GROUP,  
Garnishee.

NO. 3:16-MC-5021-BHS  
(3:08-CR-5407-2)

**Order Reopening  
Garnishment Action and  
Directing Payment of  
Garnished Funds to  
Restitution**

Plaintiff United States of America (United States) moved, pursuant to Federal Rule of Civil Procedure 60(b)(1), to reopen this garnishment and for an order directing payment of garnished funds to the Court, to be applied to Defendant/Judgment Debtor Jeffrey S. Ogburn's (Mr. Ogburn) restitution debt. The United States seeks to cure its mistake in moving to terminate this garnishment action while it was still in possession of a \$1,266.90 check from Garnishee Larson Automotive Group (Larson), which constituted earnings

**[PROPOSED] ORDER REOPENING GARNISHMENT ACTION AND  
DIRECTING PAYMENT OF GARNISHED FUNDS TO RESTITUTION - 1  
(USA v. Jeffrey S. Ogburn & Larson Automotive Group,  
USDC#: 3:16-MC-5021-BHS/3:08-CR-5407-2)**

UNITED STATES ATTORNEY  
700 Stewart Street, Suite 5220  
Seattle, WA 98101-1271  
(206) 553-7970

1 Larson had withheld from Mr. Ogburn's paycheck pursuant to the  
2 garnishment. The Court has considered the United States' motion, any  
3 responses and replies thereto, and the files and records in this action. For  
4 the reasons stated in the United States' motion, the Court finds that the  
5 motion should be granted. Accordingly, the Court orders as follows:  
6

7 1. This action is hereby reopened (but the Writ of Garnishment is  
8 not reinstated); and

9 2. The United States is directed to deliver the \$1,266.90 check to the  
10 Clerk of the U.S. District Court, Western District of Washington, to be applied  
11 to Mr. Ogburn's restitution debt in *United States v. Jeffrey S. Ogburn*, Case  
12 No. 3:08-CR-5407-2 (W.D. Wash.).  
13

14 It is so ordered.

15 DATED this 6 day of December, 2016.  
16

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18 \_\_\_\_\_  
19 Hon. Benjamin H. Settle  
20 United States District Court

21 Presented by:

22 ANNETTE L. HAYES  
23 United States Attorney

24 s/ Kyle A. Forsyth  
25 KYLE A. FORSYTH, WSBA # 34609  
26 Assistant United States Attorney  
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