

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA,	:	
	:	CRIMINAL ACTION
v.	:	NO: 1:21-CR-206-01-JPB
	:	
ANDRE LEE GAINES,	:	
Defendant,	:	
and	:	
	:	
MORGAN & MORGAN,	:	
Garnishee.	:	

FINAL DISPOSITION ORDER ON GARNISHMENT AS TO PROPERTY HELD
BY GARNISHEE MORGAN & MORGAN

A Writ of Continuing Garnishment has been duly issued and served upon Garnishee Morgan & Morgan (“Garnishee”) and Defendant Andre Lee Gaines (“Defendant”). After receiving the Writ, Garnishee filed an answer stating that at the time of service of the Writ, Garnishee had in its possession, certain personal property belonging to defendant in the form of settlement funds, valued at \$12,812.14.

Defendant received notice of the garnishment package, including the Writ of Continuing Garnishment, the Application for Writ of Continuing Garnishment, the United States’ Notice of Garnishment and Instructions, and the Clerk’s Notice

of Post-Judgment Writ of Continuing Garnishment on June 6, 2023. [Doc. 24.]. This Notice of Garnishment and Instructions informed Defendant of the statutory right to request a hearing before this Court to determine exempt property, and the statutory right to object to the garnishee's answer.

The Defendant has not requested a hearing, or claimed any exemptions. More than twenty days have passed since receipt of the Garnishee's Answer by the Defendant and the United States. All prerequisites for entry of a final disposition order under 28 U.S.C. § 3205(b)(7) have therefore been met.

On August 24, 2023, the United States filed a Motion for Entry of Final Disposition Order in Garnishment as to Garnishee. The Defendant has not filed any responsive pleading or objection.

IT IS THEREFORE ORDERED that the Motion for Entry of Final Disposition Order on Garnishment is GRANTED.

IT IS FURTHER ORDERED that Garnishee shall immediately liquidate (in a reasonable and prudent manner for the purpose of maximizing its value) that portion of the assets maintained in the accounts identified in the answer filed in this proceeding so as to obtain proceeds thereof in the amount of \$12,812.14 and forward said proceeds to the Clerk of Court for the Northern District of Georgia.

Payment in the amount of \$12,812.14 should be made by certified check or money order made payable to the Clerk of Court for the Northern District of Georgia, 2211 U.S. Courthouse, 75 Ted Turner Drive S.W., Atlanta, Georgia 30303 with reference on the negotiable instrument to the case number, 1:21-CR-206-01-JPB.

IT IS FURTHER ORDERED that this order shall constitute the final disposition of the Writ of Garnishment issued to Garnishee and upon receipt of the funds by the Clerk of Court, the Writ of Garnishment shall be deemed complied with and non-continuing.

SO ORDERED THIS _____ day of August 2023.

UNITED STATES DISTRICT JUDGE

Proposed order submitted by

/s/ Vivieon K. Jones

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