

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**MATTHEW ORSO as Successor
Trustee to Kenneth D. Bell in his
Capacity as Court-appointed
Receiver for Rex Venture Group, LLC,**

Plaintiff,

v.

Case No.: 8:21-mc-100-TPB-AAS

MARVIN ZUMBADO,

Defendant.

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ORDER

Matthew Orso moves the court, under Rule 69 of the Federal Rules of Civil Procedure and Florida Statutes § 77.01 et seq., to issue writs of garnishment against Bank of America and JP Morgan Chase Bank for a judgment owed by Marvin Zumbado. (Docs. 2, 3).

Rule 69 provides that a money judgment is enforced by a writ of garnishment. Fed. R. Civ. P. 69(a)(1). “The procedure on execution . . . must accord with the procedure of the state where the court is located, but a federal statute governs to the extent it applies.” *Id.* Florida law provides a right to a writ of garnishment to judgment creditors to help satisfy a money judgment. Fla. Stat. § 77.01. To obtain a writ of garnishment, the judgment creditor must

file a motion stating the amount of the judgment. Fla. Stat. § 77.03. The writ must direct the garnishee to answer the writ within twenty days and state the amount named in the judgment creditor's motion. Fla. Stat. § 77.04.

On August 14, 2017, the United States District Court for the Western District of North Carolina, entered judgment against Mr. Kevin Leach, in the amount of \$15,539.19, plus accruing post-judgment interest. (Doc. 1, Ex. 1). On April 28, 2021, Mr. Orso registered the judgment in this court. (Doc. 1). According to Mr. Orso's motion, this amount remains unpaid.

Mr. Orso's Motions for Writs of Garnishment (Docs. 2, 3) are **GRANTED**. The Clerk of Court shall issue a writ of garnishment to the named garnishees using the forms attached to Mr. Orso's motions and the addresses for the garnishees contained in the forms (Doc. 2, Ex. 1; Doc. 3, Ex. 1). Mr. Orso must include with the writs copies of:

- a. Mr. Orso's Motion for Writ of Garnishment (Docs. 2, 3),
- b. this Order, and
- c. Mr. Orso's Registration of Foreign Judgment (Doc. 1).

ORDERED in Tampa, Florida on August 20, 2021.



AMANDA ARNOLD SANSONE
United States Magistrate Judge