

**FILED**

UNITED STATES DISTRICT COURT  
ALBUQUERQUE, NEW MEXICO

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

FEB 06 2008

**MATTHEW J. DYKMAN**  
CLERK

WILLIAM H. PAYNE and  
ARTHUR R. MORALES,

Plaintiffs,

v.

CIVIL NO. 97-266 MCA/LFG

NATIONAL SECURITY AGENCY,

Defendant,

UNITED STATES OF AMERICA,

Garnishor,

and,

SANDIA LABORATORY FEDERAL CREDIT UNION  
AND ITS SUCCESSORS OR ASSIGNS  
ATTENTION: LOSS PREVENTION,

Garnishee.

ANSWER OF GARNISHEE

STATE OF NEW MEXICO                    )  
  ) ss.  
COUNTY OF BERNALILLO                )

Kevin D. Hammar, BEING DULY SWORN DEPOSES AND SAYS:  
(Affiant) (Name of person of company completing this form)

**IF GARNISHEE IS AN INDIVIDUAL:**

That the Garnishee herein, doing business in the name of:

SANDIA LABORATORY FEDERAL CREDIT UNION

(State full name and address of business)

3707 Juan Tabo NE, Albuquerque, NM 87111

AND ITS SUCCESSORS OR ASSIGNS),

**IF GARNISHEE IS A PARTNERSHIP:**

That the Garnishee herein, is a member \_\_\_\_\_  
of a partnership composed of which Garnishee is a partner.

\_\_\_\_\_  
(State full name and address of business)  
\_\_\_\_\_

AND ITS SUCCESSORS OR ASSIGNS),

**IF GARNISHEE IS A CORPORATION:**

That the Garnishee herein, is the (State Official Title) \_\_\_\_\_  
\_\_\_\_\_ of Garnishee, \_\_\_\_\_  
\_\_\_\_\_ a corporation, organized under the laws of the State of  
\_\_\_\_\_.

\_\_\_\_\_  
(State full name and address of business)  
\_\_\_\_\_

AND ITS SUCCESSORS OR ASSIGNS),

On the \_\_\_\_\_ day of \_\_\_\_\_ 2008, Garnishee was served by certified  
mail, return receipt requested, with the Writ of Garnishment. Garnishee accepts service  
of the Writ of Garnishment by certified mail. For the period in effect on the date of service  
set out above:

Further, Affiant-Garnishee states as follows:

**Yes** **No** (Please indicate with a  $\checkmark$ )

\_\_\_ 1. Defendant does have accounts with our ~~bank~~ Credit Union

**Yes** **No** (Please indicate with a  $\checkmark$ )

\_\_\_  2. Have there been previous garnishments in effect. (If the answer is yes, describe below.)

\_\_\_\_\_  
\_\_\_\_\_

**Yes** **No** (Please indicate with a  $\checkmark$ )

\_\_\_ 3. The Garnishee has custody, control or possession of the following property (non-earnings), in which the defendant maintains an interest, as described below:

<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Debtor's Interest in Property</u>
1. <u>deposit account</u>	<u>\$139.63</u>	_____
2. <u>depoit account</u>	<u>\$63.95</u>	_____
3. <u>deposit account</u>	<u>\$132.03</u>	_____
4. <u>deposit account</u>	<u>\$20,473.71</u>	_____
deposit account	\$10.00	


(Check the applicable line below if you deny that you hold property subject to this order of garnishment.)

     4. The Garnishee makes the following claim of exemption on the part of defendant:

     5. The Garnishee has the following objections, defenses, or set-offs to Plaintiff's right to apply Garnishee's indebtedness to defendant upon Plaintiff's claim:

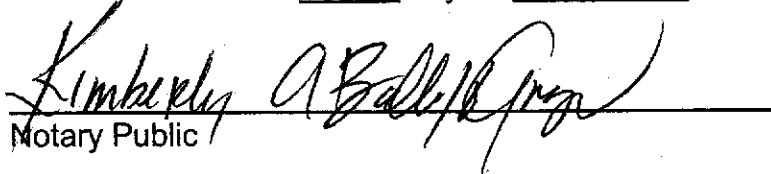
     6. The Garnishee was then in no manner and upon no account indebted or under liability to defendant, and did not have in his/her possession or control any property belonging to Defendant, or in which the Garnishee has an interest; and is in no manner liable as Garnishee in this action.

The Garnishee mailed a copy of this answer by first-class mail to (1) the Defendant, William H. Payne at 13015 Calle De Sandias NE, Albuquerque, New Mexico 87111-2924 and (2) the attorney for the United States, United States Attorney, District of New Mexico, Attention: John Zavitz, Assistant United States Attorney, P.O. Box 607, Albuquerque, New Mexico 87103-0607.



Sandia Laboratory Federal Credit Union  
AND ITS SUCCESSORS OR ASSIGNS  
Garnishee

SUBSCRIBED AND SWORN TO before me this 4th day of February 2008.



Kimberly A. Ball  
Notary Public

My Commission Expires:

8-8-2011

(Seal)

ATTACHMENT TO ANSWER OF GARNISHEE

The Original Answer must be mailed to:

Matthew J. Dykman  
Clerk, United States District Court  
District of New Mexico  
333 Lomas Boulevard NW, Suite 270  
Albuquerque, New Mexico 87103

and a copy of this Answer to: **(You may fax or mail)**

John Zavitz  
Assistant United States Attorney  
Financial Litigation Unit  
P. O. Box 607  
Albuquerque, New Mexico 87103-0607  
(505) 224-1414  
**FAX: (505) 346-6884**

and to:

Arthur Morales  
1400 Camino Amparo NW  
Albuquerque, New Mexico 87107-2608