

FILED
UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

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CLERK-ALBUQUERQUE

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

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,

WELLS FARGO BANK
AND ITS SUCCESSORS OR ASSIGNS
ATTENTION: LEGAL DEPARTMENT,

Garnishee.

WRIT OF GARNISHMENT

GREETINGS TO: Wells Fargo Bank
AND ITS SUCCESSORS OR ASSIGNS
Attention: Legal Department
200 Lomas Boulevard NW
Albuquerque, New Mexico 87102

An application for a Writ of Garnishment against the property of William H. Payne, Plaintiff, social security number XXX-XX-3281, has been filed with this Court. An Order was entered against the above-named Plaintiff, for the Court's order imposing sanctions

in the amount of \$10,000.00, plus \$18.00 lien fees. Pursuant to 28 U.S.C. § 3011(A), Garnishor is entitled to a ten percent (10%) surcharge on the total amount owing in the amount of \$1,000.00. No payments have been made leaving a balance of \$10,018.00 outstanding.

You are required by law to answer in writing, under oath, within ten (10) days, whether or not you have in your custody, control or possession, any property owned by Plaintiff, and to immediately commence withholding bank accounts and or property owned by Plaintiff.

You must file the original written answer to this Writ within ten (10) days of your receipt of this Writ with the United States District Clerk at United States District Court, District of New Mexico at 333 Lomas Boulevard NW, Suite 270, Albuquerque, New Mexico 87102-2272. Additionally, you are required by law to serve a copy of this written answer (Answer of Garnishee) upon the Plaintiff at 13015 Calle De Sandias NE, Albuquerque, New Mexico 87111-2924, and upon the United States Attorney, Attention: John Zavitz, Assistant United States Attorney, P.O. Box 607, Albuquerque, New Mexico 87103-0607.

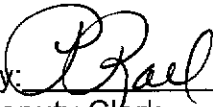
Under the law, there is property which is exempt from this writ of Garnishment. Property which is exempt and which is not subject to this order is listed on the attached Claim for Exemption form which is attached to the Clerk' Notice of Post-Judgment Garnishment and Instructions to Debtor.

If you fail to answer this writ or withhold property in accordance with this Writ, the United States of America may petition the Court for an order requiring you to appear before the Court. If you fail to appear or do appear and fail to show good cause why you failed to comply with this Writ, the Court may enter a judgment against you for the value of the Plaintiff's non-exempt property. It is unlawful to pay or deliver to the Plaintiff any item attached by this Writ.

You are required by law to withhold bank accounts and or property of the Plaintiff's until further order of this Court.

DATED: 1/25/08

MATTHEW J. DYKMAN
Clerk, United States District Court

By:  _____
Deputy Clerk

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 29 day of Jan 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)

No Account Found

1. Defendant does have accounts with our bank.

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)

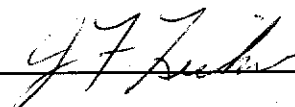
3. The Garnishee has custody, control or possession of the following property (non-earnings), in which the defendant maintains an interest, as described below:

<u>Description of Property</u>	<u>Approximate Value</u>	<u>Description of Debtor's Interest in Property</u>
1. _____	_____	_____
2. _____	_____	_____
3. _____	_____	_____
4. _____	_____	_____

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

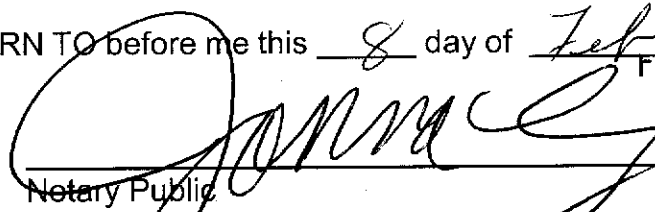
- 4. The Garnishee makes the following claim of exemption on the part of defendant:
- 5. The Garnishee has the following objections, defenses, or set-offs to Plaintiff's right to apply Garnishee's indebtedness to defendant upon Plaintiff's claim:
- 6. The Garnishee was then in no manner and upon no account 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.



WELLS FARGO BANK
AND ITS SUCCESSORS OR ASSIGNS
Garnishee

SUBSCRIBED AND SWORN TO before me this 8 day of Feb 2008.
FEB 11 2008



Notary Public

My Commission Expires **OFFICIAL SEAL**
JANNA LONG
NOTARY PUBLIC - State of Arizona
MARICOPA COUNTY
My Comm. Expires Jan. 24 2009
(Seal)