

#47
Pat G

11-08-21 AM 10:23

Court clerk has not verified the figures in this writ. If you have questions regarding this writ, please contact your legal counsel, the issuing attorney or company. Debtor may contest this writ by filing a claim of exemption.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

9.	OREGON COLLECTIONS, INC.,)	No. 0702-01788
	An Oregon Corporation,)	
10.)	AMENDED
	Plaintiff,)	WRIT OF EXECUTION
11.	v.)	
)	
12.	ANTHONY DARRYL GIBSON, aka)	
	ANTHONY GIBSON,)	
13.	Defendant.)	

To: Sheriff of Multnomah County, Oregon:

WHEREAS, in the Circuit Court of Multnomah County, Oregon, Plaintiff, Oregon Collections, Inc. recovered judgment against Defendant, Anthony Darryl Gibson, aka Anthony Gibson on May 10, 2007 and extended said judgment on March 31, 2017. On March 21, 2008 Plaintiff was awarded a Supplemental Judgment which Plaintiff extended on January 18, 2018. On June 5, 2018 Plaintiff was awarded an additional Supplemental Judgment. The total amount due on all judgments thereon is as follows:

20.	1. General Judgment	
	a. Amount Due on Judgment	\$ 4,316.76
21.	b. Interest Pre-Judgment (from 2/13/07 Through 5/3/07)	\$ 214.09
	Per diem of \$2.71 until Judgment is entered (5/4/07 to 5/8/07) \$2.71 x 5 =	\$ 13.55
22.		\$ 4,544.40
23.		
	c. Costs	\$ 431.00
24.	d. Attorney fees	\$ 617.50
25.	e. Subtotal	\$ 1,048.50
26.	f. Interest Post-Judgment	
	From 5/11/07 to 9/29/21 on items 1a. and 1b. of Money Judgment	

1 - AMENDED WRIT OF EXECUTION

Jesse.documents.Gibson.Anthony.Writ of execution

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1.	At the rate of 22.99% interest per annum	
2.	Compounded annually from the date	
	Judgment is entered.	
3.	$(\$4,316.76 + \$227.64 = \$4,544.40$	
4.	5/11/07 to 5/10/08 $(\$4,544.40 \times 22.99\%$	
	Interest =	\$ 1,044.75
5.	5/11/08 to 5/10/09 $(\$4,544.40 + \$1,044.75 =$	
	$\$5,589.15 \times 22.99\%$ interest =	\$ 1,284.94
6.	5/11/09 to 5/10/10 $(\$5,589.15 + \$1,284.94 =$	
7.	$\$6,874.09 \times 22.99\%$ interest =	\$ 1,580.35
8.	5/11/10 to 5/10/11 $(\$6,874.09 + \$1,580.35 =$	
	$\$8,454.44 \times 22.99\%$ interest =	\$ 1,943.67
9.	5/11/11 to 5/10/12 $(\$8,454.44 + \$1,943.67 =$	
10.	$\$10,398.11 \times 22.99\%$ interest =	\$ 2,390.52
11.	5/11/12 to 5/10/13 $(\$10,398.11 + \$2,390.52 =$	
	$\$12,788.63 \times 22.99\%$ interest =	\$ 2,940.10
12.	5/11/13 to 5/10/14 $(\$12,788.63 + \$2,940.10 =$	
	$\$15,728.73 \times 22.99\%$ interest =	\$ 3,616.03
13.	5/11/14 to 5/10/15 $(\$15,728.73 + \$3,616.03 =$	
14.	$\$19,344.76 \times 22.99\%$ interest =	\$ 4,447.36
15.	5/11/15 to 5/10/16 $(\$19,344.76 + \$4,447.36 =$	
	$\$23,792.12 \times 22.99\%$ interest =	\$ 5,469.80
16.	5/11/16 to 5/10/17 $(\$23,792.12 + \$5,469.80 =$	
	$\$29,261.92 \times 22.99\%$ interest =	\$ 6,727.31
17.	5/11/17 to 5/10/18 $(\$29,261.92 + \$6,727.31 =$	
18.	$\$35,989.23 \times 22.99\%$ interest =	<u>\$ 8,273.92</u>
19.	5/11/18 to 5/10/19 $(\$35,989.23 + \$8,273.92 =$	
	$\$44,263.15 \times 22.99\%$ interest =	<u>\$10,176.09</u>
20.	5/11/19 to 5/10/20 $(\$44,263.15 + \$10,176.09 =$	
21.	$\$54,439.24 \times 22.99\%$ interest =	<u>\$12,515.58</u>
22.	5/11/20 to 5/10/21 $(\$54,439.24 + \$12,515.58 =$	
	$\$66,954.82 \times 22.99\%$ interest =	<u>\$15,392.91</u>
23.	5/11/21 to 9/29/21 $(\$66,954.82 + \$15,392.91 =$	
	$\$82,347.73 \times 22.99\% \times 143$ days interest =	<u>\$ 7,415.98</u>
24.	Total post-judgment interest	\$85,219.31
25.	Per Diem: \$55.59	
26.	g. Interest Post-Judgment on costs and fees from 5/11/07 to 9/29/21 on items 1c. and	

2 - AMENDED WRIT OF EXECUTION

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1. Id. of Money Judgment at the rate of 9% per
 2. annum from the date judgment is entered.
 3. \$431.00 + \$617.50 =
 4. \$1,048.50 x 9% interest =
 5. \$94.36 ÷ 365 days =
 6. \$0.25 per day x 5,257 days = **\$ 1,314.25**

7. 2. Supplemental Judgment
 8. a. Attorney Fees **\$536.00**
 9. b. Costs **\$ 89.60**
 10. c. Subtotal **\$625.60**
 11. d. Post-Judgment Interest
 12. 9% simple interest on items
 13. 2a. and 2b. from date judgment
 14. Entered until paid. (3/22/08 to 9/29/21)
 15. \$625.60 x 9% =
 16. \$56.30 ÷ 365 days =
 17. \$0.15 per day x 4,939 days = **\$740.85**

18. 3. Supplemental Judgment
 19. a. Attorney Fees **\$4,543.00**
 20. b. Costs **\$ 47.70**
 21. c. Subtotal **\$4,590.70**
 22. d. Post-Judgment Interest
 23. 9% simple interest on items
 24. 2a. and 2b. from date judgment
 25. Entered until paid. (6/6/18 to 9/29/21)
 26. \$4,590.70 x 9% =
 \$56.30 ÷ 365 days =
 \$1.13 per day x 1,211 days = **\$1,368.43**

4. **TOTAL: \$99,452.04 as of September 30, 2021 with a per diem of \$57.12 from October 1, 2021 until fully paid.**

Total amount due on the general judgment and supplemental judgments as of 9/29/2021 is \$99,452.04 with a per diem of \$57.12 from 9/30/2021 until paid.

The general judgment was as entered May 10, 2007 in the Circuit Court of Multnomah County, Oregon, where it and the supplemental judgments remain in force and unsatisfied in whole or in part.

THEREFORE, IN THE NAME OF THE STATE OF OREGON, you are commanded to levy on and sell real property of the judgment debtor and deliver proceeds to the court for application against amounts owing on a money award. Judgment debtor has an interest in real property located at 3830 NE 33rd Avenue, Portland, Oregon 97212, the legal description of which is as follows:

3 - AMENDED WRIT OF EXECUTION

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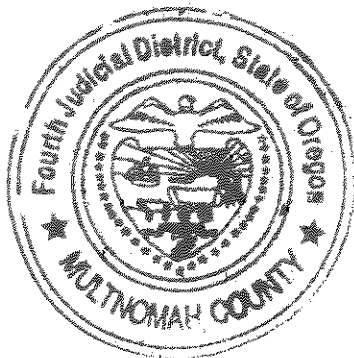
1. Lot 10 and the Northerly one-half of Lot 9, Block 8, WILSHIRE, in the City of
2. Portland, County of Multnomah and State of Oregon.

3. By the signature of the attorney for the judgment creditor, the person
4. that requested issuance of the Writ hereby authorizes the Sheriff to continue execution
5. under the Writ and delay making a return on the Writ to a date up to 150 days after
6. receipt.
7.

8. Witness my hand and seal of this court on this 5th day of October 2021.

9. Name and address of
10. Judgment creditor:
11. Oregon Collections, Inc.
12. c/o 3331 SE Milwaukie Avenue
13. Portland, OR 97202
14. 503-234-4756

[Signature]
Name and Title:
Court Clerk
By _____
Deputy



Issued at the request of:
[Signature] 9/30/2021
Jesse Neal Spencer, OSB No. 813828
3331 S.E. Milwaukie Avenue
Portland, OR 97202
503-234-4756
jessensp@aol.com

21.
22.
23.
24.
25.
26.
4 - AMENDED WRIT OF EXECUTION

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- 26.

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY

<p>OREGON COLLECTIONS, INC., An Oregon Corporation,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>ANTHONY DARRYL GIBSON, aka ANTHONY GIBSON,</p> <p style="text-align: center;">Defendant.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>No. 0702-01788</p> <p>ORDER AUTHORIZING LEVY AND SALE OF DEFENDANT'S INTEREST IN RESIDENTIAL PROPERTY AND AUTHORIZING SUPPLEMENTAL JUDGMENT FOR SUPPLEMENTAL ATTORNEYS FEES</p>
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This matter came before the Honorable Angel Lopez, Circuit Court Judge of the above entitled Court on Friday, May 4, 2018. Plaintiff appeared through its attorney Jesse Neal Spencer, OSB 813828 and defendant appeared personally and was represented by his attorney Keith D. Karnes. The Court found that defendant was served with certified true copies of the Notice of Hearing on Sheriff's Sale of Your Property, Motion for Order Authorizing Sale of Residential Property Per ORS 18.906 and Affidavit in Support of Motion for Order Authorizing Sale of Residential Property. The Court having reviewed the Notice of Hearing on Sheriff's Sale of Your Property, Motion for Order Authorizing Sale of Residential Property Per ORS 18.906 and

1 **ORDER AUTHORIZING LEVY AND SALE OF DEFENDANT'S INTEREST IN
RESIDENTIAL PROPERTY AND AUTHORIZING SUPPLEMENTAL JUDGMENT**

Jesse.documents.Hadley.Brian.Order

Bernardi and Spencer
Attorneys at Law
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bsattys@aol.com

1. Affidavit in Support of Motion for Order Authorizing Sale of Residential Property, and the Court
2. having had opportunity to inquire of the plaintiff and defendant having been served and having
3. been present and represented by counsel Keith D. Karnes, and the Court being fully advised in
4. the premises:

5. THE COURT FINDS AS FOLLOWS:

6. 1.

7. Plaintiff Oregon Collections, Inc. is the holder of a general judgment in the above-
8. entitled action, entered May 9, 2007 and a Supplemental Judgment in the above-entitled
9. action, entered March 20, 2008. The amount due thereon is the sum of \$44,749.89 as of
10. January 9, 2018 with a per diem of \$23.06 from January 10, 2018 until paid. The general
11. judgment was renewed March 31, 2017. The amount due thereon is as follows:

12.	1. General Judgment	
	a. Amount Due on Judgment	\$ 4,316.76
13.	b. Interest Pre-Judgment (from 2/13/07	
	Through 5/3/07)	\$ 214.09
14.	Per diem of \$2.71 until	
	Judgment is entered (5/4/07 to	
15.	5/8/07) $\$2.71 \times 5 =$	<u>\$ 13.55</u>
16.		\$ 227.64
	c. Costs	\$ 431.00
17.	d. Attorney fees	<u>\$ 617.50</u>
	e. Subtotal	\$ 5,592.90
18.	f. <u>Interest Post-Judgment</u>	
19.	From 5/9/07 to 1/9/18 on item	
	1a. and 1b. of Money Judgment	
20.	At the rate of 22.99% interest per annum	
	Compounded annually from the date	
21.	Judgment is entered.	
	$(\$4,316.76 + \$227.64 = \$4,544.40$	
22.	$5/9/07 \text{ to } 5/8/08 (\$4,544.40 \times 22.99\%$	
	Interest =	\$ 1,044.75
23.		
24.	$5/9/08 \text{ to } 5/8/09 (\$4,544.40 + \$1,044.75 =$	
	$\$5,589.15 \times 22.99\% \text{ interest} =$	\$ 1,284.94
25.		
26.	$5/9/09 \text{ to } 5/8/10 (\$5,589.15 + \$1,284.94 =$	

2 ORDER AUTHORIZING LEVY AND SALE OF DEFENDANT'S INTEREST IN
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1.		$\$6,874.09 \times 22.99\% \text{ interest} =$	$\$ 1,580.35$
2.			
3.		$5/9/10 \text{ to } 5/8/11 (\$6,874.09 + \$1,580.35 =$ $\$8,454.44 \times 22.99\% \text{ interest} =$	$\$ 1,943.67$
4.			
5.		$5/9/11 \text{ to } 5/8/12 (\$8,454.44 + \$1,943.67 =$ $\$10,398.11 \times 22.99\% \text{ interest} =$	$\$ 2,390.52$
6.			
7.		$5/9/12 \text{ to } 5/8/13 (\$10,398.11 + \$2,390.52 =$ $\$12,788.63 \times 22.99\% \text{ interest} =$	$\$ 2,940.10$
8.			
9.		$5/9/13 \text{ to } 5/8/14 (\$12,788.63 + \$2,940.10 =$ $\$15,728.73 \times 22.99\% \text{ interest} =$	$\$ 3,616.03$
10.			
11.		$5/9/14 \text{ to } 5/8/15 (\$15,728.73 + \$3,616.03 =$ $\$19,344.76 \times 22.99\% \text{ interest} =$	$\$ 4,447.36$
12.			
13.		$5/9/15 \text{ to } 5/8/16 (\$19,344.76 + \$4,447.36 =$ $\$23,792.12 \times 22.99\% \text{ interest} =$	$\$ 5,469.80$
14.			
15.		$5/9/16 \text{ to } 5/8/17 (\$23,792.12 + \$5,469.80 =$ $\$29,261.92 \times 22.99\% \text{ interest} =$	$\$ 6,727.31$
16.			
17.		$5/9/17 \text{ to } 1/9/18 (\$29,261.92 + \$6,727.31 =$ $\$35,989.23 \times 22.99\% \text{ interest} =$ $\$8,273.92 \div 365 \text{ days} =$ $\$22.66 \text{ per day} \times 246 \text{ days} =$	$\$ 5,574.36$
18.		Total post-judgment interest	$\\$37,019.19$
19.	g.	Interest Post-Judgment on costs and fees from 5/9/07 to 1/9/18 on items 1c. and 1d. of Money Judgment at the rate of 9% per annum from the date judgment is entered.	
20.			
21.		$\$431.00 + \$617.50 =$	
22.		$\$1,048.50 \times 9\% \text{ interest} =$ $\$94.36 \div 365 \text{ days} =$	
23.		$\$0.25 \text{ per day} \times 3,899 \text{ days} =$	$\$ 974.75$
24.	2.	Supplemental Judgment	
25.	a.	Attorney Fees	$\$536.00$
26.	b.	Costs	$\$ 89.60$
	c.	Subtotal	$\$ 625.60$

3 ORDER AUTHORIZING LEVY AND SALE OF DEFENDANT'S INTEREST IN
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1. d. Post-Judgment Interest
 2. 9% simple interest on items
 3. 2a. and 2b. from date judgment
 4. Entered until paid. (3/20/08 to 1/9/18)
 5. \$625.60 x 9% =
 6. \$56.30 ÷ 365 days =
 7. \$0.15 per day x 3,583 days = \$ 537.45

8. 3. TOTAL: \$44,749.89 as of
 9. January 9, 2018 with a
 10. per diem of \$23.06 from
 11. January 10, 2018 until
 12. fully paid.

13. 2.

14. The judgment does not arise out of an order or decree for child support as described in
 15. ORS 18.398.

16. 3.

17. The real property to be sold is located at 3830 N.E. 33rd Avenue, Portland, Oregon 97212
 18. and more particularly described as follows:

19. Lot 10 and the Northerly one-half of Lot 9, Block 8, WILSHIRE, in the City of
 20. Portland, County of Multnomah and State of Oregon

21. 4.

22. This property is the homestead of defendant Anthony Gibson. The amount of defendant
 23. Anthony Gibson's homestead exemption is \$40,000.00 The judgment was more than \$3,000.00
 24. at the time of its entry. The property has a fair market value according to Zillow.com of
 25. \$587,188.00 accessed on January 9, 2018.

26. Defendant Anthony Darryl Gibson hold title to the real property located at 3830 N.E.
 33rd Avenue, Portland, Oregon 97212 as a tenant by the entirety with his wife Andrea Gibson.
 The Order Authorizing Sale herein allows only the sale of the interest of defendant Anthony
 Darryl Gibson in said real property. Nothing in this Order Authorizing Sale allows the sale of any

4 ORDER AUTHORIZING LEVY AND SALE OF DEFENDANT'S INTEREST IN
 RESIDENTIAL PROPERTY AND AUTHORIZING SUPPLEMENTAL JUDGMENT

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1. interest of defendant's wife Andrea Gibson.

2. 5.

3. Reasonable attorney fees should be awarded herein as attorney fees were allowed on
4. the underlying judgment pursuant to ORS 20.096 and a separate supplemental judgment is
5. authorized to be entered herein.

6. 6.

7. Defendant Anthony Gibson appeared personally and with his attorney Keith D. Karnes at
8. the hearing on this matter held on Friday, May 4, 2018 at 9:30 a.m. before the Honorable Angel
9. Lopez.

10. BASED UPON THE FOREGOING FACTS, the Court hereby enters its Order as follows:

11. 1.

12. IT IS HEREBY ORDERED that defendant Anthony Gibson's interest in that certain real
13. property located at 3830 N.E. 33rd Avenue, Portland, Oregon 97212 and more particularly
14. described as follows:

15. Lot 10 and the Northerly one-half of Lot 9, Block 8, WILSHIRE, in the City of Portland,
16. County of Multnomah and State of Oregon

17. shall be sold by the Sheriff of Multnomah County, State of Oregon, in the manner provided by
18. law. Said defendant's interest shall be sold to satisfy plaintiff's original judgment entered May
19. 9, 2007 in the principal amount of \$4,316.76 with prejudgment interest of \$227.64, (\$214.08 +
20. \$13.55) then interest thereon at the rate of 22.99% compounded annually from the date
21. judgment is entered until paid, for plaintiffs costs and disbursements in the amount of \$431.00
22. and attorney fees in the amount of \$617.50 at the rate of 9% simple interest per annum, and if
23. authorized, for plaintiff's further supplemental judgment for additional attorney fees and costs.

24. 2.

25. IT IS FURTHER ORDERED that the Sheriff of Multnomah County, State of Oregon
26. may levy upon the real property subject to this action located at 3830 N.E. 33rd Avenue,
Portland, Oregon 97212 and more particularly described as follows:

5 ORDER AUTHORIZING LEVY AND SALE OF DEFENDANT'S INTEREST IN
RESIDENTIAL PROPERTY AND AUTHORIZING SUPPLEMENTAL JUDGMENT

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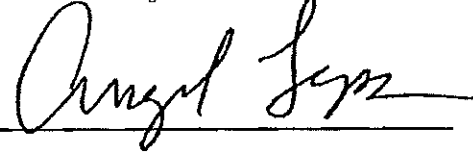
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1. Lot 10 and the Northerly one-half of Lot 9, Block 8, WILSHIRE, in the City of Portland,
2. County of Multnomah and State of Oregon
3. and sell said real property as authorized by law.

4. 3.

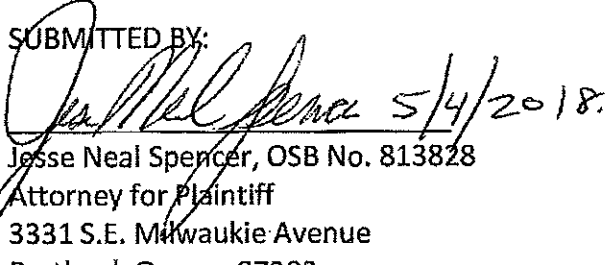
5. Defendant Anthony Gibson's homestead exemption is \$40,000.00.

Signed: 5/17/2018 09:54 AM



Circuit Court Judge Angel Lopez

10. SUBMITTED BY:

11.  5/4/2018.
12. Jesse Neal Spencer, OSB No. 813828
13. Attorney for Plaintiff
14. 3331 S.E. Milwaukie Avenue
15. Portland, Oregon 97202
16. (503) 234-4756
17. jessensp@aol.com

6 ORDER AUTHORIZING LEVY AND SALE OF DEFENDANT'S INTEREST IN
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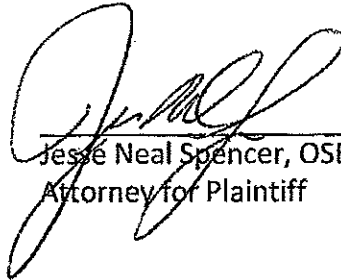
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CERTIFICATE OF COMPLIANCE WITH UNIFORM TRIAL COURT RULE 5.100

This proposed order or judgment is ready for judicial signature because:

1. Each party affected by this order or judgment has stipulated to the order or judgment, as shown by each party's signature on the document being submitted.
2. Each party affected by this order or judgment has approved the order or judgment, as shown by each party's signature on the document being submitted or by written confirmation of approval sent to me.
3. I have served a copy of this order or judgment on each party entitled to service and:
 - a. No objection has been served on me.
 - b. I received objections that I could not resolve with a party despite reasonable efforts to do so. I have filed a copy of the objections I received and indicated which objections remain unresolved.
 - c. After conferring about objections, [role and name of objecting party] agreed to independently file any remaining objection.
4. Service is not required pursuant to subsection (3) of this rule, or by statute, rule, or otherwise. UTCR 8/1/17 5.5
5. This is a proposed judgment that includes an award of punitive damages and notice has been served on the Director of the Crime Victim's Assistance Section as required by subsection (5) of this rule.

6. Other: e-mail from 5/10/2018 from defendant's Attorney
Attached hereto, Defendants Attorney disagree with the order. JNS
Dated this 15th day of May 2018.



Jesse Neal Spencer, OSB No. 813828
Attorney for Plaintiff

ORDER AUTHORIZING LEVY AND SALE OF DEFENDANT'S INTEREST IN RESIDENTIAL PROPERTY AND AUTHORIZING SUPPLEMENTAL JUDGMENT

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