

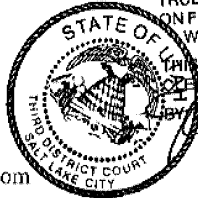
The Order of the Court is stated below:

Dated: February 01, 2021  
11 14 42 AM

1st BARRY LAWRENCE  
District Court Judge



Sean Morrissey (13083)  
Jon Bonnesen (17460)  
Johnson Mark LLC  
Attorneys for Plaintiff  
P.O. Box 7811  
Sandy, UT 84091  
Tel 801-285-5700  
Fax 801-285-5701  
utabattorneys@jmlaw.com



STATE OF UTAH ) ss  
COUNTY OF SALT LAKE )  
I, THE UNDERSIGNED, CLERK OF THE DISTRICT  
COURT OF SALT LAKE COUNTY, UTAH, DO HEREBY  
CERTIFY THAT THE ANNEXED AND FOREGOING IS A  
TRUE AND FULL COPY OF AN ORIGINAL DOCUMENT  
ON FILE IN MY OFFICE AS SUCH CLERK  
WITNESS MY HAND AND SEAL OF SAID COURT  
THIS 9th DAY OF March, 2021  
Barry Lawrence  
CLERK OF THE DISTRICT COURT  
DEPUTY

13595330  
3/12/2021 8:23:00 AM \$40.00  
Book - 11134 Pg - 9836-9839  
RASHELLE HOBBS  
Recorder, Salt Lake County, UT  
JOHNSON MARK LLC  
BY: eCASH, DEPUTY - EF 4 P.

**THIRD JUDICIAL DISTRICT COURT, STATE OF UTAH  
SALT LAKE COUNTY, SALT LAKE CITY DEPARTMENT**

CAPITAL ONE BANK (USA), N.A., Plaintiff, vs. ERIK L HUGHES Defendant	<p style="text-align: center;"><b>DEFAULT JUDGMENT</b></p> <p style="text-align: center;">Case No. 209917997 Judge Barry Lawrence</p>
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Defendant, having failed to plead or otherwise defend in this action and a Default having been entered, it is hereby ordered that Plaintiff herein be awarded Judgment against Defendant as follows:

Plaintiff's Account Balance	\$10,913.56
Accrued costs to date of Judgment	\$440.00
LESS amounts paid by Defendant	\$0.00
Total Judgment	\$11,353.56

The Judgment may be augmented to include after accruing costs expended in the collection of said Judgment if approved by the Court or to the extent such costs and fees are expressly authorized by rule or statute. Plaintiff may continue to conduct discovery related to satisfying the Judgment.

\*\*\*\*\* SIGNATURE AND DATE AT THE TOP \*\*\*\*\*



**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on January 13, 2021, I sent a true and correct copy of the foregoing Default Judgment via U.S. mail to the Defendant, or their attorney as applicable, at:

ERIK L HUGHES  
5040 W 3500 S  
WEST VALLEY CITY UT 84120

/s/ Terri Ongley

Sean Morrissey (13083)  
Jon Bonnesen (17460)  
Johnson Mark LLC  
Attorneys for Plaintiff  
P.O. Box 7811  
Sandy, UT 84091  
Tel 801-285-5700  
Fax 801-285-5701  
utahattorneys@jmlaw.com

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**THIRD JUDICIAL DISTRICT COURT, STATE OF UTAH  
SALT LAKE COUNTY, SALT LAKE CITY DEPARTMENT**

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CAPITAL ONE BANK (USA), N.A.,  
Plaintiff,  
vs.  
ERIK L HUGHES,  
Defendant

**JUDGMENT INFORMATION  
STATEMENT**

Case No.209917997  
Judge: Barry Lawrence

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The Plaintiff, the judgment creditor, CAPITAL ONE BANK (USA), N.A. C/O Johnson Mark, LLC P.O. Box 7811 Sandy UT 84091, provides this Judgment Information Statement in compliance with § 78B-5-201 of the Utah Code. Defendant known information is as follows:

ERIK L HUGHES  
5040 W 3500 S  
WEST VALLEY CITY, UT 84120-2822

DOB: May 08, 1982

SSN: XXX-XX-6900

Driver's License #:

DOB:

SSN:

Driver's License #:

Amount of Judgment: \$11,358.56

This judgment has not been stayed or satisfied.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on March 12, 2021, I sent a true and correct copy of the foregoing Judgment Information Statement via U.S. mail to the Defendant, or their attorney as applicable, at:

ERIK L HUGHES  
5040 W 3500 S  
WEST VALLEY CITY UT 84120

/s/ Terri Ongley\_\_\_\_\_

3RD DISTRICT COURT  
SALT LAKE COUNTY, STATE OF UTAH

CAPITAL ONE BANK USA NA vs. ERIK L HUGHES

CASE NUMBER 209917997 Debt Collection

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CURRENT ASSIGNED JUDGE  
BARRY LAWRENCE

PARTIES

Plaintiff - CAPITAL ONE BANK USA NA  
Represented by: SEAN MORRISSEY

Defendant - ERIK L HUGHES

ACCOUNT SUMMARY

Total Revenue Amount Due:	430.00
Amount Paid:	430.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: COMPLAINT 10K-MORE

Original Amount Due:	375.00
Amended Amount Due:	375.00
Amount Paid:	375.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: CERTIFICATION

Original Amount Due:	4.00
Amended Amount Due:	4.00
Amount Paid:	4.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: CERTIFIED COPIES

Original Amount Due:	1.00
Amended Amount Due:	1.00
Amount Paid:	1.00
Amount Credit:	0.00
Balance:	0.00

REVENUE DETAIL - TYPE: GARNISHMENT

Original Amount Due:	50.00
Amended Amount Due:	50.00
Amount Paid:	50.00
Amount Credit:	0.00
Balance:	0.00

CASE NOTE

PROCEEDINGS

12-14-2020 Filed: Complaint  
12-14-2020 Filed return: Summons on Return upon HOLLY HUGHES for  
Party Served: ERIK L HUGHES  
Service Type: Personal  
Service Date: December 13, 2020  
Garnishee:  
12-14-2020 Case filed by efiler  
12-14-2020 Fee Account created Total Due: 375.00  
12-14-2020 COMPLAINT 10K-MORE Payment Received: 375.00  
12-14-2020 Judge BARRY LAWRENCE assigned.  
12-14-2020 Note: discovery tier set to 1  
12-14-2020 Filed: Return of Electronic Notification  
01-14-2021 Filed: Affidavit of Attorney Fees and Costs  
01-14-2021 Filed: Affidavit/Declaration Support Of Default Judgment  
01-14-2021 Filed: Declaration of Collection fees  
01-14-2021 Filed: Default Certificate (Proposed)  
01-14-2021 Filed: Default Judgment (Proposed)  
01-14-2021 Filed: Military Service Aff/Declaration  
01-14-2021 Filed: Military Status  
01-14-2021 Filed: Order (Proposed) Military Service Order  
01-14-2021 Filed: Return of Electronic Notification  
01-14-2021 Filed: Other - Not Signed Order (Proposed) Military Service  
Order  
01-14-2021 Note: Not signed; A military service order is only appropriate  
if the defendant is on active duty.  
01-14-2021 Filed: Return of Electronic Notification  
01-14-2021 Filed: Other - Not Signed Default Certificate (Proposed)  
01-14-2021 Note: Not signed; return of service indicates service was not  
served.  
01-14-2021 Filed: Other - Not Signed Default Judgment (Proposed)  
01-14-2021 Filed: Return of Electronic Notification  
01-14-2021 Filed: Return of Electronic Notification  
01-29-2021 Filed: Default Certificate (Proposed)  
01-29-2021 Filed: Default Judgment (Proposed)  
01-29-2021 Filed: Substitute of declaration of return of service  
01-29-2021 Filed: Return of Electronic Notification  
02-01-2021 Filed: Default Certificate  
02-01-2021 Filed: Return of Electronic Notification  
02-01-2021 Filed judgment: Default Judgment  
Judge BARRY LAWRENCE  
Signed February 01, 2021  
02-01-2021 Judgment # 1 Entered 11,353.56 blawrenc  
  
Creditor : CAPITAL ONE BANK USA NA  
Debtor : ERIK L HUGHES  
440.00 Costs  
10,913.56 Principal  
11,353.56 Judgment Grand Total  
  
02-01-2021 Filed: Return of Electronic Notification  
02-01-2021 Case Disposition is Judgment

Disposition Judge is BARRY LAWRENCE

02-09-2021 Filed: Notice of Judgment  
02-09-2021 Filed: Return of Electronic Notification  
02-25-2021 Filed: Answer  
    Answer Party: ERIK L HUGHES  
02-26-2021 Filed: Return of Electronic Notification  
03-08-2021 Fee Account created Total Due: 4.00  
03-08-2021 Fee Account created Total Due: 1.00  
03-09-2021 CERTIFICATION Payment Received: 4.00  
03-09-2021 CERTIFIED COPIES Payment Received: 1.00  
03-16-2021 Filed: Application for Writ of Garnishment  
03-16-2021 Filed: Writ of Continuing Garnishment (Proposed)  
03-16-2021 Issued: Writ of Continuing Garnishment  
    Clerk CAMI BUTTERFIELD  
03-16-2021 Fee Account created Total Due: 50.00  
03-16-2021 GARNISHMENT Payment Received: 50.00  
03-16-2021 Filed: Return of Electronic Notification  
04-22-2021 Filed: Request for Garnishment Hearing  
04-22-2021 Note: Request for hrg to Judge Parker's team.  
04-22-2021 NOTICE for Case 209917997 ID 21758331

Judge: JUDGE COLLECTION  
OBJECTION TO GARNISHMENT is scheduled.

Date: 05/05/2021

Time: 01:00 p.m.

Before Judge: JUDGE COLLECTION

\* This hearing will be held telephonically. You are responsible for calling in at the number identified below and waiting for the conference call to start. The court will NOT call you.

\* If you do not appear by telephone as scheduled, your answer or other previously filed responsive pleadings may be stricken and judgment entered against you.

Phone number +1-408-418-9388

Meeting number (access code): 187 812 2087

Meeting password: 55568245

\*If you are unable to appear by telephone, you must contact the court (by email at 3rdparkerteam@utcourts.gov, call 801-238-7190, or appear at the Matheson Courthouse on 450 S State Street, Salt Lake City, UT 84114) to make further arrangements.

\*The Utah State Bar will provide a free information session at 12:30 PM prior to your hearing. Information will be given by a licensed attorney and will cover the process of a debt collection law suit and give you an opportunity to ask questions.

\*Attendance at this session is completely voluntary. The Judge will start your scheduled hearing immediately after the session, at 1 PM.

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

04-22-2021 OBJECTION TO GARNISHMENT scheduled on May 05, 2021 at 01:00 PM in THIRD FLOOR - S34 with Judge JUDGE COLLECTION  
04-22-2021 Filed: Notice for Case 209917997 DC: Judge JUDGE COLLECTION  
04-23-2021 Filed: Return of Electronic Notification

04-27-2021 Filed: Objection to Garnishment and request for hearing

04-27-2021 Note: RFH to Judge Parker's team.

04-27-2021 NOTICE for Case 209917997 ID 21769781

Judge: JUDGE COLLECTION

OBJECTION TO GARNISHMENT is scheduled.

Date: 05/19/2021

Time: 01:00 p.m.

Before Judge: JUDGE COLLECTION

\* This hearing will be held telephonically. You are responsible for calling in at the number identified below and waiting for the conference call to start. The court will NOT call you.

\* If you do not appear by telephone as scheduled, your answer or other previously filed responsive pleadings may be stricken and judgment entered against you.

Phone number: 1-408-418-9388 Meeting number (access code): 187 992 4003 Meeting password: 79297941

\*If you are unable to appear by telephone, you must contact the court (by email at 3rdparkerteam@utcourts.gov, call 801-238-7190, or appear at the Matheson Courthouse on 450 S State Street, Salt Lake City, UT 84114) to make further arrangements.

\*The Utah State Bar will provide a free information session at 12:30 PM prior to your hearing. Information will be given by a licensed attorney and will cover the process of a debt collection law suit and give you an opportunity to ask questions.

\*Attendance at this session is completely voluntary. The Judge will start your scheduled hearing immediately after the session at 1 PM

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

04-27-2021 OBJECTION TO GARNISHMENT scheduled on May 19, 2021 at 01:00 PM in THIRD FLOOR - S34 with Judge JUDGE COLLECTION

04-27-2021 NOTICE for Case 209917997 ID 21769792

Judge: JUDGE COLLECTION

OBJECTION TO GARNISHMENT is scheduled.

Date: 05/19/2021

Time: 01:00 p.m.

Before Judge: JUDGE COLLECTION

\* This hearing will be held telephonically. You are responsible for calling in at the number identified below and waiting for the conference call to start. The court will NOT call you.

\* If you do not appear by telephone as scheduled, your answer or other previously filed responsive pleadings may be stricken and judgment entered against you.

Phone number: 1-408-418-9388 Meeting number (access code): 187 992 4003 Meeting password: 79297941

\*If you are unable to appear by telephone, you must contact the court (by email at 3rdparkerteam@utcourts.gov, call 801-238-7190, or appear at the Matheson Courthouse on 450 S State Street, Salt Lake City, UT 84114) to make further arrangements.



\*The Utah State Bar will provide a free information session at 12:30 PM prior to your hearing. Information will be given by a licensed attorney and will cover the process of a debt collection law suit and give you an opportunity to ask questions.

\*Attendance at this session is completely voluntary. The Judge will start your scheduled hearing immediately after the session at 1 PM

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

04-27-2021 OBJECTION TO GARNISHMENT Modified

Reason:

04-27-2021 Filed: Notice for Case 209917997 DC: Judge JUDGE COLLECTION

04-27-2021 OBJECTION TO GARNISHMENT scheduled on May 19, 2021 at 01:00 PM in THIRD FLOOR - S34 with Judge JUDGE COLLECTION

04-27-2021 Filed: Return of Electronic Notification

05-05-2021 OBJECTION TO GARNISHMENT Cancelled

Reason: Correct Calendar

05-05-2021 Minute Entry - OBJECTION TO GARNISHMENT

Judge: ADAM MOW

Clerk: jennifg

PRESENT

Defendant's Attorney(s): SEAN UMIPIG

Audio

Tape Number: S34 Tape Count: 1.39

HEARING

An additional notice of hearing has been sent out for 05/19/21. This matter is continued to that date.

05-19-2021 NOTICE for Case 209917997 ID 21827125

Judge: JUDGE COLLECTION

OBJECTION TO GARNISHMENT is scheduled.

Date: 06/02/2021

Time: 02:00 p.m.

before Judge JUDGE COLLECTION

\* This hearing will be held telephonically. You are responsible for calling in at the number identified below and waiting for the conference call to start. The court will NOT call you.

\* If you do not appear by telephone as scheduled, your answer or other previously filed responsive pleadings may be stricken and judgment entered against you.

\*If you are unable to appear by telephone, you must contact the court (by email at 3rdparkerteam@utcourts.gov, call 801-238-7190, or appear at the Matheson Courthouse on 450 S State Street, Salt Lake City, UT 84114) to make further arrangements.

Phone number: 1-408-418-9388 Meeting number (access code): 187 139 8664 Meeting password: 73379353

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

05-19-2021 OBJECTION TO GARNISHMENT scheduled on June 02, 2021 at 02:00 PM in THIRD FLOOR - S34 with Judge JUDGE COLLECTION

05-19-2021 Filed: Notice for Case 209917997 DC: Judge JUDGE COLLECTION

05-19-2021 Minute Entry - OBJECTION TO GARNISHMENT

Judge: PAUL B PARKER

Clerk: markp

PRESENT

Defendant(s): ERIK L HUGHES

Plaintiff's Attorney(s): SEAN UMIPIG

Audio

Tape Number: S-34 Tape Count: 1:15

HEARING

The court continues this hearing to allow the defendant the opportunity to speak with pro bono counsel.

OBJECTION TO GARNISHMENT is scheduled.

Date: 06/02/2021

Time: 02:00 p.m.

before Judge JUDGE COLLECTION

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

05-20-2021 Filed: Return of Electronic Notification

06-02-2021 NOTICE for Case 209917997 ID 21863419

Judge: JUDGE COLLECTION

OBJECTION TO GARNISHMENT is scheduled.

Date: 06/16/2021

Time: 02:00 p.m.

before Judge JUDGE COLLECTION

\* This hearing will be held telephonically. You are responsible for calling in at the number identified below and waiting for the conference call to start. The court will NOT call you.

\* If you do not appear by telephone as scheduled, your answer or other previously filed responsive pleadings may be stricken and judgment entered against you.

Phone number +1-408-418-9388

Meeting number (access code): 187 851 8545

Meeting password: 65269792

\* If you are unable to appear by telephone, you must contact the court (by email at 3rdparkerteam@outcourts.gov, call 801-238-7190, or appear at the Matheson Courthouse on 450 S State Street, Salt Lake City, UT 84114) to make further arrangements.

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

06-02-2021 OBJECTION TO GARNISHMENT scheduled on June 16, 2021 at 02:00 PM in THIRD FLOOR - S34 with Judge JUDGE COLLECTION

06-02-2021 Filed: Notice for Case 209917997 DC: Judge JUDGE COLLECTION

06-02-2021 Minute Entry - OBJECTION TO GARNISHMENT

Judge: PAUL B PARKER

Clerk: jennifg

PRESENT

Plaintiff's Attorney(s): SEAN UMIPIG

Defendant's Attorney(s): PAMELA BEATSE

Audio

Tape Number: S34 Tape Count: 2.01-2.02

HEARING

Pro bono counsel appearing on behalf of the defendant for purposes of this hearing only. Counsel stipulate to a two week continuance as Mr. Umipig completes some additional research.

OBJECTION TO GARNISHMENT is scheduled.

Date: 06/16/2021

Time: 02:00 p.m.

before Judge JUDGE COLLECTION

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

06-03-2021 Filed: Return of Electronic Notification

06-04-2021 Filed return: Return of Service Amended upon HOLLY HUGHES for

Party Served: ERIK L HUGHES

Service Type: Personal

Service Date: December 13, 2020

Garnishee:

06-04-2021 Filed: Return of Electronic Notification

06-16-2021 NOTICE for Case 209917997 ID 21901224

Judge: JUDGE COLLECTION

MOTION TO SET ASIDE is scheduled.

Date: 07/14/2021

Time: 02:00 p.m.

before Judge JUDGE COLLECTION

\* This hearing will be held telephonically. You are responsible for calling in at the number identified below and waiting for the conference call to start. The court will NOT call you.

\* If you do not appear by telephone as scheduled, your answer or other previously filed responsive pleadings may be stricken and judgment entered against you.

Phone number +1-408-418-9388

Meeting number (access code): 187 682 0926

Meeting password: 48629687

\* If you are unable to appear by telephone, you must contact the court (by email at 3rdparkerteam@utcourts.gov, call 801-238-7190, or appear at the Matheson Courthouse on 450 S State Street, Salt Lake City, UT 84114) to make further arrangements.

This hearing will not take place at the courthouse. It will be conducted remotely.

Contact the court to provide your current email address.

If you do not have access to a phone or other electronic device to appear remotely, notify the court.

06-16-2021 MOTION TO SET ASIDE scheduled on July 14, 2021 at 02:00 PM in THIRD FLOOR - S34 with Judge JUDGE COLLECTION

06-16-2021 Filed: Notice for Case 209917997 DC: Judge JUDGE COLLECTION

06-16-2021 Minute Entry - OBJECTION TO GARNISHMENT

Judge: PAUL B PARKER

Clerk: jennifg

PRESENT

Defendant(s): ERIK L HUGHES  
Plaintiff's Attorney(s): SEAN UMIPIG  
Defendant's Attorney(s): PAMELA BEATSE  
Audio  
Tape Number: S34 Tape Count: 2.12-2.14

HEARING

Pro bono counsel appearing on behalf of the defendant for purposes of this hearing only. The defendant withdraws his objection to the garnishment and intends to file a motion to set aside. Hearing is rescheduled.

MOTION TO SET ASIDE is scheduled.

Date: 07/14/2021  
Time: 02:00 p.m.  
before Judge JUDGE COLLECTION  
This hearing will not take place at the courthouse. It will be conducted remotely.  
Contact the court to provide your current email address.  
If you do not have access to a phone or other electronic device to appear remotely, notify the court.

06-17-2021 Filed: Return of Electronic Notification

07-14-2021 Minute Entry - MOTION TO SET ASIDE  
Judge: PAUL B PARKER  
Clerk: liza

PRESENT

Plaintiff's Attorney(s): SEAN UMIPIG  
Defendant's Attorney(s): MARK BAER  
Audio  
Tape Number: S34 Tape Count: 2.34

HEARING

The parties have reached a stipulation. Counsel for the plaintiff to prepare the appropriate pleadings. Pro bono counsel appearing on behalf of the defendant for purposes of this hearing only.

07-30-2021 Filed: order re: hearing  
07-30-2021 Filed: Return of Electronic Notification  
07-30-2021 Note: advised atty by email that 7/30/21 Order re Hearing needs to be filed as RTF doc so it can be signed  
08-04-2021 Filed: Order (Proposed) order re Hearing  
08-04-2021 Filed: Return of Electronic Notification  
08-11-2021 Filed order: Order re Hearing  
Judge PAUL B PARKER  
Signed August 11, 2021  
08-11-2021 Filed: Return of Electronic Notification

**Party Details**

**All Parties**

Case Number	Case Type	Party Name	Party Type	Birth Date	Address	Address2	City	State	Zip Code
209917997	DC	ERIK L HUGHES	DEF		5040 W 3500 S		WEST VALLEY CITY	UT	84120
209917997	DC	CAPITAL ONE BANK USA NA	PLA		5100 PEACHTREE INDUSTRIAL BLVD		NORCROSS	GA	30071

**Debtors**

Party Name	SSN	Country	Driver License #	Driver License State	Business Phone	Fax #	Pro Se
ERIK L HUGHES					801-949-7448		

**Creditors**

Party Name
CAPITAL ONE BANK USA NA

Close