

The document below is hereby signed.

Signed: December 18, 2018



S. Martin Teel, Jr.

S. Martin Teel, Jr.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLUMBIA

In re)	
)	
CARLOS ROBERTO ALLEN,)	Case No. 16-00023
)	(Chapter 7)
Debtor.)	
_____)	
)	
DOUGLASS SLOAN,)	
)	
Plaintiff,)	
)	
v.)	Adversary Proceeding No.
)	16-10027
CARLOS ROBERTO ALLEN,)	
)	Not for publication in
)	West's Bankruptcy Reporter.
Defendant.)	

MEMORANDUM DECISION AND ORDER RE
PROPOSED WRITS OF ATTACHMENT AND POSTJUDGMENT INTEREST ON COSTS

The plaintiff has filed two proposed writs of attachment regarding the \$1,427.18 in costs awarded by the *Memorandum Decision and Order re Bill of Costs* entered on April 24, 2018, as part of the judgment entered in the plaintiff's favor on September 21, 2017. The proposed writs use a wrong date for

interest to begin accruing on the \$1,427.18 in costs, and a wrong interest rate.

Postjudgment interest is calculated pursuant to the provisions of 28 U.S.C. § 1961(a). According to § 1961(a), the postjudgment interest calculation starts on the “date of the entry of the judgment, at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding[] the date of the judgment” (footnote omitted). Accordingly, the interest calculation for the judgment awarded to the plaintiff begins on the date of the original judgment: September 21, 2017. See *BankAtlantic v. Blythe Eastman Paine Webber, Inc.*, 12 F.3d 1045, 1052 (11th Cir. 1994); *Lane v. Capital Acquisitions and Mgmt. Co.*, 554 F.Supp.2d 1345, 1355 (S.D. Fla. 2008). Continuing with the application of § 1961(a) to this case, for the week ending on September 15, 2017, the week preceding the entry of the judgment, the average 1-year constant maturity Treasury yield, as published by the

Board of Governors of the Federal Reserve System, was 1.27% (1.272% rounded to 1.27%) per annum.¹

Accordingly, the writs of attachment need to be revised to recite that: (1) on April 24, 2018, costs of \$1,427.18 were awarded against Carlos Allen and made part of the judgment entered on September 21, 2017, and (2) the sum of \$1,427.18 in costs, together with interest accruing after September 21, 2017, at the rate of 1.27 percent per annum compounded annually, in accordance with 28 U.S.C. § 1961, remains unpaid. The plaintiff also needs to re-calculate in the new writs the amount that the plaintiff is owing as of a set date, with additional interest accruing after that date.² It is thus

¹ For the five days of Monday, September 11, 2017, through Friday, September 15, 2017 (the week preceding September 21, 2017, the Federal Reserve's website reveals at:

<https://www.federalreserve.gov/datadownload/Choose.aspx?rel=H15>

that the 1-year constant maturity Treasury yield rates were 1.24%, 1.27%, 1.27%, 1.28%, and 1.3% per annum.

² As of September 21, 2018, a full year's interest increased the original amount owed of \$1,427.18 by 1.27% to \$1,465.71. Because the interest is compounded annually, the \$1,465.71 will bear interest from September 21, 2018, at 1.27% compounded annually. As of December 19, 2018, \$1,468.68 is owed, with interest accruing thereafter at \$.051 per day until the next anniversary of the judgment, September 21, 2019.

ORDERED that the plaintiff shall file revised proposed writs of attachment in accordance with this order.

[Signed and dated above.]

Copies to: All counsel of record.