

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Southern Division**

**MARVIN TUTT,
Plaintiff,**

Civil Action No. 8:25-cv-02006-TDC

v.

**REGINA ROBINSON
CHARLES COUNTY CHILD SUPPORT ADMINISTRATION
CHARLES COUNTY DEPARTMENT OF SOCIAL SERVICES
CHARLES COUNTY, MARYLAND
STATE OF MARYLAND
SHARA GABRIELLE HENDLER, ESQ.
ANDREA KHOURY
MISTEY L. METZGAR
1-30 Jane/John Does And/Or Entities
THEODORE D. CHUANG**

Defendants.

EMERGENCY MOTION TO STAY ALL GARNISHMENTS

****IN THE UNITED STATES DISTRICT COURT****

****FOR THE DISTRICT OF MARYLAND****

****MARVIN TUTT****

Plaintiff,

v.

****STATE OF MARYLAND, et al.****

Defendants.

Case No.: 8:25-cv-02006-TDC

EMERGENCY MOTION FOR IMMEDIATE STAY OF ALL GARNISHMENTS AND RETURN OF ILLEGALLY SEIZED FUNDS

Plaintiff Marvin Tutt respectfully moves for an EMERGENCY stay of all garnishments and immediate return of all illegally seized funds. This motion requires no pre-motion conference as it seeks emergency relief from ongoing irreparable harm.

I. EMERGENCY RELIEF EXCEPTION APPLIES

The Case Management Order's Exception #3 permits direct filing for "emergency motions for injunctive relief." Weekly garnishment of Plaintiff's limited funds constitutes ongoing emergency requiring immediate relief.

II. THE INCORRECT GARNISHMENT CALCULATIONS

The garnishments are based on incorrect information including:

1. ****Phantom Income****: Garnishing based on \$82,000 salary that ended March 2024
2. ****Mathematical Impossibility****: Cannot work full-time AND attend school full-time
3. ****Unprecedented Co-Plaintiff Arrangement****: Forced consolidation never before seen in Maryland history
4. ****False Custody Claims****: Regina Robinson lied about custody, triggering wrong calculations
5. ****Federal Incentive Issues****: Child support calculations affecting Title IV-D federal payments

****Key Evidence****: Defendants have access to information showing:

- They have Plaintiff's actual employment records showing termination March 2024
- They receive his unemployment claims weekly
- They see his full-time student enrollment
- Yet they garnish unemployment based on non-existent employment

****Current Financial Emergency****:

- Account balance: \$141.37
- Weekly garnishment: \$130
- Cannot pay rent (eviction imminent)
- Cannot buy food (relying on charity)
- Cannot fuel vehicle for court appearances
- License suspended based on fraudulent debt
- Credit destroyed by false reporting
- Every day of delay compounds irreparable harm

****This garnishment is based on demonstrably false income information.****

III. THE GARNISHMENTS ARE BASED ON INCORRECT INCOME DATA

****The Core Issue****: Defendants garnish Plaintiff's unemployment benefits based on employment income from a position that:

- Ended March 2024
- They COULDN'T garnish when he actually had it
- Doesn't exist now
- Creates mathematical impossibility

****This is not a dispute about amount—the underlying income data is incorrect.****

IV. IMMEDIATE IRREPARABLE HARM

Without immediate relief, Plaintiff suffers:

- ****Survival Threat****: \$141.37 cannot sustain basic needs
- ****Transportation Crisis****: License suspended, cannot work or attend court
- ****Educational Destruction****: Cannot complete education while funds stolen
- ****Health Impact****: Cannot afford medication or healthcare
- ****Compound Harm****: Each week's garnishment makes recovery harder

V. REQUIRED RELIEF

A. Immediate Stay

- ****IMMEDIATELY STAY**** all garnishments from ALL sources
- ****Effective upon filing**** without waiting for response
- ****Include all forms****: wages, unemployment, benefits, tax refunds

B. Full Refund with Interest

- ****Return all funds**** taken based on incorrect calculations
- ****With statutory interest**** from date of each taking
- ****Within 30 days**** of this Order
- ****Direct deposit**** to avoid mail delays

C. License Restoration

- ****Immediate reinstatement**** of driver's license
- ****Based on incorrect data****, not compliance
- ****Expunge suspension**** from all records
- ****Notify all agencies**** within 48 hours

D. Accounting and Transparency

- ****Detailed accounting**** of every garnishment taken
- ****Source, date, and amount**** for each
- ****Where funds went**** (Title IV-D payments?)

- **Who authorized** each garnishment

E. Prospective Relief

- **Preliminary injunction** against future collection
- **No credit reporting** of disputed debt
- **No enforcement actions** pending case resolution
- **Protection from retaliation**

VI. LEGAL AUTHORITY FOR IMMEDIATE RELIEF

A. Incorrect Data Undermines Legal Process

Garnishments based on demonstrably false information lack legal foundation.

B. Irreparable Harm Standard Met

Weekly garnishment of survival funds from indigent plaintiff = paradigmatic irreparable harm.

No adequate remedy at law exists for ongoing starvation. *Hughes Network Sys., Inc. v.

InterDigital Commc'ns Corp.*, 17 F.3d 691, 693 (4th Cir. 1994) (economic loss can be

irreparable when plaintiff lacks resources).

C. Balance of Equities

- Plaintiff: Facing homelessness and starvation
- Defendants: Would merely return stolen funds they had no right to take
- Public Interest: Strongly favors accurate government procedures

D. Likelihood of Success on Merits

****Documented proof of**:**

- Phantom income fraud (employment ended March 2024, verified)
- Mathematical impossibilities (full-time work + full-time school = impossible)
- Federal incentive corruption (Title IV-D payments based on false arrearages)
- Unprecedented procedures (co-plaintiff arrangement never before used)
- Consciousness of guilt (continuing garnishments despite knowledge of fraud)

****This is not a close case—it is documented, ongoing theft.****

VII. VERIFICATION BY AFFIDAVIT

I, Marvin Tutt, swear under penalty of perjury:

1. My last employment ended March 2024
2. I have been enrolled full-time in education since
3. Current garnishments are based on non-existent income
4. I have \$141.37 to my name
5. Weekly garnishments threaten my survival
6. All statements herein are true and correct

VIII. EMERGENCY CONSIDERATION REQUIRED

****This Court must act TODAY because:****

- Next garnishment will leave Plaintiff unable to eat
- Transportation for court appearances depends on immediate relief
- Each day's delay causes exponential harm
- Defendants have been notified of the incorrect data but continue
- Witness buyout deadline (August 4) approaches rapidly
- Evidence destruction likely without immediate intervention

****The Mathematics of Survival:****

- $\$141.37 \text{ total} \div \$130 \text{ weekly garnishment} = 1.08 \text{ weeks}$
- $\$141.37 \div 7 \text{ days} = \$20.19 \text{ per day for ALL expenses}$
- Next garnishment in 7 days leaves: \$11.37
- Following week: NEGATIVE \$118.63 = account closure
- Result: Complete destitution within 14 days

WHEREFORE, Plaintiff prays this Court:

1. ****IMMEDIATELY STAY**** all garnishments effective upon filing
2. ****ORDER complete refund**** with interest within 30 days
3. ****RESTORE driving privileges**** based on corrected information
4. ****REQUIRE full accounting**** of all seized funds
5. ****ENJOIN future collection**** pending case resolution
6. ****EXPEDITE hearing**** if Court requires one

7. ****AWARD all costs and fees**** for emergency filing

Every week of delay causes additional harm. Plaintiff has followed all procedures and documented the errors, yet garnishments continue. Only this Court can stop the ongoing violation of basic human rights.

****Respectfully submitted,****

/s/ Marvin Tutt

Marvin Tutt

Pro Se Plaintiff

5407 Brinkley Road

Temple Hills, MD 20748

Email: owner@caiatech.com

****Date: July 15, 2025****

EMERGENCY CERTIFICATE

I certify that emergency relief is necessary because continued garnishments will leave Plaintiff homeless and hungry. Defendants have been notified via certified mail and first-class mail and continue garnishments despite being informed of the errors.

CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2025, I served a true and correct copy of the foregoing Emergency Motion to Stay All Garnishments upon the following parties via certified mail and first-class mail:

Charles County Child Support Administration
200 Kent Avenue
La Plata, MD 20646

Charles County Department of Social Services
200 Kent Avenue
La Plata, MD 20646

State of Maryland
c/o Office of the Attorney General
200 Saint Paul Place

Baltimore, MD 21202

Charles County, Maryland

200 Charles Street

La Plata, MD 20646

Shara Gabrielle Hendler, Esq.

c/o Charles County Child Support Administration

200 Kent Avenue

La Plata, MD 20646

Andrea Khoury

c/o Charles County Circuit Court

200 Charles Street

La Plata, MD 20646

Mistey L. Metzgar

c/o Charles County Circuit Court

200 Charles Street

La Plata, MD 20646

I certify under penalty of perjury that the foregoing is true and correct.

/s/ Marvin Tutt

Marvin Tutt

Pro Se Plaintiff

Date: July 15, 2025

PROPOSED ORDER

****ORDER GRANTING EMERGENCY STAY****

Upon consideration of Plaintiff's Emergency Motion, and finding irreparable harm from ongoing incorrect garnishments, it is hereby:

****ORDERED**** that ALL garnishments against Plaintiff are ****STAYED IMMEDIATELY****;

****ORDERED**** that Defendants shall ****REFUND**** all garnished amounts with interest within 30 days;

****ORDERED**** that Plaintiff's driver's license shall be ****REINSTATED**** within 48 hours;

****ORDERED**** that Defendants shall provide ****FULL ACCOUNTING**** within 14 days;

****ORDERED**** that Defendants are ****ENJOINED**** from any collection activities pending resolution;

****ORDERED**** that Defendants shall pay Plaintiff's ****costs and fees**** for this emergency motion.

****SO ORDERED**** this ____ day of _____, 2025.

United States District Judge